

UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of: )  
 )  
 HITTMAN NUCLEAR & DEVELOP- )  
 MENT CORPORATION ) Docket No. 99900768/82-01  
 \_\_\_\_\_ )

AFFIDAVIT OF BARRY KOH

State of Maryland ) ss.  
 County of Howard )

Being duly sworn, affiant hereby deposes and says:

1. My name is Barry Koh and I am Vice-President and General Manager of Hittman Nuclear & Development Corporation ("HNDC"), a position I have held since 1980.

2. My business address is 9190 Red Branch Road, Columbia, Maryland 21045.

3. I received an A.B. in general science from Columbia University in 1959, a B.S. in mechanical engineering from Columbia University in 1960, an M.S. in mechanical engineering from the University of Maryland in 1964 and a Doctor of Philosophy in applied science from Cornell University in 1969.

4. In my capacity as Vice President and General Manager of HNDC, I have overall responsibility for assuring that transportation casks used by HNDC to transport radioactive waste meet and comply with the pertinent regulations of the United States Nuclear Regulatory Commission ("NRC").

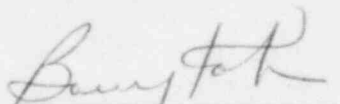
5. By letter dated August 6, 1982 from Uldis Potapovs, Chief of Vendor Program Branch at NRC's Region IV, addressed to my attention at HNDC, NRC informed HNDC that an inspection at HNDC by NRC Investigator R.E. Shepherd of NRC's Region I and W.M. McNeill of NRC's Region IV on January 29, 1982 and on February 16-18, resulted in two violations of NRC's regulations relating to quality assurance procedures (10 CFR § 21.21(a)) and maintenance of records of component testing (10 CFR § 21.51(b)).

6. The violation of 10 CFR § 21.51(b), according to NRC Inspection Report No. 99900768/82-01 attached to the letter of August 6, 1982, referred to in paragraph 4 of this affidavit, states that "records were not prepared with respect to failures (in February through June, 1981 testing) of Flextron Urethane 66-11 foam to meet the energy absorption characteristics described in the NRC approved Safety Analysis Report (page 71) for the HN-200 cask."


7. In early 1981, HNDC decided to fabricate new impact skirts for its HN-200 cask. HNDC contacted Flextron, Inc., the corporation that supplied impact absorbing foam in 1971 for use in the HN-200 casks. Upon receipt of a foam sample from Flextron, HNDC performed tests on the sample and discovered that the foam sampled did not have the requisite properties of the foam used in the impact skirts of the HN-200 cask in use by HNDC. Subsequently, on April 8 and 15, 1982, the foam used in the HN-200 casks was tested and found to meet the HN-200 Safety Analysis Report requirements. Records of this test were retained in accordance with the requirements of 10 CFR § 21.51(b).

8. Test records of the 1971 Flextron impact skirt foam were not required to be retained as per 10 CFR § 71.52(c). HNDC did, however, retain test records which show the derivation of the foam impact resistance characteristic in the HN-200 Safety Analysis Report.

9. Test records of the 1981 Flextron foam were not kept because the foam was not to be used in a licensed cask. The purpose of the 1981 test was to screen and select a foam for use in the new skirt for which the design work had just started. Screening of various foams continued until September 1981. At that point the design work continued and an application for modification of the HN-200 cask was submitted to the NRC on August 26, 1982. The foam to be used in the new impact skirts has not yet been placed on order. The purchase order will require completed documentation of the foam to be installed.

  
\_\_\_\_\_  
BARRY KOH L.S.

Barry Koh, the affiant herein, appeared before me, a notary public in the State of Maryland for the County of Howard, and, being duly sworn, stated that he has read the foregoing "Affidavit of Barry Koh" and that the contents thereof are true and correct to the best of his knowledge and belief.

  
\_\_\_\_\_  
Notary Public

My Commission expires 7/1/86.