

8/4/80

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
GENERAL ELECTRIC COMPANY)	Docket No. 70-1308
(GE Morris Operation Spent)	(Renewal of SNM-1265)
Fuel Facility))	

NRC STAFF RESPONSE TO STATE OF ILLINOIS
REQUESTS FOR PRODUCTION OF DOCUMENTS

On July 11, 1980, the State of Illinois filed Notices of Deposition and Request for Production of Documents (Notices) addressed to certain named or otherwise identified members of the NRC Staff. In those Notices Illinois requested that the individuals "bring to the deposition copies of all documents and tangible things related to the contentions."

As the NRC Staff stated in an attachment ("NRC Staff Objection To Notices of Deposition and Request for Production of Documents") to a letter of July 18, 1980 to Illinois' counsel Susan Sekuler, the NRC Staff is willing to consider reasonable requests for the production of specifically identified documents or tangible things in connection with any agreed upon deposition and is willing to provide them informally without the need for Illinois to resort to the formal procedures provided under NRC Rules of Practice.

8008060069

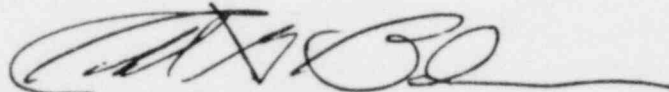
On July 14, 1980, the State of Illinois filed "State of Illinois' Request for Production of Documents From the United States Nuclear Regulatory Commission," in which it requests 22 categories of documents. Illinois requested that all documents produced in compliance with this request be produced no later than July 31, 1980 at 10:00 a.m. in Suite 2315, 188 West Randolph Street, Chicago, Illinois 60601.^{1/}

The NRC Staff responds to Illinois' July 14, 1980 request for production of documents as set forth in the attached document.

Respectfully submitted,

Marjorie Ulman Rothschild

Marjorie Ulman Rothschild
Counsel for NRC Staff



Richard G. Bachmann
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 4th day of August, 1980

^{1/} In an "Order Extending Schedule for Discovery," dated June 23, 1980, the Atomic Safety and Licensing Board (the Board) established August 4, 1980 as the date by which answers or objections to discovery requests are to be served. Accordingly, the NRC Staff has responded to Illinois' request consistent with the schedule established by the Board.

DOCUMENT REQUESTED

1. "Licensee Event Reports."

STAFF RESPONSE

There have been no licensee event reports concerning the Morris Operation.

DOCUMENT REQUESTED

2. "Documents describing the migration of any chemical or radionuclide from the facility or in an area within one mile of the facility."

STAFF RESPONSE

The Staff is not aware of a document such as described. See item 5 below for well monitoring data.

DOCUMENT REQUESTED

3. "Documents describing the ground water hydrology around the facility and of the area within one mile from the boundaries of the facility."

STAFF RESPONSE

The hydrology of the area is discussed briefly on pp. 17-19 of the Safety Evaluation Report of the Midwest Fuel Recovery Plant, (MFRP) Docket 50-268, December 1972, and in Appendices C and H of that document. The Final Environmental Statement for the MFRP, December 1972, Docket No. 50-268, contains a short discussion of Groundwater on pp. 11-12.

Detailed information on the hydrology is contained in the Consolidated Safety Analysis Report (CSAR), for Morris operation, NEDO - 21326C,

Appendices B.10 and B.12. These documents are available in the Commission's Public Document Room (PDR), 1717 H Street, N.W. Washington, D.C. and at the Local Public Document Room (LPDR), at the Morris Public Library, 604 Liberty Street, Morris, Illinois 60451.

DOCUMENT REQUESTED

4. "Documents describing the underground geology of the facility and the area within a distance of one mile from the boundaries of the facility."

STAFF RESPONSE

The geology is discussed briefly in the Midwest Fuel Recovery Plant Safety Evaluation Report on pp. 16-17 and in Appendix H of that document (November 1972).

Detailed information on the geology is presented in the CSAR, NEDO-21326C, including Appendices B.1, B.2, B.9, B.10, B.11, B.13, and B.14. These documents are available in the PDR and LPDR.

DOCUMENT REQUESTED

5. "All well monitoring data, including the results of any chemical or radiological analysis, taken from wells either at the facility or within an area or distance of one mile from the boundaries of the facility."

STAFF RESPONSE

Well monitoring data with other environmental monitoring data, is contained in NEDO-20969B2, Operating Experience - Irradiated Fuel Storage, Morris

Operation. January 1979. Data is given for 1974 and for 1976 through 1978. This monitoring data is contained in semiannual and annual appendices issued by General Electric as the data is compiled. NEDO-20969B2 is available in the PDR and the LPDR.

DOCUMENT REQUESTED

6. "All inspection reports prepared by the Applicant or the Nuclear Regulatory Commission of the site."

STAFF RESPONSE

Nuclear Regulatory Commission inspection reports are available in the NRC PDR and at the local PDR at the public library in Morris, Illinois.

DOCUMENT REQUESTED

7. "Evaluation of the facility and its management performed by any person."

STAFF RESPONSE

Two Safety Evaluation Reports have been prepared by the AEC and by the NRC for the Facility at Morris. They are:

- a. Safety Evaluation of the Midwest Fuel Recovery Plant General Electric Company, Docket 50-268, December, 1972.
- b. Safety Evaluation Report by the Division of Fuel Cycle and Material Safety Related to License Amendment for Material License No. SNM-1265,

Morris Operation Facility, Grundy County, Illinois for General Electric Company, Docket No. 70-1308. NR-FM-001, December 3, 1975.

These documents are available in the PDR and at the LPDR.

