



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 1, 1996

50-266/301  
50-313/368  
72-13, 72-1007,  
72-5

Mr. Geoffrey Oelsner  
Peoples' Action for a Safe Environment  
1410 Cato Springs Rd.  
Fayetteville, AR 72701

Dear Mr. Oelsner:

This letter responds to your letter of December 10, 1995, concerning the vulnerability of spent fuel storage casks to man-transportable antitank ground warfare (ATGW) weapons. Specifically, your letter requested the Nuclear Regulatory Commission's position regarding the necessity of a protective concrete wall surrounding the spent fuel cask storage pad at the Arkansas Nuclear One reactor site. The licensee for Arkansas Nuclear One is preparing to utilize the Sierra Nuclear VSC-24 spent fuel storage cask system under the general license provisions of Part 72 of Title 10 of the Code of Federal Regulations (10 CFR Part 72), Subpart K.

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in accordance with the Freedom of Information  
Act, exemptions 2

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Mr. Geoffrey Oelsner

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March 1, 1996

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I trust that the information I have provided addresses your concerns. Please contact Mr. Andrew Kugler of my staff if you have additional questions or concerns.

Sincerely,

*Gail H. Marcus*

Gail H. Marcus, Project Director  
Project Directorate III-3  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

Docket Nos. 50-313/368, 72-13,  
72-1007, 50-266/301, and 72-5

Mr. Geoffrey Oelsner

- 2 -

March 1, 1996

Ex2

I trust that the information I have provided addresses your concerns. Please contact Mr. Andrew Kugler of my staff if you have additional questions or concerns.

Sincerely,  
Original Signed By:  
Gail H. Marcus, Project Director  
Project Directorate III-3  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

Docket Nos. 50-313/368, 72-13,  
72-1007, 50-266/301, and 72-5

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a non-profit organization working for a safe environment for our children's children  
1410 Cato Springs Rd., Fayetteville, Arkansas 72701  
(501)521-9338 fax:(501)443-5771

50-313  
50-368  
72-13  
72-1007

Mr. Robert M. Bernero, Director  
Office of Nuclear Material Safety and  
Safeguards  
One White Flint North  
11055 Rockville Pike  
Rockville, Maryland, 20852

December 10, 1995

Dear Mr. Bernero,

I am sending you a letter an associate and I wrote to Entergy Corporation (owners of ANO) concerning the vulnerability of the VSC-24 to terrorism, specifically to LAW's (or light antitank/antiarmor weapons). I hope that every iota of information in our letter is already well-known to you, but considering the outmoded and inaccurate data sent us by Entergy (a statement by Robert Jefferson, which we contest in our letter) I do not feel certain that all bases are being carefully covered vis a vis the long term protection of the VSC-24's-- at least, they don't seem to be well-covered at Russellville, AR. And that is what our letter attempts to convey.

I am writing you so that you will be aware of the dialogue we have had with Entergy about this issue of terrorism, and about the more general issues of public health and safety that arise due to the presence of VSC-24 containers in Arkansas-- a presence that we in this state will have to accept for an indefinite period of time. We, the writers, would like Entergy to build a concrete wall around the pad on which the VSC-24's now sit in full view of any driver coming down the access road into the plant.

I would like to request your perspective on the points raised in our letter and specifically on our position in favor of a protective concrete wall, which blocks the exact location of each VSC-24 from view. Is there any information available to the public - that effectively invalidates the arguments we raised in our enclosed letter about the inadequacy of current security measures at ANO, in the event of an attack on VSC's by the most recently developed LAW's?

My associate and I, and a number of other concerned citizens in Arkansas with whom we have been in touch, would be grateful to you for providing the above-requested information.

Sincerely,

*Jeffrey Oelsner*

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# Peoples' Action for A Safe Environment

a non-profit organization working for a safe environment for our children's children

1410 Cato Springs Rd., Fayetteville, Arkansas 72701

(501)521-9338 fax:(501)443-5771

Phillip Fisher  
Senior Communications Specialist  
Entergy Operations, Inc.  
1448 S.R. 333  
Russellville, AR 72801

October 31, 1995

Dear Mr. Fisher:

We want to thank you for your letter of July 12, 1995 in which you sent us a copy of the statement that Mr. Jefferson made for the Wisconsin Electric Power Company concerning their then-planned use of the VSC-24, the same high level nuclear waste storage container Entergy is using here in AR. The main purpose of this letter is to bring to your attention what, we believe, are some serious inaccuracies Mr. Jefferson made in that testimony. Mr. Jefferson's prefiled testimony was a rebuttal to another testimony submitted to the Wisconsin PSC by radioactive waste storage expert Marvin Resnikoff, Ph.D.. Resnikoff made a strong, multifaceted statement of opposition to the use of Ventilated Storage Casks, VSC-24, to store radioactive waste on the site of the Point Beach nuclear plant.

