

RAS 1909

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

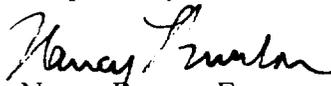
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD '00 JUL 13 P4 48

| | | |
|--|---|-------------------------|
| In the Matter of: | : | Docket No. 50-423-LA-30 |
| | : | |
| | : | ASLBP No. 00-771-01-LA |
| | : | |
| Northeast Nuclear Energy Company | : | |
| | : | |
| (Millstone Nuclear Power Station, Unit No. 3) | : | July 10, 2000 |

**Intervenors' Notice of Filing of Original Declaration of Gordon
Thompson, Ph.D.**

Connecticut Coalition Against Millstone ("CCAM") and Long Island Coalition Against Millstone ("CAM") (collectively, "Intervenors") herewith serve notice of filing of the original Declaration of Gordon Thompson, Ph.D, in support of the Intervenors' Subpart K Filing dated July 3, 2000, a copy of which is appended hereto.

Respectfully submitted,



Nancy Burton, Esq.
147 Cross Highway
Redding Ridge CT 06876
Tel. 203-938-3952
Counsel to Connecticut Coalition
Against Millstone and Long Island
Coalition Against Millstone

Template = SECY-018

SECY-02

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

Docket No. 50-423-LA-3

Northeast Nuclear Energy Company

(Millstone Nuclear Power Station,
Unit No. 3)

ASLBP No. 00-771-01-LA

**DECLARATION OF DR. GORDON THOMPSON IN SUPPORT OF
INTERVENORS' SUMMARY AND SWORN SUBMISSION REGARDING
CONTENTIONS 4, 5 AND 6**

I, Gordon Thompson, declare as follows:

1. I am the executive director of the Institute for Resource and Security Studies (IRSS), a nonprofit, tax-exempt corporation based in Massachusetts. Our office is located at 27 Ellsworth Avenue, Cambridge, MA 02139. IRSS was founded in 1984 to conduct technical and policy analysis and public education, with the objective of promoting peace and international security, efficient use of natural resources, and protection of the environment.
2. I received an undergraduate education in science and mechanical engineering at the University of New South Wales, in Australia. Subsequently, I pursued graduate studies at Oxford University and received from that institution a Doctorate of Philosophy in mathematics in 1973, for analyses of plasma undergoing thermonuclear fusion. During my graduate studies I was associated with the fusion research program of the UK Atomic Energy Authority.
3. During my professional career, I have performed technical and policy analyses on a range of issues related to international security, energy supply, environmental protection, and sustainable use of natural resources. Since 1977, a significant part of my work has consisted of technical analyses of safety and environmental issues related to nuclear facilities. These analyses have been sponsored by a variety of nongovernmental organizations and local, state and national governments, predominantly in North America and Western Europe. Drawing upon these analyses, I have provided expert testimony in legal and regulatory proceedings, and have served on committees advising US governmental agencies. A copy of my resume is appended as Exhibit 4 to the CCAM/CAM Supplemental Petition to Intervene (November 17, 1999).
4. I have reviewed the March 19, 1999 license amendment application filed by the Northeast Nuclear Energy Company (NNECO) for an amendment to Facility

Operating License No. NFP-49, which seeks permission to expand the storage capacity of the Millstone Unit No. 3 spent fuel pool. I have also reviewed pertinent portions of the Final Safety Analysis Report for the Millstone Nuclear Power Station, and various correspondence and technical documents relating to the proposed amendment and to risks of spent fuel storage, which are identified in the Intervenor's contentions. In addition, I attended a site inspection of the Millstone Unit 3 spent fuel pool on May 10, 2000.

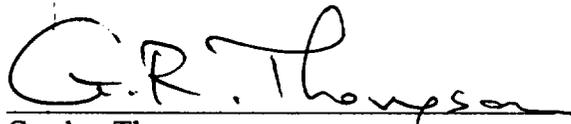
5. I participated in the preparation of the Intervenor's contentions regarding the proposed license amendment. Following admission of Contentions 4, 5 and 6, I assisted in evaluating whether NNECO's license amendment application poses an undue and unnecessary risk of a criticality accident, increases the probability of a criticality accident and whether it conforms to the requirements of General Design Criterion 62 and applicable NRC Staff guidance.

6. In making my evaluation, I conducted an extensive review of documents related to criticality prevention at Millstone and in general, including correspondence between NNECO and the NRC Staff, criticality studies performed by or for NNECO, NRC Staff and licensee documents regarding proposed spent fuel storage expansion applications, Licensee Event Reports of criticality-related occurrences, NRC Staff and industry guidance documents and related correspondence, the rulemaking history of GDC 62, and other publicly available information regarding spent fuel storage and criticality prevention. I also participated in preparing for depositions of NNECO and NRC Staff witnesses regarding Contentions 4, 5 and 6, and in reviewing the deposition testimony of these witnesses. In addition, I was deposed by NNECO.

7. I have contributed to the development of the technical factual assertions contained in Detailed Summary of Facts, Data and Arguments and Sworn Submission on Which Connecticut Coalition Against Millstone and Long Island Coalition Against Millstone Intend to Rely at Oral Argument to Demonstrate the Existence of a Genuine and Substantial Dispute of Fact with the Licensee Regarding the Proposed Expansion of Spent Fuel Storage Capacity at the Millstone Unit No. 3 Nuclear Power Plant, including Appendices A, B and C, submitted to the Licensing Board on June 30, 2000 (hereinafter "Summary"). My contributions to the Summary have been true and correct to the best of my knowledge and professional judgment.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on June 30, 2000.


Gordon Thompson

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|--|---|-------------------------------|
| In the Matter of: | : | Docket No. 50-423-LA-3 |
| | : | |
| | : | ASLBP No. 00-771-01-LA |
| | : | |
| Northeast Nuclear Energy Company | : | |
| | : | |
| (Millstone Nuclear Power Station, Unit No. 3) | : | July 10, 2000 |

Certificate of Service

I hereby certify that copies of "Intervenors' Notice of Filing of Original declaration of Gordon Thompson, Ph.D" in the above-captioned proceeding have been served on the following by E-Mail as indicated by asterisk and to all by conforming copy via U.S. Mail, postage pre-paid, on July 10, 2000:

Charles Bechhoefer, Chairman*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001
(E-Mail copy to CVB@NRC.GOV)

Dr. Richard F. Cole*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001
(E-Mail copy to RFC1@NRC.GOV)

Dr. Charles N. Kelber*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001
(E-Mail copy to CNK@NRC.GOV)

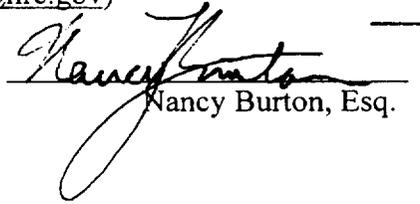
Office of Commission Appellate Adjudication
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

Office of the Secretary*
ATTN: Rulemaking and Adjudication Staff
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001
(Original + Two Copies)
(E-Mail copy to: HEARINGDOCKET@NRC.GOV)

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

David A. Repka, Esq.*
Winston & Strawn
1400 L Street NW
Washington DC 20005-3502
(E-Mail copy to drepka@winston.com)

Ann P. Hodgdon, Esq.*
Office of General Counsel
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001
(E-Mail copy to aph@nrc.gov)


Nancy Burton, Esq.