

DEC 9 1976

MEMORANDUM FOR: G. P. GITNER, Attorney, ELD
FROM: R. G. Page, Deputy Director, Division of Safeguards
SUBJECT: RESPONSES TO NRDC ADMISSIONS ON CRBRP

Attached is a revised response covering Numbers 39 through 47 of Contention 5, dated September 16, 1976. In Numbers 41, 42, 43, 44 and 45, we have changed the words "does not authoritatively" to "cannot" based upon your statement to Dr. Baker that the use of the word "authoritatively" as it was used in our original responses is illegal.

R. G. Page
Deputy Director
Division of Safeguards

Enclosure:
As stated

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OFFICE →	SGPD: APB <i>W. Baker</i>	SG (O&E) PSLB	SGPD	SG		
SURNAME →	PBaker/ch	DMatthews	JARowers	RGPage		
DATE →	11/30/76	11/30/76	11/1/76	11/5/76		

ENCLOSURE 1

39. NRC admits this statement.
40. NRC admits this statement.
41. NRC cannot admit or deny this statement. NRC relies upon ERDA and ERDA weapons laboratories for determinations on technical matters associated primarily with nuclear weapons technology.
42. Same as 41.
43. NRC cannot admit or deny this statement. NRC relies upon ERDA and ERDA weapons laboratories for determination on technical matters associated primarily with nuclear weapons technology. Based upon information that has been provided by ERDA, a terrorist group could not improvise an illicit nuclear explosive device with less than the 5 kg formula defined in 10CFR 73.1 (b), and the formula does provide a margin of safety. See also answers to Number 5 of Part III of NRDC sixth set of interrogatories to staff.
44. Same as 43.
45. Same as 41.
46. Though the staff is unable to define what is meant by NRDC's use of the terms "small quantities" and "wide spread" we have previously stated, see Number 6 to Part III of NRDC's sixth set of interrogatories, that it has been estimated that plutonium dispersed in a city having a high population density could result in one fatality for each 15 grams dispersed. See also our answer to your twelfth set of interrogatories regarding Cohen's thesis.

ENCLOSURE 1

47. NRC denies this statement if its intent is to imply that substantial quantities of Pu will be available for illicit use. NRC intends to regulate the licensed industry so as to assure that Pu is not available for malevolent purposes.