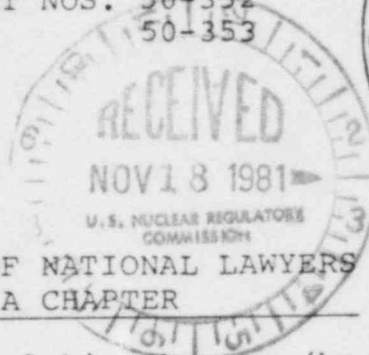
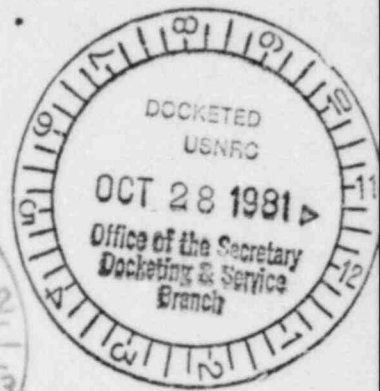


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of : DOCKET NOS. 50-352  
50-353  
PHILADELPHIA ELECTRIC COMPANY :  
(Limerick Generating Station, :  
Units 1 and 2)

SUPPLEMENTAL MEMORANDUM OF NATIONAL LAWYERS  
GUILD, PHILADELPHIA CHAPTER



The National Lawyers Guild, Philadelphia Chapter (hereinafter "Guild" or "Petitioner") has previously filed a Petition to Intervene. In response to the Board's Order of October 14, 1981, Petitioner files this Supplemental Memorandum.

I. Individual Affidavits

Attached to this Memorandum are the affidavits of five members of the Guild. Each states that he/she is a member of the Guild, that he/she resides within 25 miles of the Limerick plants, that he/she believe that those plants pose a threat to his/her health and safety, that he/she is particularly concerned in this proceeding with the issues of emergency planning and security, and that he/she authorizes the Guild and undersigned counsel to represent him/her in this proceeding. In addition, attached hereto is the Affidavit of Susan Arnhold, member of the Executive Committee of the Guild, stating that counsel is authorized to represent the Guild in this proceeding.

II. Emergency Planning for Graterford

In conformance with the October 14, 1981 Order, Petitioner has also attached hereto the affidavits of five prisoners at the State Correctional Institution at Graterford authorizing the Guild to represent them in this proceeding and stating their concern for emergency planning for Graterford inmates. Counsel received over twenty such affidavits and the

DS03 2011

others are available upon request.

The Graterford prison is located 8.3 miles from the Limerick plants.

### III. Security Issues

In the October 14, 1981 Order, the Guild was directed to state why it believes that civil liberties issues, as affected by security measures, are within the zone of interests of this proceeding. The Atomic Energy Act, 42 U.S.C. §2133(d) provides that no operating license may be issued if such issuance "would be inimical to the common defense or security or to the health and safety of the public." This section of the Atomic Energy Act applies to the Nuclear Regulatory Commission. Natural Resources Defense Council, Inc. v. United States Nuclear Regulatory Commission, 582 F.2d 166 (2d Cir. 1978).

Clearly, then security issues are relevant to this proceeding. Due to the inherently dangerous nature of nuclear material, it will be necessary for the Applicant to secure the plants against sabotage and theft. In other locations, in attempting to protect against saboteurs, terrorists, or thieves, security measures have resulted in surveillance of non-violent individuals who oppose nuclear power. Indeed, the Applicant itself has admitted in a proceeding before the Pennsylvania Public Utility Commission that for the past several years, it has engaged in surveillance of individuals opposed to the Limerick plants. Such surveillance poses a threat to civil liberties, including the First Amendment right to free speech and to peacefully assemble. Even when legal, such surveillance has a chilling effect on the exercise of those rights.

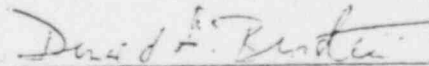
One alternative to the use of such security measures is to leave the plants insufficiently protected. This alternative could result in sabotage or theft, posing a serious threat to the public health and safety. The only reasonable alternative to assure that neither the plants are unprotected nor civil liberties endangered is for the applications for

these operating licenses to be denied.

