

COMMITTEE TO BRIDGE THE GAP

1637 BUTLER AVENUE #203
LOS ANGELES, CALIFORNIA 90025
(213) 478-0829

March 23, 1984

CHAIRMAN PALLADINO
COMMISSIONER GILINSKY
COMMISSIONER ROBERTS
COMMISSIONER ASSELSTINE
COMMISSIONER BERNTHAL
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*84 MAR 26 A11:53

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

50-142

RE: SECY 83-500 (STAFF PROPOSAL TO ELIMINATE SABOTAGE PROTECTION REQUIREMENTS FOR RESEARCH REACTORS) and OIA INVESTIGATION

Dear Commissioners:

We write to request that your review of SECY 83-500, a Staff proposal to abolish long-standing sabotage protection requirements at research reactors, await completion of the investigations by the Office of Inspector and Auditor, the Atomic Safety and Licensing Board, and CBG into whether the Staff has made "substantial misrepresentations" about sabotage protection requirements at such reactors. It is expected that these investigations will be completed within the next few weeks.

We further request that when--or if--you decide to take up SECY 83-500, you do not do so merely on a notation vote basis but consider it in more depth. The proposal to eliminate sabotage protection requirements for non-power reactors is not a minor, non-substantive "clarification" as claimed by Staff, but would have major ramifications nationwide--even if only published for comment and later repudiated.

Were the Commission to do what the Staff is quietly requesting--publish in the Federal Register a public notification that amounts to repudiating its Licensing Board's current rulings on sabotage protection requirements, its Appeal Board's decision a decade ago in the Columbia case, 10 CFR 73.40(a) of its own regulations, as well as its own annual reports to Congress--it would amount to a public announcement that these reactors are totally unprotected from sabotage, an open invitation to terrorists.

We request therefore that, if and when you take up the Staff proposal, we be permitted to make a presentation dealing with its substance. We have a generic interest in the protection of research reactors nationally, as well as particular interest in the ASLB decisions the Staff is trying to overturn in the guise of rulemaking. We would provide a technical report detailing the doses to the public were a research reactor successfully sabotaged as well as the relative ease by which saboteurs could accomplish such damage if sufficient security precautions were not in place.

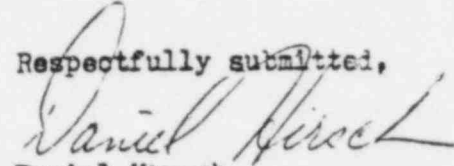
Enclosed please find, if you have not seen it already, the Atomic Safety and Licensing Board's Memorandum and Order of February 24, 1984, detailing allegations of potential Staff misconduct regarding representations about sabotage protection requirements contained in SECY 83-500 and other Staff statements. Please find enclosed also a March 16 letter from Staff Counsel indicating that the OIA investigator had shown her documents which are in "clear conflict" with previous Staff representations about sabotage requirements at non-power reactors. As these representations, now called into question, form the basis for SECY 83-500, it would be imprudent to act upon it until the matter is resolved.

8403260365 840323
PDR ADDCK 05000142
PDR

DS03

Again, please await the outcome of these investigations before acting on SECY 83-500, and when or if you do take the matter up, please do so with considerable scrutiny. We hope you found the CBG presentation last January on the HEU conversion issue useful, and request that we be permitted to make such a presentation on this sabotage protection matter when it is considered. Early notification of scheduling would be appreciated.

Respectfully submitted,


Daniel Hirsch
President

enclosure: as stated

cc w/ enclosure: Secretary Chilk
Congressman Udall
Congressman Ottinger
Congressman Markey
Congressman Dingell
w/o enclosure: 50-142 service list