

RAS 4720

HARMON, CURRAN, SPIELBERG & EISENBERG, LLP

1726 M Street, NW, Suite 600 Washington, DC 20036

(202) 328-3500 (202) 328-6918 fax

DOCKETED
USNRC

July 31, 2002

August 6, 2002 (12:15PM)

Office of the Secretary
Attn: Rulemakings and Adjudications Branch
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Subject: Original Declarations for Filing in Diablo Canyon ISFSI licensing case, Docket No. 72-26-**ISFSI**

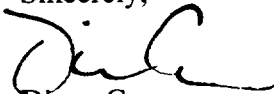
Dear Madam/Sir,

On July 19, 2002, on behalf of San Luis Obispo Mothers for Peace and other petitioners, I filed a Supplemental Hearing Request and Petition to Intervene, plus a set of exhibits. Exhibits 1, 2, and 3 were fax copies of expert declarations for which I had yet not received the original signed copy.

I have now received the original signed declarations, which I am forwarding to you.

Thank you for your consideration.

Sincerely,


Diane Curran

Cc w/o encl.: Service list

Template = secy-018

SECY-02

JUL 22 2002

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

In the Matter of: :
: :
PACIFIC GAS & ELECTRIC CO. : Docket No. 72-26 - ISFSI
(Diablo Canyon Nuclear Power Plant :
Unit Nos. 1 and 2) :

**DECLARATION OF MICHAEL F. SHEEHAN, PH.D
IN SUPPORT OF INTERVENORS' FINANCIAL
QUALIFICATION CONTENTION**

I, Michael F. Sheehan hereby declare under penalty of perjury that:

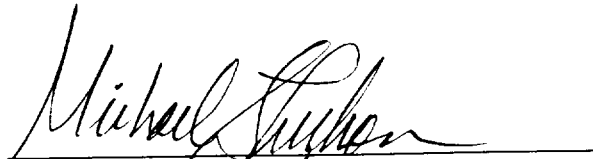
1. I am the managing partner of Osterberg and Sheehan, Public Utility Economists, a private consulting firm specializing in regulatory policy, economics and finance. My curriculum vitae listing my qualifications, experience, training, and publications is attached.

2. I hold B.S., M.A. and Ph.D. degrees in economics from the University of California at Riverside. I have taught project analysis, quantitative economics, and operations research, as well as basic, intermediate, and graduate courses in economic theory and policy at the Graduate School of Administration at the University of California at Riverside; at California State College, San Bernardino; and in the Graduate Program at Chapman College. In 1979 I joined the Graduate Program in Urban and Regional Planning at the University of Iowa, where I taught courses in environmental policy and planning, public utility policy and planning, planning economics, local energy planning, and state and local development finance. I have published a substantial number of articles in scholarly journals and a number of chapters in books.

3. Much of my practice over the last twenty years has been involved with the economics and finance of project planning and regulation. This has included high and low level radioactive waste issues in the west and midwest, the economics of power supply in the event of early closure of nuclear plants, financial qualifications and other issues in the context of the nuclear fuel enrichment, and uranium mining involving issues of financial qualification, cost-benefit analysis and NEPA. I have also testified before the NRC on financial qualification and other related issues in the ISFSI context.

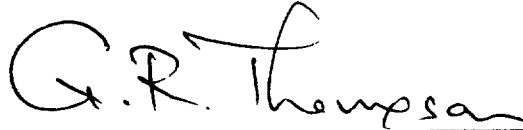
4. I am familiar with the circumstances and materials in this case generally, and specifically as they relate to the financial qualifications of the applicant and related entities.
5. I assisted Intervenors in the preparation of Contentions TC-2, TC-3, TC-4, and TC-5, regarding financial qualifications issues. The facts in those contentions are true and correct to the best of my knowledge, and the opinions set forth there are based on my best professional judgment.

DATED this July 18, 2002.



Michael F. Sheehan, Ph.D.

13. I assisted the Intervenors in the preparation of contentions EC-1, EC-2, and EC-3, regarding the inadequacy of the Environmental Report to address the potential for destructive acts of malice or insanity, the inadequacy of the Environmental Report's statement of purpose, and the inadequacy of the Environmental Report's discussion of transportation-related impacts. The statements of fact in those contentions are true and correct to the best of my knowledge, and the opinions set forth therein are based on my best professional judgment.

A handwritten signature in black ink that reads "G.R. Thompson". The signature is written in a cursive style with a large, looped "G" and "T".

Gordon R. Thompson, Ph.D.

July 18, 2002

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

In the Matter of: :
 :
PACIFIC GAS & ELECTRIC CO. :
 (Diablo Canyon Nuclear Power Plant :
 Unit Nos. 1 and 2) :

Docket No. 72-26 - ISFSI

**DECLARATION OF DR. MARK R. LEGG
IN SUPPORT OF INTERVENORS' SEISMIC DESIGN CONTENTION**

Under penalty of perjury, Dr. Mark R. Legg declares as follows:

1. My name is Mark R. Legg. I am President of Legg Geophysical, a consulting firm specializing in seismological issues. I am also an adjunct professor in the Department of Geological Sciences at San Diego State University, and FEMA/EERI Professional Fellow with the Department of Engineering at the University of Southern California in Los Angeles. In addition, I am a participating scientist with the Southern California Earthquake Center, and am licensed to practice geology and geophysics in the State of California.

2. I am a qualified expert on seismology, earthquake geology and tectonics. In particular, I have significant training and experience with regard to the seismology, geology and tectonics of coastal California. I hold a Ph.D. in geological sciences, a Masters Degree in oceanography, and a Bachelors Degree in space sciences and mechanical engineering. For over 25 years, I have conducted academic research, taught in universities, and provided professional consulting services regarding the seismology, geology and tectonics of the California coast and offshore regions, and assessment of earthquake hazards and risk in California and other seismically active regions of the world. I have published numerous articles in professional journals, and have presented my work at professional meetings. A copy of my resume, including a list of publications and presentations, is attached.

3. I have reviewed the discussions of seismological issues in Pacific Gas & Electric's Safety Analysis Report and Environmental Report for the proposed Independent Spent Fuel Storage Installation at the Diablo Canyon nuclear power plant.

4. I assisted the Intervenor's in the preparation of Contention TC-1, Inadequate Seismic Analysis. The facts in that contention are true and correct to the best of my knowledge, and the opinions expressed therein are based on my best professional judgment.

Mark R. Legg
Mark R. Legg, Ph.D

July 18, 2002