

From: Bower, Fred
Sent: Monday, March 31, 2014 4:17 PM
To: aceactivists@comcast.net
Cc: Scott, Michael; Benner, Eric; Noggle, James; Nimitz, Ronald; Furia, Joseph; Barber, Scott; DiPaolo, Eugene; Montgomery, Richard; Pinkham, Laurie; Thompson, Margaret; Screnci, Diane; Sheehan, Neil; McNamara, Nancy; Tifft, Doug
Subject: RE: SMOKE VISIBLE from a 3RD LIMERICK SOURCE - AGAIN (EDATS Region I-2014-0071)

Dr. Cuthbert (ACE),

In a March 3, 2013, email, you reiterated your concerns and views related to solid Low Level Radioactive Waste (LLRW) tracking and the potential for Limerick to burn contaminated fuel oil.

The burning of contaminated fuel oil has been evaluated as a part of previous NRC effluents inspections at the station. As we have previously communicated, this practice is no longer permitted. Over the years, a number of inspectors have been involved and their inspections have been documented in publicly available inspection reports. These inspection reports can be found on our Agencywide Documents Access & Management System (ADAMS) which is available on our public website at <http://www.nrc.gov/reading-rm/adams.html>.

You also questioned NRC's specific oversight of the auxiliary boiler. The NRC is responsible for assuring the safe use of radioactive materials for beneficial civilian purposes while protecting people and the environment. To that end and as mentioned above, we have assured through inspections that Limerick no longer has provisions to incinerate low level radioactive waste while burning fuel oil in their auxiliary boilers. If you are interested in state requirements related to the auxiliary boilers, you will need to contact them directly using the information contained our February 25, 2014, email that can be located in ADAMS using accession number ML14051A063.

You also requested that NRC track the volume of Limerick's LLRW discharges and provide accurate records for the destination of Limerick's LLRWs. In accordance with Title 10, Code of Federal Regulations (CFR), Part 50.36a (a)(2), Limerick submits an annual Radioactive Effluents Release Report to the NRC. These reports can be located on our website at: <http://www.nrc.gov/reactors/operating/ops-experience/tritium/plant-info.html>. The data included and format in this report is as outlined in NRC Regulatory Guide (RG) 1.21, "Measuring, Evaluating and Reporting Radioactivity in Solid Wastes and Releases of Radioactive Materials in Liquid gaseous Effluents from Light-Water-Cooled Nuclear Power Plants." This regulatory guide can also be found on our website. Included in the regulation is a requirements for each licensee to report on the disposal of solid LLRW. Data reported includes: (1) type of waste (e.g., spent resin, dry active waste, irradiated components); (2) total quantity (volume) for each type of waste; (3) total activity (in Curies) for each type of waste; and (4) disposition location.

In addition to the annual report, the NRC conducts biennial inspections of the Limerick's Radioactive Solid Waste Processing and Radioactive Material Handling, Storage, and

Transportation program, as part of NRC Inspection Procedure 71124, that can be found on the NRC website. The most recent inspection in this area was conducted in February 2014 and will be included in the first quarter 2014 integrated inspection report that will be issued on or about May 15, 2014. As stated previously, our inspection reports are made available for public review through the ADAMS portion of our website.

Please note that we have responded to several of your emails on this same topic. Specifically, our December 19, 2013, email (ML13353A581) responded to your December 4, 2013, email. Our February 20, 2014, email (ML14051A063) responded to similar questions from your January 25, 2014, email. This email responds to your March 3, 2014, email. Additionally, we note that you previously submitted similar concerns in an email dated February 27, 2013, that Mr. Mel Gray responded to by an email dated March 21, 2013, (ML13080A271). Therefore, rather than submitting additional questions on this same topic by email, I request that you contact me at 610-337-5200 so that we can discuss them on the phone.

Sincerely,

Fred Bower

Chief | Projects Branch 4 | Division of Reactor Projects | Region I | U.S. NRC

2100 Renaissance Boulevard, STE 100, King of Prussia, PA 19406 | ☎: (610) 337-5200 | **BB:** (610) 731-1920 |

✉: Fred.Bower@nrc.gov

From: aceactivists@comcast.net [<mailto:aceactivists@comcast.net>]

Sent: Monday, March 03, 2014 12:45 PM

To: Bower, Fred

Subject: Re: SMOKE VISIBLE from a 3RD LIMERICK SOURCE - AGAIN (EDATS Region I-2014-0033)

Mr. Bower,

We understand that NRC fails to regulate or restrict Exelon's boilers, and we see that as another major regulatory flaw related to Limerick Nuclear Plant operations. Such a divided regulatory process is a major problem in protecting the public's health and safety interests from Limerick operations.

