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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

BEFORE ADMINISTRATIVE JUDGES

Lawrence Brenner, Chairman
Dr. Richard F. Cole
Dr. Peter A. Morris

DOCKETED
USNRC

'84 JUN -4 P2:57

In the Matter of:

PHILADELPHIA ELECTRIC COMPANY

Docket Nos. 50-352-OL

(Limerick Generating Station,
Units 1 & 2)

50-353-OL

RESTATED ISSUES OF CONCERN
OF THE CITY OF PHILADELPHIA
IN THE AREA OF EMERGENCY PLANNING

CITY - 1 A. The State Plan is inadequate in that it fails to contain, provide and specify sufficient and adequate protective measures for protecting the public from consumption of contaminated foods and agricultural products and specifically fails to identify procedures, methods and means for detecting contamination and for imposing protection procedures such as prevention of distribution, product diversion, sampling, testing, reporting, impoundment, destruction, decontamination and preservation.

B. The State Plan is inadequate in that it improperly delegates to and/or relies upon Counties in the Plume EPZ, as support organizations, to perform the planning, implementing, funding, manning and enforcing of State responsibilities with respect to the prevention of distribution, product diversion, sampling, testing, reporting, impoundment, destruction, decontamination, preservation, and prevention of consumption by the public in the City of Philadelphia Ingestion EPZ of contaminated foods and agricultural products.

C. The State Plan is inadequate in that it delegates and/or relies upon Counties in the Plume EPZ for the above-mentioned functions without specifically

establishing and notifying the Counties involved of the emergency responsibilities of said Counties, and without the knowledge of said Counties, and without assurances and written agreements that said Counties are willing to perform, and will perform, and have the staff, resources and training to perform said functions and to augment their initial responses on a continuing basis.

BASES: 10 CFR § 50.47 (a)(1), (2); (b)(1), (3), (4), (8), (9), (10), (13), (14), (15), (16); (c)(2)

NUREG-0654 § II. A. pp. 31 et seq.

NUREG-0654 § J. 11 (p. 64)

NUREG-0654 § J. 9 (p. 61)

NUREG-0654, pp. 40-41

NUREG-0654, § II., O.

Manual of Protective Action Guides and
Protective Actions for Nuclear Incidents,
T. D. -12, September 1981 (PAGs or PAG Manual)
pp. 1.30, 1.46, 1.49, 1.50 ..

CITY - 3 The State Plan is inadequate in that it fails to provide for and/or contain adequate and sufficient procedures, (a) for monitoring, sampling, testing and reporting concerning water supply and water system contamination; (b) for preventing and protecting existing water supplies and water system from contamination; (c) for decontamination (See City - 7); and (d) for alternative sources of water for the City of Philadelphia.

More specifically, the State Plan is inadequate because:

- (1). It does not contain a proper and adequate water transport model;
- (2). It calls for the commencement of monitoring, sampling, testing, measurement and reporting of Schuylkill River Water at too late a stage;
- (3). It improperly defines an "abnormal discharge" into the Schuylkill River so as to cause prejudicial and harmful delay in water monitoring, sampling, testing and reporting;
- (4). It does not contain and provide sufficient guidelines for the

choice of protective actions during an emergency which are in place and which are appropriate to the locale of the City of Philadelphia;

- (5). It does not contain and provide sufficient and adequate procedures for detecting contamination, and for imposing protection procedures such as impoundment, decontamination, processing, product diversion and preservation;
- (6). It does not contain and provide sufficient and adequate guidelines, procedures and methods for identification of major exposure pathways from water, and the associated control and interdiction points and methods;
- (7). It does not consider the Protective Action Guides (PAGs) recommendations concerning substitution of other drinking water sources, demineralization, decontamination, condemnation of water, provision for alternate sources, rationing, substitution of other beverages, importation of water from uncontaminated sources, designation of critical users;
- (8). It fails to consider the availability of resources and the sources thereof, in order to provide an alternate water supply and a water decontamination capability.

BASES:

10 CFR § 50.47 (a), (b) and (c)(2)

NUREG-0654, § I. D., Planning Basis, b,
Ingestion Exposure Pathway (p. 10)

NUREG-0654, § II. J. (p. 59)

NUREG-0654, § II. J. 11. (p. 64)

NUREG-0654, § II. J. 9. (p. 61)

NUREG-0654 - Page 6, Footnote 3

Manual of Protective Action Guides and Protective Actions for Nuclear Incidents, T. D. -12, September 1981 (PAGs or PAG Manual), p. 1.30, 1.47, 1.48.

Safe Drinking Water Act, 42 U.S.C. § 300 f, et seq.

CITY - 7 The State Plan is inadequate in that it fails to provide sufficient and adequate guidance or information concerning water supply and water system decontamination, and does not provide for or contain planning or provisions for decontamination and processing of the City's water supply and water distribution

system. In addition, the State Plan gives no consideration to the costs of treatment and the availability of resources and funds for same.

BASES: 10 CFR § 50.47 (a)(1)(2); (b)(9), (10), (13)

NUREG-0654, Section II. M. (p. 70)

NUREG-0654, Section II. J. 11 (p. 64)

NUREG-0654, (p. 25)

Manual of Protective Action Guides and Protective Actions
for Nuclear Incidents, T. D. - 12, September 1981, 1.30,
Section 1.6.3.9.c, pp. 1.48, 1.49, 1.50

CITY - 9 The State Plan is inadequate in that it fails to contain written agreements as required by NUREG-0654, § II. A. 3 (p. 32) referring to the concept of operations developed and identifying the emergency measures to be provided and the mutually acceptable criteria for their implementation, and specifying the arrangements for exchange of information. Thus, there is no assurance that emergency plans can and will be implemented as required by 10 CFR 50.47 (a) and (b)(3).

BASES: 10 CFR § 50.47 (a) and (b)(3)

NUREG-0654, § II. A. 3. (p. 32)

See also, NUREG-0654 § II. B. 9 (p. 39)
and § II. L. 1. (p. 69)

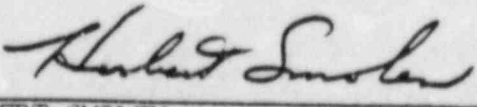
Respectfully submitted,

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NUCLEAR REGULATORY COMMISSION
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PHILADELPHIA ELECTRIC COMPANY

: DOCKET NOS. 50-352-OL
50-353-OL

(Limerick Generating Station,
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Restated Issues of Concern of the City of Philadelphia in the Area of Emergency Planning in the above-captioned proceeding have been served on the following persons named on the attached service list by hand delivery or by Federal Express Mail, or by causing the same to be deposited in envelopes addressed to said persons, first class, postage prepaid, and deposited with the United States Postal Service at Philadelphia, Pennsylvania.



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Dated: 5-31-84

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