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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
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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
50-353 OL

STIPULATION

Limerick Ecology Action, Inc. (LEA) and Philadelphia Electric Co. (PECO) stipulate and agree as follows:

In 1982, the Atomic Safety and Licensing Board (ASLB) in this proceeding admitted LEA contention VIII-12(a), which alleged, inter alia, that PECO's onsite emergency plans failed to demonstrate that adequate arrangements had been made for medical services for onsite contaminated injured individuals.

After hearing, the ASLB found against the contention in its Second Partial Initial Decision dated August 29, 1984, with Judge Lawrence Brenner dissenting.

On appeal by LEA, the Atomic Safety and Licensing Appeal Board (ASLAB), by its decision dated October 22, 1985, reversed the ASLB decision on LEA's contention, and remanded for further proceedings to

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consider alternative options for additional backup medical services for onsite contaminated injured persons.

On or about November 15, 1985, PECO entered into an agreement with Montgomery Hospital, Norristown, PA, in which inter alia, Montgomery Hospital agreed to provide hospital treatment for Limerick Generating Station onsite contaminated injured persons, and PECO agreed to provide specialized training, equipment, and procedures for Montgomery Hospital's treatment of onsite contaminated injured persons.

On or about December 23, 1985, counsel for PECO provided counsel for LEA with copies of draft procedures and list of specialized equipment to be used at Montgomery Hospital, and a plan of instruction for Montgomery Hospital emergency department physicians and nurses.

On December 31, 1985, LEA counsel conferred with Montgomery Hospital administrator Robert Hood, who confirmed that Montgomery Hospital and PECO were in the process of implementing the provisions of the November 15, 1985 agreement.

Based upon (1) LEA's review of the November 15, 1985 agreement, the equipment list, plan of instruction, and draft procedures for Montgomery Hospital, and (2) LEA counsel's conference with Montgomery Hospital administrator Robert Hood, LEA has determined that PECO has made arrangements for a "reasonable option addressed to the concerns

raised by LEA's contention" as required by the Atomic Safety and Licensing Appeal Board in Philadelphia Electric Co. (Limerick Generating Station Units 1 and 2), ALAB-819, ____NRC____, (1985) (Slip op. p. 49 n. 47), and that those concerns are no longer a matter of controversy between LEA and PECO.

The undersigned parties stipulate that the Atomic Safety and Licensing Board may enter an appropriate order dismissing LEA's contention for lack of controversy, based on this stipulation.

U.S. NUCLEAR REGULATORY COMMISSION
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