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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
THE CLEVELAND ELECTRIC	)	Docket Nos. 50-440
ILLUMINATING COMPANY	)	50-441
	)	
(Perry Nuclear Power Plant,	)	
Units 1 and 2)	)	

APPLICANTS' STATEMENT OF MATERIAL  
FACTS AS TO WHICH THERE IS NO  
GENUINE ISSUE TO BE HEARD ON CONTENTION JJ

Pursuant to 10 C.F.R. § 2.749(a), Applicants state, in support of their Motion for Summary Disposition of Contention JJ in this proceeding, that there is no genuine issue to be heard with respect to the following material facts:

1. Load flow and stability studies show that there would be sufficient power available in the area around the Perry plant to operate emergency equipment, even if the Perry plant were shutdown due to an accident. Affidavit of David R. Green on Contention JJ ("Green Affidavit"), ¶ 3.

2. An accident at Perry would not cause a loss of power in the area surrounding the plant. Green Affidavit, ¶ 3.

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3. The emergency plans show that adequate backup power is available for all emergency functions. Affidavit of Gary Winters on Contention JJ ("Winters Affidavit"), ¶ 4.

4. The prompt alert and notification system is self-contained with each siren having a built-in battery. Winters Affidavit, ¶ 4(a).

5. Independent radiation monitoring equipment is self-contained and the State of Ohio's radiological response equipment includes mobile generators. Winters Affidavit, ¶ 4(b).

6. Loss of power for traffic signals will not jeopardize an evacuation because most traffic will be moving in the same direction and because police departments (and the National Guard if needed) would man the traffic and perimeter control points identified in the county plans. Winters Affidavit, ¶ 4(c).

7. Gasoline would be available from back-up powered or hand-powered pumps or from gravity-fed tanks. School buses are kept refueled to handle normal day-to-day operations. Winters Affidavit, ¶ 4(d).

8. Communication systems have back-up power to communicate with police, fire ambulance, bus mobile units, hospitals and reception centers. Winters Affidavit, ¶ 4(e).

9. The county emergency operation centers have back-up generators. Winters Affidavit, ¶ 4(e).

10. Unidentified power needs could be met from 138 additional portable generators which the fire and road departments within the three counties have, totalling 449 kilowatts, as well as other portable generators available to other agencies.

Respectfully submitted,

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