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RELATED CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

'95 NOV 14 P6:20

BEFORE THE COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Docket No. 50-160-Ren

In the Matter of

ASLBP No. 95-704-01-Ren

GEORGIA INSTITUTE OF TECHNOLOGY
RESEARCH REACTOR
Atlanta, Georgia
Facility License No. R-97

GEORGIANS AGAINST NUCLEAR ENERGY
REQUEST FOR COMMISSION REVIEW OF STATE OF GEORGIA
AGREEMENT TO REGULATE COBALT-60 AT GEORGIA TECH

Georgians Against Nuclear Energy (GANE) respectfully submits a request that the Commission review its Agreement State Contract with the State of Georgia pertaining to its ability to protect the environment and public health from 250,000 curies of cobalt-60 housed at the Neely Reactor Research Center in downtown Atlanta, Georgia.

In GANE's comments submitted August 31, 1995, concerning mootness of our security concerns about the Georgia Tech Reactor Facility's vulnerability to terrorism and sabotage during the upcoming Olympic Games in light of Georgia Tech's decision to remove all the weapons-grade uranium during the Games, GANE contended that the issue is not moot because of the dangers posed by the presence of 250,000 curies of cobalt-60 in an extremely vulnerable storage arrangement. Please review the entire record of our discussion on the cobalt-60 for details.

GANE cited the Atomic Energy Act concerning Agreement State Practice as mandating transfer of authority for the cobalt-60 from the State of Georgia to the Nuclear Regulatory Commission. The passage reads as follows:

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ATOMIC ENERGY ACT, Chapter 23, 42 §2021

(j) Reserve power to terminate or suspend agreements; emergency situations, State nonaction on causes of danger; authority exercisable only during emergency and commensurate with danger. . . .

(2) The Commission, upon its own motion or upon request of the Governor of any State, may, after notifying the Governor, temporarily suspend all or part of its agreement with the State without notice or hearing if, in the judgment of the Commission:

(A) an emergency situation exists with respect to any materials covered by such an agreement creating danger which requires immediate action to protect the health or safety of persons either within or outside the State, and

(B) the State has failed to take steps necessary to contain or eliminate the cause of the danger within a reasonable time after the situation arose.

A temporary suspension under this paragraph shall remain in effect only for such time as the emergency situation exists and shall authorize the Commission to exercise its authority only to the extent necessary to contain or eliminate the danger.

The Atomic Safety and Licensing Board addressed this matter in its October 31, 1995, Partial Initial Decision. The ASLB asserts that the passage cited by GANE authorizes the Commission, but not the ASLB to order removal of the cobalt-60. GANE believes that removal of the cobalt-60 (see record for details concerning its location and conditions of storage, terrorism and accident scenarios, etc.) is the only way to ensure the safety of the public during the Olympic Games which are largely centered around Georgia Tech campus.

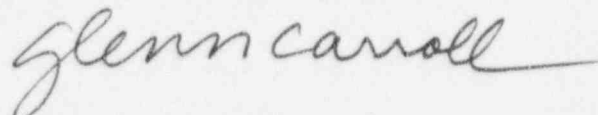
Not only has the State of Georgia been unresponsive in our attempts to draw them into discussion with us about the possibility of terrorism involving the cobalt-60, but in early October 1995, a TV crew wandered around the facility and climbed over the security fence and onto the roof of the building. The TV show about this exploit is scheduled to air on November 15, 1995, on Fox Network's "A Current Affair." Until then, the actual extent of their wanderings will not be fully in the public record. But GANE has been told that the TV crew was not even trying to be sneaky. Blessedly the journalists involved held no intent to cause harm which would unfortunately not be the case with terrorists. In fact the TV crew encountered personnel who offered to assist them, making no effort to check unidentified people from penetrating the facility. In response to this outrageous breach of security at this highly dangerous facility in the middle of Olympic

Village and Georgia Tech campus in downtown Atlanta, Georgia, Georgia Tech issued another press release about its intent to shut the reactor for the Olympic Games. It is not in evidence to GANE if either State of Georgia regulatory authorities or Georgia Tech has given any concern to securing the cobalt-60, which the TV crew claims could have been easily accessed with simple lockpicking tools.

GANE pleads with the Commission to review this situation and take authority for the cobalt-60. It is already approaching the end of 1995. By July 1996 the imagination of the world will be focused upon Atlanta and the Centennial Olympic Games. We still don't know for sure if it will take one or two casks to move the cobalt-60, what type of casks would be required, where the casks would be obtained nor how readily available, or where this huge quantity of extremely radioactive material can be housed. An emergency situation exists now as evidenced by the TV crew's effortless breach of security. Please take immediate action to increase security for the reactor facility and cobalt-60 and give your full weight of consideration to GANE's contention that absolute assurance for public protection from nuclear sabotage and environmental contamination involving the cobalt-60 can only be provided by removing the threat off-site and away from downtown Atlanta.

Georgia Tech has agreed to move a cesium-137 source from a nearby building and all of the weapons grade uranium fuel from the site. GANE appreciates this evidence of Georgia Tech's concern for public health. We feel certain that if the NRC can enjoin Georgia Tech to properly analyze the cobalt-60 situation that the same conclusion will have to be reached about it.

Respectfully submitted,



Glenn Carroll

Representative for GANE

Dated and signed November 10, 1995
in Decatur, Georgia

Thursday, Nov. 2, 1995



The Atlanta Journal
The Atlanta Constitution

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LOCAL NEWS

Security violated near Tech reactor

TV camera crew climbs fence at research center

By Charles Seabrook
STAFF WRITER

A two-person camera crew from a nationally syndicated news show roamed uninvited and unchallenged in the building that houses Georgia Tech's nuclear reactor, raising concerns about security at the facility.

Tech officials said they are embarrassed over the incident last week, in which a reporter and cameraman from the tabloid news show "A Current Affair" strolled down hallways of the Neely Nuclear Research Center and climbed a fence around the building. The building houses Tech's 30-year-old reactor in the middle of the downtown campus.

The TV crew breached no secure zones, said James M. Langley, Tech's vice president for external affairs. The crew did walk up to the zones, but, because of locked doors, had no access to the controlled areas, Langley said.

However, he acknowledged the TV crew's unannounced ramblings "have the appearance of [uncontrolled] access to the facility; and we recognize that we have to run a safe facility and allay public concerns."

Those concerns were heightened this year when a citizens antinuclear group, Georgians Against Nuclear Energy (GANE), told the federal Nuclear Regulatory Commission that security at the 30-year-old reactor is inadequate and the facility's bomb-grade uranium could become a tempting target for terrorists during next summer's Olympics in Atlanta. GANE has demanded that the commission deny Tech a new license to

run the reactor for another 20 years.

NRC officials, who investigated the incident this week, said a preliminary assessment shows that the TV crew entered no "controlled areas," and no radioactive material was affected. The reactor contains less than 11 pounds of bomb-grade uranium.

The 5 million-watt reactor is a few blocks from the Olympic Village, where thousands of athletes will be housed during the Olympics.

Tech officials said the reactor will be shut down this month and its bomb-grade fuel removed. The reactor will stay idle until after the Olympics. When it is re-started, it will be fueled by a lower grade of uranium.

Wheeler Jackson, an assignment editor for Fox television's "A Current Affair," said the piece on Tech security will be aired this month.

CERTIFICATE OF SERVICE - Docket No.(s) 50-160-REN

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Docketing and Service Branch
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