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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge Peter B. Bloch '90 OCT 31 P2:43

DOCKETING & SERVICE.

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

Docket Nos. 70-00270-MLA 30-02278-MLA Re: TRUMP-S Project ASLBP No. 90-613-02-MLA

APPIDAVIT

STATE OF MISSOURI)

COUNTY OF BOONE)

- I, Erman L. Call, being duly sworn, state as follows:
- 1. I am a Battalion Chief for the Columbia Fire Department.
- 2. I have been provided a copy of the Declaration of Henry Ottinger, submitted by Intervenors as Exhibit 2 in support of Intervenor's Written Presentation, a copy of which is appended hereto.
- 3. Paragraph 4 of said Declaration of Henry Ottinger does not accurately reflect what I told Mr. Ottinger regarding the response of the Columbia Fire Department to a fire at the University of Missouri Research Reactor (MURR). Exhibit A appended hereto is my recollection of the conversations I had with Mr. Ottinger concerning this subject.

Dated 10/24/90 ERMAN L. CALL

Subscribed and sworn to before me this 2444 day of October,

My Commission Expires:

2-21-91

Notary Public
Sharon Wesselman, Notary Public, State of Missour
My commission expires February 21, 1991

Boone County, Missouri

At various times during the Spring and Summer of 1990, I received telephone inquiries from Mr. Henry Ottinger inquiring of my knowledge of the TRUMP-S project at MURR and about the Emergency Plan for MURR. I advised Mr. Ottinger that according to the Columbia Fire Department's copy of the MURR Emergency Plan, discussions with MURR officials, and on-site exercises which I had participated in that the Columbia Fire Department would perform fire duties in response to an alarm at the MURR. These duties would include fighting a fire which could involve radioactive materials at the MURR facility, including the Alpha Laboratory. Firefighting would be under the direction of the Department's Incident Commander with the advice of the University's Emergency Director. Such firefighting would continue until such time as the crews encountered radiation levels that the Incident Commander determined might subject the crew to unacceptable radiation doses.

The current MURR Emergency Plan (page 12, 5.0.1 Protective Actions for All Classes) shows the acceptable radiation doses and whether anyone from the Columbia Fire Department would be subjected to that maximum would be at the judgement of the 1 dent Commander based on the conditions at the time.

Knowing Mr. Ottinger was not familiar with firefighting procedures, I tried to explain in some detail how firefighting and the necessity to provide continuous radiation monitoring would be accomplished. I outlined how each attack crew would have a health physics team member assigned to them to advise of radiation dangers and answer questions about the immediate area they were in.

Mr. Ottinger seemed to have a preconceived notion that any fire situation at MURR would involve radiation and I tried to explain that this was not so but the health physics team was the key to firefighting procedures.

In response to Mr. Ottinger's in depth inquiries about the Emergency Plan and its contents, I advised him to contact personnel at MURR for a copy as I didn't know if there were any security sensitive areas and directed him to Mr. Edwards specifically.

After reading Mr. Ottinger's declaration it would appear he used considerable "editorial license" with the conversations we had, and either he did not read the current MURR Emergency Plan or he ignored its contents.

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge Peter B. Block

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

Docket Nos. 70-00270-MLA 30-02278-MLA Re: TRUMP-S Project

ASLBP No. 90-613-02-MLA

DECLARATION OF HENRY OTTINGER

- I. Henry Ottinger, declare as follows:
- 1. I am a member of the Local Emergency Planning Commission ("LEPC") of Boone County, Missouri, and have been since the Commission was created in the fall of 1987. This Commission was created pursuant to the Emergency Planning and Community Right to Know Act of 1986, and order of the Missouri State
 - 2. The LEPC has not met since April 19, 1989.
- 3. As of the week of October 7, 1990, I checked with fellow members of the Commission to be sure that I was correct, including Erman Call, Fire Battalion Chief. I verified that Missouri University has not notified the LEPC of the possession or any plans for the use of the transuranics to be used in the TRUMP-S project, specifically the unsealed plutonium, neptunium, and americium. The University has never submitted to the LEPC the requisite Material Safety Data Sheet for the materials at the reactor facility.
- 4. After checking with the fire battalion chief, I have confirmed that the procedure in the event of a fire involving these radioactive elements is not to

I declare under penalty of perjury that the foregoing is true and correct to

Henry Occiler

executed at Columbia , Missouri the Man day of October , 1980

