



AIR and WATER Pollution Patrol

BROAD AXE, PA.

U.S. Nuclear Regulatory Commission
Washington D. C. 20555

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In The Matter Of
PHILADELPHIA ELECTRIC COMPANY
(Limerick Generating Station
Units 1 and 2)

Docket Nos. 50-3520 L
and 50-3530 L

AWPP (ROMANO) RESPONSE TO NRC STAFF RESPONSE
REGARDING GROSS ALPHA CONTENTION BY AWPP

The Air and Water Pollution Patrol (AWPP) has filed "New AWPP (Romano) Contention Re Gross Alpha" dated June 26, 1984.

AWPP contends that neither the Applicant nor the Staff have adequately studied whether or not routine turbine stack releases or other releases of radioactive nuclides will result in exceeding the EPA Maximum Contaminant Levels (MCL) for gross alpha, radium 226 and radium 228, thereby contributing to the contamination of municipal wells located within ten to fifteen miles from the Limerick Generating Station (LGS).

10 C.F.R. § 2.714 of the Commission's rules and regulations provides standards for determining the admissibility of proposed contentions. The Commission has held that all of the factors in § 2.714 (a)(1) should be applied by a licensing board in determining the admissibility of late filed contentions, such as the contention AWPP seeks to have admitted. AWPP (Romano) asserts it has shown that a balance of the standards favors admission of its late filed contention.

The first criterion is good cause for failure to file on time.

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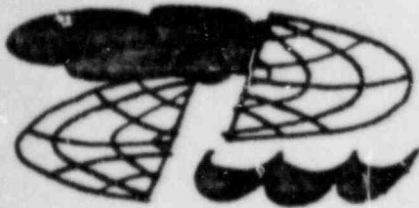
AWPP (ROMANO) RESPONSE TO STAFF RESPONSE TO GROSS ALPHA CONTENTION

As a basis for first criterion AWPP stated its new information resulted from recent findings of gross alpha approaching the MCL of 5 pico-curies which could result in closing municipal wells. The NRC Staff stated that neither the source or nature of this information was identified, however, the analyses were done for clients and Ambler Laboratories can not reveal results of analyses done for clients even though it reports those results to EPA. However, Ambler Laboratories would cooperate with a protective agreement if necessary to meet the first criterion.

NRC Staff agreed second criteria weighed in favor of AWPP.

The Third criteria is the extent to which AWPP's participation may be expected to assist in the development of a sound record. While the NRC Staff objects that there has been no showing by AWPP (Romano) that it possesses any expertise in this area. Frank Romano is director of Ambler Laboratories that processed the analysis which shows findings of gross alpha close to the EPA Maximum Contaminant Levels (MCL). EPA can be called in as witness relative to MCL regulations and results showing gross alpha in enough wells within ten to fifteen miles of Limerick to show the problem is real, and the necessary study and tests to avert exceeding the MCL's have not been adequately done by either Staff or Applicant. This explanation certainly weighs the third contention in AWPP's favor.

The fourth criterion is the extent to which AWPP's interest will be represented by existing parties. AWPP has correctly asser-



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AWPP RESPONSE TO STAFF RESPONSE TO GROSS ALPHA CONTENTION continued:
ted that no other party has raised this issue, therefore, its interests in this matter will not be represented by an existing party. This factor weighs in favor of AWPP.

The fifth criterion is whether the issues will be broadened or the proceeding delayed by admission of the contention. The Staff objected that there will be a delay in broadening of the issues since the only remaining issues to be heard involve offsite emergency planning, and that the admission of a health and safety contention at this time would affect the Applicant's motion for an expedited partial initial decision and issuance of a low-power license. AWPP (Romano), however, states emphatically, that the entire purpose of the hearing is for the protection of the public, and if studies important to the health have not been done, it is not AWPP but the Applicant who delays their licensing.

AWPP's late-filed contention therefore, does meet the basis and specificity requirements of § 2.714(b).

The Applicant, in objection to the gross alpha contention, stated there is no reason to believe AWPP (Romano) could provide information for ^amore complete record, since its past efforts have been faulty. AWPP (Romano) responds that unlike the Applicant, it has never falsified statements to the Board. The Applicant repeatedly made false statements, and when the Board requested affidavits to prove the statements re inspection of all welds by a certain inspector, Applicant admitted it had not inspected all welds as had previously been stated



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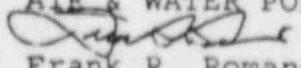
AWPP RESPONSE TO STAFF RESPONSE TO GROSS ALPHA CONTENTION continued:
to the Board (76-06-01 Broomstick Affair).

Further, ^{re VI-1,} I move the Board require Staff and Applicant be made to explain Item 4, Weldment to the Reactor Pressure Vessel (RPV), page 6, discussed in April 18, 1984 letter of the NRC Memorandum from Darrell Eisenhut to Chairman Palladino and the NRC Commissioners re Board Notification No-84-049 Limerick Welding Qualification Information.

Reference is made to General Electric's Specification 22A4202 that "no welding, grinding or other heat input be performed on the RPV".

As per NRC Inspection Report on inspection of June 23-24, 1976 in particular item 3C page 7 (76-09-03), reports on an inexcusable series of contempt for specified procedure connected with concrete placement. The "voids" problem in the drywell wall, thereupon, required the steel shell of the reactor to have four sections cut out of it and then rewelded in the effort to check for voids in the adjacent concrete drywell wall...thus having violated, earlier, GE's Specification 22A4202 that "no welding grinding, or other heat input be performed on the reactor pressure vessel".

Respectfully submitted,
AIR & WATER POLLUTION PATROL


Frank R. Romano, Chairman
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July 25, 1984

I certify the Service List has been served by first class mail.