



AIR and WATER Pollution Patrol

BROAD AXE, PA.

June 30, 1985

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

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

DOCKET
USNRC

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

Docket Nos. 50-352
50-353

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AWPP/Romano moves Board reject "Applicant's Renewed Motion for an exemption from the requirements of 10 C.F.R. 50.47 (a) and (b) as they relate to the two contentions admitted on behalf of the Graterford prisoners during the period necessary for litigation".

On June 20, 1985 Applicant, re the captioned proceeding, renewed its motion before the Atomic Safety and Licensing Board for an exemption from the requirements of 10 C.F.R. 50.47(a) and (b) to permit operation of the Limerick Generating Station at power levels greater than 5% without full consideration regarding the assurance of adequacy of emergency response readiness for the inmates of the State Correctional Institution at Graterford.

AWPP/Romano would contest the Applicant's claim and backs the Atomic Safety and Licensing Appeal Board's finding that the Applicant has not adequately met full criteria for an exemption under the provisions of C.F.R. 10, Section 50.12(a) and Section 50.47(c)(1) as they relate to the admitted contentions, as AWPP detailed in its June 11, 1985 Brief in support of the Graterford inmates.

The Applicant states, the Appeal Board should, as it did in the San Onofre case, under the provisions in Section 50.47(c)(1) which "allows compensatory measures to be undertaken for any emergency planning deficiency" as well as interum measures to rectify them.

AWPP states that the compensatory measure, namely sheltering, is not compensatory but is a death trap to cover the unworkability of evacuation whose definition is to remove from an area of danger.

Inasmuch as Applicant admits it will not, under a General Emergency Accident or in subfreezing, night time blizzard blocked roads, be able to remove people from the area of danger...but will in fact entrap them in their own homes, AWPP calls for denial of Applicant's exemption motion of June 20, 1985.

Very truly yours,
AIR & WATER POLLUTION PATROL

Frank R. Romano, Chairman
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I certify the above has been served on the latest Service List.