

January 26, 1999

Mr. Lew W. Myers
Vice President - Nuclear, Perry
FirstEnergy Nuclear Operating Company
P.O. Box 97, A200
Perry, OH 44081

SUBJECT: ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT
IMPACT RELATED TO A REQUEST FOR EXEMPTION FROM 10 CFR
PART 50, APPENDIX A, GENERAL DESIGN CRITERION (GDC) 19 - PERRY
NUCLEAR POWER PLANT, UNIT NO. 1 (TAC NO. M96931)

Dear Mr. Myers:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your letter of December 3, 1998 (PY-CEI/NRR-2340L), requesting an exemption to 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 19 for the Perry Nuclear Power Plant, Unit No. 1. The proposed exemption would permit FirstEnergy Nuclear Operating Company to use a 5 rem total effective dose equivalent dose acceptance criterion for the control room, in place of the current 5 rem whole body criterion.

This assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:

Douglas V. Pickett, Senior Project Manager
Project Directorate III-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosure: As stated

cc w/encl: See next page

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SUBJECT: ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT RELATED TO A REQUEST FOR EXEMPTION FROM 10 CFR PART 50, APPENDIX A, GENERAL DESIGN CRITERION (GDC) 19 - PERRY NUCLEAR POWER PLANT, UNIT NO. 1 (TAC NO. M96931)

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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FirstEnergy Nuclear Operating Company
P.O. Box 97, A200
Perry, OH 44081

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Sincerely,

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Douglas V. Pickett, Senior Project Manager
Project Directorate III-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosure: As stated

cc w/encl: See next page

L. Myers
Centerior Service Company

cc:

Mary E. O'Reilly
FirstEnergy -- A290
10 Center Road
Perry, OH 44081

Resident Inspector's Office
U.S. Nuclear Regulatory Commission
P.O. Box 331
Perry, OH 44081-0331

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4531

Sue Hiatt
OCRE Interim Representative
8275 Munson
Mentor, OH 44060

Henry L. Hegrat
Regulatory Affairs Manager
Cleveland Electric Illuminating Co.
Perry Nuclear Power Plant
P.O. Box 97, A210
Perry, OH 44081

FirstEnergy Corporation
Michael Beiting
Associate General Counsel
76 S. Main
Akron, OH 44308

Mayor, Village of North Perry
North Perry Village Hall
4778 Lockwood Road
North Perry Village, OH 44081

Donna Owens, Director
Ohio Department of Commerce
Division of Industrial Compliance
Bureau of Operations & Maintenance
6606 Tussing Road
P. O. Box 4009
Reynoldsburg, OH 43068-9009

Perry Nuclear Power Plant, Units 1 and 2

James R. Williams
Chief of Staff
Ohio Emergency Management Agency
2855 West Dublin Granville Road
Columbus, OH 43235-7150

Mayor, Village of Perry
P.O. Box 100
Perry, OH 44081-0100

Radiological Health Program
Ohio Department of Health
P.O. Box 118
Columbus, OH 43266-0118

Ohio Environmental Protection
Agency
DERR--Compliance Unit
ATTN: Mr. Zack A. Clayton
P.O. Box 1049
Columbus, OH 43266-0149

Chairman
Perry Township Board of Trustees
3750 Center Road, Box 65
Perry, OH 44081

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

William R. Kanda, Jr., Plant Manager
Cleveland Electric Illuminating Co.
Perry Nuclear Power Plant
P.O. Box 97, SB306
Perry, OH 44081

Mr. Bill Franz
Environmental Review Coordinator
77 West Jackson Blvd.
Chicago, IL 60604-3590

UNITED STATES NUCLEAR REGULATORY COMMISSIONFIRSTENERGY NUCLEAR OPERATING COMPANYPERRY NUCLEAR POWER PLANT, UNIT NO. 1DOCKET NO. 50-440ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 19 to FirstEnergy Nuclear Operating Company (the licensee), for the Perry Nuclear Power Plant, Unit No. 1 (PNPP) located in Lake County, Ohio.

ENVIRONMENTAL ASSESSMENTIdentification of the Proposed Action

By application dated December 3, 1998, the licensee requested an exemption from the control room dose acceptance criterion of 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 19, "Control Room." The proposed action would permit use of a 5 rem total effective dose equivalent (TEDE) control room dose acceptance criterion in lieu of "5 rem whole body, or its equivalent to any part of the body" as currently stated in GDC 19.

The Need for the Proposed Action

The NRC has established control room dose acceptance criteria in 10 CFR Part 50, Appendix A, GDC 19 for all light-water power reactors. GDC 19 requires, in part, that, "Adequate radiation protection shall be provided to permit access and occupancy of the control room under accident conditions without personnel receiving radiation exposures in excess of 5 rem whole body, or its equivalent to any part of the body, for the duration of the accident."

As described in SECY-96-242, "Use of the NUREG-1465 Source Term at Operating Reactors," the staff informed the Commission of its approach to allow the use of the revised accident source term described in NUREG-1465, "Accident Source Terms for Light-Water Nuclear Power Plants," at operating plants. In the SECY paper, the staff described its plans to review plant applications implementing this source term and that the TEDE methodology would be incorporated in these reviews. The Commission approved these plans and directed the staff to commence rulemaking and requested the use of a TEDE dose methodology in the implementation of the revised accident source term. The TEDE dose guidelines, which are needed to support revised accident source term applications, are not currently provided in regulations governing operating reactors.

By letter dated December 3, 1998, the licensee submitted an exemption request to the control room dose acceptance criteria of 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 19. The exemption request would permit use of a 5 rem total effective dose equivalent (TEDE) dose acceptance criterion in place of the "5 rem whole body, or its equivalent to any part of the body" dose acceptance criterion that is currently specified in GDC 19.

Environmental Impacts of the Proposed Action:

The staff has completed its evaluation of the proposed action and concludes that it is acceptable because the staff has concluded that the TEDE methodology provides an alternate means of meeting the current regulatory requirement. The proposed action will not increase the probability or consequences of accidents, no significant changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable occupational or public radiation exposure. The staff has concluded that there is no significant radiological environmental impact associated with the proposed action.

The proposed action does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action:

Since the staff has concluded that there is no significant environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the action (no-action alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources:

This action does not involve the use of any resources not previously considered in the Final Environmental Statement which was issued August 1982.

Agencies and Persons Consulted:

In accordance with its stated policy, the Ohio State official was contacted regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

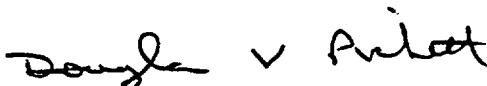
Based upon the environmental assessment, the staff concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the staff has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated December 3, 1998, which is available for public inspection at the Commission's Public

Document room, The Gelman Building, 2120 L Street, NW, Washington, D.C., and at the local public document room located at the Perry Public Library, 3753 Main Street, Perry, OH 44081.

Dated at Rockville, Maryland, this 26th day of January, 1999.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script that reads "Douglas V. Pickett".

Douglas V. Pickett, Senior Project Manager
Project Directorate III-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation