

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

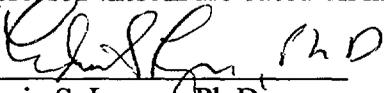
for Georgians Against Nuclear Energy

Template = SECY-018

SECY-02

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:
Thomas S. Moore, Chairman
Charles N. Kelber
Peter S. Lam

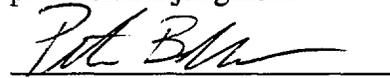
_____)	
In the Matter of)	
DUKE COGEMA STONE & WEBSTER)	Docket No. 0-70-03098-ML
(Savannah River Mixed Oxide Fuel)	ASLBP No. 01-790-01-ML
Fabrication Facility))	
_____)	

**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.

A handwritten signature in black ink, appearing to read "Peter Burkholder", written over a horizontal line.

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.

Rulemakings and Adjudications Staff
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Donald J. Silverman, Esq.
Morgan, Lewis & Bockius
1800 M Street N.W.
Washington, D.C. 20036

Administrative Judge Thomas S. Moore
Chairman
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ruth Thomas, President
Environmentalists, Inc.
1339 Sinkler Road
Columbia, SC 29206

Administrative Judge Charles N. Kelber
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Donald J. Moniak
Blue Ridge Environmental Defense
League
P.O. Box 3487
Aiken, SC 29802

Administrative Judge Peter S. Lam
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Edna Foster
120 Balsam Lane
Highlands, NC 28741

John T. Hull, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Respectfully submitted,



Glenn Carroll

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