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 50-388 Susquehanna Steam Electric Station, Unit 2, Pennsylv 05000388
 AUTH. NAME AUTHORITY AFFILIATION
 FIELDS, J.S. Pennsylvania Power & Light Co.
 RECIPIENT NAME RECIPIENT AFFILIATION
 PAWLUSH, L.A. Pennsylvania, Commonwealth of

SUBJECT: Forwards 890403 ltr of agreement in settlement of acid spill at plant in Aug 1988.

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Pennsylvania Power & Light Company

Two North Ninth Street • Allentown, PA 18101 • 215 / 770-5151

April 19, 1989

CERTIFIED MAIL NO. P 794 296 099

Mr. Lawrence A. Pawlush
Water Quality Regional Manager
Bureau of Water Quality
Pennsylvania Department of Environmental Resources
90 East Union Street - 2nd Floor
Wilkes-Barre, PA 18701-3296

SUSQUEHANNA STEAM ELECTRIC STATION
ACID SPILL LETTER OF AGREEMENT
CCN 741326 FILE R9-8A
PLE-11400

Dear Mr. Pawlush:

The Pennsylvania Power & Light Company is submitting to the Pennsylvania Department of Environmental Resources (Pa DER) four signed copies of a Letter Agreement dated April 13, 1989, in settlement of an acid spill occurring at the Susquehanna SES in August 1988. Also, attached is a certified check for \$2,950.00 in payment of penalties.

Both the Letter Agreement and certified check are being submitted to the Pa DER for violations of the Pennsylvania Clean Streams Law, the Act of June 22, 1937, P.L. 1987 as amended, 35 P.S. §69.1.1 et seq.

Sincerely yours,

Jerome S. Fields
Sr. Environmental Scientist - Nuclear

Attachments

jsf/led1674i(13)

cc: NRC Document Control Desk
NRC Region I
Mr. F. I. Young, NRC Sr. Resident Inspector
Mr. M. C. Thadani, NRC Project Manager
Mr. J. F. Holmes, Pa DER

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Bureau of Water Quality Management
Wilkes-Barre Regional Office
90 East Union Street - 2nd Floor
Wilkes-Barre, PA 18701-3296
(717) 826-2331 or (717) 826-2553

April 13, 1989

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APR 14 1989

CERTIFIED MAIL NO. P 737 801 699

SENIOR VP. NUCLEAR

Pennsylvania Power and Light
c/o H. W. Keiser
2 North Ninth Street
Allentown, PA 18101

RE: Acid Spill
Salem Township, Luzerne County

Dear Mr. Keiser:

Pursuant to the telecon on April 10, 1989 between Jerry Fields and the Department, I am forwarding four (4) copies of a Letter Agreement in settlement of Pennsylvania Power and Light, (hereinafter PP&L) violations of the Pennsylvania Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. §691.1 et seq., (hereinafter "CSL"), and the Rules and Regulations promulgated thereunder which occurred on August 9 through August 12, 1988 at Susquehanna Steam and Electric in Salem Township, Luzerne County, Pennsylvania.

Please have two (2) authorized officials of Pennsylvania Power and Light sign all four (4) copies and return them to this office within ten (10) days of your receipt thereof. You will receive an executed copy for your records after the document is signed on behalf of the Department of Environmental Resources (hereinafter "Department" or "DER").

The facts of the matter and the terms of the settlement are as follows:

1. On August 9, 1988, the Department investigated a spill of sulfuric acid at the Susquehanna Steam and Electric facility. Approximately 1700 gallons of sulfuric acid was mixed with 68,000 gallons of water and discharged into the "waters of the Commonwealth".
2. The acid/water mixture was retained in a drainage ditch/impoundment called Peach Stand Pond. This overflowed to Lake Took-a-While, a tributary of the Susquehanna River.
3. PP&L actions and conduct described in Paragraphs 1 and 2 above constitute unlawful conduct on the part of PP&L pursuant to Sections 3, and 301, 307(a), and 401 of the CSL, 35 P.S. §§691.3, 691.301, 691.307(a), 691.401, and 691.611 and constitute a public nuisance pursuant to Section 601 of the CSL, 35 P.S. §§691.601 and 691.611.

4. In settlement of all claims for monetary penalties assessable pursuant to Section 605 of the CSL, 35 P.S. §691.605 for the violations described in Paragraph 3 above, PP&L agrees to pay to the "Commonwealth of Pennsylvania, Clean Water Fund" the sum of Two Thousand Nine Hundred Fifty (\$2,950.00) Dollars. This sum is a figure for settlement purposes only as set forth herein, and shall be due and payable upon execution of this Letter Agreement. Said \$2,950.00 payment shall be submitted to the Department together with the signed copies of this Letter Agreement and shall be in the form of a certified check or the like, made payable to the "Commonwealth of Pennsylvania Clean Water Fund" and shall be forwarded to Lawrence A. Pawlush, Water Quality Regional Manager, Bureau of Water Quality Management, Department of Environmental Resources, 90 East Union Street - 2nd Floor, Wilkes-Barre, Pennsylvania 18701-3296.
5. In consideration of the timely receipt of the above payment and the execution of this Letter Agreement by April 28, 1989, the Department agrees not to initiate any action pursuant to Section 605 of the CSL, supra, against PP&L for violations of the CSL which occurred on August 9 through 12, 1988 as described in Paragraphs 1 and 2 above; provided, however, that nothing in this Letter Agreement shall be construed as to relieve PP&L from any future liability for environmental damage which may have resulted from the activities described herein.
6. Nothing contained in this Letter Agreement shall be construed to relieve or limit the obligations of PP&L to comply with the terms and conditions of any permit now existing or hereafter issued by the Department to PP&L or to limit any civil or criminal liability of PP&L for violations of the law except as specifically set forth in Paragraph 3 above.

Sincerely,

James F. Holmes

James F. Holmes
Water Quality Compliance Specialist



The facts and terms of this Letter Agreement are hereby consented and agreed to:

FOR COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES:

FOR PENNSYLVANIA POWER AND LIGHT

W. Keiser

Name:
President or Vice-President

APPROVED AS TO LEGALITY AND FORM:

Helen J. Woelfer

Name: *assistant*
Secretary or ~~Treasurer~~

Assistant Counsel
Office of Chief Counsel

Execution Date _____
(Dated by last signatory hereto)

AFFIX CORPORATE SEAL

