

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING APPEAL BOARD

DOCKETED
USNRC

'84 OCT 29 P1:27

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

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

APPEAL AND PETITION FOR STAY

Intervenor Del-AWARE Unlimited, Inc. hereby
Petitions for Review and Stay of Licensing Board's Decision
dated October 15, 1984, authorizing a low power testing
license in the within matter, and avers as the basis thereof
the following:

1. The Licensing Board permitted issuance of the
license despite the fact that the operation may be dependent
on the operation of an unapproved supplemental cooling water
system, without limiting nor conditioning its approval
accordingly;

2. The Licensing Board ignored completely the depen-
dence of the plant for supplemental cooling water for a safe
shutdown in the event of destruction through tornado impact
of the cooling tower, although the licensee had expressly
relied upon the supplemental cooling water system for this
purpose in the SER.

3. A stay is necessary and appropriate because of the
environmental and safety implications of the low power

8410300308 841025
PDR ADDCK 05000352
G PDR

testing without the supplemental cooling water system, as set forth in Intervenor's Answer to Applicant's Motion (dated October 10, 1984).

Respectfully submitted



ROBERT J. SUGARMAN
Counsel for Intervenor

Of Counsel

SUGARMAN, DENWORTH & HELLEGERS
16th Floor, Center Plaza
101 N. Broad Street
Philadelphia, PA 19107

Dated: October 25, 1984
051

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of :
Philadelphia Electric Company :
(Limerick Generating Station, :
Units I and II) :

Docket No. 50-352-OL
50-353-OL

'84 OCT 29 P1:27
OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Petition of Del-AWARE Unlimited for a Review and a Stay of the Licensing Board's Decision by mailing a copy of the same to the following persons this 25th day of October, 1984.

Christine N. Kohl, Esq., Chairman
Administrative Judge
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Gary J. Edles
Administrative Judge
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Reginald L. Gotchy
Administrative Judge
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ann Hodgdon, Esquire
Benjamin H. Vogler, Esquire
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Troy B. Conner, Jr. Esquire
Conner and Wetterhahn
1747 Pennsylvania Avenue
Washington, D.C. 20006

Edward G. Bauer, Esquire
Vice President & General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, PA 19101

Secretary
U.S. Nuclear Regulatory Commission
Attn.: Chief, Docketing & Service Branch
Washington, DC 20555

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

Charles W. Elliott, Esquire
Brose and Poswistilo
1101 Building
11th & Northampton Streets
Easton, PA 18042

Martha W. Bush, Esquire
Kathryn S. Lewis, Esquire
1500 Municipal Service Building
15th and J. F. Kennedy Blvd.
Philadelphia, PA 19107

John E. Flaherty, Jr., Esquire
Fred T. Magaziner, Esquire
Lois Reznick, Esquire
3400 Center Square West
1500 Market Street
Philadelphia, PA 19102

Jay M. Gutierrez, Esquire
U.S. Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, PA 19406


Robert J. Sugarman

Dated: October 25, 1984