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October 31, 1984

John H. Frye, III, Chairman
Dr. Emmeth Luebke
Judge G.O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

RE: UCLA Reactor, Docket 50-142
BOARD NOTIFICATION

Dear Administrative Judges:

CBG has obtained recently correspondence between UCLA and the Department of Energy regarding final disposition of the remaining HEU at the UCLA reactor facility. The correspondence, and follow-up queries with the DOE personnel responsible, indicate as follows:

On July 26, UCLA applied to DOE at Idaho Falls for permission to ship its irradiated HEU to Idaho Falls for disposal. A detailed Fuel Receipt Criteria form was included with the application, with UCLA indicating it would provide the remaining missing information as to shipping cask promptly. No mention was made of the fact that UCLA was under a Board Order to dispose of the fuel as soon as reasonably practicable, nor was any request made to expedite the approvals.

On September 18, 1984, DOE at Idaho Falls approved UCLA's request to ship the HEU to Idaho Falls for final disposition, asked for the transfer to take place before May 1985 so that it can be included in the ICPP production run, and asked UCLA to provide the information on shipping cask promised in the July 26 letter.

Subsequently, UCLA provided DOE with the shipping cask information as requested--indicating that the GE cask (NRC certificate 5942) had been arranged and scheduled. DOE confirms that the transfer has been scheduled to be completed, as requested, prior to May 1985, but for security reasons will not release the specific date in the next half year that the transfer will actually be completed, except to say that it will be by May of 1985. This will be nearly a year after UCLA was ordered by the Board to remove the material as soon as reasonably practicable.

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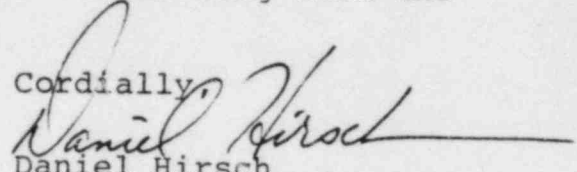
CBG continues to believe that the effective date of withdrawal of the UCLA renewal application should be immediate, consistent with long NRC precedent. Should any deferral be considered, however, CBG believes it must be only until May of 1985, when the HEU is to be no longer on site and the former reactor clearly can not go critical. This matter is currently under discussion with the parties.

The fact that CBG had to obtain this information about fuel disposition and compliance with the Board Order through Freedom of Information Act requests to DOE, and that the NRC Staff and the Board must learn of these developments not by the licensee promptly informing them but from CBG, reinforces the need for binding prompt reporting requirements.

On a related note, please find enclosed a copy of CBG's Petition for Leave to Intervene should a separate 50.82 dismantlement proceeding be necessary. CBG continues to believe that these matters must be resolved by conditions on application withdrawal, and has therefore requested the Commission not act on setting up a new ASLB and proceeding until this ASLB has decided the proposed dismantlement conditions before it under 10 CFR 2.107 for application withdrawal.

CBG will keep you informed of any resolution forthcoming from the upcoming discussions among the parties.

Cordially,


Daniel Hirsch
President

cc w/ enclosure: service list