Thus, its responsibility for security and safety issues makes it essential that the N.R.C. be certain that likely security measures are in the public interest and do not impinge on civil liberties.

The National Lawyers Guild, Philadelphia Chapter has publicly stated its opposition to the Limerick plants; the national organization has publicly opposed nuclear power in general. Consequently, any surveillance could well affect either the organization or its members. Therefore, the Guild has the necessary standing to raise this issue. The Guild raises this issue not on behalf of any individuals, in particular, but on behalf of all those, like its own members, who oppose the Limerick plants.

Respectfully submitted.



---

Donald S. Bronstein  
1425 Walnut Street  
Philadelphia, Pa. 19102  
215-563-3055

Counsel for National Lawyers Guild,  
Philadelphia Chapter

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

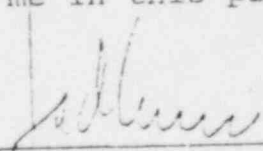


In the Matter of :  
Philadelphia Electric Company : Docket Nos. 50-352  
 : 50-353  
(Limerick Generating Station :  
Units 1 and 2)

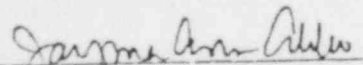
AFFIDAVIT OF JACK LEVINE

Jack Levine , being duly sworn according  
to law, deposes and says:

1. I reside in Philadelphia, Pennsylvania at 3414 Baring Street.
2. My residence is within 25 miles of the nuclear power plants under construction at Limerick, Pennsylvania.
3. I am a member of National Lawyers Guild, Philadelphia Chapter.
4. I believe that the Limerick plants would pose a threat to my health and safety.
5. I am particularly concerned in this proceeding with issues concerning security and emergency planning.
6. I authorize the National Lawyers Guild, Philadelphia Chapter and Donald S. Bronstein, Esq., to represent me in this proceeding.

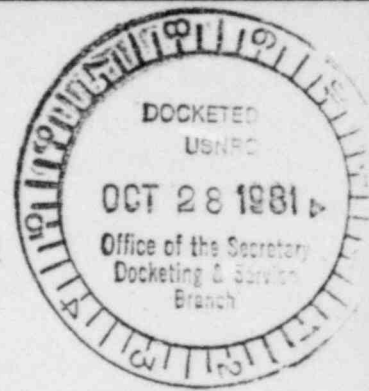
  
\_\_\_\_\_  
Jack Levine

Sworn to and subscribed  
before me this 26 day  
of October, 1981.

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

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

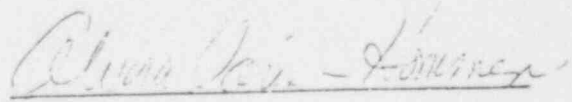


In the Matter of :  
Philadelphia Electric Company : Docket Nos. 50-352  
(Limerick Generating Station : 50-353  
Units 1 and 2)

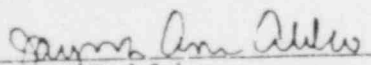
AFFIDAVIT OF ALVORA VARIN-HOMMEN

Alvora Varin-Hommen , being duly sworn according  
to law, deposes and says:

1. I reside in Philadelphia, Pennsylvania at 10832 Perrin Road.
2. My residence is within 25 miles of the nuclear power plants under construction at Limerick, Pennsylvania.
3. I am a member of National Lawyers Guild, Philadelphia Chapter.
4. I believe that the Limerick plants would pose a threat to my health and safety.
5. I am particularly concerned in this proceeding with issues concerning security and emergency planning.
6. I authorize the National Lawyers Guild, Philadelphia Chapter and Donald S. Bronstein, Esq., to represent me in this proceeding.

  
Alvora Varin-Hommen

Sworn to and subscribed  
before me this 26 day  
of October, 1981.

