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From: "Judy Hogan" <judyhogan@mindspring.com>  
 To: <judyhogan@mindspring.com>  
 Date: Fri, Jan 19, 2001 7:30 PM  
 Subject: Fw: BIG BLOW TO CP&L

DOCKETED  
 USNRC

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Dear friends and neighbors,

I know a lot of you have already called Price and Edwards. But if you haven't, do it! Every time my tone-alert radio goes off (today for a thunderstorm), I wonder if that crowded waste pool eight miles away has caught fire, and Shearon Harris is going up. I'm sure they try to be safe and careful, but one wonders why they don't do something like the Chatham Commissioners did last Tuesday night.

Try this on: CEO William Cavanaugh has a public announcement to make: "We have decided that the public concern is such, and the scientific evidence is such,--and we are good neighbors and want to do what is right for all of us here in N.C.--that we are going to move to dry cask storage. Our waste pools will only be used for the hot waste 5 years after it is taken out of the reactor, so they won't have to be so crowded and we won't have to activate the old ones with the iffy pipes. The rest we will store in dry casks. This means that we won't need to transport it as it gives off radiation down the train track that goes through Moncure, down I-40, if the Nevada site is opened, but instead it can be taken care of in a safe and low-maintenance way on the sites where it is generated. We wish we had spent the \$2,000,000 we just spent on lawyers, starting our dry cask storage plan. Then we could have saved our image so easily! We know that your concern is safety, and that's our concern, too. We mean it! Starting today!" Loud cheers! Why not? It could happen? Think about it. Send an e-mail to CP&L's Cavanaugh on this subject: <john.caves@cplc.com> which you can do by clicking on Caves' address. And read the info below.

Interesting! Judy

-----Original Message-----

From: NC WARN <ncwarn@pobox.com>  
 To: WARN <nc-warn@pobox.com>  
 Date: Thursday, January 18, 2001 3:20 PM  
 Subject: BIG BLOW TO CP&L

SERVED JAN 22 2001

Edwards and Price CAN Do the Job !

It's your calls and letters that have caused Sen. John Edwards and Rep. David Price to take action. Please keep it up! It's a 20-second call - or send a brief note urging them to do all possible to protect the region from CP&L's risky plan..

Sen. John Edwards: 919-856-4245 Fax: 919-856-4408  
 301 Century P.O. Building, 300 Fayetteville St, Raleigh, NC 27601

Rep. David Price: 919-789-8771 or 919-967-7924 Fax: 919-789-0372 or 919-967-8324  
 16 East Rowan St., Suite 525, Raleigh, NC 27609

NEWS RELEASE \*  
 January 18, 2001  
 NUCLEAR WASTE RISKS "EYE-OPENING"

Contact: Jim Warren  
 919-490-0747

New NRC Study a Big Boost for Challenge of Shearon Harris Expansion

DURHAM - A new study of nuclear waste cooling pools conducted by the Nuclear Regulatory Commission finds that accidents risks are substantially higher than previously believed - with implications one NRC staffer called "quite eye-opening." The long-awaited report comes as a serious blow to CP&L's proposed expansion at the Shearon Harris Nuclear Plant, which would create the nation's only four-pool waste storage site.

Template = SECY-038

SECY-02

Although NRC insiders say efforts were made to "sugar-coat" the report, the final version is even more damaging to the nuclear industry than a draft released last February. That earlier version touched off criticism by the NRC's own science advisors, who argued that the agency was seriously underestimating various aspects of waste pool risks. The study also bolsters Orange County's claim that a careful and open examination of CP&L's planned expansion is vital, requiring formal safety hearings and an environmental impact study.

The NRC study, released yesterday, reflects nine threats considered by the NRC, and indicates that the risk from "spent" fuel pools is higher than earlier believed – but is below the NRC "safety goal." However, David Lochbaum, Nuclear Safety Engineer at the Union of Concerned Scientists, said today that the safety goal conclusion is based on a list of 10 conditions that the NRC admits are probably not being met at any U.S. plants. Without all those conditions, the risk increases by at least a factor of 10, according to the study.

