

JUN 25 1984

The Honorable Peter H. Kostmayer
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Kostmayer:

This letter is in response to your April 24, 1984 letter regarding the supplementary cooling water system (SCWS) for the Philadelphia Electric Company's Limerick Generating Station. You expressed appreciation for the information provided to you on this subject in our April 2, 1984 letter; but indicated that it was not responsive to your key concern.

You stated that Bucks County had applied to the Delaware River Basin Commission (DRBC) for an alternative water supply for the Limerick facility to replace the water that would have been made available by the Point Pleasant Division. You have asked us to provide the procedures and estimate the time required for an NRC approval of a substitute supplementary cooling water source for Philadelphia Electric Company (PECo).

It would be the DRBC and the State and local bodies, as appropriate, not the NRC, that would review the subject application to determine whether such water supplies could be made available for Limerick. Certainly, PECo has not modified its SCWS design in its application and has not given any indication that it will do so. It should also be noted that a key dispute between Philadelphia Electric Co. and Bucks County involving the validity of the contract between the Neshaminy Water Resources Authority and Philadelphia Electric Co. was recently ruled upon by a Common Pleas Court in Bucks County. The court in this instance determined that the contract was valid.

As you may know, the Final Environmental Statement indicated that there was no significant environmental impacts involved in the operation of the Point Pleasant Diversion and the Atomic Safety and Licensing Board reached a similar conclusion. Absent any changes in the design by PECo we do not believe that there exists any authority for the NRC staff to propose alternates or to request the applicant to propose alternate SCWS designs for review. In any event the NRC would need more information than that provided in Bucks County's application in order for it to meet its responsibilities under the provisions of the National Environmental Policy Act (NEPA). This judgment is based on our particular experience with the Limerick application as well as with other power plant applications. Until the alternate proposal is set forth in such detail as is required for the NRC staff to conduct a review under NEPA, we can not arrive at any reasonable estimate of the specific procedures or the length of time that such a review would take.

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Lacking sufficient information on what the environmental impacts of the subject alternative proposal would entail, we are unable to predict a review schedule or whether additional hearings would be required. The most we can project based on the information available is that such a change would likely constitute a significant change in the environmental assessment requiring the circulation for public comment of a supplement to the FES. Such a change could require from six months to beyond a year plus an indeterminate amount of time if a hearing were to be requested and granted.

We would prefer to be more specific in response to your request and would do so but for the factors discussed above. However, we do hope that this response adds useful information to that provided by my earlier letter of April 2, 1984.

Sincerely,

(Signed) William J. Dircks

William J. Dircks
Executive Director for Operations

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*See previous concurrence

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