

From: Charles Cox
To: Antonio Fernandez; Charles Cox; Charles Miller; Josephine Piccone; Michael Layton; Patricia Holahan; Paul Goldberg; Paul Lohaus; Thomas Essig
Date: 11/25/03
Time: 1:00PM - 1:30PM
Subject: Pre-PRB Board on Neighbors Against Garbage
Place: T8F12

We have received another letter requesting shutting down Radiac Research based on Common Defense and Security. This letter specifically calls itself a 2.206 and the lawyer Michael Gerrard requests an opportunity to talk with the board.

Purpose of this meeting is to determine if we accept the petition and if so plan for the telecon or meeting with Mr. Gerrard and how to let the state and licensee respond.

Attached is a briefing sheet.

C/7

2.206 PETITION REVIEW BOARD BRIEFING SHEET**EDO Ticket Number:** G20030681**NMSS Ticket Number:****Petitioner:** Michael Gerrard of Arnold & Porter representing Neighbors Against Garbage**Facility/Licensee Name:** Radiac Research Corporation**Date of Petition:** 11/04/2003**Scope of Petition:**

Request to close the Radiac radioactive waste facility (NY Dept of Labor Licensee) using NRC authority under the AEA based on common defense and security.

Does Request Meet 10 CFR 2.206 Criteria? Y/N Why? Recommend alternative process?**This will be the topic of the pre-board meeting****Potential Safety or Safeguards Significance?**

Terrorist threat for hazardous waste and radioactive waste. Potential of accident in hazardous waste facility causing release from radioactive facility.

Is There a Need for Immediate Action?

No.

Is There a Need for OGC, OI or OE Involvement?

OGC

Should the licensee be asked to respond?

Yes, if we accept the petition

As PM, what do you recommend as an appropriate response?

Acknowledge receipt of petition and arrange pre-PRB public meeting per Mr. Gerrard's request. Licensee and State of New York Department of Labor should be invited.

Hold PRB after public meeting and decide if possession limits and potential threat rise to the level that merits NRC use of common defense and security authority.

Proposed Schedule, additional PRB meetings:

Arrange public meeting - 1/04

PRB meeting following.

Issue Director Decision 04/08/04