



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

OCT 13 1989

Docket No. 50-440

The Cleveland Electric
Illuminating Company
Attn: Mr. Alvin Kaplan
Vice President
Nuclear Group
10 Center Road
Perry, OH 44081

Gentlemen:

This refers to your response, dated September 15, 1989, to NRC Notice of Violation 50-440/89017-01 issued August 18, 1989. We have received and reviewed the response which we considered acceptable. However, while the high drywell temperature portion of this violation has already been discussed extensively, I wish to re-emphasize the importance of timely communication between your Utility and the NRC and to draw your attention to a portion of the discussion contained in paragraph 2a of Inspection Report 89017. In that paragraph, the Office of General Counsel's (OGC) direction to the Region is stated to include the following, "When applying engineering judgement, and there is a doubt regarding whether to report or not, the Commission's policy is that licensees should make the report." OGC goes on to point out, "the licensees should err on the side of reporting." These two excerpts should leave little doubt as to the NRC's position on reporting and communications. We have also received and reviewed your response to the SALP 9 report wherein you discuss your policy for enhancing future communications. In light of the events of September 25, 1989 where the Perry plant entered Technical Specification 3.0.3 and the Resident Inspection Office was not informed, we believe this area to be worthy of your close attention.

No reply to this letter is required; however, should you have questions regarding the subject matter, please let us know and we will be pleased to discuss them with you.

Sincerely,

Edward G. Greenman

Edward G. Greenman, Director
Division of Reactor Projects

See Attached Distribution

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Distribution:

cc:

- F. R. Stead, Director, Nuclear Support Department
- M. D. Lyster, General Manager, Perry Plant Operations Department
- R. A. Newkirk, Manager, Licensing and Compliance Section
- S. F. Kensicki, Director, Perry Plant Technical Department
- H. Ray Caldwell, General Superintendent Nuclear Operations DCD/DCB (RIDS)
- Licensing Fee Management Branch
- Resident Inspector, RIII
- Terry J. Lodge, Esq.
- James W. Harris, State of Ohio
- Roger Suppes, Ohio Department of Health
- A. Grandjean, State of Ohio, Public Utilities Commission