We could contest several points raised by Mr. Jefferson in his rebuttal statement, but we chose to research one point of particular interest to us, the vulnerability of the VSC-24's to sabotage. This issue is one of vital concern to the public, particularly in the wake of last summer's tragic bombing in Oklahoma City and similar incidents that seem to be occurring at too frequent a rate to ignore such as the recent train derailment in AZ. One specific portion of Mr. Resnikoff's testimony that concerned us, that Mr. Jefferson attempted to refute in his rebuttal, is:

...No sabotage studies have been done for concrete casks. [underlining ours] Irradiated fuel storage casks...can be compromised by antitank weapons...Anti-tank weapons are widely available to countries not friendly to the United States...A modern shoulder-fired antitank weapon can penetrate up to 10 inches of armor plate...The VSC-24 is constructed of only 2.5" of steel plate...and could be easily punctured. massive concrete walls would be a deterrent to such an attack. (underlining ours)[pp. 14-16, prefiled testimony of Resnikoff]

Mr. Jefferson, who states he coordinated simulation studies of sabotage scenarios on VSC-24's for Sandia National Laboratories, minimizes the danger to the public, asserting:

...In the United States, acts of terrorism directed at people incur the wrath of the public. As a result, terrorism in the United States has almost always been directed at property. The notable exception to this was the World Trade Center bombing...

Unfortunately, there've been other "notable exceptions" since then that prove the statement incorrect at present if, and this is certainly open to debate, if it was accurate when he initially made it. A front page article from the Oct. 27th NW Ark. Morning News entitled "Threat of Terrorism

Proliferating" (copy enclosed) in which the Ass't. Director of the FBI is interviewed, leads us to believe the FBI does not agree with Mr. Jefferson's comforting reassurances either. Mr. Jefferson, however, goes on to minimize the potential threats to plant and public security posed in testimony by Resnikoff. Addressing the possibility of a light antitank and antiarmor weapon (LAW) penetrating the concrete and steel-reinforced casks, Mr. Jefferson states:

The problem with this scenario is that these small explosive shaped charges do not produce the type of damage to the casks that Dr. Resnikoff predicts...it is very difficult for someone without a lot of experience to hit something the size of one of these casks (From our having seen a cask there at Entergy's facility, we understand they are 11ft. in diameter and 18.5ft. tall.) from a distance of fifty yards with this kind of a weapon... The terrorist would have only one shot before the plant's security force would be alerted, so that one shot has to be very accurate in order to be successful & that is highly unlikely. In the unlikely event that the shot was accurate, the consequences would not be in the range predicted by Dr. Resnikoff. [pp.7-9, prefiled testimony of Robert M. Jefferson]

Jefferson relates that at Sandia, he participated in tests with "eight different methods of sabotage, including light antitank weapons." He doesn't specify which models of antitank weapons were tested and what other recoilless weapons were included. This lack of detailed, specific, statistical information left us unconvinced, so we did some information gathering of our own.

When we asked a member of the US armed services about the above statement about weapon accuracy by Mr. Jefferson, the officer said: "That's absurd! With the wire guided systems presently in use you can hit a target within a couple of inches accuracy at that distance." He also disagreed with Mr. Jefferson's statements that Dr. Resnikoff had overestimated the puncture damage a cask would suffer if it were struck by the present generation of shoulder fired assault weapons such as a LAW projectile at fifty yards. He provided us with two manuals, one entitled, Infantryman's Guide to Combat in Built-up Areas and a second, Light Antiarmor Weapons, both originating from "Headquarters, Department of the Army," and bearing on their covers: "Distribution Restriction: Approved for public release; distribution is unlimited."