You said NRC confirmed that Exelon does not burn radioactively contaminated fuel oil in Limerick's auxiliary boilers, but you repeatedly failed to report the specific method of verification.

- **We are requesting that you provide the name and e-mail address of the NRC inspector(s) who confirmed that Exelon is not burning radioactive materials.**

As stated previously, it appears NRC's process of verification is severely flawed, considering NRC fails to track the volume of Limerick's low-level radioactive wastes.

Enormous health threats to our region would result from burning radioactive materials at Limerick. The public has the right to clearly understand NRC's complete process for verifying that Exelon is not using its boilers to burn radioactive materials to save money from transporting these wastes long distances.

It has become difficult for ACE to trust or believe NRC claims.

- First we were told Exelon never burned radioactive materials, then last year NRC admitted otherwise and claimed Exelon stopped burning.
- First we were told NRC didn't allow incineration, then we learned otherwise.
- We were originally told no radiation escaped from Limerick. After we reviewed Exelon's radiological reports to NRC, we learned otherwise. NRC then admitted radiation escapes but foolishly claimed levels present no risk, when in reality NRC has no idea what levels of all Limerick's radionuclides are being released into our air, water, and soil. NRC does NO Radiation Monitoring.

We need NRC to provide far better oversight for precaution and protection.

- We request that NRC start keeping track of the volume of all Limerick's low-level radioactive wastes, and provide far more careful oversight with accurate records for the destination of Limerick's low-level radioactive wastes.

Thank You,

Dr. Lewis Cuthbert

From: "Fred Bower" <Fred.Bower@nrc.gov>
To: aceactivists@comcast.net
Cc: "Evan Brandt" <ebrandt@pottsmmerc.com>, "Margaret Thompson" <Margaret.Thompson@nrc.gov>, "Laurie Pinkham" <Laurie.Pinkham@nrc.gov>, "Michael Scott" <Michael.Scott@nrc.gov>, "Eric Benner" <Eric.Benner@nrc.gov>, "Eugene DiPaolo" <Eugene.DiPaolo@nrc.gov>, "Juan Ayala" <Juan.Ayala@nrc.gov>, "Richard Montgomery" <Richard.Montgomery@nrc.gov>, "Rick Ennis" <Rick.Ennis@nrc.gov>, "Diane Screnci" <Diane.Screnci@nrc.gov>, "Neil Sheehan" <Neil.Sheehan@nrc.gov>, "Doug Tiff" <Doug.Tiff@nrc.gov>, "Nancy McNamara" <Nancy.McNamara@nrc.gov>, "Brett Klukan" <Brett.Klukan@nrc.gov>, "Scott Barber" <Scott.Barber@nrc.gov>, "Ronald Nimitz" <Ronald.Nimitz@nrc.gov>, "James Noggle" <James.Noggle@nrc.gov>
Sent: Thursday, February 20, 2014 7:04:28 AM
Subject: RE: SMOKE VISIBLE from a 3RD LIMERICK SOURCE - AGAIN (EDATS Region I-2014-0033)

Dear Dr. Cuthbert (ACE):

I am writing in response to your email dated January 25, 2014, in which you reiterated concerns about a third plume that was visible from Route 422 at various dates in December 2013. We had previously responded to your questions on December 19, 2013 (ML13353A581). Also, in this most recent email you reiterated a number of questions and asked a number of additional questions related to Exelon's use of their onsite auxiliary boilers.

To be clear, the NRC does not regulate or restrict Exelon's use of their auxiliary boilers. Limerick may startup, operate, and shutdown these boilers as needed for plant heating and operation. Thus, you and your constituents may continue to see additional plumes of steam or exhaust throughout this winter and into the future. We have confirmed that Exelon does not burn radioactively contaminated fuel oil in their auxiliary boilers and this has been communicated to you on numerous occasions in the past.

Your questions regarding specific testing and the air quality permits for these auxiliary boilers are best answered by the state of Pennsylvania who regulates these activities. Specifically, you may contact the Pennsylvania Department of Environmental Protection, Bureau of Air Quality at ra-epair@pa.gov. The PADEP confirmed that the 2013 Annual Air Emissions Testing for these boilers took place on December 3, 4, and 5, 2013.

Thank you for your email,

Fred Bower

Chief | Projects Branch 4 | Division of Reactor Projects | Region I | U.S. NRC

2100 Renaissance Boulevard, STE 100, King of Prussia, PA 19406 | ☎: (610) 337-5200 | **BB:** (610) 731-1920 | ✉: Fred.Bower@nrc.gov

From: aceactivists@comcast.net [<mailto:aceactivists@comcast.net>]

Sent: Monday, January 27, 2014 9:39 AM

To: Bower, Fred

Cc: Evan Brandt

Subject: SMOKE VISIBLE from a 3RD LIMERICK SOURCE - AGAIN

January 25, 2014

To: **Fred Bower, NRC Region 1 Projects Manager**

From: **Dr. Lewis Cuthbert, ACE President**

RE: Smoke visible from a 3rd source - AGAIN

Mr. Bower,

ACE contacted you December 4, 2013 about a 3rd plume at Limerick, reported to ACE by local residents.

Your 12-19-13, e-mail response admitted NRC's onsite inspector noticed a large steam plume 12-5-13, coming from Limerick's auxiliary boiler on the east side of the reactor building.

➤ **ACE Question:**

Is that "Boiler A", as defined in Limerick's Title V air permit?

You claimed the 3rd plume at Limerick was due to a preplanned test to determine the emissions and opacity of the boiler exhaust.

➤ **ACE Questions:**

1. The 1st resident sighting and our reporting was 12-4-13. You said the onsite NRC inspector noticed a large steam plume 12-5-13, while investigating our report. How long is a preplanned burn conducted?
2. If the 3rd plume 12-5-13 was a preplanned test on boiler exhaust, how do you explain 3rd plume sightings by residents on 2 subsequent dates after the plume sighting from the "preplanned test".
 - ✓ 12-23-13
 - ✓ 1-7-14
3. Have NRC inspectors noticed, investigated, and reported on 3rd plume

incidents on any dates after 12-5-13?

- ✓ If so, ACE is requesting a copy of any and all NRC official reports on all 3rd plume detections at Limerick Nuclear Plant, by residents and inspectors.
- ✓ If not, there should be a well documented NRC investigation with full disclosure to the public, on any and all 3rd plume incidents and findings by NRC and/or residents from 12-4-13 to date or even before 12-4-13.

You said the test was performed to verify that the boilers met state regulations.

➤ **ACE Questions:**

- What exact regulations were tested?
- Did testing include for compliance with air pollution limits? If so, for which pollutants? If not, why not?
- Did Exelon control both the testing protocol and reporting?
- What do you mean when saying, "our inspector confirmed this condition"?
What Condition? How was it confirmed? What was the name of the NRC Inspector?
- You said a PA state inspector observed. What was his/her name and title? How is it possible to observe content of emissions?

You said Limerick is no longer allowed to incinerate Low-Level Rad-Waste as of 2011. You said the authority for Exelon to use radioactively contaminated fuel oil in a Limerick boiler has been removed and in effect since 2011.

➤ **ACE Concerns:**

1. We are concerned that LLRW is still being incinerated in a Limerick boiler, undetected by NRC.
2. This incident and other information obtained by ACE suggests to us that NRC's policies and oversight are too lax to know whether Exelon is still incinerating LLRW in its boiler or not, regardless of Exelon's claim to have stopped.
3. NRC has no idea how much (volume) LLRW is being produced by Limerick each month or year, a fact confirmed by NRC responses to ACE 3-20-13 and 3-21-13. NRC never tracked Limerick's LLRW volume. 3-21-13 an NRC official, Scott Barber, told ACE that tracking volume is not important.
4. Because NRC doesn't know the actual volume of LLRW produced at Limerick, there is no accurate accounting, to know whether all Limerick's LLRW is shipped off site or if some of it is incinerated.

We believe Exelon could still be incinerating some of Limerick's LLRW in its boiler, even if Exelon said they would no longer do that in 2011. Some reasons:

- Repeated 3rd plume sightings and reporting by residents
- NRC's failure to report subsequent 3rd plume incidents to ACE, after we expressed concern.
- NRC's failure to account for Limerick's volume of LLRW.
- The Limerick site has run out of room to store LLRW.
- It is costly to transport it off site.
- Even though Limerick's LLRW was permitted to go to Peach Bottom, records show it never went there. In addition, in 2013, an NRC official told us the Peach Bottom agreement was only for a year or two.
- It's all about the costs to Exelon. It is far cheaper to incinerate it at Limerick, than ship it off-site.
- It's all about the dangerous devastating health threats to our region from incineration of radioactive wastes in Limerick's boilers.

Recent 3rd plume sightings, if from incineration of Limerick's LLRW, are one more reason residents' radiation monitoring detected higher levels of radiation in the air around Limerick Nuclear Plant.

ACE URGES YOU TO RESPOND TO EACH OF OUR CONCERNS AND QUESTIONS AS SOON AS POSSIBLE.