

May 15, 1985

The Honorable Nunzio Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Dear Mr. Chairman:

We are writing to express our deep concern over indications that the Nuclear Regulatory Commission is preparing to accept a staff recommendation to downgrade the NRC's proposed rule curbing the use of highly enriched, weapons-usable uranium in domestic research and test reactors (49 Fed. Reg. 27769).

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The NRC staff appears willing to allow cosmetic changes in physical security at the reactors in place of conversion to low-enriched uranium not suitable for weapons. A similar approach is urged in a recent letter to the Commission from four Members of Congress asserting that "proper security measures are adequate substitutes to conversion to LEU fuel at all candidate reactors."

This statement flies in the face of prevailing opinion on the subject: The Commission has twice unanimously rejected similar staff proposals to downgrade the rule; seven other Members of Congress have written to support the rule as currently proposed and to commit to seeking funding for its implementation; and the public comments have shown overwhelming support for the conversion requirement.

We regard additional physical-security measures as an inferior substitute for the proposed rule. Conversion is the only measure that effectively would eliminate the threat posed by the presence of atom-bomb material in civilian reactors. Dr. Theodore B. Taylor, a noted former designer of both nuclear weapons and research reactors, said in his testimony before the Commission, "I know of no reason that could justify the unique safeguards risks associated with continued operation of [research and test] reactors with materials so internationally dangerous." We, like Dr. Taylor, fail to see the rationale in running the risks to public health and safety and to national security that continued use of HEU entails.

Moreover, we fail to see any remaining substantive obstacles to conversion--especially considering the very large costs of implementing security measures sufficient to prevent theft (as against simply detecting and reporting a loss after the fact). Recent DOE studies show that the cost of conversion would total about \$10 million (a fraction of the cost of providing around-the-clock guard services during the operating life of these reactors) and that

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production of replacement LEU fuel is now feasible. We also question whether the security measures that would be necessary in the absence of conversion are appropriate for the open atmosphere of a college campus.

Finally, we are concerned that a downgrading of the NRC's conversion requirement would undercut and cripple the Energy Department's Reduced Enrichment for Research and Test Reactor (RERTR) Program and send precisely the wrong signal to the foreign operators whom the U.S. government supposedly is encouraging to convert their research and test reactors.

We recommend revising the proposed rule only by strengthening it to shorten the conversion schedule and to tighten the "unique purpose" exemption. To go in the opposite direction would constitute a serious error in judgment and would demonstrate a gross disregard for the potential hazards to public health and safety and to national security.

We urge the Commission promptly to adopt a strong rule requiring conversion to LEU.

Sincerely,

Paul Leventhal
Nuclear Control Institute

David Albright
Center for Energy and Environmental
Studies, Princeton University

Thomas Cochran, S. Jacob Scherr
Natural Resources Defense Council

Christopher Paine
Physicians for Social Responsibility

Karen Mulhauser
Citizens Against Nuclear War

Janet Lowenthal
Nuclear Information and Resource
Service

Paul Markowitz
Critical Mass Energy Project

Steven Aftergood
Committee to Bridge the Gap

Michael Faden
Union of Concerned Scientists

Eric Fersht
Greenpeace

Ann Cahn
Committee for National Security

Ruth Caplan
Environmental Action

Brooks Yeager
Sierra Club

Robert Alvarez
Environmental Policy Institute

ADDRESS LIST

Paul Leventhal, Nuclear Control Institute, 1000 Connecticut Avenue, NW, Suite 406, Washington, D.C. 20036.

Steven Aftergood, Committee to Bridge the Gap, 1637 Butler Avenue, Suite 203, Los Angeles, California 90025.

David Albright, Center for Energy and Environmental Studies, Princeton University, Princeton, New Jersey 08540.

Michael Faden, Union of Concerned Scientists, 1346 Connecticut Avenue, NW, 11th Floor, Washington, D.C. 20036.

Thomas Cochran and S. Jacob Scherr, Natural Resources Defense Council, 1350 New York Avenue, NW, Suite 300, Washington, D.C. 20005.

Eric Fersht, Greenpeace, 1611 Connecticut Avenue, NW, Suite 400, Washington, D.C. 20036.

Christopher Paine, Physicians for Social Responsibility, 200 Third Street, SE, Washington, D.C. 20003.

Ann Cahn, Committee for National Security, 2000 P Street, NW, Washington, D.C. 20036.

Karen Mulhauser, Citizens Against Nuclear War, 1201 16th Street, NW, Washington, D.C. 20036.

Ruth Caplan, Environmental Action, 724 Dupont Circle Building, NW, Washington, D.C. 20036.

Janet Lowenthal, Nuclear Information and Resource Service, 1346 Connecticut Avenue, NW, 4th Floor, Washington, D.C. 20036.

Brooks Yeager, Sierra Club, 330 Pennsylvania Avenue, SE, Washington, D.C. 20003.

Paul Markowitz, Critical Mass Energy Project, 215 Pennsylvania Avenue, SE, Washington, D.C. 20003.

Robert Alvarez, Environmental Policy Institute, 317 Pennsylvania Avenue, SE, Washington, D.C. 20003.