

RAS 3341



DOCKETED
USNRC

August 28, 2001 (2:30PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

August 21, 2001

To All Parties

Docket No. 070-03098-ML and ASLBP No. 01-790-01-ML

GANE has forwarded the signed, original declarations of Dr. Edwin S. Lyman and Peter Burkholder to the Secretary of the U.S. Nuclear Regulatory Commission. Copies of facsimiles were distributed to each of you as attachments # 1 and # 2 in GANE's Contentions Opposing a License for Duke Cogema Stone & Webster to Construct a Plutonium Fuel Factory at Savannah River Site filed August 13, 2001.

Respectfully submitted,

Glenn Carroll

for Georgians Against Nuclear Energy

Template = SECY-018

SECY-02

August 13, 2001

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

**Before Administrative Judges:
Thomas S. Moore, Chairman
Charles N. Kelber
Peter S. Lam**

In the Matter of)

DUKE COGEMA STONE & WEBSTER)

(Savannah River Mixed Oxide Fuel
Fabrication Facility))

Docket No. 0-70-03098-ML

ASLBP No. 01-790-01-ML

**DECLARATION OF DR. EDWIN S. LYMAN
IN SUPPORT OF GANE'S CONTENTIONS**

Under penalty of perjury, Edwin S. Lyman declares as follows:

1. My name is Edwin S. Lyman. I am scientific director of the Nuclear Control Institute ("NCI"), is a non-proliferation research and advocacy organization located in Washington, D.C.
2. I am a qualified expert on nuclear safety and safeguards issues. I hold a PhD, a master of science and a bachelor's degree in physics. For over nine years, I have conducted research on security and environmental issues associated with the management of nuclear materials and the operation of nuclear power plants. I have published articles in journals and magazines, including *The Bulletin of the Atomic Scientist* and *Science and Global Security*. A copy of my resume, including a partial list of publications and invited speeches, is attached.
3. I am familiar with the licensing-related filings and correspondence that have been submitted by Duke Cogema Stone & Webster ("DCS") in this proceeding, including the Construction Authorization Report, the Quality Assurance Plan, and the Environmental Report. I am also familiar with regulations and guidance of the U.S. Nuclear Regulatory Commission ("NRC") and the U.S. Department of Energy ("DOE") governing plutonium processing facilities. In addition, I am familiar with the requirements of the National Environmental Policy Act.

4. On behalf of GANE, I have reviewed the licensing documents for the proposed MOX Facility, and assisted GANE with the preparation of contentions regarding deficiencies in those licensing documents.

5. I assisted in the preparation of GANE's contentions regarding Safeguards, Physical Security, the Environmental Impacts of Using MOX Fuel in the Catawba and McGuire Reactors, and the Accident Analysis Under 70.61. The factual assertions in these contentions are true and correct to the best of my knowledge and belief, and the opinions expressed therein are based on my best professional judgment.



Edwin S. Lyman, Ph.D

August 13, 2001

August 13, 2001

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

**Before Administrative Judges:
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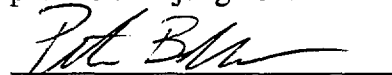
ASLBP No. 01-790-01-ML

**DECLARATION OF PETER BURKHOLDER
IN SUPPORT OF GANE'S CONTENTIONS**

Under penalty of perjury, Peter Burkholder declares as follows:

1. My name is Peter Burkholder. I am a private consultant in the field of seismology, and an a qualified expert on continental seismology.
2. I hold a Master's Degree in seismology from the University of Wisconsin in Madison, Wisconsin. For over ten years, I have conducted or supported seismological research on the Baikal rift zone of Siberia, on the West Antarctic ice sheet, and on the Kaapvaal craton of southern Africa. **A copy of my resume is attached.**
3. I am familiar with the licensing-related filings and correspondence, and portions thereof, that relate to seismological issues under review in this proceeding. These documents include Duke Cogema Stone & Webster's ("DCS's") Construction Authorization Report and the Environmental Report. I am also familiar with regulations and guidance of the U.S. Nuclear Regulatory Commission ("NRC") which pertain to seismological design.
4. On behalf of GANE, I reviewed the relevant portions of licensing documents for the proposed MOX Facility, and assisted GANE with the preparation of contentions regarding deficiencies in those licensing documents.
5. I assisted in the preparation of GANE's contention regarding Inadequate Seismic Design. The factual assertions in these contentions are true and correct to the best of my

knowledge and belief, and the opinions expressed therein are based on my best professional judgment.


Peter Burkholder

August 13, 2001

CERTIFICATE OF SERVICE
by Georgians Against Nuclear Energy
(Docket # 70-3098, ASLBP # 01-790-01-ML)

I hereby certify that copies of Letter from GANE covering original, signed declarations
forwarded to Secretary of U.S. Nuclear Regulatory Commission were sent to the
following list via U.S. Postal Service First Class Mail.

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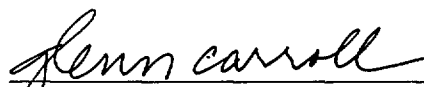
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Respectfully submitted,



Glenn Carroll

for Georgians Against Nuclear Energy
August 21, 2001 in Atlanta, Georgia