  
Notary Public

JAYMA ANN SODDUS  
Notary Public, Philadelphia, Co.  
My Commission Expires Oct. 18, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board



In the Matter of :  
Philadelphia Electric Company : Docket Nos. 50-352  
(Limerick Generating Station : 50-353  
Units 1 and 2)

AFFIDAVIT OF HOLLY MAGUIGAN

Holly Maguigan, being duly sworn according  
to law, deposes and says:

1. I reside in Philadelphia, Pennsylvania at 4413 Osage Avenue.
2. My residence is within 25 miles of the nuclear power plants under construction at Limerick, Pennsylvania.
3. I am a member of National Lawyers Guild, Philadelphia Chapter.
4. I believe that the Limerick plants would pose a threat to my health and safety.
5. I am particularly concerned in this proceeding with issues concerning security and emergency planning.
6. I authorize the National Lawyers Guild, Philadelphia Chapter and Donald S. Bronstein, Esq., to represent me in this proceeding.

Sworn to and subscribed  
before me this 26 day  
of October, 1981.

Jayma Ann Ardoo  
Notary Public

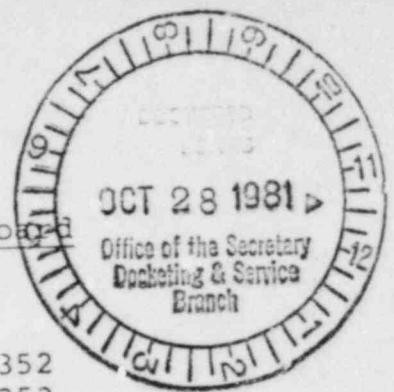
JAYMA ANN ARDOO  
Notary Public, Phila., Phila. Co.  
My Commission Expires Oct. 18, 1982

Holly Maguigan  
Holly Maguigan



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board



In the Matter of :  
Philadelphia Electric Company : Docket Nos. 50-352  
(Limerick Generating Station : 50-353  
Units 1 and 2) :

AFFIDAVIT OF JULIE SHAPIRO

Julie Shapiro , being duly sworn according

to law, deposes and says:

1. I reside in Philadelphia, Pennsylvania at 4401 Pine Street.
2. My residence is within 25 miles of the nuclear power plants under construction at Limerick, Pennsylvania.
3. I am a member of National Lawyers Guild, Philadelphia Chapter.
4. I believe that the Limerick plants would pose a threat to my health and safety.
5. I am particularly concerned in this proceeding with issues concerning security and emergency planning.
6. I authorize the National Lawyers Guild, Philadelphia Chapter and Donald S. Bronstein, Esq., to represent me in this proceeding.

Sworn to and subscribed  
before me this 26 day  
of October, 1981.

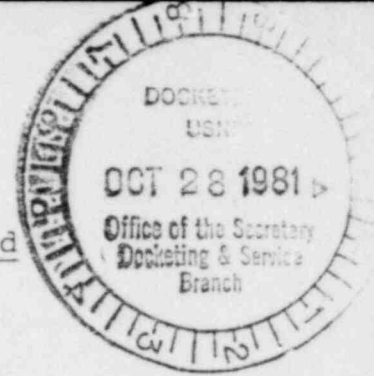
Jayma Ann Ardeo  
Notary Public

JAYMA ANN ARDEO  
Notary Public, State of Pa.  
My Commission Expires Oct. 18, 1992

Julie Shapiro  
Julie Shapiro

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

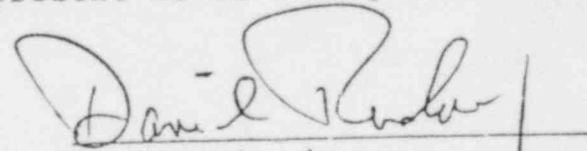


In the Matter of :  
Philadelphia Electric Company : Docket Nos. 50-352  
 : 50-353  
(Limerick Generating Station :  
Units 1 and 2)

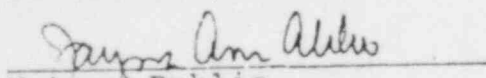
AFFIDAVIT OF DAVID RUDOVSKY

David Rudovsky , being duly sworn according  
to law, deposes and says:

1. I reside in Philadelphia, Pennsylvania at 4514 Chester Avenue.
2. My residence is within 25 miles of the nuclear power plants under construction at Limerick, Pennsylvania.
3. I am a member of National Lawyers Guild, Philadelphia Chapter.
4. I believe that the Limerick plants would pose a threat to my health and safety.
5. I am particularly concerned in this proceeding with issues concerning security and emergency planning.
6. I authorize the National Lawyers Guild, Philadelphia Chapter and Donald S. Bronstein, Esq., to represent me in this proceeding.

