

March 23, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

NRC STAFF'S RESPONSE TO LICENSING BOARD
ORDER OF MARCH 4, 1983 CONCERNING CONTENTION XX

I. INTRODUCTION

In a Memorandum and Order dated March 4, 1983, the Licensing Board, noting that Intervenor's Supplemental Response to the Staff's Motion for Summary Disposition of Contention XX pertaining to physical security takes issue with the assertion that Licensee now possesses less than a "formula quantity" of strategic special nuclear material (SNM), requested that the Staff respond to Intervenor's allegation by March 23, 1983.

The Staff's response is set forth below.

II. DISCUSSION

The Office of Nuclear Material Safety and Safeguards (NMSS) has represented, based on its materials records for UCLA,^{1/} that Licensee's inventory of SNM is as follows:

^{1/} NMSS has complete information on the UCLA materials record on computer. The figures provided in the text are from those computer records. The actual NRC records are physically located at the Oak Ridge National Laboratory (ORNL) and the NMSS staff has not yet received the records from ORNL that would allow actual copies to be distributed to the Licensing Board and parties. Upon the NMSS staff's receipt of the actual records confirming the SNM inventories set forth infra, copies of those records along with NRC Staff affidavits verifying the records will be forwarded to the Licensing Board and parties.

DESIGNATED ORIGINAL

UCLA inventory of SNM on 1/1/79	:	8866 grams
Offsite transfers of SNM after 1/1/79:		3938 grams
Burnup loss of SNM reported	:	4 grams
Present inventory of SNM	:	4924 grams

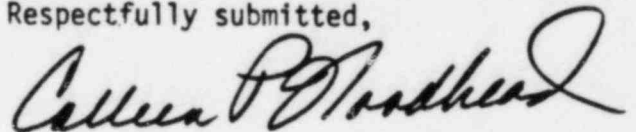
Since the "formula quantity" of SNM is 5000 grams (10 CFR § 73.2(bb)), the present inventory of SNM possessed by Licensee is less than a "formula quantity."

It appears that the basis for some confusion by Intervenor over the amounts of SNM possessed by Licensee arises from the inclusion in the 4.6 kg (4600 gram) accounting, of SNM other than fuel plates in the category of SNM designated "non-irradiated SNM" or "non-exempt" SNM in the 1978-79 I&E reports attached to Intervenor's supplemental response to the Staff's summary disposition motion, namely uranyl nitrate. The 1978 inspection report indicates that two 32 gram Pu-Be sources were included in the inventory accounting. Those sources also appear to be included in the 1979 inspection report. Those Pu-Be sources, (160 formula-equivalent grams) however, are not to be included in the determination of the total inventory of SNM possessed by Licensee for safeguards purposes. 10 CFR § 73.67(b)(1). By relying on the 1978-79 I&E reports and including the 32 gram Pu-Be sources in calculating Licensee's SNM inventory in its supplemental response to the Staff's summary disposition motion, and by failure to account for the non-fuel offsite shipments of April 8, 1981 and August 19, 1982 Intervenor has overestimated the amount of SNM possessed by Licensee for purposes of determining whether Licensee possesses "formula quantities" of SNM.

III. CONCLUSION

Intervenor has overestimated the quantity of SNM possessed by Licensee by 410 gms by including in its estimate two Pu-Be neutron sources which are exempt under the regulations and by failing to account for two offsite shipments of uranyl nitrate totalling 250 gms. NRC Staff records, which will be distributed to the Licensing Board and parties as soon as they are physically available, show that Licensee currently possesses less than formula quantities of SNM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Colleen P. Woodhead".

Colleen P. Woodhead
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 23rd day of March, 1983

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S RESPONSE TO LICENSING BOARD ORDER OF MARCH 4, 1983 CONCERNING CONTENTION XX" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, by deposit in the Nuclear Regulatory Commission's internal mail system, this 23rd day of March 1983:

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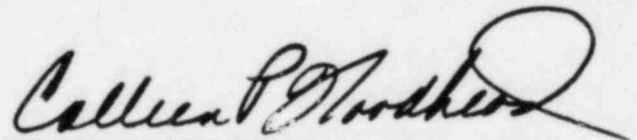
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