

RE: PHILA ELEC.CO. Limerick Gen.Sta. Units 1 & 2 . DOCKET No.: 50-352,353 GL

ANTHONY/FOE BRIEF IN SUPPORT OF OUR APPEAL OF 6/2/85 FROM LB's ORDER IMPLE-
MENTING ITS GRANT OF EXEMPTION FROM 10CFR 50.47 (a) (b) AND AUTHORIZING LICENSE.

June 7, 1985

We are in receipt of the Board's Order of 6/3/85 setting the briefing sched-
ule for the above appeals. We are complying with this curtailed timing although
it imposes hardships on us not to be subject to the statutory allowance of 30 days.
Hence our brief will be limited for the most part to material already submitted.
We believe, however, that the Board will find ^{here} the weight required to convince the
Board to reverse LB's decision granting the exemption from 10 CFR 50.47 (a) (b) and its authorization of the issuance of a full power license.

1. We incorporate here all of our brief submitted to the Board, dated 6/6/85,
on LB's Partial Initial Decision on Offsite Emergency Planning for Limerick.
This brief shows that the Limerick EPZ was set up without the participation of
FEMA, required under 44 CFR 350.7 (b) , PECO's evacuation time study estimates
and the use of evacuation routes were thrown into question by the testimony of the
NRC witness , and new plans will have to be drawn up to include Valley Forge Park/
King of Prussia and Marsh Creek Park/Exton areas in the EPZ, and the boundaries of
the EPZ will have to be reconsidered, and revised evacuation plans for the whole
EPZ restudied and submitted to the review and hearing process. Since the evacu-
ation plans for the Graterford prisoners is dependent on the configuration of the
EPZ and the plans for the whole EPZ, these plans will have to be re-worked in
relation to revised evacuation plans for the total EPZ. We believe that this means
valid plans for evacuation of the EPZ no longer are in hand ^{and} the process for EPZ
and Graterford evacuation will have to be reconstituted. Hence a plan for Grater-
ford will be in abeyance and an exemption cannot be granted nor authorization
to issue a license granted, as we trust the Board will find.

2. Furthermore we incorporate here our motion of 3/15/85 in opposition to
PECO's motion for an exemption for Graterford and we stress especially the danger
to the EPZ community and the greater community from a panic at the prison and
the escape of dangerous prisoners at a time of high tension during an evacuation
of the EPZ.

3. The "table Top" exercise for Graterford did not satisfy 44 CFR 350.2 (j)
in respect to the number of personnel trained and involved, i.e. "emergency person-
nel are engaged in sufficient numbers to verify the capability to respond..."

4. Since there is no record of FEMA participation in the Graterford pre-hearing
process or the Protective Order of 3/20/85, LB and FEMA did not comply with the
requirements of 44 CFR 350.3 (d) "Cooperative effort with State and local, etc.,
and 44 CFR 351.20 (a) through (1) "establish policy and provide leadership," etc.

cc: AB Judges, ASLB, Staff Counsel, Docketing,
PECO, FEMA, FEMA, A. Love, Others on Serv. List.Respectfully submitted,
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