

1
2 UNITED STATES OF AMERICA
3 NUCLEAR REGULATORY COMMISSION

4 ATOMIC SAFETY AND LICENSING BOARD

5 Before Administrative Judge
6 Peter B. Bloch

7
8 In the Matter of) Docket Nos. 70-00270
9) 30-02278-MLA
10 THE CURATORS OF)
11 THE UNIVERSITY OF MISSOURI) RE: TRUMP-S Project
12)
13 (Byproduct License)
14 No. 24-00513-32;) ASLBP No. 90-613-02-MLA
15 Special Nuclear Materials)
16 License No. SNM-247))
17)

18 AFFIDAVIT OF DR. SUSAN M. LANGHORST
19 REGARDING CONVERSATION OF AUGUST 1, 1990

20 I, Susan M. Langhorst, being duly sworn, hereby state
21 as follows:

22 a. I am the Manager of Reactor Health Physics at the
23 University of Missouri Research Reactor (MURR) Facility. The
24 responsibilities of that position are set forth in more detail in
25 the companion Affidavit of Dr. Susan M. Langhorst Regarding
26 NUREG-1140 and Intervenors' Dispersion Concentrations (Licensee's
27 Exhibit 2). In order to discharge these responsibilities, I am
28 very familiar with the NRC materials licenses held by the
29 University for work in the laboratories at MURR, and I am
30 frequently in contact with NRC Staff at Region III relating to
31 such licenses.

1 b. On July 31, 1990, I received a copy of the letter
2 from Colleen Woodhead to Judge Bloch dated July 27, 1990, and its
3 enclosure, an Affidavit of William J. Adam dated July 26, 1990.

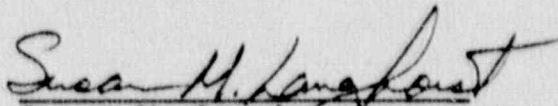
4 c. In reviewing Dr. Adam's affidavit I noted that the
5 third sentence of paragraph 4 contained the statement:

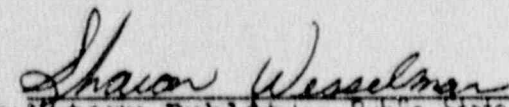
6 "In addition, the amount of nuclear material
7 authorized by the amendments is below the
8 threshold in NRC regulations requiring fire
9 protection procedures; emergency planning
10 procedures and emergency procedures. 10 CFR
11 30.32(i)(1)."

12 Although that statement was accurate with respect to uranium and
13 plutonium (to which 10 CFR 30.32(i)(1) was not applicable) and
14 with respect to neptunium, it was not accurate with respect to
15 americium, since the authorized 25 curies of americium-241
16 exceeded the Schedule C quantity referenced in 10 CFR
17 30.32(i)(1).

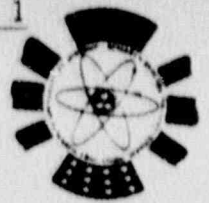
18 d. I called Dr. Adam on August 1, 1990, and brought
19 the inaccuracy in his statement to his attention. I also
20 discussed some other matters with him during that conversation.
21 A copy of the Phone Conversation Notes that I wrote on August 1
22 is attached as Attachment 1.

1 Subscribed and Sworn
2 Before Me in
3 BOONE County, Missouri
4 this 13th day of November 1990.
5
6


Susan M. Langhorst
Manager, Reactor
Health Physics

7 
8 ~~Sharon Wesselman~~ Notary Public, State of Missouri
9 My commission expires February 21, 1991
Boone County, Missouri
My Commission Expires

10 2-21-91



PHONE CONVERSATION NOTES

Who Called: Sue Langlois Date 8/1/90 Time 10:00am
 Company: NRC Region III
 Address: Alex Elman, IL
 Talked to: Bill Adam

Notes:

I called Bill to discuss his affidavit ~~of~~ related to the TRUMP-S project. He said his comments in Item 4 were meant to have referred Part 70 in relation to the SNM license. I told him that the license amount for Am-241 (25 Ci) did exceed the schedule C quantity and that the TRUMP-S work ~~was~~ came under the E103 Emergency Plan to satisfy 10 CFR 30.32(i)(1).

I asked for his advice on how Region III would like to review possible work in mixing the actinide materials in future experiments. He said we should proceed with amendments for ~~such~~ changes as approved in interim letters. Then discussed and planned ^{HEPA} filter change addition. In my discussion with Region III inspector, Jim Lynch, on July 30, 1990, ^{he said} an addition of filters probably did not require an amendment. Bill Adam stated to me that we need to submit an amendment request to make this HEPA filter change. I told him we would try to have that in to him next week.

cc: Steve Morris, Chester Edwards, Charlie McKibben, Tom Stawick, John Ernst, Walt Meyer, Lew Pitchford

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USNRC

'90 NOV 15 P8:05

OFFICE OF SECRETARY
DUCKETING & SERVICE
BRANCH

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THE CURATORS OF)
THE UNIVERSITY OF MISSOURI)
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(Byproduct License)
No. 24-00513-32;)
Special Nuclear Materials)
License No. SNM-247))

Docket Nos. 70-00270
30-02278-MLA

RE: TRUMP-S Project

ASLBP No. 90-613-02-MLA

CERTIFICATE OF SERVICE

I hereby certify that copies of:

- (1) Letter from Maurice Axelrad to Judge Peter B. Bloch dated November 14, 1990;
- (2) "Licensee's Written Presentation;"
- (3) "Licensee's Response To Renewed Stay Request;"
- (4) "Licensee's Response To 'Intervenors' Motion For Summary Disposition And Other Relief;" and
- (5) "Notice of Appearance for David W. Jenkins"

were served upon the following persons by the following methods:

- (a) By providing to a messenger for hand delivery on November 15, 1990:

The Honorable Peter B. Bloch
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
East West/West Towers Building
4350 East West Highway
Bethesda, Maryland

The Honorable Gustave A. Linenberger, Jr.
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
East West/West Towers Building
4350 East West Highway
Bethesda, Maryland

Colleen Woodhead, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, Maryland

Secretary
U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, Maryland

Attn: Chief, Docketing & Service Section
(Original plus two copies)

Executive Director for Operations
U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, Maryland

(b) By Federal Express:

Lewis C. Green, Esq.
Green, Hennings & Henry
314 North Broadway, Suite 1830
St. Louis, Missouri 63102

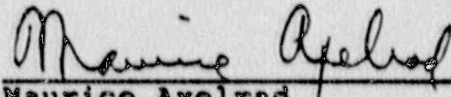
Betty K. Wilson, Esq.
Oliver, Walker, Carlton, Wilson
Market Square Office Building
P.O. Box 977
Columbia, Missouri 65205

Missouri Coalition for the Environment
c/o Mr. Henry Ottinger
511 Westwood Avenue
Columbia, Missouri 65203

Mid-Missouri Nuclear Weapons Freeze, Inc.
c/o Mr. Mark Haim, Director
100 Hitt Street
Columbia, Missouri 65201

Physicians for Social Responsibility/
Mid-Missouri Chapter
c/o Robert L. Blake, M.D.
M-228 UMC Health Sciences Center
University of Missouri at Columbia
Columbia, Missouri 65212

Dated this 14th day of November, 1990



Maurice Axelrad
Newman & Holtzinger, P.C.
1615 L Street, N.W.
Suite 1000
Washington, D.C. 20036
(202) 955-6600