These manuals contain descriptions and operating instructions for several models of shoulder-held light antiarmor and assault weapons. Two models of small shoulder fired weapons with range & penetration descriptions that makes them significant in regards to their ability to potentially damage a VSC-24 were the M136 AT4/AT8 LAWs and the 90mm recoilless rifle (RCLR). The AT4 launcher weighs 14.8 pounds and its rocket-type warhead weighs 4 pounds. This cartridge warhead is described as having "excellent penetration ability and lethal after-armor effects. [i.e., after penetration, it explodes to do much further interior damage to its target] The extremely destructive warhead with a 440gram explosive conical shaped charge penetrates more than 14 inches (35.6 cm) of armor."

The 90mm RCLR has several different warheads available for different purposes. The Infantryman's Guide states: "The 90mm HEAT round can penetrate 2 1/2ft. (30in.) of reinforced concrete." Range and the penetration of several other shoulder-launched, multipurpose, assault weapons (SMAW's) are also described including "available foreign weapons such as the RPG-7". The RPG-7 is later identified in the same manual as, "...a common threat weapon worldwide..." Antitank Guided Missiles (ATGMs) such as the Dragon and TOWs are both described as able to penetrate 4ft. (48in.) of reinforced concrete or 13in. to 16in. of steel plate.

The enclosed advertisement for the new Superdragon discusses its 100% increase in lethality and 50% increase in range to 1500 meters. In our recent conversation with Clint Smith, the Superdragon

project director, at CMS in FLA. he substantiated this explaining that the Superdragon possesses "additional penetration ability" due to its additional "tip charge" that explodes upon contact, weakening the outside structure of the target before the larger standard-shaped charge detonates. He also explained that research is going on here within the US armed forces, and we can assume in other countries as well, with Penetration Augmented Munitions (PAM) that are being designed to "defeat concrete abutments". These warheads employ a two stage system as being used in the Superdragon with an initial shaped charge with a loosely focused center preceding a follow-on charge of high explosive force.

The VSC-24 shell is constructed of 29 inches of concrete surrounding 1.5" of steel plate inside the concrete silo and 1 more inch of a steel seal-welded basket which holds the highly radioactive spent fuel pellets in metal cladding only 0.06 inches thick. External weathering, as well as internal degradation due to heat or water leakage can be expected to reduce the strength of the total shell and the cladding within it over time. [see Resnikoff testimony, pp. 18-20]

Based on the enclosed information about the fire power of the current generation of small, mobile, shoulder-fired weapons available, it is quite clear that several have the penetration power to rupture a VSC-24.

Mr. Jefferson juxtaposes a statement about what he considers the overestimated destructive power of LAW warheads with results from a test conducted at Sandia using 30 pounds of an unspecified explosive. [page 9, prefiled testimony of Robert M. Jefferson] It is deceptive to liken the effects of a stationary explosive charge of unspecified type and power to the power of a high-velocity shaped charge warhead designed to penetrate steel armor which then releases a devastating internal thermal explosion. Again, Jefferson fails to supply any test data at all about the LAWs.

With reference to Jefferson's allegation that, "The terrorist would have only one shot before the plant's security force would be alerted, so that one shot has to be very accurate in order to be successful and that is highly unlikely.", it is sobering to see "volley firing" instructions in one of the manuals that instructs the reader how to position additional firers to increase the speed at which destruction can be done. Also, the warheads are packaged five per each barrier bag and are transported four per pallet. In the manual the reloading instructions seem relatively simple. Mr. Jefferson is correct in assuming "the plant's security would be alerted" after the first warhead were to explode. But he is making a very large leap of faith in the plant security's capabilities to ask us to assume the terrorist/s would not be able to quickly reload and continue firing upon the same or other 11ft. by 18.5ft. VSC targets. The fact is, contrary to what Mr. Jefferson attempts to convince us, a properly executed terrorist attack using any of several US or foreign-made, small, very portable, shoulder fired weapons could entirely destroy one or more of the casks. The resulting explosive release of radioactive spent fuel into the air and, perhaps, water of the Arkansas River could create a health and safety catastrophe of previously unheard of proportions for the state of Arkansas and the adjacent downstream and downwind states.

