



# AIR and WATER Pollution Patrol

BROAD AXE, PA. June 11, 1985

U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD DOCKETED  
USNRC

In The Matter Of  
PHILADELPHIA ELECTRIC COMPANY  
(Limerick Generating Station  
Units 1 and 2)

Docket Nos. 50-352  
and 50-353 JUN 17 11:06

BRIEF OF AWPP/ROMANO IN OPPOSITION TO THE MAY 24, 1985  
BOARD'S ORDER IMPLEMENTING ITS GRANT OF APPLICANT'S MO-  
TION FOR EXEMPTION FROM REQUIREMENT OF 10CFR 50.47 (a)  
AND (b) FOR A PERIOD OF TIME CONTENTIONS OF GRATERFORD  
INMATES ARE CONSIDERED BY THE BOARD--AUTHORIZATION FOR  
DIRECTOR OF NUCLEAR REACTOR REGULATION TO ISSUE FULL  
POWER LICENSE.

OFFICE OF SECRETARY  
DOCKETS & SERVICE  
BRANCH

On May 29, 1985, intervenor AWPP/Romano appealed the Licensing Board's May 24, 1985 Order "implementing its [May 9, 1985] grant of Applicant's motion for exemption".

Statements made in AWPP's May 29, 1985 statement are as included by reference.

In its ORDER of May 24, 1985 the Board specifically stated "The Board's grant of an exemption was based solely on the provisions of 10CFR 50.47(c) (1)".

50.47(c) (1) states "Failure to meet the [various] standards set forth in paragraph 50.47(b) of this section may result in the Commission declining to issue an Operating License. According to 50.47(b) the offsite emergency response plans for nuclear power reactors require the licensee response to be unambiguously defined, and have adequate staffing to provide offsite support and response activities which have been fully specified. As it relates to the ambiguity and total lack of specificity of offsite support activities the Applicant has neither demonstrated that deficiencies, such as in sheltering, are not significant, nor that the public and the Graterford inmates have even been made aware that under a General Emergency accident, or in night-time subfreezing blizzard-blocked roads, conditions could pre-

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AWPP Brief in opposition to 5/24/85 Order of the Board continued:

vent evacuation. Under such conditions people could die in their cellars and prisoners could die in their cells. The prisoner's escape effort could be blamed on fear caused by unavailability of evacuation information giving vent to the fundamental natural instinct of self-preservation. In the case of dangerous criminals there could be tragic consequences.

50.47(b)(2) of 10CFR, calls for unambiguous specifications and definition of response by personnel to emergency co-ordination. The Applicant was recently fined \$75,000 for repeated indications of careless and erroneous response to emergency conditions after repeated notice.

At 50.47(b)(5) the called-for procedures to notify the public has been deleted, in particular the so-called sheltering option to evacuation which a survey by AWPP(Romano) indicates Pottstown area individuals do not know of it in spite of the fact they could die because of Applicant negligence.

Further, 50.47(b)(7) calls for establishment of co-ordinated dissemination of information to the public re emergency. The degree to which the information relating to the sheltering option has not been disseminated to the public, or the Graterford inmates, is evident in the fact that Paul Bartle, Chairman of the Montgomery County Board of Commissioners when asked if sheltering would improve his feeling re his stated lack of confidence in the workability of evacuation plans, said at Tr.18,616 that he, in effect, did not know what sheltering was. Further, Miss Reilly, Cheif of the Pennsylvania Bureau of Radiation Protection, in testimony before Judge Hoyte stated sheltering at most, would protect for only 2 hours. When Mr. Bartle's Emergency Co-ordinator, Mr. Lindly Bigelow, was asked by me, in the presence of Mr. Bartle's representative Mr. Pennington, what do people do after two hours, he said "they have a problem".

As it related to 50.47(b)(8) adequate facilities and equipment



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AWPP Brief in opposition to 5/24/85 Order of the Board continued:

to test, obtain, store, and distribute uncontaminated food and water have not been provided or maintained. In fact, the degree of confusion that proves the unreadiness of the evacuation plan became evident when Mr. Bartle stated it was not the responsibility of Montgomery County but that of the State of Pennsylvania. However, Mr. John Patten, Director of Pennsylvania Emergency Management Agency disputed Mr. Bartle's statement by saying the uncontaminated food and water supply and distribution was the responsibility of "elected township officials and the County". Such correspondence is known to Mr. Bartle and Mr. Patten.

As per letter of May 24, 1985, NRC IE Information Notice 85-41: Scheduling of pre licensing emergency preparedness exercises as published in May 8, 1985 Federal Register (50 FR19323) AWPP/Romano requests that "sheltering" receive the drills and information relative to stopping action of Gamma rays and inhaled radioactive particles for different type houses in the EPZ area surrounding Limerick where people may be required to be sheltered for reasons given above.

Respectfully submitted,  
AIR & WATER POLLUTION PATROL

A handwritten signature in dark ink, appearing to read 'Frank R. Romano', is written over the typed name.

Frank R. Romano, Chairman  
61 Forest Ave.  
Ambler, Pa. 19002