

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING APPEAL BOARD

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

'84 NOV 13 AM 11:15

REPLY RE: STAY

The staff has opposed the requested stay, inter alia, on the grounds that the supplemental cooling water system is not safety related. The staff fails to mention the letter from J. Kemper to A. Schwencer, referenced in the Petition for Stay, which asserted that the supplemental cooling water system is safety related, and is a basis for exemption or waiver of the inadequacy of the cooling towers.

On October 19, 1984, applicant filed Request for Exemption from Appendix A under the 10 CFR Section 50.12, on the ground that a failure of the cooling towers would be covered by the "other water sources". Copy attached as Exhibit A.

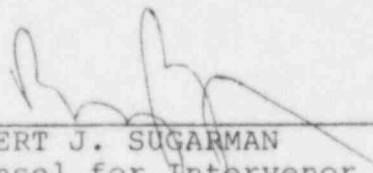
Despite applicant's attempts to obscure the issue by its elliptical reference, and its inconsistent letter of the same date, it is clear that the "other water sources" in mind, must be the only other supplemental cooling water source mentioned by the applicant in all of its filings with this Commission, namely, the Perkiomen-Point Pleasant diversion (dependent on Point Pleasant 96% of the time). The other alternative is that the applicant has misrepresented the facts all along as to unavailability of consumptive cooling water.

The staff did not refer to this letter in its November

2 filing.

This filing, along and in concert with the other grounds asserted in the request for stay, require that the stay be granted as sought, or as recharacterized as a motion to set aside.

Respectfully submitted,



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ROBERT J. SUGARMAN  
Counsel for Intervenor

Of Counsel

Sugarman, Denworth & Hellegers  
16th Floor, Center Plaza  
101 North Broad Street  
Philadelphia, PA 19107  
215-751-9733

Dated November 9, 1984

p09.rjs

RECEIVED

PHILADELPHIA ELECTRIC COMPANY

2301 MARKET STREET

P.O. BOX 8699

PHILADELPHIA, PA 19101

(215) 641-4500

OCT 25 1984

S. D. & II.

*Scopis*

V. S. BOYER  
SR. VICE PRESIDENT  
NUCLEAR POWER

Dockets: 50-352  
50-353

October 19, 1984

Mr. Harold Denton, Director  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: Limerick Generating Station Units 1 & 2  
Request for Exemption from 10 CFR 50 Appendix A,  
GDC 2 & 4

Dear Mr. Denton:

Pursuant to 10 CFR 50.12, Philadelphia Electric Company hereby requests an exemption from the requirement of 10 CFR 50, Appendix A, General Design Criteria (GDC) 2 and 4 as they relate to the protection of the ultimate heat sink (UHS) from the effects of tornado missiles. This exemption is requested for power levels not exceeding 5 percent of full power.

Loss of the UHS (spray pond) due to tornado missiles for power levels not exceeding 5% power will not endanger life or property for the following reasons:

1. Even if the heat removal capability of the cooling towers and spray networks were compromised by tornado missile effects, use of the cooling tower basins and/ or UHS in a "cooling pond type" mode would allow substantial time for spray network repair. Under design meteorology, it would take approximately 5 days for the pond to reach its 95°F limit.

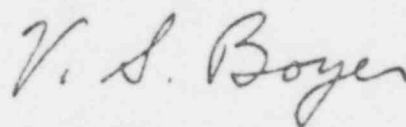
2. In the remote possibility that the heat removal capability of the spray pond networks and the cooling towers is compromised, and that repairs cannot be completed before the design temperature of the spray pond is reached, a once-through mode of cooling can be implemented. In this mode of operation, cool water from the cooling tower basins is supplied to the spray pond pump house wet pits, ESW and RHRSW will pump this water through the plant, the water is returned to the spray pond and is allowed to discharge over the blowdown weir and storm spillway. Sufficient makeup water can be supplied to the cooling tower basins to sustain continuous operation in this mode from the Schuylkill River or a number of other sources.
3. During the period of operation before exceeding 5% power, it is extremely unlikely that tornado missile damage to the networks would occur. But in the event that this should occur, there is sufficient time to effect the repairs on any one of the four networks such that sufficient heat removal capability can be restored without the existence of specific procedures. Specific procedures for such repairs will be completed prior to exceeding 5% power.
4. As indicated in the above discussions, substantial time is available for corrective operator actions. If UHS capability should be lost for such a long period of time that conditions degraded considerably, the existing plant emergency procedures would direct the use of equipment which would achieve a safe stable state regardless of UHS capability.

The requested exemption does not impact the common defense and security. Only the potential impact on public health and safety is at issue.

The requested exemption is in the public interest in that any delay in commencement of low power testing and power ascension would cause a delay in the attainment of commercial operation (and subsequent increase in ratepayers' cost) and since, as shown above, the health and safety of the public will be adequately protected.

Based upon the foregoing, we have concluded that granting the requested exemption will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, Philadelphia Electric Company requests that the Commission issue an exemption to GDC 2 and 4 for power levels not exceeding 5 percent of full power. An affidavit in support of this request is attached hereto.

Sincerely,

A handwritten signature in cursive script that reads "V. S. Boyer".

V. S. Boyer

See attached Service List

cc: Judge Helen F. Hoyt  
Judge Jerry Harbour  
Judge Richard F. Cole  
Judge Christine N. Kohl  
Judge Gary J. Edles  
Judge Reginald L. Gotchy  
Troy B. Conner, Jr., Esq.  
Ann P. Hodgdon, Esq.  
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Mr. Robert L. Anthony  
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Atomic Safety & Licensing Appeal Board  
Atomic Safety & Licensing Board Panel  
Docket & Service Section  
Mr. James Wiggins  
Mr. Timothy R. S. Campbell

STATE OF MARYLAND )  
MONTGOMERY COUNTY )

V. S. Boyer, being first duly sworn, deposes and says:  
That he is Senior Vice President of Philadelphia Electric  
Company, the applicant herein; that he has reviewed the  
foregoing request pursuant to 10 CFR 50.12 for certain  
specific exemptions to the requirements of Appendix A and  
knows the contents thereof; and that the matters and  
statements set forth therein are true and correct to the  
best of his knowledge, information and belief.

V. S. Boyer  
Senior Vice President

Subscribed and sworn to before me on the 19th  
day of October 1984.

D. Lynn Neal  
Notary Public

D. LYNN NEAL -  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires July 1, 1986