



AIR and WATER Pollution Patrol

BROAD AXE, PA.

June 28, 1985

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

BEFORE THE NUCLEAR REGULATORY COMMISSION

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

Docket No. 50-352
50-353

AIR & WATER POLLUTION PATROL/ROMANO OPPOSES APPLICANT'S
MOTION FOR AN EXEMPTION FROM THE REQUIREMENT OF 10 C.F.R.
PART 50, APPENDIX E, SECTION IV.F.1, FOR THE CONDUCT OF
A FULL PARTICIPATION EXERCISE WITHIN ONE YEAR BEFORE THE
ISSUANCE OF A FULL-POWER OPERATING LICENSE

AWPP/ Romano comments on Applicant's own inadequate support for its motion for exemption in the captioned motion dated June 24, 1985.

As per page 2, the fact that Applicant presumed too much and was negligent to the point of causing its own delays does not prevent the Nuclear Regulatory Commission from its duty to protect the public in withholding licensing and denying exemption from exercise participation re instant motion. Further, the drill was not a full participation emergency preparedness exercise on the one hand, and what exercise did take place was really a failure on the other hand in that schools and townships did not all take part.

Applicant states that "At that time, it was reasonable to expect that a full-power license would issue for Unit 1 of Limerick well within one year". AWPP/Romano points to the specified inadequacies listed in its June 11, 1985 Brief re Graterford Inmates.

Applicant continues "Construction of Unit 1 was essentially complete and all outstanding issues other than those relating to offsite emergency planning had been litigated and decided or submitted for decision". Again the Applicant took too much for granted. AWPP/Romano has yet to hear the decision of the Appeal Board re its Contentions IV and VI.



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AWPP/Romano's reply to Applicants Motion of 6/24/85 continued:

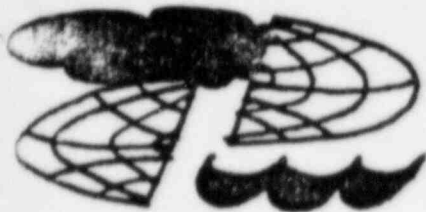
While the Applicant appeals to circumstances that did not develop to its liking, AWPP finds no specificity of fact that would be in favor of protection of the public in allowing the Applicant to put the cart before the horse.

AWPP states the filing on Feb. 7, 1985 for an exemption seeking relief from the provisions of 10 C.F.R. 50.47(a) and (b) as it related to Graterford's plan and the Provisional and Final Order dated May 24, 1985 was improper.

In describing the Importance of Action by the Commission upon the requested exemptions, the Applicant seeks to avoid the importance of the curcial safety aspects of 10 C.F.R., Part 50, Appendix E, Section IV.F.1, inparticular because of the known inadequacy of the July 25, 1984 drill. Because the sheltering option which was inadequately publicized requires studies such as air passage and air filtering action as it relates to radioactive particulates, and more particularly studies on stopping action of varying construction against gamma rays, no exemption should be granted to bypass perhaps the most lethal aspect of emergency planning.

On page 6 of Applicant's June 24, 1985 Motion for Exemption re Full Participation as per 10 C.F.R., Part 50, Appendix E, Section IV. F.1, Applicant seems to plead for full power operation in the public interest to supply needed power. Applicant has 30% over capacity without Limerick. While the Applicant attempts to influence the Commission with the argument that the full power license will save rate payers 1.5 million dollars per day AWPP/Romano sees it as Applicant's concern for its loss of 1.5 million per day which should not stampede the Commission into changing exemption rules re exemption requirements which the Applicant knows to be general practice.

In opposition to page 6 statement AWPP/Romano sees no proof that "There are no hazards to the public health and safety in granting the requested exemption". Further, the non-tested, non publi-



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AWPP/Romano's reply to Applicant's Motion of 6/24/85 continued:

cized sheltering option makes Limerick a hazard to the public health and safety.

