

May 13, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA)	Docket No. 50-142
UCLA Research Reactor)	Proposed Renewal of Facility License)

NRC STAFF RESPONSE TO NOTICE OF INTENT TO PARTICIPATE
BY THE CITY OF SANTA MONICA

I. INTRODUCTION

By pleading served May 6, 1982 the City of Santa Monica, California (the City) by its attorney, Robert M. Meyers served notice on the Board and parties that it intends to participate in this proceeding pursuant to 10 C.F.R. § 2.715(c) as an interested municipality (Notice). The City states that it intends to exercise the rights of a non-party governmental body described in the rule and to participate in future discovery, especially regarding emergency and security plans. The City states that its participation was directed by a resolution adopted by the Santa Monica City Council on November 3, 1981. The City states that its particular interests are the consequences from a natural disaster affecting the UCLA reactor, and contamination of City drinking water in case of accident or natural disaster damaging the reactor, and that the City will address all the matters placed in controversy by the present intervenor, Committee to Bridge the Gap (CBG). The City recognizes that it must take the proceeding as it finds it and does not propose to broaden the issues or delay the proceedings.

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II. STAFF RESPONSE

The Staff supports the participation by the City as an interested municipality. However, the Staff does object to the City's proposal to participate in "future discovery" since only those who are parties to the proceeding pursuant to 10 C.F.R. § 2.714 may engage in discovery. The City, as an interested municipality, is limited to the manner of participation described in 10 C.F.R. § 2.715(c), namely, to introduce evidence; to interrogate witnesses, to advise the Commission, to file proposed findings, exceptions, and petitions for review. Discovery is not included in these procedures.

Further, the Staff believes the City should be required to indicate with more specificity, the manner in which it "intends to address those matters which have already been placed in controversy by Intervenor." (Notice, p.6).

III. CONCLUSION

The Staff recommends that the Board admit the City of Santa Monica to this proceeding as an interested municipality as provided by 10 C.F.R. § 2.715(c).

Respectfully submitted,

Colleen P. Woodhead
Colleen P. Woodhead *by STT*
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 13th day of May, 1982.