  
David Rudovsky

Sworn to and subscribed  
before me this 26 day  
of October, 1981.

  
Notary Public

JAYMA ANN ADCKO  
Notary Public, Phila. Area. Co.  
My Commission Expires Oct. 18, 1982



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of :  
Philadelphia Electric Company : Docket Nos. 50-352  
(Limerick Generating Station, : 50-353  
Units 1 and 2)



AFFIDAVIT OF SUSAN ARNHOLD

Susan Arnhold, being duly sworn according to law, deposes and says that she is a member of the Executive Committee of the National Lawyers Guild, Philadelphia Chapter, that the Executive Committee has authorized Donald S. Bronstein, Esquire, to represent the National Lawyers Guild, Philadelphia Chapter, in this proceeding, and that the Executive Committee has authorized her to give this Affidavit.

Susan Arnhold  
Susan Arnhold

Sworn to and subscribed  
before me this 26 day  
of October, 1981.

Jayma Ann McGlo  
Notary Public

JAYMA ANN MCGLOO  
Notary Public, Phila. Co.  
My Commission Expires Oct. 10 1982

AFFIDAVIT OF JAMES T. CUNNINGHAM



COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF MONTGOMERY

:

James T. Cunningham

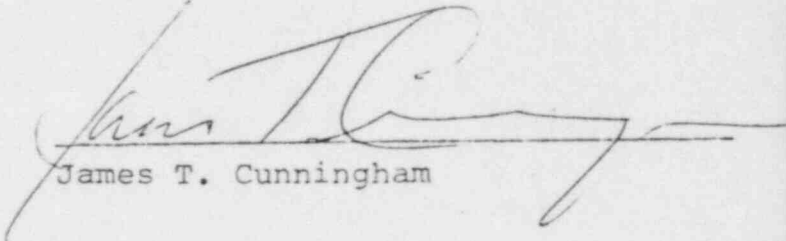
, being duly

sworn according to law, deposes and says that:

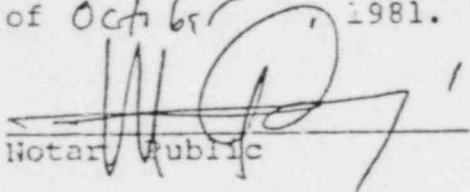
1. He is an inmate incarcerated at the State Correctional Institution at Graterford (SCIG), located at Graterford, Pennsylvania.
2. He is not due to be discharged from SCIG within the next three years.
3. He opposes the granting of an operating license to the Philadelphia Electric Company for the nuclear power plants currently under construction at Limerick, Pennsylvania.
4. He opposes the operating of such plant because, among other reasons, he understands that the evacuation plans in the event of an emergency at the Limerick plants do not provide for evacuation of self and other inmates incarcerated at SCIG.
5. Specifically, upon information and belief, he understands that evacuation plans provide for evacuation of inmates at SCIG only if an accident or other emergency were to occur during daylight, fair weather or hours.
6. He is concerned for the safety, health, and well-being of himself and other inmates at SCIG in the event that an emergency were to occur at a time when there would be no evacuation of inmates.
7. The proximity of SCIG to Limerick leads him to believe that in the event of an emergency, his health, safety, and well-being would be jeopardized.

8. The proximity of SCIG to Limerick leads him to believe that even normal operation of the Limerick plants poses a threat to his health, safety, and well-being.