AWPP calls attention to the fact that virtually hundreds of License Event Reports detail errors of personnel of all levels that suggest lack of horse sense--and heads-up operation. As late as the June 12, 1985 report to P.E. from Thomas T. Martin re inspections of January 25 to March 8, 1985, such as 84-18-01; 84-18-07 do not at all indicate Limerick is ready for operation. Examples of unbelievable carelessness that might occur in other industry but must not occur at the nuclear reactor because of its lethal consequences: See Inspection Report No. 52-352/84-66, T, Martin to S. Daltroff, PECO of Jan. 14, 1985. The response by P.E. of March 13, 1985 after over two months shows lack of concern enough to indicate that even after the NRC inspector pointed out the deficient items, eight of the many deficiencies were not yet corrected: see page 2 and 3 of P.E.'s Attachment responses (No.7); see page 4 item 13. page 5 item 14 and 15, as an index of what is tolerated at Limerick which would call for firing in my own laboratory, also see page 7, item 20 and response. The seventh grader neophyte science performance would be laughable if it wasn't critical to the safety of thousands of people. The P.E. responses (excuses) are absolutely indications of a totally all thumbs mindset that must not be allowed to take place in an activity where any little mistake can become a big mistake...an accident. I feel the Commission should have an unbiased committee of Chemists and Chemical Engineers go over every Licensee Event Report and NRC Inspection report since January 1, 1985 to give an unbiased report on how such deficiencies compare with general acceptable precision in handling, sampling and testing operations.

On page 7, line 2 and 3, the Applicant states: "The delay in litigating this matter has been entirely beyond Applicant's control" but the unbelievable carelessness just detailed also seems to be beyond the Applicant's control--and is reason enough to withhold all



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AWPP/Romano's Opposition to Applicants Motion of 6/24/85 continued:

exemptions, and require total adherence because of demonstrated carelessness and even contempt for correction when deficiencies have been pointed out.

While the forgoing describes the careless mindset that can contribute to the need of a very workable evacuation system (not just plan), in its "Discussion" re the "One year before issuance affair" page 9, the Applicant states in the relevant facts of 10 C.F.R., 550.47(c)(1): "Failure to meet the applicable standards set forth in paragraph (b) of this section may result in the Commission declining to issue an operating license", AWPP responds that the Applicant admits the Commission can decline to issue an operating license. The statement also states the Applicant will have an opportunity to demonstrate to the satisfaction of the Commission that deficiencies in the plans are not significant for the plant in question. No where in Applicant's pleading has Applicant corrected significant deficiencies, in particular the "death trap", unpublicized, untested "sheltering" option to a "workable evacuation plan" to give "reasonable assurance" that the public will be protected properly.

On page 10 the Applicant again stated: "There are no deficiencies in emergency planning for Limerick", even though there are reams of records indicating the same careless and disorganized unreadiness which, nevertheless, on May 21, 1985 FEMA, stated was "adequate". AWPP states that in the case where thousands of lives could be at stake because of "sheltering" which neither Applicant nor FEMA publicized or tested, adequate means good enough. But AWPP says good enough is not good enough! AWPP calls for the Commission to call for complete compliance to the letter because of Applicant's rush-rush psychology, which is evident in documented carelessness and wrong attitude workmen. The Commission must call for complete compliance to protect people who may be forced to run for their lives if a hasty decision the Applicant wants is made.



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AWPP/Romano's Opposition to Applicant's Motion of 6/24/85 continued:

On page 12 the Applicant tells of the "40 hearing days and 8,500 transcript pages". AWPP calls for the Commission to check on the meager sentence or two related to "sheltering" as it relates to having allowed the public to know what sheltering really means. Nor did all those hearing days test out the known death-trap characteristics of sheltering in a General Emergency Accident in ordinary houses.

On page 13, the number seeming to be prophetic, the willingness of the Applicant to expose people for its own selfish interest is evident in the totally erroneous statement that "the record thus amply demonstrates that there are no deficiencies in emergency planning for Limerick, significant or otherwise".

