February 5, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION FEB -8 A10:59

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 O

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

1.   Plans for recovery and reentry need only be general
in content. 10 C.F.R. § 50.47(b)(13); NUREG-0654, Evaluation
Criterion M.1; Affidavit of John Baer on Contention O ("Baer
Affidavit"), ¶ 2.

2.   During the recovery/reentry phase of an incident, the
emergency planners have time to develop recovery/reentry
actions specific to the incident. Baer Affidavit, ¶ 2.

3.   The State and county plans address recovery/reentry
of property and the means for relaxing protective measures
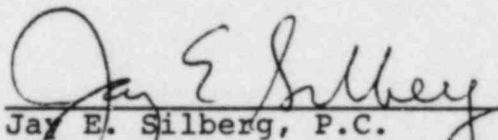within the 10 mile EPZ. Baer Affidavit, ¶ 2.

4. The State Plan provides for the Ohio Department of Health to activate the Recovery and Reentry Committee, composed of Federal and State agency representatives. The Committee reviews radiological data and makes reentry/recovery recommendations. Baer Affidavit, ¶ 4.

5. The Ohio Disaster Services Agency will provide radiological survey teams and supervise decontamination. Baer Affidavit, ¶ 5.

6. The State Plan adopts US EPA criteria for relaxation of protective measures. Baer Affidavit, ¶ 6.

7. Reentry and recovery procedures and provisions for relaxation of protective measures appear in the Lake, Ashtabula and Geauga emergency plans. Baer Affidavit, ¶¶ 7-8.

Respectfully submitted,

Jay E. Silberg, P.C.
SHAW, PITTMAN, POTTS & TROWBRIDGE
1800 M Street, N.W.
Washington, D.C.   20036
(202) 822-1000

Counsel for Applicants

DATED: February 1, 1985

-2-