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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING APPEAL BOARD '85 JUL 15 P3:27

Administrative Judges:

Christine N. Kohl, Chairman  
Gary J. Edles  
Dr. Reginald L. Gotchy

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
July 15, 1985  
BRANCH

SERVED JUL 15 1985

In the Matter of )

PHILADELPHIA ELECTRIC COMPANY )

(Limerick Generating Station, )  
Units 1 and 2) )

Docket Nos. 50-352 OL  
50-353 OL

MEMORANDUM AND ORDER

The inmates of the State Correctional Institution at Graterford, Pennsylvania -- intervenors in this operating license proceeding -- have appealed from the Licensing Board's July 2, 1985, order (unpublished). In that order, the Board essentially denied reconsideration of an earlier order (issued June 12, 1985) in which it admitted some of the inmates' emergency planning contentions and rejected others.

The inmates' July 11, 1985, appeal is interlocutory and therefore not permissible under the Commission's Rules of Practice. See 10 C.F.R. § 2.730(f); Texas Utilities Generating Co. (Comanche Peak Steam Electric Station, Units 1 and 2), ALAB-599, 12 NRC 1 (1980). Whether the Licensing Board erred in rejecting one or more of the inmates' contentions can be raised on appeal from the Board's final order.

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Appeal dismissed.

It is so ORDERED.

FOR THE APPEAL BOARD



C. Jean Shoemaker  
Secretary to the  
Appeal Board