On page 14, 2nd paragraph AWPP counters that local response organizations, such as the municipalities and school districts have not adequately been notified re "sheltering", therefore, contrary to what Applicant states, local plans are not in consonance since there has been no exercise or drill relating to this life and death aspect of emergency response to a nuclear accident in which evacuation will be unworkable.

On page 16, the Applicant relates to FEMA's experience in testing preparedness of agencies. It states such tests of agencies, including the Bureau of Radiation Protection, gives further assurance of ongoing readiness. However, AWPP reminds the Commission that Margaret Reilly, Chief of the Pa. Bureau of Radiation Protection testified before the ASLB that "sheltering might be protective for only up to 2 hours." Re the 2 hours, Montgomery County's Emergency Co-ordinator (who certainly must be in consonance with FEMA) when asked by AWPP/Romano--What do people do after 2 hours, he responded: "They have a problem". That is a culpable response that first proves the Applicant is unaware of the deficiencies in the evacuation plan, and secondly borders on criminal contempt for lives of thousands surrounding Limerick.

On page 17, the Applicant discusses what it feels is extensive



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AWPP/Romano's Opposition to Applicant's Motion of 6/24/85 continued:

training , however, of those 500 training sessions and 8,500 trained individuals, AWPP calls on the Commission to require Applicant to state how many sessions were devoted to "sheltering", and how many sessions were devoted to how the public should be told of sheltering, and how many sessions were devoted to explaining how long radioactive particulates could be breathed, and to what degree . . . six to twelve inch walls of homes could be made to stop intense gamma radiation released in a general emergency accident. Also how many sessions were devoted to explaining that "sheltering" might possibly be protective for only up to 2 hours. Finally, and it could be final, what training was give these 8,500 people on how they would handle panicked thousands as 2 hours approaches and the emergency raido warns it's too dangerous to go into the outside air. While AWPP asks these questions following absurd statements that seem to give these questions a light tone, AWPP is seriously talking about death or life-long injury physical and psychological which could be far worse than now in the courts following the first TMI accident.

As an example of what is termed "good faith", The Applicant states on page 19 that it "has made available planning and traffic engineering consultants to assist offsite authorities in the devolopment of the plans and evaucation time estimates". The evacuation time estimates that were made by P.E.'s traffic engineering consultants involved watching football fans after a game in Philadelphia, this test lacked every significant parameter that a quality assurance test should have. There were no panic or fright as there will be when the sirens go off--especially at night, especially with jammed or blizzard blocked roads. For the Applicant to accept that totaly non-representative test of evacuation time, with police on every corner and the one-way Broad Street traffic with lights fixed to expidite traffic, again demonstrates, as do many other aspects of the entire Limerick situation, the deficiency in management. AWPP calls for the Commission



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to avoid dependance on such evacuation timing tests that further indicate weakness or inapplicability of other parameters in the evacuation plan which even Paul Partle, Chairman of the Montgomery County Commissioners (where Limerick is located) who said he has "no faith" in evacuation.

AWPP states that whereas the Applicant has 30% over capacity and that Applicant mismanagement has driven the cost of electricity to the point where industries of the area find it cost effective to go in to co-generation of their own power making less need for any Limerick reactor, and whereas foregoing statements of AWPP, beyond a shadow of a doubt indicate granting of an exemption will not be "in the public interest" and will endanger constitutional aspects of life and property, AWPP calls for the Commissioners to deny any exemption or other request which puts the public at risk. AWPP calls for the Commission to ask "will the public be safer without the granting of exemption sought by the Applicant?"

Conclusion

For reasons set forth above, AWPP/Romano submits that the criteria for an exemption under the provisions of 10 C.F.R. 50.12(1) and 50.47(c)(1) have NOT been met and that the requested relief should NOT be granted. The issuance of the full-power operating license on or before July 25, 1985 would appear to be responding to a careless demand by the Applicant based on selfish monetary interest, whereas it is the duty of the Commission to put the safety of the public first.

FRR/jch

Respectfully submitted,
AIR & WATER POLLUTION PATROL

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

I certify the above has been served upon the latest Service List.