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February 8 1999

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Chairman Shirley A Jackson
Commissioner Nils J. Diaz
Commissioner Greta J. Dicus
Commisioner Edward McGaffin, Jr.
Commisioner 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.

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,

BJ Luberoff

Benjamin J. Luberoff

Thanks!

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 Ellie Kinnaird
Senator Howard Lee
Representative Joe Hackney
Chairman Rick Givens
Dr. David A. Lochbaum

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