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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

In the Matter of)	
Philadelphia Electric Company)	Docket Nos. 50-352
(Limerick Generating Station,)	50-353
Units 1 and 2))	

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Request for Nondisclosure of Confidential Information

By letter dated today, the Commonwealth is providing to counsel for the intervenor-Graterford inmates an unclassified copy of the Pennsylvania Bureau of Correction, Radiological Emergency Response Plan prepared for response by the State Correctional Institution of Graterford to incidents at the Limerick Generating Station.

Pursuant to Section 2.790 of the Commission's regulations it is hereby requested that the following information be withheld from public disclosure: Attachment B (support facilities), Attachment C, Attachment E (training, preparedness measures, and exercises), Attachment F (return to the State Correctional Institution at Graterford), Attachment G (Radiological response procedures), Attachment H, Attachment I, Attachment J, and Attachment K as well as references regarding relocation sites, number of inmates and their classification level.

It is the position of the Bureau of Correction that the information sought to be withheld could result in a security breach if released to individuals and organizations other than on a strict "need to know" basis. The attached affidavit from the Bureau explains the basis for concern with regard to the Graterford facility in particular. The Bureau has made this position known to the Pennsylvania Emergency Management Agency (PEMA), which is in turn making this plan available for review by counsel for the Graterford inmates.

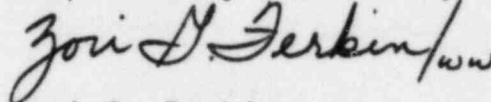
In view of the maximum security nature of the Graterford facility, the emergency response plan is highly sensitive and should be accorded protection from disclosure along the same lines as an applicant's site security plan. Under Section 2.790(d) of the Commission's regulations, security plans are "deemed to be [protected] commercial or financial information." Like an applicant's security system, access in and out of the Graterford facility is

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controlled, mechanisms are in place to detect unauthorized access and/or egress from the facility, and the facility maintains a security organization, including guards. See 10 C.F.R. 73.45, 73.46.

The form of the plan provided to counsel for the inmates here provides relevant information regarding emergency response by the Graterford facility and is in accordance with the guidelines for release of a security plan outlined in Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 and 2, ALAB-410, 5 NRC 1398 (1977)). By the same token, release of the information in the Graterford plan described above would be directly contrary to the public interest in protection from a security breach of the Graterford facility.

Respectfully submitted,



Zori G. Ferkin
Assistant Counsel
Governor's Energy Council

Dated: December 13, 1984

AFFIDAVIT OF GLEN R. JEFFES

I, Glen R. Jeffes, being duly sworn according to law, hereby depose and state the following:

1. I am the Acting Commissioner of Corrections of the Commonwealth of Pennsylvania.
2. I have had extensive training and experience in the field of corrections.
3. I received a Bachelor of Arts Degree from Michigan State University in 1957. I graduated with a major in personnel and a minor in Social Science.
4. I received a Master of Arts Degree from Michigan State University in 1962. My course of studies in this degree program included a major in counseling and guidance and a minor in psychology.
5. I have also completed advanced graduate work at the University of Tennessee in 1962, where I studied counseling techniques and psychology, and at Northwest Missouri State College in 1965, where I studied diagnostic testing. In addition, I have attended numerous seminars in correctional management.
6. I have held various positions in the field of corrections in a career which has spanned more than twenty years.
7. From 1964 to 1969 I was employed by the Board of Control and Department of Social Services of the State of Iowa in the following positions:
 - a. Psychologist at Iowa State Penitentiary, where I assisted in psychological evaluations and conducted individual and group counseling sessions;
 - b. Supervisor of Minimum Custody Treatment, Iowa State Penitentiary, in which I supervised, developed and conducted all treatment programs for inmates assigned outside the prison walls;

- c. Personnel Administrator, Central Office, Iowa Division of Corrections, with the responsibility for developing a total Bureau personnel program for four adult and two juvenile institutions; and
 - d. Administrative Assistant to the Director of Corrections, with responsibility for developing and establishing written policies and procedures for the Bureau.
8. From 1969 until 1972 I served as the Associate Superintendent for Programs at the Idaho State Penitentiary. The Idaho State Penitentiary was Idaho's only adult maximum security correctional institution housing all convicted felons over age sixteen (16). In my position as Associate Superintendent for Programs I was responsible for all treatment and custodial programs within the institution.
 9. Prior to my appointment as Associate Superintendent for Programs, treatment programs were non-existent. I developed casework services, work release and an accredited high school and college program. In addition, psychological and psychiatric services were implemented and chaplaincy services broadened. The institution changed from one custodial to treatment oriented.
 10. While serving as Associate Superintendent, I was also a voting member of the Idaho Commission for Pardons and Paroles.
 11. In 1972 I was appointed First Deputy Superintendent for Treatment at the State Correctional Institution at Rockview. In that capacity I was responsible for all treatment programs at Rockview.
 12. From 1973 to 1983 I served as Superintendent of the State Correctional Institution at Dallas. The institution provides a wide range of programs and services for 1200 inmates at an annual operating budget of approximately twelve million dollars (\$12,000,000).

