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February 8 1999

RECD BY SECY
FEB 99 11: 19
Chairman Shirley A Jackson
Commissioner Nils J. Diaz
Commissioner Greta J. Dicus
Commissioner Edward McGaffin, Jr.
Commissioner Jeffery S. Merrifield
United States Nuclear Regulatory Commission
Washington DC 20555-0001

Gentlefolk,

You have before you a petition from Carolina Power & Light (1) to allow them to transport, for long term storage, spent fuel elements from their other plants to their Harris Plant. That plant lies proximate to my home, to Raleigh, to Durham, to Chapel Hill and to the Research Triangle. As you consider this petition we who live here would appreciate it if you would consider the following logic.

> There is a possibility, albeit small, that spent fuel can cause an event that would be devastating to its neighbors. We thus face the situation Dr. Edward Teller characterized as follows, in talking about siting of nuclear plants (Yes, *that* Dr. Teller.):

The probability that something will go seriously wrong is real. But the damage that would be caused is infinite. So you have the peculiar problem of multiplying zero times infinity. (2)

> The greater the concentration of nuclear material the greater the risk of an untoward occurrence and the greater its damage potential. (3)

> In this country one has a right to expect a benefit comensurate with whatever risk he/she is asked to assume.

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1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research.

2. The second part of the report is a detailed description of the methodology used in the study. It includes information about the sample, the data collection methods, and the statistical analysis.

3. The third part of the report is a discussion of the results of the study. It compares the findings with the objectives of the study and discusses the implications of the results.

4. The fourth part of the report is a conclusion and a list of references. The conclusion summarizes the main findings of the study and provides a final statement on the importance of the research. The references list the sources of information used in the study.

5. The fifth part of the report is a list of appendices. These appendices contain additional information that is relevant to the study but is not included in the main body of the report.

6. The sixth part of the report is a list of tables and figures. These tables and figures provide a visual representation of the data collected during the study. They are used to illustrate the results of the study and to support the conclusions drawn from the data.

7. The seventh part of the report is a list of footnotes. These footnotes provide additional information about the study, such as the names of the researchers, the dates of the study, and the locations of the study.

8. The eighth part of the report is a list of acknowledgments. These acknowledgments thank the individuals and organizations that provided support and assistance during the study.

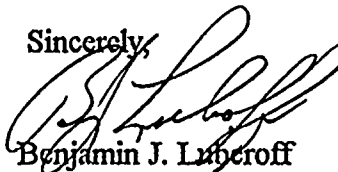
9. The ninth part of the report is a list of references. These references list the sources of information used in the study, including books, articles, and other documents.

10. The tenth part of the report is a list of appendices. These appendices contain additional information that is relevant to the study but is not included in the main body of the report.

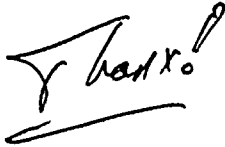
Our Commissioners, here in Chatham County, have asked you to delay your decision beyond the February 12 deadline so that they can evaluate the opinion of consultants they hired to assist them in assessing the risk benefit/equation. Such a delay would help all of us to appreciate the impact of alternate solutions to the problem before us. However the logic above is all any fair minded person needs to arrive at the conclusion that the fuel rods rightfully belong just where they are. The beneficiaries of a risk are the ones who, fairly, should assume that risk. It's that simple!

Since we, living near Harris, see no such benefit from assuming the risks the petition before you places on us, we respectfully request that you deny that petition irrevocably.

Sincerely,



Benjamin J. Luberoff



Notes:

1. Application of December 23 1998 by CP&L: *Fed. Reg.* Jan. 13 1999, Vol. 64, No. 8
2. CBS-TV August 10 1970 as cited by B. J. Luberoff, Editor, *CHEMTECH* May 1973, 257
3. Neither probabilities of untoward occurrences nor the degree of their devastating effects are linearly related to concentration.

cc: Senator Jesse Helms
Senator John Edwards
Representative David Price
Governor James Hunt
Senator Ellic Kinnaird
Senator Howard Lee
Representative Joe Hackney
Chairman Rick Givens
Dr. David A. Lochbaum

