

RAS 4330

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



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USNRC

2002 APR 17 AM 8:51

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April 2, 2002

Michael C. Farrar, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Jerry Kline
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: In the Matter of Private Fuel Storage L.L.C. (Independent Spent Fuel Storage
Installation) Docket No. 72-22-ISFSI

Dear Administrative Judges:

The State of Utah notifies the Board and parties of errata in the State's Memorandum in Opposition to Applicant's Motion to Strike Portions of State of Utah's Prefiled Testimony of Dr. Marvin Resnikoff Regarding Utah Contention K/ Confederated Tribes Contention B, filed April 1, 2002.

Due to an incorrect reference, the State is withdrawing the fifth sentence in the first full paragraph on page 6 which states: "Also, the relative masses are actually two tons for an MK-84 bomb and 135 tons for a HI-STORM cask."

Please replace page 6 of your copy with the enclosed corrected page 6. A copy of the enclosed document and this notice is also being transmitted by electronic mail.

Sincerely,


James R. Soper
Assistant Attorney General

Enclosures: as stated
cc: PFS Service List

radiation release under specific accidental circumstances is substantially higher or lower than a dose limit set for human safety reasons obviously says nothing about the reliability of either.

Finally, PFS asserts that based on “everyday experience,” Dr. Resnikoff’s testimony should be stricken as unreliable. PFS reasons that a cask is 200 times more massive than an inert bomb, and “based on basic principles of physics” the acceleration felt by the cask would be one two-hundredth of the deceleration felt by the bomb, a principle not recognized by Dr. Resnikoff. No reference to any authority is made for this claimed oversight. Actually, the kinetic energy of an incoming bomb goes as $\frac{1}{2} mv^2$ and the resultant velocity and accelerations of the cask would go as the square of the mass, and would not have a resulting acceleration of one two-hundredth as everyday experience may suggest. PFS has offered no more than an attempted cross-examination of Dr. Resnikoff on the details of his calculations. PFS will have a full opportunity to explore Dr. Resnikoff’s calculations at the hearing.

C. Motion to strike Dr. Resnikoff’s testimony as beyond a design basis accident.

PFS moves to strike the testimony of Dr. Resnikoff as it relates to the penetration of a spent fuel storage cask and the accompanying release of radiation, claiming the consequences of an aircraft impact are irrelevant to calculating the probability of a design basis accident. This claim ignores the very meaning of design bases:

“design bases” should be understood in relation to that range of events, including external natural or man-induced events, that is taken into account in the design, and, in particular, in relation to conditions that could result in radiological consequences beyond specified limits.