Lochbaum also noted that despite the results, he is concerned that the analysis ignores the threat of sabotage or terrorism, which could lead to a waste pool fire and, if properly considered, would cause the risk to increase substantially. He said that years of NRC mock-invasions have shown nuclear plants have a 50% failure rate in security. "The NRC doesn't know how to quantify the terrorist threat, but the Oklahoma City bombing suggests that the odds are not zero."

While excluding terrorism in risk calculations, the NRC found that terrorists could more easily cause a waste pool accident than a reactor accident. Environmental group NC WARN argues that becoming the nation's largest storage site would increase the chance that Shearon Harris would be targeted.

If waste pools lose cooling water – due to earthquake, off-site power loss caused by weather, a dropped waste cask, or terrorism – or if water stops moving long enough to boil away, the exposure of waste bundles to air can cause them to ignite, potentially releasing large amounts of radiation into the atmosphere with little chance of stopping the accident after it begins.

Although the study focuses on retired nuclear plants, pools at operating plants are even more dangerous because irradiated fuel assemblies are hottest when first discharged from the reactors, according to Lochbaum, a 17-year nuclear industry consultant and author of a 1996 book on spent fuel storage. Among other conclusions, the study found that health damage from a waste accident would be at least 30 times higher if evacuation of the surrounding population were not carried out rapidly.

"We believe this will bolster Sen. John Edwards and Rep. David Price to become even more involved," said NC WARN Director Jim Warren today. "Central North Carolina simply cannot be left to live under a cloud of scientific uncertainty with CP&L's massive nuclear stockpile hovering over us." The group and a coalition of local citizens and students are demanding full safety hearings and have resorted to nonviolent civil disobedience because CP&L has spent an estimated \$2 million to prevent the hearings.

Edwards and Price recently questioned the NRC's actions after a high-level staff official with the agency – under CP&L pressure – granted approval of CP&L's expansion while an NRC licensing board is considering Orange County's argument that safety hearings and the environmental study are required by law. Orange County has appealed to the full NRC panel, with a decision expected any day.

While all sides agree that the radiation released from a waste pool accident could equal or exceed a reactor accident, the nuclear industry points to the absence of any serious waste pool accidents to date as proof that the probability of a disaster is very low. But two U.S. nuclear plants, in Iowa and Alabama, recently lost cooling for two days without being detected, with temperatures rising to system-damaging levels. A near-miss occurred at CP&L's Brunswick plant in March 2000 after a loss of primary and back-up cooling for a reactor and waste pool.

Since 1979, Dr. Gordon Thompson, one of Orange County's consultants, has argued that partial drainage of waste pools is more dangerous than a total loss of water. The NRC finally agrees, and says partial drainage is the most likely mechanism for an accident and that the probability cannot be discounted.

Thompson and Lochbaum, who also has assisted Orange, argue that dry storage of the waste – although not risk-free – would greatly diminish the risk of a catastrophic accident. In December, a utility president argued repeatedly that dry storage is safer.

In a curious twist, the nuclear industry's lobbying group submitted formal comments on the new study on Jan. 10th – a full week before the study was released. Warren laughed that this is yet another example of the cozy relationship between the NRC and the industry it regulates: "They're so used to having their way, they apparently forget sometimes that the public might be watching them."

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\* This news release is based on a review of the NRC study by David Lochbaum of the Union of Concerned Scientists. UCS will provide a more detailed analysis of the study soon, and will make a formal presentation to the NRC Commission on February 20th.

The NRC study can be found at <http://www.nrc.gov/NRC/REACTOR/DECOMMISSIONING/SF/index.html>

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Waste Awareness and Reduction Network  
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Website: <http://www.ncwarn.org>

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NEWS RELEASE \*  
18, 2001

Contact: Jim Warren January  
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----- NC WARN

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<http://www.ncwarn.org>

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )

CAROLINA POWER & LIGHT COMPANY )

(Shearon Harris Nuclear Power Plant) )

Docket No. 50-400-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LIMITED APPEARANCE STATEMENT OF JUDY HOGAN have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
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Administrative Judge  
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Docket No. 50-400-LA  
LIMITED APPEARANCE STATEMENT  
OF JUDY HOGAN

  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 22<sup>nd</sup> day of January 2001