

RE: PHILADELPHIA ELECTRIC CO.

Limerick Generating Sta. Units 1 and 2

Docket # 50-352,353 04

Nov. 10, 1984

APPEAL TO THE COMMISSION FROM THE ISSUING OF A LOW POWER OPERATING LICENSE TO PECO, FROM R.L.ANTHONY/FOE. AND REQUEST FOR AN IMMEDIATE STAY.

Anthony/FOE hereby appeal the issuing of a low power license to PECO and petition the Commission for an immediate stay.

1. We learned only indirectly of the license from the Appeal Board Order served 10/30/84, addressed to us as an intervenor and Del-Aware, Unltd. We claim a violation of LB Order of 10/14/81, 19NRC 866, which instructed all parties to serve all parties. We were not notified of the issuance of this license and we petition the Commission to invoke sanctions against NRC and PECO.

2. We claim that the Limerick plant cannot be safely operated at low power because of the more than twenty safety exemptions that have been requested by PECO and granted by NRC.

3. An appeal from NRC decisions on our appeals against the bringing of nuclear fuel to the plant in this past spring is now before the U.S. Third Circuit Court. Briefs have been filed and the Court is now in a position to rule on whether the fuel was brought to the plant in violation of the regulations and statutes. NRC was in error to issue a license until this matter of illegal shipment, storage, and loading of fuel is decided by the Court. The NRC license prejudices my case before the Court.

4. We request an immediate stay on the basis that : a.) we expect the Appeals Court will decide in our favor and will order the fuel removed as we have requested, b.) the loading of fuel and start of the reaction process sets in motion an inexorable chain of operations which lead to releases of radioactive ^{poisons} and the damaging of my environment with possible fatal effects on my health and safety, c.) PECO may have its plans to operate the reactor impeded but we are convinced that an operating license for full power will be held up by litigation, possibly for years and d.) if PECO were to cancel Limerick # 1 immediately the investment could be paid off over ten years, as has happened with other nuclear plants, and rates for the public would be less than if the plant operated, and PECO's financial situation would improve, too.

I certify copies to:
Appeal Br. Judges, LB Judges, NRC Counsel.,
Docketing and Serv., Conner and Wetterhahn
Limerick Ecol.Action, Del-Aware

Respectfully submitted,
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