



**AIR and WATER
Pollution Patrol
BROAD AXE, PA.**

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Aug. 10, 1984

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In The Matter Of
PHILADELPHIA ELECTRIC COMPANY
(Limerick Generating Station,
Units 1 and 2)

Docket Nos. 50-352 *OK*
and 50-353

In "Applicant's Motion To Strike AWPP Pleading And Reply To AWPP Motion Relating To Contention VI-I", applicant answers the July 25, 1984, intervenor Air and Water Pollution Patrol filed "AWPP (Romano) Response to NRC Staff Response Regarding Gross Alpha Contention by AWPP". Applicant further states "to the extent it purports to be a reply to Staff and Applicant's answers to "New AWPP (Romano) Contention Re Gross Alpha (June 26, 1984)," it is prohibited by 10 C.R.F. §2.730 (c).^{2/} As a prohibited pleading, it should be stricken^{3/}". AWPP disagrees and reminds Applicant that in the interest of public safety (which should be Applicant's concern) any finding that can cause over-riding economic and/or health problems, which neither Applicant nor Staff considered, must be litigated irrespective of when found. For the Applicant to count on preventing or rushing the hearing on significant matters is an effort to divert the intent of the Atomic Safety and Licensing Board.

Applicant further stated "there is absolutely no showing of good cause to justify the late filing" even though AWPP did state the cause to be a recent finding of marginal Gross Alpha concentrations in drinking water wells in Montgomery County. Neither Applicant nor Staff took such fact (or studied such fact) into consideration. Further cause is the new, unresolved shortages in well water in Montgomery County. Increases in Gross Alpha, as fallout from the Limerick operation could close drinking water wells due to Gross Alpha levels increasing above permitted concentrations.

For these reasons and those cited in the AWPP July 25, 1984 pleading, re Gross Alpha, this Contention must be litigated.

Respectfully submitted
AIR & WATER POLLUTION PATROL
Frank R. Romano
Frank R. Romano, Chairman