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CORRESPONDENCE

COMMITTEE TO BRIDGE THE GAP

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

DOCKETED

November 18, 1984

John H. Frye, III, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Emmett A. Luebker
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Glenn O. Bright
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
(UCLA Research Reactor)
Docket No. 50-142 o L
(Proposed Renewal of Facility License)

Dear Administrative Judges:

This is to notify you of our recent communications with the Department of Energy regarding the shipment of UCLA's reactor fuel to Idaho Falls.

We informed you on October 31, 1984 that DOE had approved receipt of UCLA's reactor fuel, that a May deadline for receipt of fuel had been set, and that a shipment date prior to May had already been scheduled.

In a letter postmarked November 1, 1984, and apparently written in response to our letter, Mr. Cormier wrote to say, among other things, that Idaho Chemical Processing Plant (ICPP) "does not want responsibility for storing the fuel" prior to May 1985 and has "declined to accept the fuel as soon as we would like to ship it." Our inquiries indicate that this is not correct.

As stated in the attached letter of November 14, 1984, DOE regards May 1985 as a "no-later-than" date for completion of the fuel transfer. In a telephone conversation on November 16, Mr. Don Deming of DOE told me that they want the fuel "as soon as possible" but in any event prior to May. Their concern is that if it were to arrive after May, they would have to store it for a period of years until the next production run, and that is something they very much want to avoid. And in fact, he said, arrangements for fuel

John H. Frye, III, Chairman
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November 18, 1984
page 2

transfer are proceeding apace, and they expect to receive fuel well in advance of the May deadline.

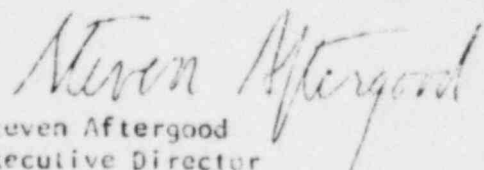
Though there had been some internal "concerns" at ICPP earlier this year, apparently security-related, this matter had "peaked" in mid-September and had been "completely resolved" shortly thereafter. By mid-October, a date for fuel shipment had already been scheduled. Far from wishing to postpone the shipment, Deming said, UCLA "could ship it today, as far as we're concerned."

He reiterated that shipment is anticipated well in advance of May, though of course the precise date is classified.

On a related matter, we note that Mr. Cormier writes in his letter postmarked November 1, that "For practical reasons, the dismantlement of the core cannot begin until the fuel is off the site." Mr. Cormier is explicitly contradicted here by the sworn statement of UCLA's Dr. Walter Wegst in his application to terminate UCLA's operating license, dated July 26, 1984. To wit, "Phases 1 [removal of fuel] and 2 [dismantlement of the core] can, and probably will be done concurrently once the fuel is moved into the radioactive fuel storage pits."

CBG remains concerned about the veracity of these and a number of other representations made by counsel for opposing parties. Because the license renewal proceedings have been suspended pending the Board's ruling on UCLA's request to withdraw its application and terminate that proceeding, and because no 50.82 proceeding has officially commenced (and none may if the Board accepts withdrawal of the renewal application), CBG holds in abeyance motions regarding representations made by counsel for opposing parties. These obviously will not be relevant if the renewal application is withdrawn and the renewal proceedings terminated, and a 50.82 proceeding thus made unnecessary. Should the suspension be lifted, however, CBG will make the necessary motions to insure the integrity of the renewed proceedings.

Yours sincerely,


Steven Aftergood
Executive Director

enclosures

cc w/ enclosures:
service list



Department of Energy

Idaho Operations Office
550 Second Street
Idaho Falls, Idaho 83401

November 14, 1984

Mr. Steven Aftergood
Executive Director
Committee to Bridge the Gap
1637 Butler Avenue, #203
Los Angeles, California 90025

SUBJECT: UCLA Argonaut Fuel

REFERENCE: (1) Letter Aftergood to Whitsett, Subject, UCLA Fuel Shipments to ICPP, dated November 4, 1984
(2) Letter Whitsett to Ostrander, subject UCLA Argonaut Fuel, dated September 18, 1984 (enclosed)

Dear Mr. Aftergood:

In regard to your concern for the shipping of the subject fuel (Reference 1), we approved the receipt of this fuel for ICPP disposition (Reference 2) and established a contact at ICPP for coordinating the transfer with UCLA. The May 1985 date was mentioned in Reference 2 as a no-later-than receiving date that was desired to permit including this fuel in our next production run, thereby minimizing fuel handling and storage at ICPP, and expediting the return of the uranium to the fuel cycle. Arrangements for receipt of the fuel, including obtaining a suitable shipping cask and completing safety analyses, are proceeding as expected and may actually be completed several months in advance of May 1985.

The date of shipment is classified but can be made available to you following the fuel transfer to ICPP if you are still interested.

We hope this has answered your concerns and that you will be encouraged by the fact that the UCLA fuel will be transferred in a professional and secure manner with due regard for the safety of the public and the people who will be handling the cask.

Very truly yours,

John B. Whitsett
John B. Whitsett, Director
Fuel Processing and Waste
Operations Division

Enclosure

cc: w/o enclosure
R. K. Heusser, DOE-HQ
D. G. McIntosh, DOE-SAN
G. F. Offutt, WINCO
N. C. Ostrander, UCLA



Department of Energy

Idaho Operations Office
550 Second Street
Idaho Falls, Idaho 83401

September 18, 1984

Mr. Neill C. Ostrander, Manager
Nuclear Energy Laboratory
University of California
Los Angeles, California 90024

SUBJECT: UCLA Argonaut Fuel

REFERENCE: Letter, N. C. Ostrander to J. B. Whitsett, same subject, dated
July 26, 1984

Dear Mr. Ostrander:

The subject fuel, as described in the reference letter, is processable at the Idaho Chemical Processing Plant. We will be glad to receive your fuel for disposition and would hope the transfer can be completed before May 1985 so that it can be included in the ICPP production run.

Please contact Mr. Gary Offutt, Technical Staff Manager, Production Department, (208-526-3014 or FTS 583-3014) of Westinghouse Idaho Nuclear Company, Inc. (WINCO) for coordination of the shipment. He will need specific information on the cask you use to insure compatibility with our equipment and perhaps additional fuel information to complete the safety considerations. If "canning" is needed WINCO may require that they be permitted to audit the operation. Mr. Offutt will provide the coordination of the receiving details of the transfer at ICPP.

If you need any further help please call Don D. Deming (208-526-0227 or FTS 583-0227) of my staff.

Very truly yours,

John B. Whitsett, Director
Fuel Processing and Waste
Operations Division

cc: Barry A. Smith, DOE-HQ
Gary F. Offutt, WINCO
Daniel G. McIntosh, DOE-SR