

AIR and WATER Pollution Patrol

BROAD AXE, PA.

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

January 27, 1985

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

Docket Nos. 50-352 OL
and 50-353 OL

AS IT RELATES TO SHELTERING, AIR AND WATER POLLUTION PATROL (ROMANO) CONTENDS THAT APPLICANT AND STAFF NEITHER CONCENTIOUSLY CONCERNED THEMSELVES, NOR MADE PUBLIC PLANS FOR, NOR TESTED THE ADEQUACY OF SUCH PLANS, OR OTHERWISE INSURED AGAINST HEALTH EFFECTS FROM MASSIVE IONIZING RADIATION RELEASES AS GASES OR PARTICULATE ENTITIES, IN CASE OF A SERIOUS ACCIDENT AT LIMERICK UNDER CONDITIONS WHICH WOULD PREVENT EVACUATION.

Meeting the requirements of Section 2,714 (a) (1) (i), the cause for late filing involves the life-and-death importance of the real possibility of "sheltering" brought forth on January 15th 1985 before the Atomic Safety and Licensing Board in Philadelphia, Pa.

At that hearing Philadelphia Electric's attorney was, in effect, forced by Paul Bartle, Chairman of the Board of Montgomery County Commissioners to admit that under conditions that make evacuation impossible, "sheltering" will be the means to protect the people in the Limerick EPZ in case of a severe accident. Such a case was described by Mr. Bartle as an accident in 3A.M. darkness, in subfreezing blizzard-blocked roads (as per transcript of Testimony on afternoon of Jan. 15, 1985). (Also see enclosed letter).

The ASLB, as then chaired by Judge Lawrence Brenner has, in its Order of September 14, 1984, referred to the Limerick Test of Evacuation Capability (LTEC) contention filed by Air and Water Pollution Patrol on August 8, 1984, as "Draconian". On January 15, 1985 P.E.'s attorney Rader, brought out that it could be a real possibility.

Since Air and Water Pollution Patrol's (AWPP) instant contention has not really been litigated re its suitability as an option to evacuation, and since the sheltering issue is life-threatening, the ASLB



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Air and Water Pollution Patrol Contention re "Sheltering" continued:

can not in good conscience rule it untimely.

It must be litigated, also, because AWPP has no other means available for protecting me with my property 10 miles from Limerick, and its members, and the public, in view of the fact that while evacuation is being handled by LEA, with FEMA and others judging its adequacy, the same criteria as to plans, publicity, testing, monitoring, etc. has not been adequately considered or performed for "sheltering"... even though it is more critical. For this reason the ASLB must permit litigation of this previously inadequately considered, extremely serious aspect of life or death in a nuclear accident with people unable to leave their homes.

Further, AWPP will contribute to the record in that it will show that adequate plans and studies were not made re sheltering in the average home as would most likely be the case in a sudden runaway accident under those worst conditions heretofore mentioned. AWPP will contribute by calling expert witnesses on barrier requirements against massive and intensive gamma radiation as a measure of the degree to which gamma radiation may or may not be stopped by different types of house construction in the EPZ of the Limerick reactor. AWPP will contribute by bringing in expert witnesses on air transfer within average residences as it relates to the evaluation of the amount of particulate matter that can infiltrate the airspaces that cannot block out air in to the average house. AWPP will contribute by bringing in expert witnesses to testify on the environment of houses that are too airtight for breathing by large numbers of people for extended times. These times may not be just a few days as is erroneously considered for nuclear accidents, since sheltering may be required for a week or more. In fact there is no assurance that the time during which no contact can be permitted with the outside atmosphere can go into months or longer in severe accidents. Such times have not been



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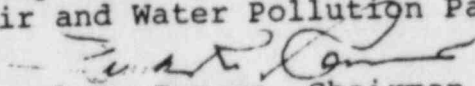
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considered even with evacuation of the population.

The Nuclear Regulatory Commission, as a result of the Three Mile Island Accident, has made a workable evacuation plan a condition of licensing nuclear reactors. That sensible requirement was born of an accident that had it gone 30 minutes more could have brought death and disaster to half the State of Pennsylvania. The need to litigate the recent admitted possibility that the opposite to evacuation, namely, "sheltering" might be forced upon unsuspecting thousands, referred to by Mr. Bartle, merits the same requirement of planing, familiarization by the public, monitoring, testing drills and all-inclusive home communication systems, before sheltering can be used as an option.

AWPP (Romano) contends that neither the Applicant nor the Staff adequately paralleled the conditions required of evacuation with sheltering. Neither the Applicant nor Staff, therefore, did all that is necessary to demonstrate that sheltering could be considered a workable option to evacuation. Neither did Applicant nor Staff formally assure that sheltering would not indeed be a term, which in this instance, may hide the possibility of meaning a death trap.

Respectfully submitted,
Air and Water Pollution Patrol


Frank R. Romano, Chairman
61 Forest Ave.
Ambler, Pa. 19002

enclosure