

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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In the Matter of :  
:   
Philadelphia Electric Company : Docket No. 50-352-OL  
: 50-353-OL  
(Limerick Generating Station, :  
Units I and II) :

PETITION FOR LEAVE TO FILE REPLY

Intervenor-appellant Del-AWARE Unlimited, Inc., by its counsel, petitions for leave to file a reply to the staff's answer to its Petition for Appeal, and avers as the basis thereof the following:

1. In its answer to the Petition to Appeal, the staff raised a new issue, i.e., whether the Commission has regulatory jurisdiction regarding the supplemental cooling water system, in view of the staff's allegation that the function of the system has no bearing on safety of the facility.

2. The staff response failed to recognize or deal with a submission from the applicant to the staff dated September 4, 1984, relying upon the supplemental cooling water system as the source of safety in the event of tornado destruction of the cooling towers (an event deemed necessary to provide for by staff reviews.

3. Following the intervenor bringing this to the attention of the Licensing Board and the Appeal Board, the applicant revised its proposed justification, and instead disclaimed reliance on the Perkiomen as a source, but at the same time claimed reliance upon certain unnamed "number of other

sources".

4. At the same time, the applicant applied for an exemption from the requirements of 10 CFR Section 50, Appendix A, Design Criteria, regarding the ability of the cooling water towers to sustain tornado damage. Part of the basis of the requested exemption was the availability of "a number of other sources".

5. In the circumstances, where the staff has wholly omitted to provide information to the Commission regarding a matter which the staff raised as a new subject in its response, and where the record is at best unclear, it is appropriate that the Commission be provided with the correct information.

Accordingly, intervenor-appellant requests that it be permitted to file the attached reply.

Respectfully submitted,



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ROBERT J. SUGARMAN  
Counsel for  
Intervenor-Appellant

Of Counsel

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Dated: November , 1984

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of :  
:   
Philadelphia Electric Company : Docket No. 50-352-CL  
: 50-353-OL  
(Limerick Generating Station, :  
Units I and II) :

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing NOTICE OF APPEAL and PETITION FOR LEAVE TO FILE REPLY by mailing a copy of the same to the following persons this 26th day of November, 1984.

Judge Helen F. Hoyt, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Atomic Safety and Licensing  
Appeal Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Judge Richard F. Cole  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
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