



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AUG 16 1985

Docket No. 50-352

Mr. Edward G. Bauer, Jr.
Vice President and General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Subject: Order Concerning Facility Operating License NPF-39 for
the Limerick Generating Station, Unit 1

Dear Mr. Bauer:

In view of the stay issued on August 15, 1985, by the United States Court of Appeals for the Third Circuit, I have issued the enclosed Order concerning Limerick Generating Station, Unit 1. The Order restricts operation of Unit 1 to reactor core power levels not in excess of 5% of rated power. The Order will remain in effect pending further action on my part to rescind the Order.

A copy of the Order will be sent to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script, appearing to read "H. R. Denton".

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure: Order

cc w/enclosure: See next page

8508220016 850816
PDR ADOCK 05000352
PDR

Mr. Edward G. Bauer, Jr
Philadelphia Electric Company

Limerick Generating Station
Units 1 & 2

cc:

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Philadelphia Electric Company
Units 1 and 2

- 2 -

Limerick Generating Station

cc:

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Washington, D. C. 20555

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West Chester, Pennsylvania 19380

Philadelphia Electric Company
Units 1 and 2

- 3 -

Limerick Generating Station

cc:
Chairman Board of Supervisors of
Limerick Township
646 West Ridge Pike
Limerick, Pennsylvania 19468

Governor's Office of State
Planning and Development
ATTN: Coordinator, Pennsylvania
State Clearinghouse
P. O. Box 1323
Harrisburg, Pennsylvania 17102

Dept. of Environmental Resources
ATTN: Director, Office Radiologic
Health
P. O. Box 2063
Harrisburg, Pennsylvania 17105

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of the)
PHILADELPHIA ELECTRIC COMPANY) Docket No. 50-352
(Limerick Generating Station, Unit 1))

ORDER SUSPENDING OPERATION ABOVE 5 PERCENT POWER

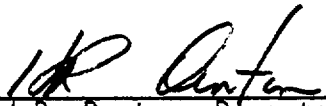
In its Memorandum and Order of August 8, 1985, the Commission declined to stay the effectiveness of the Atomic Safety and Licensing Board's Fourth Partial Initial Decision in the Limerick operating license proceeding and authorized the Director of the Office of Nuclear Reactor Regulation to issue the Philadelphia Electric Company (Licensee) a full-power operating license for Unit 1 of the Limerick Generating Station. Accordingly, the Director issued Facility Operating License No. NPF-39 which, among other things, authorized the Licensee to operate the facility at reactor core power levels not in excess of 3293 megawatts thermal (100% rated power). License No. NPF-39 superseded Facility Operating License No. NPF-27, which was issued on October 26, 1984, and which authorized the Licensee to operate the facility at levels not to exceed 5% of rated power.

Limerick Ecology Action and Thomas Martin appealed the Commission's decision and sought a stay of the Commission's Order from the United States Court of Appeals for the Third Circuit. On August 15, 1985, the court stayed the Commission's Order pending further order of the court. The effect of the court's order is to suspend operation above 5% of rated power, pending further order of the court. The Licensee has informed the NRC Staff that it is proceeding to reduce the power level of the facility to 5% or less of rated power. The purpose of this Order is solely to effectuate the court's order and confirm the Licensee's actions. This Order will be rescinded upon action of the court to lift its stay.

Accordingly, pursuant to sections 103, 161, and 186 of the Atomic Energy Act of 1954, as amended, and the Court of Appeals' order of August 15, 1985, IT IS HEREBY ORDERED that the Licensee shall reduce the operating power level of the facility to 5% or less of rated power by 6:00 p.m., August 16, 1985, and shall not thereafter operate Limerick Unit 1 above 5% of rated power until such restriction is rescinded by the Director of the Office of Nuclear Reactor Regulation.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 16th day of August 1985

AUG 16 1985

Docket No. 50-352

Mr. Edward G. Bauer, Jr.
Vice President and General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Subject: Order Concerning Facility Operating License NPF-39 for
the Limerick Generating Station, Unit 1

Dear Mr. Bauer:

In view of the stay issued on August 15, 1985, by the United States Court
of Appeals for the Third Circuit, I have issued the enclosed Order concerning
Limerick Generating Station, Unit 1. The Order restricts operation of Unit 1
to reactor core power levels not in excess of 5% of rated power. The Order
will remain in effect pending further action on my part to rescind the Order.

A copy of the Order will be sent to the Office of the Federal Register for
publication.

Sincerely,

Original signed by

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure: Order

cc w/enclosure: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

August 16, 1985

DISTRIBUTION:

Docket File (50-352)

LB #2 Reading

EGHylton

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RMartin

DOCKET No. 50-352

MEMORANDUM FOR: Docketing and Service Branch
Office of the Secretary of the Commission

FROM: Office of Nuclear Reactor Regulation

SUBJECT: ORDER SUSPENDING OPERATION ABOVE 5 PERCENT POWER - LIMERICK, UNIT 1

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (6) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order. (See above subject)
- Exemption.
- Notice of Granting of Relief.
- Other: _____

Office of Nuclear Reactor Regulation

Enclosure:
As stated

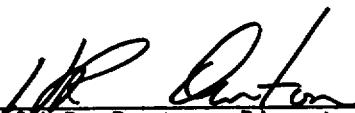
OFFICE	DL:LB#2					
SURNAME	EGHylton					
DATE	8/16/85					

OFFICIAL RECORD COPY

Accordingly, pursuant to sections 103, 161, and 186 of the Atomic Energy Act of 1954, as amended, and the Court of Appeals' order of August 15, 1985, IT IS HEREBY ORDERED that the Licensee shall reduce the operating power level of the facility to 5% or less of rated power by 6:00 p.m., August 16, 1985, and shall not thereafter operate Limerick Unit 1 above 5% of rated power until such restriction is rescinded by the Director of the Office of Nuclear Reactor Regulation.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 16th day of August 1985

Docket Files

DISTRIBUTION FOR LIMERICK OPERATING LICENSE

Docket No. 50-352

NRC PDR

Local PDR

PRC System

NSIC

LB#2 F/R

E. Hylton

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J. Rutberg, OELD

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