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2/19/1990 NRC

BEFORE THE  
ATOMIC SAFETY AND LICENSING BOARD  
U.S. NUCLEAR REGULATORY COMMISSION

'90 FEB 20 12:50

OFFICE OF SECRETARY  
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BRANCH

\_\_\_\_\_)  
In the Matter of )  
ROCKWELL INTERNATIONAL )  
CORPORATION )  
Rocketdyne Division )  
)  
(Special Nuclear Materials )  
License No. SNM-21) )  
\_\_\_\_\_)

Docket No. 70-25 -ML  
ASLBP No. 89-594-01-ML

AMENDMENT TO INTERVENORS' EVIDENTIARY FILING

The following constitutes an Amendment to Estelle Lit's and Professor Jerome E. Raskin's Full Evidentiary Statement filed on February 13, 1990. This pleading will serve as the legal support and a request for relief to our expressed concerns regarding health and safety.

Within the February 13, 1990 Full Evidentiary Statement we expressed concern by stating the following: (1) Rocketdyne will jeopardize the health and safety of the surrounding communities if they continue to use radioactive materials; (2) Rocketdyne uses outdated testing procedures to monitor possible contamination; (3) Rocketdyne uses misleading data supporting their conclusion that the population is not at risk; (4) The extent of radioactive contamination already documented, justifies non-renewal of Rocketdyne's license; and (5) Reports lowering the threshold exposure to carcinogenic materials warrant non-renewal

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of Rocketdyne's license. (Full Evidentiary Statement, Lit and Raskin, 2-13-90) NRC regulations address these five concerns. Pursuant to 10 CFR 70.23(a)(3) and (4), an application can be approved if the Commission determines, among other things, that the applicant's proposed equipment, procedures and facilities are "adequate to protect health and minimize danger to life or property." The NRC regulations further provide that:

No license will be issued by the Commission to any person within the United States if the Commission finds that the issuance of such license would be inimical to the common defense and security or would constitute an unreasonable risk to the health and safety of the public. 10 CFR 70.31(d).

The regulations also require Rocketdyne to "make every reasonable effort to maintain radiation exposures, and releases of radioactive materials in effluents to unrestricted areas." 10 CFR 20.1(c).

Rocketdyne has violated these safeguards mandated by the regulations. As stated in our third and fourth concerns, Rocketdyne's past failures to control radioactive contamination coupled with their problematic monitoring procedures indicate that Rocketdyne will not change its behavior.

Additionally, 10 CFR 70.9 requires that Rocketdyne provide complete and accurate information to the Commission. As stated in our original complaint, Rocketdyne has not supplied the Commission with complete and accurate information.

Therefore, intervenors, Estelle Lit and Jerome Raskin request that Rocketdyne's renewal application be denied. This is the only relief that can ensure safety in our community, especially given Rocketdyne's gross safety violations.

This pleading supplements the Full Evidentiary Statement filed on February 13, 1990. We swear under penalty of perjury that this Amendment and the original Full Evidentiary Statement filed February 13, 1990 are true and correct to the best of our knowledge and belief.

*Estelle Lit*

Dr. Estelle Lit

*Prof. Jerome E. Raskin*

Professor Jerome E. Raskin

dated at Los Angeles, California

this 19 day of February, 1990



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

In the Matter of

ROCKWELL INTERNATIONAL CORPORATION

Rocketdyne Division, Special  
Nuclear Materials License SNM-211

90 FEB 20 P12:50  
Docket No. (s) 70-25-ML

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MEMO MCDOW FOR JULIAN DTD 1/25 have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Administrative Judge  
Christine N. Kohl, Chairman  
Atomic Safety and Licensing Appeal  
Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Howard A. Wilber  
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Board  
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Administrative Judge  
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Washington, DC 20555

Administrative Judge  
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Atomic Safety and Licensing Board  
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Docket No. is 170-25-ML  
MEMO MCDOW FOR JULIAN DTD 1/25

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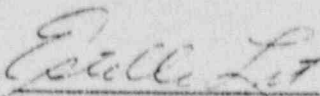
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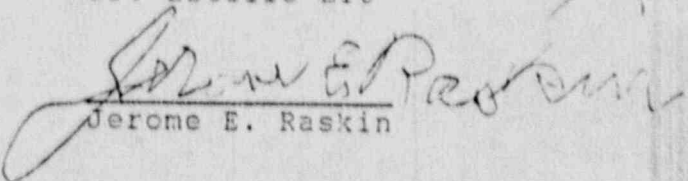
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Dr. Estelle Lit

Dated at Northridge, Calif.  
February 13, 1990

  
Jerome E. Raskin