

LAW OFFICES
GREENWALD AND GREENWALD
A PROFESSIONAL CORPORATION

ALVIN G. GREENWALD
PAUL EVAN GREENWALD
DOROTHY THOMPSON
OF COUNSEL
THOMAS R. GREENWALD
ROBERT N. STONE
CHARLES I. DOLGINER
JACK M. SATTINGER

TWELFTH FLOOR
6300 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90048
(213) 653-3973

August 10, 1982

Director, Office of Administration
United States Nuclear
Regulatory Commission
Washington, D. C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-82-381

Rec'd 8-19-82

Re: Freedom of Information Act Request

Gentlepersons:

Under the provisions of the Freedom of Information Act, 5 U.S.C., Section 552 et seq., we are requesting access to and copying of each of the following records:

1. All reports of safeguards/security inspections of the UCLA Nuclear Energy Laboratory, 1959 through the present;

2. All correspondence, memos, or other written communications between NRC and UCLA, from 1970 to the present, regarding:

(a) The need to reduce SNM inventories;

(b) The applicability of 10 CFR 73.60 or 73.67 to the UCLA reactor facility;

(c) The irradiation level of irradiated fuel at the facility, particularly with regards compliance with the 100 Rem per hour at three feet standard of 10 CFR 73.67 and .60;

(d) Determinations whether UCLA has a formula quantity of SNM at the UCLA reactor; and

(e) Expressions of commitment by UCLA, and requests for such commitment by NRC, and related communications as to procedures for maintaining SNM at the UCLA reactor facility below the quantity or above the radiation level threshold for 10 73.67 or .60.

8207180041

United States Nuclear Regulatory Commission
August 10, 1982
Page Two

3. SECY 79-187, as described at pages 1 and 2 of SECY 81-376 of June 12, 1981;

4. Documents referred to on page 1 of SECY 81-376 where it states: "On July 24, 1979, the Commission approved a recommendation that nonpower reactor licensees be deferred from implementing . . ." through the sentence ending: ". . . for these facilities" on top of page 2;

5. Background documents prepared regarding SECY 79-187, SECY 81-376, and the recommendations approved July 24, 1979, referred to above. (We do not need the Los Alamos study referenced in SECY 81-376.)

6. At page 2 of Enclosure C of SECY 81-376, certain information about the UCLA Argonaut Reactor is summarized. We request all documents detailing said information, particularly with regard to irradiation level of core during normal and off-normal situations.

7. All documents detailing applicability of 10CFR 73.67 and .60 to research reactors;

8. All documents indicating whether research reactors must have security plans designed to minimize potential for radiological sabotage;

9. All documents providing the factual basis for the assertions in paragraphs 5 and 7 by James R. Miller of NRR in his April 8, 1981 Affidavit in the UCLA Reactor Relicensing case, attached to Staff Motion for Summary Disposition of April 13, 1981;

10. All documents relative to site visit and review described in January 12, 1981 letter from NRC's J. Miller to UCLA's Wegst, regarding applicable regulations;

11. NRC Circular 76-03;

12. All documents providing the factual basis for the assertions made by Donald M. Carlson of NMSS in the bottom paragraph on page 4 and the first sentence of Footnote 1 of his April 7, 1981 Affidavit, attached to the Staff Motion for Summary Disposition in the UCLA Reactor Relicensing case, Motion dated April 13, 1981;

United States Nuclear Regulatory Commission
August 10, 1982
Page Three

13. Copies of studies performed for the NRC Staff regarding sabotage potential of non-power reactors, as mentioned in sentence 2 of Footnote 1 of Donald Carlson's Affidavit;

14. All documents that demonstrate that research reactors are not required to have a physical security plan that provides measures to minimize potential for radiological sabotage;

15. Documents not provided in response to the above items that deal with physical security requirements for non-power reactors;

16. Copy of the transcript of the Meeting at Region III Office mentioned in the NRC Memo of October 19, 1979 to All Non-Power Reactor Licensees. (That meeting was said to discuss the impact of the proposed upgrade rule on certain non-power reactor licensees.)

17. Letters of October 38 and December 12, 1974 from UCLA to NRC regarding reductions in SNM inventory, as referred to in letters of November 18, 1974 and January 8, 1975 by George Lear, Operating Reactors Branch, NRC, to Hicks of UCLA;

18. J. J. Koelling, "Lower Enrichment Credit," Non-power Reactor Licensee Meeting, Ann Arbor, Michigan (September 1978); plus a listing of other papers delivered at that meeting. "Special Nuclear Material Self-Protection Criteria Investigation," by J. J. Koelling and E. W. Barts, of the Los Alamos Scientific Lab, dated December 3, 1980; reference 8 by Koelling on page 40, sub-parts 5 plus thereof;

19. All written communications between NRC and UCLA as to need to transfer irradiated fuel in storage in order to comply with the Upgrade Rule to 10 CFR 73, between 1977 and the date of shipment in Summer of 1980.

We request waiver of all fees for the above-requested documents. Our client is a public interest organization of extremely limited financial resources, admitted by the NRC's

United States Nuclear Regulatory Commission
August 10, 1982
Page Four


Atomic Safety and Licensing Board as an intervenor in the UCLA Reactor Relicensing Proceeding. The requested information is necessary for a full presentation of the applicable facts to the Board, so that it may make its decision on an adequate evidentiary basis. To limit our client's access to these documents by charging for them would be to reduce the Board's access to necessary facts for a proper decision. Further, the Board has directed our client to submit a Brief on the legal question of the applicability of 10 CFR 73.67 and .60 to the UCLA Reactor and of requirements for protection against sabotage. The above-requested documents are necessary for our client to fully comply with that Board directive.

If documents contain classified or proprietary information, we request that versions be released with that information excised, but that unprotected information be released intact.

Please call us prior to sending any information, so that we may ascertain what is available and what you propose to send, as well as a determination on the fee waiver. Do not hesitate to contact us if you need any assistance in clarifying any of these requests.

Your earliest attention to this request would be greatly appreciated.

Sincerely,



Dorothy Thompson
for the
Nuclear Law Center

DT:jp
cc: Dan Hirsch