DOCUMENT REQUESTED

8. "All documents concerning a meeting between Applicant and the NRC which took place on June 10, 1980."

STAFF RESPONSE

These documents consist of a notice of the meeting on May 30, 1980 and notes on the meeting dated July 9, 1980. As a result of that meeting, GE issued a revised amendment application on June 12, 1980. These documents are available in the PDR and the LPDR.

DOCUMENT REQUESTED

9.
 - a. "A letter of January 23, 1970 (sic), from applicant to the NRC concerning a requested license amendment and any responses there to."
 - b. "Applicant's license amendment request dated January 18, 1980."
 - c. "Documents concerning said license amendment request."

STAFF RESPONSE

- a. The amendment request of January 23, 1980, is available in the PDR and the LPDR.
- b. There is no such request.

c. See "b." above.

DOCUMENT REQUESTED

10. "Data from all tests of a radiological or chemical nature performed on the materials accepted for disposal at the facility."

STAFF RESPONSE

Material is received at Morris for storage, not for disposal. No tests have been done and therefore there is no data.

DOCUMENT REQUESTED

11. "Any communications between the Applicant and the NRC concerning the facility."

STAFF RESPONSE

All communications with the Applicant are contained in the public document rooms.

DOCUMENT REQUESTED

12. "Documents relating to the proposed expansion of the facility's pool pump room."

STAFF RESPONSE

The letter of June 6, 1980, from General Electric to R. E. Cunningham of NRC contains all written information received on the addition to the pool pump room. This document was served on the parties to the proceeding on June 12, 1980.

DOCUMENT REQUESTED

13. "Any plans proposed or formulated for the decommissioning of the facility or any portion of the facility, other than the decommissioning plan submitted as Appendix F (sic) of the Consolidated Safety Analysis Report (CSAR)."

STAFF RESPONSE

The decommissioning plan as contained in Appendix A-7 of the CSAR is the same in substance as the Decommissioning Plan submitted by GE with their letter to NRC on December 22, 1978. Questions were sent to GE on March 1, 1979 and the GE response was received in the GE letter of April 4, 1979. An additional letter in response to the questions was sent to NRC on May 4, 1980. These letters are available in the PDR and the LPDR.

DOCUMENT REQUESTED

14. "Costs of implementing decommissioning plan in 1980 dollars and in 2000 dollars (end of license)."

NRC STAFF RESPONSE

As stated in the Decommissioning Plan submitted by GE on December 22, 1978, estimated costs for decommissioning are given in 1978 dollars. To the best of the Staff's knowledge, there are no documents containing costs of implementing the decommissioning plan in 1980 dollars and in 2000 dollars.

The decommissioning plan is available in the PDR and the LPDR.

DOCUMENT REQUESTED

15. "All documents pertaining to security and prevention of sabotage at the facility post-dating the 1974 Sabotage Study: NEDM-20682."

NRC STAFF RESPONSE

The Staff objects to producing this document pursuant to 10 CFR 2.744(b) on the basis that it is exempt from disclosure under 10 CFR 2.790(d)(1). In a telephone conversation on July 31, 1980, it was suggested to the State of Illinois that such requests be made subject to the conditions set forth in Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 & 2), ALAB-410, 5 NRC 1398 (1977).

DOCUMENT REQUESTED

16. "Documents concerning future facility changes, including but not limited to expansion to accommodate increased storage of spent fuel rods."

NRC STAFF RESPONSE

This request is not clear. If it refers to the 1977 expansion application, the basic information is contained in the Consolidated Safety Analysis Report, Version B. This document is in the PDR and the LPDR and was available to the Intervenor at the time of its intervention in the expansion proceeding. If the request relates to the negotiations between GE and DOE for testing, et al., no documents are available at NRC.

DOCUMENT REQUESTED

17. "Documents concerning exposure of employees or other persons at the facility showing exposures in excess of NRC limitation."

NRC STAFF RESPONSE

We are not aware of any documents concerning radiation exposures above NRC limits. Actual exposures are summarized in pp. 4-1 through 4-6 of NEDO-20969B, January 1979 which is in the possession of the Intervenors.

DOCUMENT REQUESTED

19. "Documents concerning technical specifications or regulatory guides applicable to or proposed to be applicable to Morris."

NRC STAFF RESPONSE

There are no "technical specifications" concerning the Morris Operations. The facility is governed by the Operation Specifications contained in Chapter 10 of the CSAR. There is one Regulatory Guide, RG 3.24, "Guidance on the License Application, Siting, Design and Plant Protection for an Independent Spent Fuel Storage Installation, December 1974." In addition, there is Regulatory Guide 3.44 (For Comment, December 1978) "Standard Format and Content for the Safety Analysis Report to be Included in a License Application for the Storage of Spent Fuel in an Independent Spent Fuel Storage Installation (Water Basin Type)".

Copies of the above regulatory guides are enclosed.

DOCUMENT REQUESTED

20. "Documents concerning technical specifications or regulatory guides applicable to or proposed to be applicable to the storage of spent fuel storage installations, other than proposed regulation 10 C.F.R. Part 72, 43 Fed. Ref. 46309ff., October 6, 1978."

NRC STAFF RESPONSE

This request is answered under Item 19.

DOCUMENT REQUESTED

21. "A copy of Materials License SNM-1265 and all amendments thereto."

NRC STAFF RESPONSE

These documents are available in the PDR and at the LPDR.

DOCUMENT REQUESTED

22. "Documents concerning proposed amendment of Operation Specifications, Chapter 10, of NEDO-21326C."

NRC STAFF RESPONSE

Response is contained in response to Items 8 and 9.