

December 7, 1987

Docket No. 50-440

Mr. Murray R. Edelman
Senior Vice President
Nuclear Group
The Cleveland Electric
Illuminating Company
P.O. Box 5000
Cleveland, Ohio 44101

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Docket File	NRC & Local PDRs
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EButcher	ACRS (10)
GPA/PA	

Dear Mr. Edelman:

SUBJECT: PERRY NUCLEAR POWER PLANT, UNIT NO. 1 (TAC NO. 66080)

Enclosed is a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Prior Hearing" concerning your application for amendment dated September 18, 1987. This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by

Timothy G. Colburn, Project Manager
Project Directorate III-1
Division of Reactor Projects - III, IV,
V & Special Projects

Enclosure:
As stated

cc w/enclosure:
See next page

LA: PD31
RIngram
11/30/87

PM: PD31 ^{MR}
TColburn _{for TE}
11/30/87

PD: PD31 ^{MR}
MVirgilio
11/30/87

OGC
[Handwritten Signature]
12/2/87

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P PDR

Mr. Murray R. Edelman
The Cleveland Electric
Illuminating Company

Perry Nuclear Power Plant
Unit 1

cc:

Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, D.C. 20037

Mr. James W. Harris, Director
Division of Power Generation
Ohio Department of Industrial
Relations
P.O. Box 825
Columbus, Ohio 43216

Donald H. Hauser, Esq.
The Cleveland Electric
Illuminating Company
P.O. Box 5000
Cleveland, Ohio 44101

The Honorable Lawrence Logan
Mayor, Village of Perry
4203 Harper Street
Perry, Ohio 44081

Resident Inspector's Office
U.S. Nuclear Regulatory Commission
Parmlly at Center Road
Perry, Ohio 44081

The Honorable Robert V. Orosz
Mayor, Village of North Perry
North Perry Village Hall
4778 Lockwood Road
North Perry Village, Ohio 44081

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Attorney General
Department of Attorney General
30 East Broad Street
Columbus, Ohio 43216

Frank P. Weiss, Esq.
Assistant Prosecuting Attorney
105 Main Street
Lake County Administration Center
Painesville, Ohio 44077

Radiological Health Program
Ohio Department of Health
1224 Kinnear Road
Columbus, Ohio 43212

Ms. Sue Hiatt
OCRE Interim Representative
8275 Munson
Mentor, Ohio 44060

Ohio Environmental Protection
Agency
361 East Broad Street
Columbus, Ohio 43266-0558

Terry J. Lodge, Esq.
618 N. Michigan Street
Suite 105
Toledo, Ohio 43624

Mr. James R. Secor, Chairman
Perry Township Board of Trustees
Box 65
4171 Main Street
Perry, Ohio 44081

John G. Cardinal, Esq.
Prosecuting Attorney
Ashtabula County Courthouse
Jefferson, Ohio 44047

State of Ohio
Public Utilities Commission
180 East Broad Street
Columbus, Ohio 43266-0573

Eileen M. Buzzelli
The Cleveland Electric
Illuminating Company
P. O. Box 97 E-210
Perry, Ohio 44081

UNITED STATES NUCLEAR REGULATORY COMMISSION
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, ET AL.
DOCKET NO. 50-440
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT
TO FACILITY OPERATING LICENSE AND
OPPORTUNITY FOR PRIOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-58, issued to The Cleveland Electric Illuminating Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, and Toledo Edison Company (the licensees), for operation of the Perry Nuclear Power Plant, Unit No. 1, located in Lake County, Ohio.

The amendment would delete the provisions in the Technical Specifications relating to the Main Steam Isolation Valve (MSIV) Leakage Control System (LCS) (Sections 3.6.1.4 and 4.6.1.4 and related bases). The amendment would also revise the leakage criteria for primary containment allowable leakage through the main steam lines from less than or equal to 25 standard cubic feet per hour (SCFH) for any one main steam line (there are four main steam lines total) to less than or equal to 100 SCFH for all main steam lines in accordance with the licensees' application for amendment dated September 18, 1987.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

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P PDR

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By January 11, 1987 , the licensees may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition, and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a

petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a

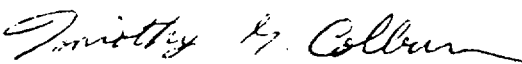
toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Martin J. Virgilio: (petitioner's name and telephone number); (date Petition was mailed); (plant name); and (publication date and page number of this FEDERAL REGISTER notice). A copy of the petition should also be sent to the Office of the General Counsel-Bethesda, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Jay Silberg, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037, attorney for The Cleveland Electric Illuminating Company.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated September 18, 1987, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Perry Public Library, 3753 Main Street, Perry, Ohio 44081.

Dated at Bethesda, Maryland, this 7th day of December, 1987.

FOR THE NUCLEAR REGULATORY COMMISSION


Timothy G. Colburn, Project Manager
Project Directorate III-1
Division of Reactor Projects - III, IV, V
& Special Projects