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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'85 MAR 14 P2:47

Before Administrative Judges:
James P. Gleason, Chairman
Dr. Jerry R. Kline
Mr. Glenn O. Bright

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

SERVED MAR 14 1985

In the Matter of

CLEVELAND ELECTRIC ILLUMINATING
COMPANY, et al.

(Perry Nuclear Power Plant,
Units 1 & 2)

Docket Nos. 50-440-OL
50-441-OL

ASLBP No. 81-457-04 OL

March 13, 1985

MEMORANDUM AND ORDER
(Motions)

The Board confirms herein the decision on pending motions announced today in a telephone conference with the parties.

Motions for Summary Disposition

Granted:

1. Applicant's motion for summary disposition of Issue 1:
Contentions B, C, G, H, I, O, DD, GG, JJ; Contention A except as to the issue of obtaining published comments from state and local officials on evacuation time estimates, and Contention Q except as to issue of letters of agreements on the availability of school buses in emergencies.
2. Applicant's motion for summary disposition of Issue 15.

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Denied:

1. Applicant's motion for summary disposition of Issue 1:
Contention J, M, P, U, Z, BB, CC.
2. Applicant's motion for summary disposition of Issue 16.

Motion to Reword Contention

Granted:

The motion to reword Issue 8, submitted by Ohio Citizens for Responsible Energy is approved. The issue is changed to read as follows:

The Perry hydrogen control system is inadequate to assure that large amounts of hydrogen can be safely accommodated without a rupture of the containment and a release of substantial quantities of radioactivity to the environment.

Due to Board decision, the Staff's motion for summary disposition of Issue 8 is moot and requires no action.

Motion for Appointment of Board Witness

Denied:

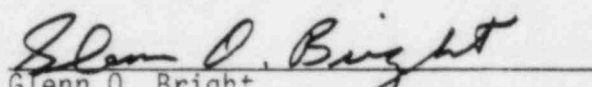
Motion of Ohio Citizens for Responsible Energy for appointment of witness is denied.

The Board will file its written explanation of the ruling herein at a subsequent date.

Ordered.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


James P. Gleason, Chairman
ADMINISTRATIVE JUDGE


Glenn O. Bright
ADMINISTRATIVE JUDGE


Jerry R. Kline
ADMINISTRATIVE JUDGE

Bethesda, Maryland