

RELATED CORRESPONDENCE

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))

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TESTIMONY OF RALPH J. HIPPERT
FOR THE COMMONWEALTH OF PENNSYLVANIA
ON LIMERICK ECOLOGY ACTION
DEFERRED AND RESPECIFIED OFFSITE EMERGENCY PLANNING CONTENTIONS
LEA-1, LEA-3

LEA-1

The Risk Counties, Municipalities, School Districts, and Institutions haven't promulgated or adopted final radiological emergency response plans, nor have they approved and adopted plans drawn up for them by Energy Consultants, Inc., a Harrisburg firm hired by Philadelphia Electric Company. There is no reasonable assurance that the present state of planning is predictive of final approval, or that the plans are capable of being implemented.

1. During the period September through November, 1983, the Pennsylvania Emergency Management Agency (PEMA) reviewed draft radiological emergency response plans submitted by the three Limerick EPZ risk counties (Berks, Chester and Montgomery) as well as draft municipal and school district plans provided through the respective risk counties. In connection with this review, PEMA provided written comments and recommendations to each of the risk counties regarding changes, corrections or additions to bring the plans into consonance with the state plan and to ensure their adequacy and implementability. Comments with regard to municipal and school district plans were provided through the respective counties.

2. Subsequent to PEMA's initial review and comments, revised drafts were prepared by the counties, municipalities and school districts with assistance from Energy Consultants, Inc., the firm funded by Philadelphia Electric Company for this purpose.
3. In accordance with this Board's Order dated May 16, 1983, copies of the revised draft plans were distributed to the intervenors. Given the timetable imposed by the Board for the distribution of draft plans, PEMA was unable to review the revised drafts prior to their transmission to the intervenors. In view of this distribution, PEMA opted to submit the same drafts to the Federal Emergency Management Agency (FEMA), Region III for informal review pursuant to 44 C.F.R. Part 350.
4. As a result of this informal review of the plans provided to it by PEMA, FEMA Region III issued its interim findings in April 1984. FEMA indicated that, "[a]t this point in the planning process, the local offsite emergency response plans developed for incidents at the Limerick Generating Station are inadequate and are not capable of being implemented."
5. If the most recent drafts of the county, municipal and school district plans reflect the changes, corrections and additions recommended by PEMA in the fall of 1983 and the April 1984 recommendations of FEMA, the plans should be adequate and capable of being implemented.
6. With the exception of Draft 6 for Berks County (received by PEMA October 6, 1984) and Draft 7 for Montgomery County (received October 23,

1984) PEMA has not received any county, municipal or school district draft plans for review since the fall of 1983. PEMA is currently in the process of reviewing these latest drafts of the Berks and Montgomery County plans, but is not prepared at this time to make a definitive assessment of their adequacy and implementability.

7. As to the current status on adoption of municipal and school district plans by the governing bodies of these entities, it is reiterated that no municipal or school district plans have been submitted by the respective counties to PEMA for review since the fall of 1983. Based upon the draft plans submitted to PEMA at that time, none have been accepted, approved or adopted at the local level. Any updated report on the adoption status of these plans must come from the risk counties in their role as coordinator and initial reviewer of the respective municipal and school district plans prior to transmittal by the counties to PEMA.

8. With regard to county plans, none of the three risk or two support (Bucks and Lehigh) county plans has been formally accepted by its respective Board of Commissioners.

9. In connection with its application to FEMA for formal review and approval of the Limerick offsite radiological emergency response plans, the Commonwealth is required under Section 350.7(d) of 44 C.F.R. Part 350 to certify that the plans are, in its opinion, "adequate to protect the public health and safety of its citizens living within the emergency planning zone[]" The Commonwealth, through PEMA, will not make a

statement evaluating the adequacy and implementability of the county, municipal and school district radiological emergency response plans prepared in connection with the Limerick Generating Station, or submit these plans to FEMA for formal review and approval, until:

- (a) A joint exercise acceptable to FEMA has been conducted. This exercise was held July 25, 1984 and a supplemental exercise, required by FEMA, is scheduled for November 20, 1984.
- (b) A public meeting has been conducted in accordance with 44 C.F.R. Section 350.10. As a prerequisite, PEMA must ensure that the State and local plans are available in local libraries for review by the general public at least two weeks prior to the meeting. The local plans should obviously be available for review by PEMA before they are put into the public libraries. A date has not yet been established for this meeting.
- (c) The finalized risk municipal and school district plans are:
 - (1) Reviewed by the respective county to ensure consonancy with its own plan; and
 - (2) Submitted by the county to PEMA together with the county plan, and with each containing a promulgation page indicating whether the plan has been accepted or rejected by the respective Board of Supervisors, School Board or Board of Commissioners.

LEA-3

The Montgomery County RERP fails to provide reasonable assurance that the public will be adequately protected in that the Bucks County Support Plan, which is essential to the workability of the MontCo RERP, may not be approved. The present Board of Commissioners have [sic] little knowledge of the contents and implications of the Bucks County Support Plan. There is no assurance that the County will assume the responsibilities assigned to it in the Support Plan, rather than use County resources to help Bucks County people first. The Montgomery County Plan relies on the Support Plan in at least these ways:

1. facilities for relocation and mass care of evacuees
2. augmentation of emergency workers, including use of county resources, on a continuous 24-hour basis
3. See attachment "Excerpts and comments on the Bucks County Draft Evacuation Plan" for additional areas of support and interface.

It is contended that without the approval of the Bucks County Support Plan, the MontCo RERP is unworkable as it now stands.

10. This contention appears to be based upon the erroneous assumption by LEA that Bucks County has inexplicably decided not to accept the plan developed by Energy Consultants for support of approximately 24,400 evacuees from Montgomery County. The Bucks County Board of Commissioners has raised some legitimate questions regarding the impact of such an evacuation upon the safety and well-being of its residents and PEMA has acknowledged the Board's concerns. Based upon a recent meeting with the Commissioners, PEMA does not believe that Bucks County would refuse to cooperate in the event of an accident at Limerick. Rather, the County is asking that provisions be made in the plans to ensure that its populace would not be adversely affected by the evacuation from Montgomery County, or by a spontaneous evacuation from Philadelphia.

11. Senate Bill 987, which upon the Governor's signature became Act 1984-147, the Radiation Protection Act, provides for the establishment of a Radiation Emergency Response Fund from fees levied upon the nuclear power plants within Pennsylvania. This fund is to be used to defray expenses incurred by risk and support counties in developing their plans and preparedness for response to a nuclear power plant accident. Bucks County has indicated its desire to be a participant in this fund and as such must continue to be a support county. The issue is thus one of assuaging the County's present concerns by developing more explicit procedures and safeguards before the current draft plans are finalized. PEMA intends to work with Bucks County towards this objective.

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In the Matter of

PHILADELPHIA ELECTRIC COMPANY

(Limerick Generating Station,
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Testimony of Ralph J. Hippert" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk through deposit in the Commonwealth of Pennsylvania's internal mail system, this 27th day of November 1984:

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Date: November 27, 1984