

RAS 3813

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



MARK L. SHURTLEFF
ATTORNEY GENERAL

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ADJUDICATIONS STAFF

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Chief Deputy - Civil

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December 14, 2001

Emile L. Julian, Assistant for
Rulemakings and Adjudications
Rulemakings and Adjudications Staff
Office of the Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike, One White Flint North
Mail Stop: O16G15
Washington, D.C. 20555

Re: In the Matter of Private Fuel Storage, LLC, Docket 72-22


Dear Mr. Julian;

Enclosed are the original and two copies of the signature pages of the following declarations, the faxed copies of which were filed in conjunction with State of Utah's Response and Opposition to Applicant's Motion for Summary Disposition of Part B of Utah Contention L (December 7, 2001):

1. Declaration of Dr. Walter J. Arabasz (December 6, 2001);
2. Drs. Farhang Ostadan and Mohsin R. Khan, for the Joint Declaration of Dr. Steven F. Bartlett, R. Mohsin R. Khan, and Dr. Farhang Ostadan (December 7, 2001); and
3. Declaration of Dr. Marvin Resnikoff (December 7, 2001).

Thank you.

Sincerely,



Jean Braxton,
Legal Assistant

Enclosure: as stated
cc: PFS Docket 72-22-ISFSI Service List, without enclosure

discussion of their disputes, which go the heart of “appropriately conservative” and “sufficiently protective” design of the PFS facility. *See* Utah Joint Declaration.

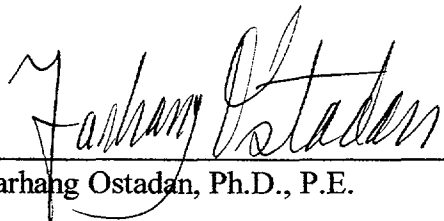

Dr. Walter J. Arabasz

December 6, 2001

89. (SFB, MK, FO) Further, independent cask stability calculations, the Altran Report, as discussed in this declaration, show that excessive sliding, uplift, collision and tipping are possible for the unanchored HI-STORM 100 storage casks under the earthquake motion of the proposed DBE. See ¶¶ 62-75 above. The Altran Report nonlinear analysis shows that if realistic and applicable range of interface parameters are considered, the casks will be subjected to severe dislocation, lift off and tipping. The Altran Report is further supported by case history examples of sliding and tipping of large, heavy objects during strong ground motion. See ¶ 75 above. These independent evaluations of the cask stability clearly demonstrate that the performance goal of 1×10^{-4} as it relates to cask stability and controlled behavior has not been achieved at the PFS site under the 2000-year earthquake.

Dated this 7th day of December 2001.

By: _____
Steven F. Bartlett, Ph.D., P.E.

By:  _____
Farhang Ostadan, Ph.D., P.E.

By: _____
Mohsin Khan, Ph.D., P.E.

89. (SFB, MK, FO) Further, independent cask stability calculations, the Altran Report, as discussed in this declaration, show that excessive sliding, uplift, collision and tipping are possible for the unanchored HI-STORM 100 storage casks under the earthquake motion of the proposed DBE. See §§ 62-75 above. The Altran Report nonlinear analysis shows that if realistic and applicable range of interface parameters are considered, the casks will be subjected to severe dislocation, lift off and tipping. The Altran Report is further supported by case history examples of sliding and tipping of large, heavy objects during strong ground motion. See § 75 above. These independent evaluations of the cask stability clearly demonstrate that the performance goal of 1×10^{-4} as it relates to cask stability and controlled behavior has not been achieved at the PFS site under the 2000-year earthquake.

Dated this 7th day of December 2001.

By:

Steven F. Bartlett, Ph.D., P.E.

By:

Farhang Ostadan, Ph.D., P.E.

By:

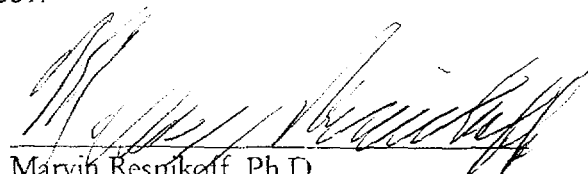

Mohsin Khan, Ph.D., P.E.

earthquake.

30. Based on the above, I do not agree that the limited analysis performed by Holtec and PFS is conservative or bounding. In the instances discussed above, the HI-STORM cask would be operated under conditions that are outside the parameters analyzed in the SAR and SER, and would lead to doses at the fence post that exceed regulatory limits. Thus, PFS has not shown that its requested design basis ground motion will not endanger life or property or is otherwise in the public interest as required by 10 CFR § 72.7 or will not jeopardize the health and safety of on-site workers.

Executed this 7th day of December, 2001.

By


Marvin Resnikoff, Ph.D.