9. He authorizes the National Lawyers Guild, Philadelphia Chapter, to represent him in the proceeding before the Nuclear Regulatory Commission concerning the application of Philadelphia Electric Company for operating licenses for the Limerick nuclear power plants.

  
James T. Cunningham

Sworn to and subscribed  
before me this 21 day  
of October, 1981.

  
Notary Public

AFFIDAVIT OF DONALD R. PEOPLES



COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF MONTGOMERY

ss

:

Donald R. Peoples

, being duly

sworn according to law, deposes and says that:

1. He is an inmate incarcerated at the State Correctional Institution at Graterford (SCIG), located at Graterford, Pennsylvania.

2. He is not due to be discharged from SCIG within the next three years.

3. He opposes the granting of an operating license to the Philadelphia Electric Company for the nuclear power plants currently under construction at Limerick, Pennsylvania.

4. He opposes the operating of such plant because, among other reasons, he understands that the evacuation plans in the event of an emergency at the Limerick plants do not provide for evacuation of himself and other inmates incarcerated at SCIG.

5. Specifically, upon information and belief, he understands that the evacuation plans provide for evacuation of inmates at SCIG only if an accident or other emergency were to occur during daylight, fair weather hours.

6. He is concerned for the safety, health, and well-being of himself and other inmates at SCIG in the event that an emergency were to occur at a time when there would be no evacuation of inmates.

7. The proximity of SCIG to Limerick leads him to believe that in the event of an emergency, his health, safety, and well-being would be jeopardized.

8. The proximity of SCIG to Limerick leads him to believe that even normal operation of the Limerick plants poses a threat to his health, safety, and well-being.

9. He authorizes the National Lawyers Guild, Philadelphia Chapter, to represent him in the proceeding before the Nuclear Regulatory Commission concerning the application of Philadelphia Electric Company for operating licenses for the Limerick nuclear power plants.

Donald R. Peoples  
Donald R. Peoples

Sworn to and subscribed  
before me this 21 day  
of October, 1981.

W. D. J.  
Notary Public

AFFIDAVIT OF WILMER B. GAY



COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF MONTGOMERY

:

Wilmer B. Gay

, being duly

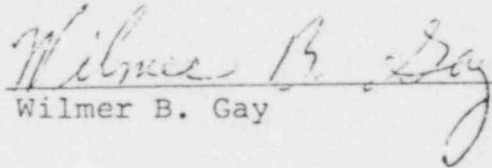
sworn according to law, deposes and says that:

1. He is an inmate incarcerated at the State Correctional Institution at Graterford (SCIG), located at Graterford, Pennsylvania.
2. He is not due to be discharged from SCIG within the next three years.
3. He opposes the granting of an operating license to the Philadelphia Electric Company for the nuclear power plants currently under construction at Limerick, Pennsylvania.
4. He opposes the operating of such plant because, among other reasons, he understands that the evacuation plans in the event of an emergency at the Limerick plants do not provide for evacuation of himself and other inmates incarcerated at SCIG.
5. Specifically, upon information and belief, he understands that the evacuation plans provide for evacuation of inmates at SCIG only if an accident or other emergency were to occur during daylight, fair weather hours.
6. He is concerned for the safety, health, and well-being of himself and other inmates at SCIG in the event that an emergency were to occur at a time when there would be no evacuation of inmates.
7. The proximity of SCIG to Limerick leads him to believe that in the event of an emergency, his health, safety, and well-being would be jeopardized.

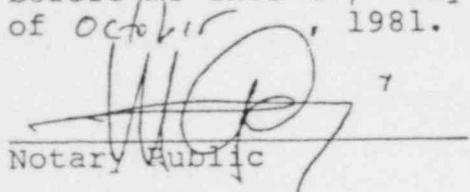


8. The proximity of SCIG to Limerick leads him to believe that even normal operation of the Limerick plants poses a threat to his health, safety, and well-being.

9. He authorizes the National Lawyers Guild, Philadelphia Chapter, to represent him in the proceeding before the Nuclear Regulatory Commission concerning the application of Philadelphia Electric Company for operating licenses for the Limerick nuclear power plants.

  
\_\_\_\_\_  
Wilmer B. Gay

Sworn to and subscribed  
before me this 21 day  
of October, 1981.

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

AFFIDAVIT OF JOHNNY JAMES



COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF MONTGOMERY

:

Johnny James

, being duly

in according to law, deposes and says that:

1. He is an inmate incarcerated at the State Correctional Institution at Graterford (SCIG), located at Graterford, Pennsylvania.
2. He is not due to be discharged from SCIG within the next years.

He opposes the granting of an operating license to the Delphia Electric Company for the nuclear power plants currently under construction at Limerick, Pennsylvania.

He opposes the operating of such plant because, among other reasons, he understands that the evacuation plans in the event of an emergency at the Limerick plants do not provide for evacuation of himself and other inmates incarcerated at SCIG.

5. Specifically, upon information and belief, he understands that the evacuation plans provide for evacuation of inmates at SCIG only if an accident or other emergency were to occur during daylight, fair weather hours.

6. He is concerned for the safety, health, and well-being of himself and other inmates at SCIG in the event that an emergency were to occur at a time when there would be no evacuation of inmates.

7. The proximity of SCIG to Limerick leads him to believe that in the event of an emergency, his health, safety, and well-being would be jeopardized.

8. The proximity of SCIG to Limerick leads him to believe that even normal operation of the Limerick plants poses a threat to his health, safety, and well-being.

9. He authorizes the National Lawyers Guild, Philadelphia Chapter, to represent him in the proceeding before the Nuclear Regulatory Commission concerning the application of Philadelphia Electric Company for operating licenses for the Limerick nuclear power plants.

Johnny James  
Johnny James

Sworn to and subscribed  
before me this 21 day  
of October, 1981.

[Signature]  
Notary Public

AFFIDAVIT OF FRED WILLIAMS



COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF MONTGOMERY :

Fred Williams

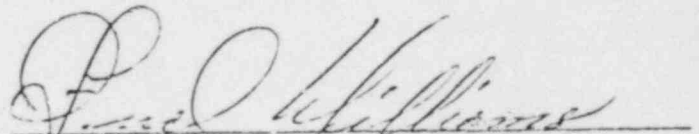
, being duly

sworn according to law, deposes and says that:

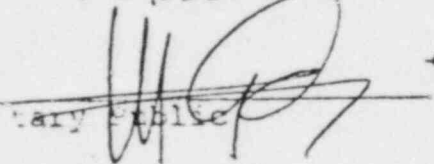
1. He is an inmate incarcerated at the State Correctional Institution at Graterford (SCIG), located at Graterford, Pennsylvania.
2. He is not due to be discharged from SCIG within the next three years.
3. He opposes the granting of an operating license to the Philadelphia Electric Company for the nuclear power plants currently under construction at Limerick, Pennsylvania.
4. He opposes the operating of such plant because, among other reasons, he understands that the evacuation plans in the event of an emergency at the Limerick plants do not provide for evacuation of himself and other inmates incarcerated at SCIG.
5. Specifically, upon information and belief, he understands that the evacuation plans provide for evacuation of inmates at SCIG only if an accident or other emergency were to occur during daylight, fair weather hours.
6. He is concerned for the safety, health, and well-being of himself and other inmates at SCIG in the event that an emergency were to occur at a time when there would be no evacuation of inmates.
7. The proximity of SCIG to Limerick leads him to believe that the event of an emergency, his health, safety, and well-being would jeopardized.

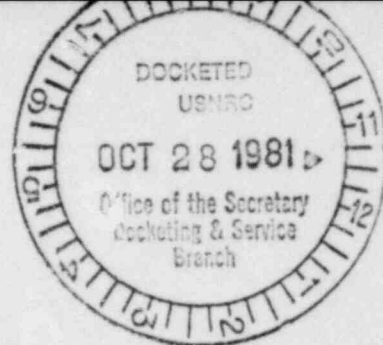
8. The proximity of SCIG to Limerick leads him to believe that even normal operation of the Limerick plants poses a threat to his health, safety, and well-being.