13. From February 1, 1983 until July 4, 1983 I served as Superintendent of the State Correctional Institution at Graterford.
14. From July 4, 1983 until the present, I have served as the Acting Commissioner of Corrections of the Commonwealth of Pennsylvania.
15. I have authored a variety of articles in the field of corrections including the following:
 - a. The Use of Inmate Panels by Adult Correctional Institutions, Iowa, 1968;
 - b. Institutional and Community Resources, Idaho Peace Officers' Magazine, September 1971;
 - c. The Support Team Concept: A New Approach In Pennsylvania's Correctional Institutions. The Quarterly, Autumn 1973, the Pa. Association of Probation, Parole and Corrections;
 - d. Co-editor, Correctional Classification and Treatment, American Correctional Association, W.A. Anderson Publishing Company, Cincinnati, Ohio, May 1975; and
 - e. Co-editor, Correctional Law, Pennsylvania Prison Wardens Association, May 1979.
16. I have been a member of a number of professional associations including the following:
 - a. American Correctional Association;
 - b. American Correctional Association Technical Assistance Committee;
 - c. Approved Technical Consultant for Adult Institutions, American Correctional Association;
 - d. Past President of North American Association of Wardens and Superintendents of the American Correctional Association;
 - e. Board of Directors of North American Association of Wardens and Superintendents;

- f. Pennsylvania Prison Wardens Association;
 - g. Permanent Standing Committee on Classification of the American Correctional Association;
 - h. Northeast Regional Advisory Committee, Pennsylvania Commission on Crime and Delinquency, June 1976 to 1980;
 - i. Board of Directors, Crime Clinic of Wyoming Valley, Pennsylvania;
 - j. Approved Auditor for Commission on Accreditation for Corrections—Adult Institutions;
 - k. Pennsylvania Council on Crime and Delinquency; and
 - l. Pennsylvania Council on Crime and Delinquency, Prison and Jail Overcrowding Task Force Committee.
17. I have also served as a lecturer in the field of corrections at Boise State College; King's College in Wilkes-Barre, Pennsylvania; Marywood College and Luzerne Community College.
18. It is my opinion that there are sound penological reasons for requiring the confidentiality of all classified parts of our State Correctional Institution at Graterford (hereinafter SCIG) evacuation plan, which have been deleted from our unclassified version of the plan offered to counsel for the inmates.
19. SCIG is one of three maximum-security walled institutions maintained by the Pennsylvania Bureau of Correction. The continuous thirty-foot (30') high concrete wall surrounds the entire institution and presents a formidable obstacle to escape.
20. As of the last day of October 1984, SCIG confined 605 offenders convicted of murder (310 of which were murders in the first degree and fifteen of which were awaiting execution), 616 offenders convicted of robbery and 206 offenders convicted of forceful rape in its inmate population.

21. By providing inmates with any parts of the classified information in the plan, they will be able to make plans to foil the smooth operation of the plan and to plan escapes during the operation of the plan. Furthermore, they will be able to tell their friends and family what the plan is, thus providing further opportunities to disrupt the plan or to plan an escape. All of these actions would place the public at an unnecessary risk during the operation of the plan.
22. The development of the plan required expertise in corrections, knowledge of the physical plant of SCIG and knowledge of the physical plant of our support institutions. This knowledge and expertise is not available to anyone outside the Pennsylvania Bureau of Correction. Thus, review of the classified parts of the plan would be futile.
23. There have been occurrences where attorneys have, or have been suspected of, divulging to inmates materials almost as sensitive as this plan. Thus, there is a reasonable suspicion that, even though we are given assurances by an attorney for the inmates that the plan will not be divulged, that it will be divulged to the inmates in some form or another.
24. If this plan becomes compromised to any significant degree, the Pennsylvania Bureau of Correction will be required to change the plan, thus delaying the operation of the Limerick plant and needlessly expending tax dollars to change the plan. This would be required so that we can be assured that the public is adequately protected.
25. Due to the substantial risk to the public if the classified parts of this plan are disclosed to the inmates as compared with the futility of any kind of meaningful review of the classified parts of the plan by anyone outside the Pennsylvania Bureau of Correction, it is my expert opinion that only the unclassified version of the evacuation plan be disclosed to anyone without a need to know, particularly to counsel for the inmates or anyone else with connections with the inmates.

Glen R. Jeffes
Glen R. Jeffes
Acting Commissioner

Sworn and Subscribed Before

Me This 13th Day

of DECEMBER, 1984.

Leslie Alberta Schell

Notary Public

NOTARY PUBLIC

My Commission Expires April 11, 1985
Harrisburg, Pa. Dauphin County

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NUCLEAR REGULATORY COMMISSION

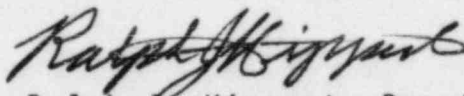
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AFFIDAVIT OF RALPH J. HIPPERT

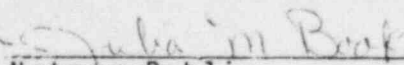
I, Ralph Hippert, being duly sworn, state as follows:

1. At present I am the Deputy Director, Office of Plans and Preparedness, Pennsylvania Emergency Management Agency.
2. I have read the Pennsylvania Bureau of Correction, Radiological Emergency Response Plan, Annex 1, Appendix E dated October 26, 1984, including the Request to withhold portions of the foregoing Plan from public disclosure.
3. I hereby certify that the statements and matters set forth therein are true and correct to the best of my knowledge.



Ralph J. Hippert, Deputy Director
Office of Plans and Preparedness
Pennsylvania Emergency Management
Agency

Subscribed and Sworn to before me
this 13th day of December 1984


Notary Public

JULIA M. BOOK, NOTARY PUBLIC
My Commission Expires July 13, 1987

My commission expires: Harrisburg, PA Dauphin County