After our June 16th visit when we toured portions of the plant including the area where the VSC-24's will be stored outside, we exited on a road that passes within 100yds. of this storage site with access alongside the road over a mowed lawn area to the edge of the storage site. The casks are "protected" from destructive intrusion by a chain link fence. As we approached on this highway, we were afforded an excellent view of the casks as the road is at a higher elevation. As suggested by Dr. Resnikoff in his testimony "*...massive concrete walls would be a deterrent to such an attack.*" This seems a sensible precaution for Entergy to take. You dismissed this suggestion when we visited last summer, explaining that the Nuclear Regulatory Commission (NRC) did not demand such a barrier be built. We would ask you again to consider the health and safety hazards and the environmental

danger posed by your stockpiling radioactive waste and to make this investment for the people of Arkansas. Thank you for your time and consideration on this matter.

Sincerely,

Geoff Oelsner & David Druding  
Peoples' Action for a Safe Environment

cc: Attorney General Winston Bryant

AR Democrat Gazette reporters, Mary Hargrove & Kevin Freking

AR League of Women Voters leadership

Nuclear Information Resource Service, Washington, DC

Robert M. Bernero, Director, Office of Nuclear Material Safety & Safeguards, NRC

Marvin Resnikoff, Ph.D.

Robert M. Jefferson

Brownie Ledbetter, AR Public Policy Panel



# FBI Assistant Director Says Threat Of Terrorism Proliferating in U.S.

Russell Ray  
The Morning News

The threat of domestic terrorism has proliferated because more Americans are dissatisfied with government and increased regulation, the assistant director of the FBI's National Security Division said Thursday at the University of Arkansas.

Robert M. Bryant, a graduate of the UA School of Law and the College of Business, returned to campus to speak about the future of the FBI, its history and how it operates.

Bryant oversaw the investigations of the April 19 bombing of the federal building in Oklahoma City, the 1993 bombing of the World Trade Center in New York City

and the Aldridge Ames espionage case. He is currently leading the investigation into the Oct. 9 Amtrak train derailment, which authorities say was caused by domestic saboteurs, in Arizona.

Speaking to about 50 people at the Arkansas Union Theater, Bryant said more Americans feel displaced and blame the federal government. The apparent increase in domestic terrorism, he said, could easily be linked to the growing resentment of government regulation.

FBI from 1A

and lawmakers, Bryant said. "We're very supportive of this statute because it would be very helpful in preventing acts of terrorism," he said. "I think it will pass because there's a sincere recognition that some of these authorities are needed."

The legislation would also protect investigative techniques used against aliens who are identified to be members of a terrorist group overseas.

The legislation, which basically creates a "national terrorism statute," has attracted opposition from civil libertarians and conservative lawmakers, Bryant said.

The distribution of illegal drugs is another problem that lawmakers must act on, Bryant said. To control it, the U.S. will have to make some improvements in law enforcement coordination and rehabilitation.

"I think some of these things are being done," he said.

But the U.S. will have to begin looking beyond its borders, as organized crime organizations begin to flourish internationally.

The expanding "information superhighway" is another security

concern, the U.S. must commit more resources to an effort to protect today's "information-based" society.

"We've got to develop a means to secure our information. We've got to develop a means to protect it, and we've got to develop a means to move it," he said. "You're going to see some changes in the computer industry daily."

As competition in the global economic market grows, so will the training of law enforcement personnel overseas, Bryant said.

"We want to see the police agencies of these democracies prosper under the rule of law," he said. "We want to support legitimate police agencies and make sure that they have functions that protect their citizens."

In 1991, Bryant began investigating what was termed "a major penetration in American intelligence." His investigation led to Ames, who eventually pleaded guilty to the crime and was sentenced to life without parole.

"We lost significant intelligence assets and resources to the Soviets

"There's whole segments of our society that are impacted by governmental regulations that people are very unhappy with," Bryant explained.

The federal government, he said, would be a logical target for disgruntled Americans.

"We don't have a common enemy anymore. The Russians are gone," Bryant said. "We don't have any-

body to dislike. When that happens, you basically turn inward."

Bryant said he couldn't comment on the Oklahoma City bombing investigation, which is pending prosecution, other than to say that the FBI is handling the case the best it can.

"It was a very sad and tragic act," he said. "We try first to prevent them."

Bryant said national security could be greatly helped by anti-terrorism legislation, which was passed by the U.S. Senate in the wake of the Oklahoma City bombing and is currently being debated by members of the House of Representatives.