9. He authorizes the National Lawyers Guild, Philadelphia Chapter, to represent him in the proceeding before the Nuclear Regulatory Commission concerning the application of Philadelphia Electric Company for operating licenses for the Limerick nuclear power plant.

  
Fred Williams

Sworn to and subscribed  
before me this 21 day  
of October, 1981.

  
Notary Public



CERTIFICATE OF SERVICE

Donald S. Bronstein, Esq., counsel for the Petitioner National Lawyers Guild, Philadelphia Chapter, hereby certifies that on October 26, 1981 he sent a copy of the Supplemental Memorandum to each person listed on the attached Service List. All N.R.C offices as well as the Applicant and Applicant's counsel were sent the Memorandum, all Affidavits, and this Certificate. Due to the expense of mailing and copying, all other parties were sent the Memorandum with a note that the Affidavits and Certificate of Service would be furnished to any party upon request. All parties were served by first class, postage prepaid mail.

Donald S. Bronstein  
Donald S. Bronstein



SERVICE LIST

Administrative Judge Lawrence Brenner  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Philadelphia Electric Co.  
Attn: Edward G. Bauer, Jr.  
Vice President & General Counsel  
2301 Market Street  
Philadelphia, PA 19101

Administrative Judge Richard F. Cole  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Administrative Judge Peter A. Morris  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing Appeal Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Counsel for NRC Staff  
Office of the Executive Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Docketing and Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Troy B. Conner, Jr., Esq.  
Conner & Wetterhahn  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

Robert W. Adler, Esq.  
Assistant Counsel  
Commonwealth of Pennsylvania, DER  
505 Executive House, P.O. Box 2357  
Harrisburg, PA 17120

Thomas Gerusky, Director  
Bureau of Radiation Protection  
Department of Environmental Resources  
5th Floor, Fulton Bank Building  
Third and Locust Streets  
Harrisburg, PA 17120

Dr. Judith H. Johnsrud  
Co-Director, ECNP  
433 Orlando Avenue  
State College, PA 16801

Randall Brubaker, Esq.  
Assistant Counsel  
Commonwealth of Pennsylvania, DER  
Room 1200, 1315 Walnut Street  
Philadelphia, PA 19107

Walter W. Cohen, Esq.  
Consumer Advocate  
Office of Attorney General  
1425 Strawberry Square  
Harrisburg, PA 17120

Director  
Pennsylvania Emergency Management Agency  
Basement, Transportation & Safety Bldg.  
Harrisburg, PA 17120

Steven P. Hershey, Esq.  
Community Legal Services  
Sylvania House  
Juniper & Locust Streets  
Philadelphia, PA 19107

John Shniper, Esq.  
Hy Mayerson, P.C.  
Meeting House Law Bldg. and Gallery  
Mennonite Church Rd. Schuylkill Rd.  
Spring City, PA 19475

Robert L. Anthony  
103 Vernon Lane, Box 166  
Moylan, PA 19065

Robert J. Sugarman, Esq.  
Berle, Butzel Kass Case and Sugarman  
2115 Bainbridge Street  
Philadelphia, PA 19146

Steven Levin  
11 Beard Circle  
Phoenixville, PA 19460

Samuel & Clarrisa B. Cooper  
P.O. Box 16  
Colora, Maryland 21917

Alan J. Nogee  
3700 Chestnut Street  
Philadelphia, PA 19104

Marvin I. Lewis  
6504 Bradford Terrace  
Philadelphia, PA 19149

William Lochstet  
119 E. Aaron Drive  
State College, PA 16804

Clarence Wells  
376 South Sугan Road  
New Hope, PA 18938

Charles W. Elliott, Esq.  
123 N. 5th Street, Suite 101  
Allentown, PA 18102

Charles B. Taylor  
24 West Tenth Avenue  
Collegeville, PA 19426

Judith A. Dorsey, Esq.  
1315 Walnut Street, Suite 1632  
Philadelphia, PA 19102

Frank R. Romano  
61 Forest Avenue  
Ambler, PA 19002