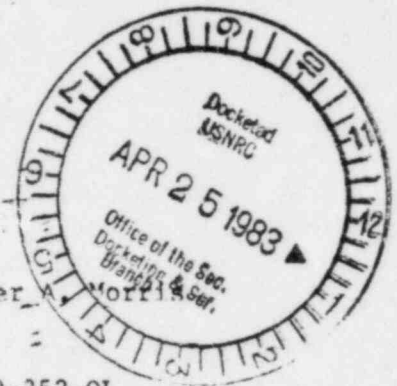


AIR and WATER Pollution Patrol

BROAD ALE, PA.
U.S. NRC ASLB Washington, D.C. 20555

Lawrence Brenner, Chairman; Dr. Richard F. Cole; Dr. Peter A. Hoff



In the Matter of

PHILADELPHIA ELECTRIC COMPANY
(Limerick Generating Station
Units 1 and 2)

DOCKET NOS: 50-352-OL

50-353-OL

April 20, 1983

As per Memorandum and Order dated April 12, 1983 Denying Air and Water Pollution Patrol's Petition for Additional Intervention Contention, re the TMI Test of Capability contention I sent the Board on March 1, 1983.* I wish to respond.

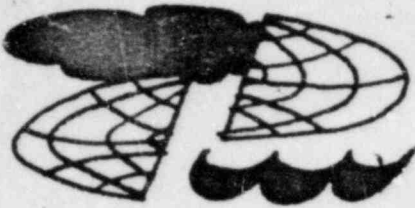
The Staff response states "AWPP's proposed contention lacks the required basis stated with specificity". In particular, the Staff states, "It is not apparent, however, just what factors in that current status (of TMI2) are of concern to AWPP". AWPP responds, specifically...there is only one factor: TMI 2 is proof the entire nuclear establishment does not know how to handle all life-threatening problems (crippled Unit 2 as example) involved in nuclear reactor operation. The Staff further states "If AWPP believes there is a particular technological problem which has been inadequately addressed, it has not identified the problem. Nor has it specified how that problem relates to the Limerick proceeding". AWPP repeats. The problem is the inability, as previously specifically stated, of the nuclear establishment to take care of a semi-melt down condition that threatens me, my family, and members of AWPP. Because a TMI 2 accident may reoccur at Limerick...what with the applicant unable to demonstrate capability via the TMI Test of Capability, it definitely relates to Limerick.

The Staff states "In addition, AWPP has failed to address the five factors set forth in 10 C.F.R. 2.714 (a) which must be balanced in deciding whether to admit an untimely contention". As it relates to timeliness intervenor states the timeliness is based on the daily evidence of inability of the nuclear establishment to pass the TMI Test of Capability...it cannot do so today, and TMI-2 threatens today more than yesterday so it is timely.

* received by Board

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AIR and WATER
Pollution Patrol
BROAD AXE, PA.

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Response to Memorandum and Order dated April 12, 1983 continued:

The Staff states "the events at the Three Mile Island reactor occurred four years ago and the contention addresses conditions at the reactor between those events and the present". AWPP responds: No--the contention addresses the inability at this time to even put forth a solution...let alone perform the solution before the same or similar problem arises at Limerick, as almost did at P.E. involved Salem very recently.

Staff states "No allegation is made of a recent change in conditions"... to which AWPP states: It is exactly because the on-going life-threatening conditions (as per Governor Thornberg's statement : "Every day that passes increases the threat that some event will happen there", that the abysmal failure of the nuclear establishment, of which the applicant is a part, that the TMI Test of Capability must be made the prior performance before Limerick is licensed to operate. This is specifically to prevent danger to the health and welfare of me, my family, and members of AWPP and the public.

Finally the Staff states "Indeed, the petition in no way indicated the type of evidence AWPP would expect to present". AWPP responds: the evidence AWPP expects to present is the most factual information that exists in the nuclear controversy in the U.S., that is, the evidence that TMI-2 sits there specifically and tangibly at Middletown, Pa. The evidence is that the nuclear establishment is prostrate in its inability to handle TMI-2--and that the entire nuclear establishment has tried to hide their inability to the point of meriting a Congressional investigation of known quasi-criminal collusion and consequential disregard for public safety, (see report by Government Accountability Project on Richard Parks re Bechtel Power Corporation--letter and affidavit of March 23, 1983 to NRC Chairman Nunzio J. Palladino).

Very truly yours,

Frank R. Romano

Served by First Class Mail: Stephen H. Lewis; Robert L. Anthony; Marvin T. Lewis; Judith A. Dorsey; Edw. G. Bauer, Jr; Robert W. Adler; Ann Hogdon; Thomas Gerusky; Director PEWA; Steven P. Hershey; Walter W. Cohen; Robert J. Sugarman; City of Phila.; Atomic Safety and Licensing Appeal Panel; Atomic Safety and Licensing Board Panel; Docketing and Service Section; Troy B. Conner, Jr; Randall Brubaker; Mark J. Wetterhahn.