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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of: :Docket No. 72-22  
PRIVATE FUEL STORAGE, L.L.C. :ASLBP No.  
(Private Fuel Storage Facility) :97-732-02-ISFSI

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Washington, D.C.

Thursday, May 20, 1999

Deposition of JAMES L. COLE, a witness  
herein, called for examination by counsel for the  
State of Utah in the above-entitled matter,  
pursuant to agreement, the witness being duly  
sworn by CATHERINE S. BOYD, a Notary Public in  
and for the District of Columbia, taken at the  
offices of Harmon, Curran, Spielberg & Eisenberg,  
L.L.P., 1726 M Street, N.W., Suite 600,  
Washington, D.C. 20036, at 2:05 p.m., Thursday,  
May 20, 1999, and the proceedings being taken  
down by Stenotype by CATHERINE S. BOYD and  
transcribed under her direction.

1 fly away from the proposed site. They actually  
2 fly up against the mountains during terrain  
3 masking three, four miles east of the site.

4 Q. You know, I'm going to get the map  
5 again, and I want to ask you to show me on the  
6 map.

7 A. Sure, where they fly? Okay.

8 Q. Yes. There is more copies there. I'll  
9 try not to cover the court reporter's material  
10 again.

11 A. Speaking in general terms, well, this  
12 thing is pretty -- there is a desert peak in  
13 here. That's 11,031 feet high.

14 Skull Valley is about roughly ten miles  
15 wide.

16 They come into the valley, and from the  
17 proposed site, they fly up against these  
18 mountains right here generally.

19 Now they don't have to.

20 Q. You're referring to these? Is that --

21 A. Stansbury; the thing is a little --

22 Q. So you're talking about the mountains  
23 on the east side?

24 A. Yes. They are not in the mountains,  
25 but from the site, they fly east of the site

1 Q. General Cole, what were the results of  
2 these bounding calculations that you did?

3 A. Well, again, bounding calculations that  
4 are artificially constrained, you know, I got a  
5 number that frankly to me did not mean very much  
6 because it was not realistic with the way the  
7 airplanes fly.

8 I used the methodology in there.

9 Q. You thought it was too conservative?

10 A. I did, simply because, you know, to  
11 make a calculation, I had to put the aircraft  
12 into an artificial pipe that they don't fly in,  
13 so I mean the number was conservative on the safe  
14 side, and it would be even safer as they are  
15 spread out.

16 Q. And what was the number?

17 A. I frankly cannot specifically recall  
18 because I didn't take the calculations beyond  
19 just, you know, frankly stubby pencil work.

20 I just felt I had to have something,  
21 you know, to deal with and start with.

22 Q. So you haven't prepared a calculation  
23 that is on a piece of paper?

24 A. Nothing that I wouldn't consider beyond  
25 the realm of scratch paper, and once again, I

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1 will say that that was a notional bounding  
2 assessment, and it was artificially constrained,  
3 and since it doesn't realistically reflect where  
4 the airplanes actually fly, it's nothing that I  
5 would call a formal assessment.

6 Q. Okay.

7 (There was a pause in the proceedings.)

8 MS. CURRAN: Connie, unless you have  
9 something else, I'm going to go to the RAI  
10 responses.

11 BY MS. NAKAHARA:

12 Q. I have a real quick clarification  
13 question.

14 General Cole, you indicated at the very  
15 beginning of this section that you looked at real  
16 risk versus possible risk.

17 Can you explain your terms for a real  
18 risk and a possible risk?

19 A. well, that's a very broad question,  
20 Connie.

21 Let me start by saying real risks are  
22 ones that can result in loss of precious lives or  
23 expensive equipment.

24 Sometimes they are obvious. Sometimes  
25 they are not so obvious and you have got to look

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ERRATA SHEET FOR THE TRANSCRIPT OF James L. Cole, Jr.

Notice Date: 06/04/99  
 Case Name: In the Matter of: Private Fuel Storage, LLCa  
 Case Number: 97-732-02-1SFSI  
 Dep. Date: 05/20/99  
 Deponent: James L. Cole, Jr.  
 Place: Washington, DC  
 TSH#: 78770

CORRECTIONS:

Page	Line	Now Reads	Should Read	Reasons
13	7	Investigators, which is,	Investigators, which hosts..	grammar
14	5	there is other..	there are other..	grammar
17	7	the UTTR	Test and Training Range	clarity
18	23	air-to-air	air-to ground	accuracy
26	8	Yeah	Very well	grammar
32	25	New Reg 0800	NUREG 0800	accuracy
33	22	generic number	generic inflight crash rate	accuracy
	24	for E to the minus 10	which was 4E-10	accuracy
34	11	New Reg 0800	NUREG 0800	accuracy
38	1	delete "Army"	apply them to Michael Army	accuracy
	18	so there is two cases.	so there are two cases.	grammar
40	2	be the categories of	which would include the F-16.	accuracy
41	12	delete "desert"	there is a peak in here.	clarity
42	19	via far away	via Visual Flight Rules	accuracy
	20	"via far"	delete "via far"	clarity
43	17	Yeah	Yes	grammar
47	15	"badder"	a lot worse	grammar
49	18	"probable"	delete "probable"	accuracy