

JUN 29 1984

Docket Nos. 50-352/353

Mr. Robert J. Sugarman, Esq.
Sugarman, Denworth & Hellegers
16th Floor, Center Plaza
101 North Broad Street
Philadelphia, PA 19107

Dear Mr. Sugarman:

I am in receipt of your letter to me of May 23, 1984. Your letter requests that the Nuclear Regulatory Commission advise the Philadelphia Electric Co. (PECO) of a need to supplement its pending application for an operating license to provide alternative sources of supplemental cooling water for the Limerick facility. As you are aware, both of PECO's applications, for a construction permit for the Limerick facility and for an operating license for that facility, described a supplemental cooling water system for the Limerick facility for consideration by the Nuclear Regulatory Commission. That supplemental cooling water system was evaluated at the construction permit phase and is currently being evaluated as part of the operating license proceeding. Your letter suggests that the Commission should direct PECO to provide alternatives to the supplemental cooling water system presently under consideration. This is essentially a repetition of the request contained in the "Application of Del-AWARE Unlimited, et al. under Section 2.206" filed by you with the Commission of December 16, 1983, on behalf of Del-WARE and to which I responded in my "Director's Decision Under 10 CFR 2.206" dated on April 25, 1984.¹

In my Decision, I determined that action on the part of NRC would be appropriate to review alternatives to the currently proposed supplemental cooling water system if the current proposal should for some reason fail and if PECO should then identify an alternative proposal to supply supplemental cooling water for the Limerick facility. I noted that any alternative would then have to be reviewed in the same fashion as the original proposal was examined by the agency prior to the issuance of a construction permit. In my Decision, I further noted that PECO's current actions appear clearly directed at insuring completion of the presently proposed supplemental cooling water system and that concerns that the project may not be complete and consequently that alternative sources of cooling water may be required for the Limerick facility are thus premature and speculative. On this basis, I declined to commit the agency's resources to examine such questions given their

¹Philadelphia Electric Company (Limerick Generating Station, Units 1 and 2), DD-84-13, 1984--NRC(1984)

speculative nature.² There is nothing in your letter which would cause me to reconsider this question. You should be advised that the Commission has declined to review my Decision and, accordingly, that Decision became final agency action on May 21, 1984.

With respect to your request for documents, many staff documents are routinely placed in the Public Document Room and would be available for your review there. Additional document requests may be appropriate in individual adjudicatory proceedings pursuant to 10 CFR Part 2, "Rule of Practice For Domestic Licensing Proceedings" or under the more general provisions of the Freedom of Information Act. See 10 CFR Part 9.

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Sincerely,

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

cc: See next page

²If PECO changes its plan on sources of cooling water, some delay may result. However, this is a matter of concern to PECO. Absent a revised submittal, as indicated above, I do not intend to take action.

*LB#2/DL	*LB#2/DL	*OELD	*AD/DL	*D/DL	NRRO
RMartin:dh	ASchwencer	GCunningham	TNovak	DEisenhut	Denton/Case
06/ /84	06/ /84	06/ /84	06/ /84	06/ /84	06/28/84

*See previous concurrence

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