

013 DOCKETING

Mr. Harold R. Denton, Dir. NRC Off. Nuclear Reactor Reg.
Washington, D.C. 20555

May 9, 1985

Re: Phila. Elec. Co., Limerick
Gen. Sta. Units 1&2. Doc. 50-35202
35302
85 MAY 15 11:10 2.206

Dear Mr. Denton,

We are again calling your attention to our petition of 12/23/84 and our further petition of 2/25/85 requesting that you issue a show cause order to initiate proceedings to revoke low power license NPF-27 issued to Phila. Elec. Co. for its Limerick plant, unit #1. We are enclosing a copy of our letter, 4/27/85, to Hugh L. Thompson as further evidence to back up the need for this order.

The evidence which we submitted to you conclusively proves that PECO is not qualified to operate the plant safely and the license should be revoked until equipment, employee, and process deficiencies have been completely remedied. The present operation of this plant by PECO is a present and continuing threat to our health and safety.

In addition we now cite PECO's violation of Sections of license NPF-27: Para. 1.

1. G. Limerick will operate in violation of the license through the use of Schuylkill River water for cooling during the low flow season, and by demanding releases from the Blue Marsh reservoir, and by renouncing its agreement to the "river follower mode" with the Delaware River Basin Commission. PECO's applications of 3/15/85 and 4/23/85 to DRBC call for removal of the 59° temperature limit, and releases from Blue Marsh storage. (M.J. Wetterhahn letters 3/19 & 4/26/85 to Service List with enclosures.)

1. D. The operation of Limerick with dependence on Schuylkill water for cooling will endanger the health and safety of downstream water users by threatening the biological life of the river and drawing upon reserves of drinking water, and consuming water needed by industry to maintain jobs.

1. G. PECO's use of Schuylkill water is inimical to family and community services and community health and safety because of the threat to public water supply. Even in this time of drought Mr. V.S. Boyer, PECO V.P. called upon DRVC in his written statement on 5/7/85 for "Equitable demands upon all impoundments" despite PECO's agreement with DRBC to be limited by flow conditions in the Schuylkill. This, in violation of PECO's agreement with DRBC and in violation of the conditions of the NRC license.

1. H. Furthermore, PECO is in violation of Appendix B of license NPF-27. Sect. 3.1 of the Appendix requires that "the licensee shall prepare and record an environmental evaluation" before making such an application as this one to change the consumptive demands on the Schuylkill river. Sect. 5.3 requires "an assessment of the environmental impact" and "NRC approval of the proposed changes in the form of a license amendment incorporating the appropriate revision to the EPP" (Environmental Protection Plan) PECO's application to DRBC violates both of these requirements of Appendix B.

As further evidence of the threat to the health and safety of the public from this consumptive use of Schuylkill water and Blue Marsh reserves, we cite the testimony of Mr. David C. Yaeck, Executive Director, Chester County Water Resources Authority, in opposition to the removing of the 59° restriction and the release of Blue Marsh water for Limerick consumption. He testified at the DRBC hearing on 5/7/85 in West Trenton as to the inviolate base that Blue Marsh water constitutes for public water resource planning in Chester County. He said that a temporary request by PECO had the potential of becoming permanent, and his public agency is completely opposed to PECO's modification of DRBC Docket D-69-210 CP. (See DRBC transcript 5/7/85)

We are enclosing a copy of our 4/29/85 petition to ALAB on this matter. On 5/2/85 ALAB dismissed our petition and advised us to submit it to your office.
cc: NRC ALAB, ASLB, Counsel, Docketing, PECO, DRBC
Others on Serv. List
Respectfully yours,
Robert L. Anthony
Box 186 Maylan, Pa. 17055

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