

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION
 OFFICE OF NUCLEAR REACTOR REGULATION
 (Thomas E. Murley, Director)

In the Matter of)	
)	Docket No. 50-440
CLEVELAND ELECTRIC ILLUMINATING)	License No. NPF-58
COMPANY, ET AL.)	(10 CFR 2.206)
)	
(Perry Nuclear Power Plant)	
Unit 1))	

DIRECTOR'S DECISION UNDER 10 CFR 2.206

I. INTRODUCTION

On September 29, 1992, Mr. Steven C. LaTourette submitted a Petition on behalf of the Lake County Board of County Commissioners (the Petitioners), requesting that the Director, Office of Nuclear Reactor Regulation, take certain actions with respect to the proposed construction of an onsite, low-level radioactive waste storage facility at the Perry Nuclear Power Plant (Perry). The Petition specifically requested that (1) a public hearing be held prior to the licensee's construction of such a facility and (2) the construction of the facility be suspended until (a) either the NRC or the licensee produces an environmental impact statement assessing the risks of onsite storage of low-level waste and (b) the NRC promulgates regulations for storing low-level radioactive waste at nuclear power plant sites. By letter dated October 21, 1992, the NRC acknowledged receipt of the Petition and indicated that the staff would take action on the requests within a reasonable time. The NRC further indicated that the portion of the Petition requesting