



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

PDR
016

MAY 09 1985

Mr. Daniel Hirsch, Director
Adlai E. Stevenson Program on
Nuclear Policy
University of California
Santa Cruz, CA 95064

IN RESPONSE REFER
TO FOIA-84-784

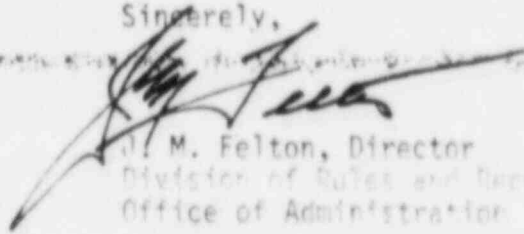
Dear Mr. Hirsch:

This is in further response to your letter dated September 30, 1984, in which you requested, pursuant to the Freedom of Information Act (FOIA), four categories of records related to the proposed rule to reduce the use of Highly Enriched Uranium at Research and Test Reactors.

In my letter to you dated April 17, 1985, I indicated that the review of two remaining documents that are subject to your request was continuing. That review has now been completed; and the documents, which are identified on enclosed Appendix I, are being placed in the NRC Public Document Room located at 1717 H Street, NW, Washington, DC 20555, in file folder FOIA-84-784 in your name.

This completes NRC action on your request.

Sincerely,


J. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosure: As stated

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APPENDIX I

Documents Being Placed in the PDR

1. 03/02/84 Letters to Rep. Bevill and Sen. Hatfield from Victor Gilinsky (5 pages)
2. Undated Briefing Material for Lloyd Hearing (40 pages)

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ADLAI E. STEVENSON COLLEGE

SANTA CRUZ, CALIFORNIA 95064

September 30, 1984

Director
Division of Rules and Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FOIA Request

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-84-784

Rec'd 10-4-84

Dear Director Felton:

This is a request under the Freedom of Information Act, as amended.

I hereby request the following documents related to a proposed rule to reduce the use of Highly Enriched Uranium (HEU) at research and test reactors:

- (1) all written communications from January 30, 1984, to the present related to the above subject between non-NRC individuals (e.g., representatives of research reactor operators or the nuclear industry) and (a) the NRC Commissioners, (b) the Commissioners' immediate staffs, and (c) other members of the NRC Staff.
- (2) all records for the same period of meetings and phone conversations between non-NRC individuals and the individuals identified in (a), (b), and (c) above related to the HEU conversion issue.
- (3) all memoranda, correspondence, and other written communications, including SECY documents, between members of the NRC Staff, and between the NRC Staff and the Commissioners, for the same period as to the HEU conversion matter.
- (4) the transcript of the meeting of the ACRS Subcommittee on Safeguards on June 12, 1984, in which the HEU conversion issue was discussed, as well as references 5-8 of the ACRS letter of June 18, 1984 (attached), as well as the transcript of that portion of the ACRS full meeting on June 15, 1984, in which the HEU matter was discussed.

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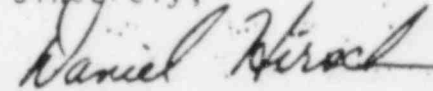
J.M. Felton
September 30, 1984
Page 2

SECY-84-211,216, and 220 need not be provided.

The material is requested on behalf of a research project of the Stevenson Program on Nuclear Policy at UCSC, a not-for-profit research center working on, among other things, a review of the policy implications of the proposed HEU conversion rule. The results of the study, relying in part on the materials requested, will be used in preparation of detailed comments on the proposed rule, Congressional testimony, and publication, contributing to the public debate on this matter and providing factual and analytic insights of value to the NRC and Congress as they consider the implications of going forward with the long-standing HEU conversion policy or reversing it. For these reasons, I request waiver of search and copying fees, because the material will primarily benefit the public.

I look forward to your prompt response to this request, as the comment period for the proposed rule expires in early November. If you have any questions, please do not hesitate to call at (408) 429-2833, -2555 (messages), 336-5381 (home).

Sincerely,



Daniel Hirsch
Director

Adlai E. Stevenson Program
on Nuclear Policy

enclosure: ACRS letter of 6/18/84

P.S. This request does not address public comments on the proposed HEU conversion rule directed to the Secretary of the Commission in response to the Federal Register solicitation of public comment and already placed in the PDR.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, D. C. 20555

June 18, 1984

Honorable Nunzio J. Palladino
Chairman
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Dr. Palladino:

SUBJECT: ACRS REPORT ON PROPOSED RULE FOR LIMITING THE USE OF HIGHLY
ENRICHED URANIUM IN DOMESTIC RESEARCH AND TEST REACTORS

During its 290th meeting, June 14-16, 1984, the Advisory Committee on Reactor Safeguards reviewed a proposed rule for limiting the use of highly enriched uranium in research and test reactors and a plan to increase security measures at nonpower reactors that use high-enrichment fuel. These matters were considered also during a Subcommittee meeting in Washington, D.C. on June 12, 1984. During our review, we had the benefit of discussions with representatives of the NRC Staff, affected users, and advocates of reduced availability of highly enriched uranium fuel. We also had the benefit of the documents referenced.

With regard to the proposed rule limiting the use of highly enriched uranium in domestic research and test reactors (contained in SECY-84-211), we believe it would be more appropriate to base the proposal on national policy as articulated in the Nuclear Nonproliferation Policy Act of 1978 than to try to tie it to an unidentified threat. If the proposal is based on national policy, it would be appropriate for the government to pay the costs of conversion from high-enrichment (HEU) to low-enrichment uranium fuel (LEU), including such costs as the licensees may incur to accomplish the conversion. The conversion should be made in a gradual and orderly manner as funds and fuels become available. The rule should provide the licensees with the option of conversion to LEU or retaining HEU and meeting appropriate security requirements.

If, as a consequence of changes needed to effect a conversion, a license amendment is required, then a hearing with the opportunity for public intervention is possible. Before the Commission adopts a rule which might permit unrestricted intervention, we recommend that the Commission obtain an evaluation of the course, nature, costs, and other relevant aspects of previous contested hearings involving nonpower reactors to determine if the hearings are serving their intended function effectively. It may be that the rules regarding hearings involving low power research reactors should be different than those for power reactors.

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June 18, 1984

The exceptions in the proposed rule which would permit special purpose reactors to continue to use highly enriched uranium fuel are appropriate and should be retained.

With regard to the plan and schedule to increase security measures at nonpower reactors that use highly enriched uranium fuel, we find no objections to the proposals. We see no need to proceed on an expedited schedule.

Two of the Committee members who participated in this review are associated with affected institutions listed in the draft public announcement of this rule. Because they are rendering advice of a general nature from which their employers will gain no preference over others, they are not required to refrain from participating in this matter. Dr. M. W. Carbon did not participate in this review.

Sincerely,



Jesse C. Ebersole
Chairman

References:

1. Rulemaking Issue (SECY-84-211) from William J. Dircks to the Commissioners, Subject: Proposed Rule for Limiting the Use of Highly Enriched Uranium in Research and Test Reactors, dated May 22, 1984
2. Rulemaking Issue (SECY-84-216) from William J. Dircks to the Commissioners, Subject: Security Measures at Nonpower Reactors, dated May 25, 1984
3. Policy Issue (SECY-84-220) from William J. Dircks for the Commissioners, Subject: Research Reactor Fuel Conversion Developments and Related Issues, dated May 30, 1984
4. Report to NRC Commissioners, "Weapons-Grade Uranium on Campus - The Need to Convert Research Reactors to Lower Enrichment Fuels," by Daniel Hirsch, Stevenson Programs on Nuclear Policy, University of California, Santa Cruz, dated January 27, 1984
5. Letter from Donald E. Feltz, Nuclear Science Center, Texas A&M University System, to John C. McKinley, Advisory Committee on Reactor Safeguards, dated June 12, 1984, Subject: ACRS meeting of June 12, 1984 regarding proposed rule on HEU
6. Letter from James J. McGovern, Business Manager, Radiochemicals, Union Carbide Corporation to U. S. Nuclear Regulatory Commission, Subject: Issue of HEU to LEU conversion of research reactor fuel, dated June 12, 1984
7. Report by Edwin L. Zebroski, Energy Study Center, Electric Power Research Institute, "Relative Diversion Exposures of High Enrichment

June 18, 1984

Uranium: Relation to University Research Reactors," dated June 4, 1984

- ✓ 8. Statement of William R. Mowry, License Administrator, GA Technologies, Inc. before the ACRS Subcommittee on Safeguards and Security dated June 12, 1984
9. Statement of Dr. David W. Hafemeister Before the NRC Regarding the Need to Convert Domestic Research Reactors from Highly Enriched to Low-Enriched Uranium Fuels, dated June 12, 1984
10. Statement of Paul L. Leventhal, Nuclear Control Institute, Before the Subcommittee on Safeguards and Security, ACRS, Regarding the Need to Convert Domestic Research Reactors From Highly Enriched to Low-Enriched Uranium Fuels, dated June 12, 1984