The proposed measure includes provisions for "roving wire taps" and the use of "military resources." Those and other issues will require further research by the FBI

See FBIL Page 4A

and we felt we had a leak in our own internal structure," Bryant said. "He did great harm to our society."

Bryant said Ames broke FBI surveillance twice in one day in 1993.

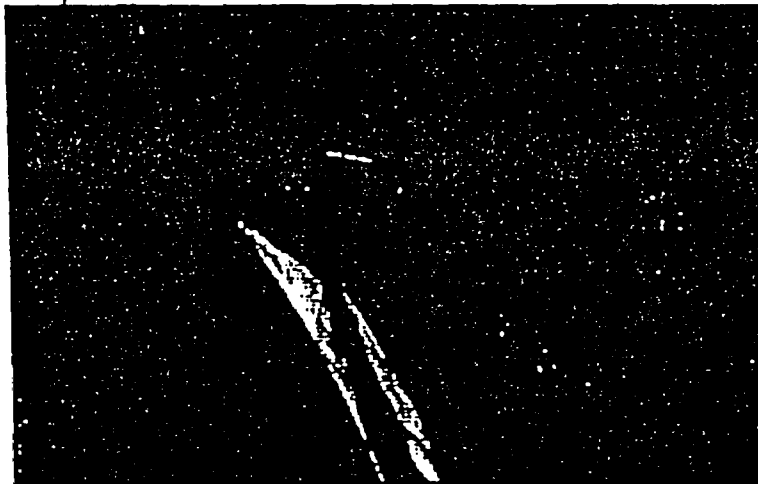
"It was apparent to us that Mr. Ames was operational (working as a spy) and we missed him. I was not happy with that," he said.

The FBI was able to prove that Ames was a Society spy with a note agents found while searching through Ames' trash, Bryant said. FBI agents searched Ames' trash against his orders.

"I didn't want to do it, but they did it anyway," he said. "I called this the finest piece of insubordination I had ever seen."

Although most of the high-profile cases the FBI works on involve violent crime, the agency spends most of its time tracking down white-collar criminal. Approximately 3,000 FBI agents are assigned to white-collar crime and fraud.

"The greatest fraud of what I see sometimes comes from inside the organization," Bryant said.



Robert Bryant, an assistant director of the FBI

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**CMS**



Attorney General Winston Bryant  
200 Tower Building  
4th and Center Streets  
Little Rock, AR 72201

November 3, 1995

Dear Attorney General Bryant,

We have enclosed information for you about the new ventilated storage casks (or VSC-24), which Entergy is using onsite at ANO in Russellville to store high-level radioactive waste for an indefinite period of time. We hope that once you review this highlighted information, you will be concerned about the risks inherent in the VSC-24's and about Entergy's approach to their storage, enough so to consider interceding on behalf of the health and safety of Arkansas citizens.

We were informed of the VSC-24's and of Entergy's plan to employ them at ANO by a coalition of concerned citizens in Michigan who had filed suit along with that state's Attorney General, in order to legally block them from use. We subsequently contacted the Michigan Attorney General's office, and gathered testimonies and depositions from that legal struggle. On the basis of our research and of consultations with experts around the country, we have chosen to focus on the issue of protecting the VSC-24 from potentially devastating acts of terrorism, rather than to attempt to prohibit their use altogether.

The key enclosure herein is a letter to Entergy on the subject of the VSC-24's extreme vulnerability to terrorism. We wrote this letter in reply to correspondence from Entergy officials, following our meeting with them in their Russellville boardroom, held this spring for the purpose of discussing the VSC-24. The president of the Arkansas League of Women Voters, Brownie Ledbetter of the Arkansas Public Policy Panel, and a professor from Arkansas Tech were also present at that meeting to express their serious concerns to Entergy officials. We all felt that Entergy underestimated and minimized the concerns we discussed with them at the meeting.

We understand that Ms. Ledbetter has spoken with you about this matter and has tentatively arranged for us to visit you. We hope that this meeting with you can be soon, and that it will lead to further action that will make Entergy more fully accountable for the adequate safeguarding of the VSC-24 containers from terrorists. Thank you in advance for your time and consideration on this vital matter.

Sincerely,

Geoff Oelsner & David Druding  
for People's Action for a Safe Environment