

UNITED STATES OF AMERICA
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))

AFFIDAVIT OF
GARY WINTERS
ON CONTENTION H

County of Dauphin)
) ss.
Commonwealth of Pennsylvania)

GARY WINTERS, being duly sworn, deposes and says:

1. I am presently a Project Coordinator and Emergency Planning Specialist for the Emergency Management Services Department of Energy Consultants. My business address is 2101 North Front Street, Harrisburg, Pennsylvania 17110. My responsibilities include coordination of offsite resource inventory and assessment efforts involving Lake, Ashtabula and Geauga Counties with respect to the Perry Nuclear Power Plant. Project activities have included the interview of response agency/facility administrators for resource information, preparation of county resource documents and analysis of offsite resource capability to respond to an accident at the Perry Plant. A current statement of my professional qualifications and experience is attached hereto. I have

personal knowledge of the matters stated herein and believe them to be true and correct. I make this affidavit in support of Applicants' Motion For Summary Disposition of Contention H.

2. The purpose of this affidavit is to note the consistency of local emergency response plans with regulatory guidance on radiation exposure levels for emergency workers, and the availability of respirators for emergency workers.

I. Regulatory Guidance on Radiation Exposure Levels

3. All of the local emergency response plans establish radiation exposure limits for emergency workers that conform to EPA guidance.^{1/} See Lake County Plan,^{2/} Attachment K-3; Ashtabula County Plan,^{3/} Appendix 32; Geauga County Plan,^{4/} Appendix 34. In each case, the exposure limits for emergency workers are:

^{1/} EPA-520/1-75-001, Manual of Protective Action Guides and Protective Actions for Nuclear Incidents (September 1975, rev. June 1980) Tables 2.1 and 2.2.

^{2/} Lake County Emergency Response Plan for the Perry Nuclear Power Plant, (Rev. 3, October 1984).

^{3/} Ashtabula County Radiological Emergency Preparedness Plan (May 10, 1984).

^{4/} Geauga County Radiological Emergency Response Plan (December 1983) (including Change No. 2 dated July 1984).

- a. For other than lifesaving missions:
Projected Whole Body Gamma Dose - 25 rem
Projected Thyroid Dose - 125 rem
- b. For lifesaving missions:
Projected Whole Body Gamma Dose - 75 rem
Projected Thyroid Dose - No limit

4. A decision chain for authorization of an emergency worker to exceed the exposure limits established in the local emergency plans is provided in each of the plans. Lake County Plan, § K-03; Ashtabula County Plan, § K.4; Geauga County Plan, § K-4. In each local plan, the decision chain provides that the emergency worker's department head will discuss the need with direction and control personnel of local emergency operations (i.e., the County Commissioners) who, in consultation with the Ohio Department of Health, will concur with, or disapprove, the increased exposure.

II. Respirators

5. While NUREG-0654 Evaluation Criterion J.6.a expressly provides for the availability of "individual respiratory protection" for onsite emergency workers, there is no comparable NUREG-0654 criterion providing for respirators for offsite emergency workers.

6. In any event, respirators are available for use by emergency workers. The table below represents a partial inventory^{5/} of self-contained breathing apparatus ("SCBA")

^{5/} The inventory of respiratory equipment did not include all fire departments within the three counties -- only those

(Continued next page)

available to the three counties through municipal fire departments in the counties.

Self-Contained Breathing Apparatus
 Partial Listing: Fire Departments within the Three Counties

County	SCBA	Extra Tanks	Cascade Refill Systems	Compressors
Lake	353	345	17	3
Ashtabula	132	125	8	1
Geauga	165	186	8	1

7. In summary, the local emergency response plans establish radiation exposure limits for emergency workers in conformance with applicable regulatory guidance. Further, respirators are available for use by emergency workers.

Gary Waters
 Gary Waters

Subscribed and sworn to before
 4th day of February, 1985.



R. Daniels

JEROME H. DANIELS, Notary Public -
 Lake County, Ohio
 My Commission Expires Dec. 12, 1988
 Member, Pennsylvania Association of Notaries

(Continued)

serving municipalities with a response role specified in the county plans. Therefore, additional respiratory protection equipment (beyond that identified in the inventory) is locally available to the counties.



ENERGY CONSULTANTS

Riverside Office Center 3 • 2101 N. Front St. • Harrisburg, PA 17110
(717) 236-0031

Resume Current 01-11-85

GARY A. WINTERS

Education

1975 Bachelor of Science - Law Enforcement
Pennsylvania State University
University Park, Pennsylvania

Experience

9-81 to Present Energy Consultants
Harrisburg, Pennsylvania

Planner/Trainer, Emergency Management Services. Responsible for provision of direct consultant services to assist state and local governments and industry in emergency management planning, procedure preparation and program accreditation/licensing. Recent project assignment has included coordinating and performing a detailed audit of the offsite emergency preparedness program in support of the Perry Nuclear Power Plant Atomic Safety and Licensing Board hearings. Assignment as project coordinator involved responsibility for development of audit criteria; plan/procedure review; documentation of program weaknesses; and resource verification. Prior project assignments have included:

- Development of four county radiological emergency response plans in support of the Callaway Plant;
- Development of local emergency response agency implementing procedures in support of the Waterford 3 Steam Electric Station; and
- Revision of a county radiological emergency response plan in support of the Beaver Valley Power Station.

Gary A. Winters
Page 2

4-76 to 9-81

Dauphin County
Harrisburg, Pennsylvania

Juvenile Court Probation Officer. Managed caseloads, investigated cases of delinquency, prepared legal documents, and testified in court hearings; coordinated the delivery of human services to delinquent youth among various public and private institutions. Advanced to Assistant Supervisor of Predispositional Services.

9-67 to 10-70

U.S. Army
12th U.S. Army Security Agency Field Station
Chitose, Japan

Non-Morse Intercept Operator for the U.S. Army Security Agency. Advanced to search operator, Specialist 5, quality controller, and shift leader. Received a "top secret" security clearance.

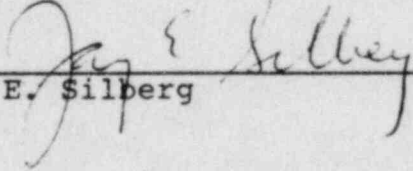
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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))

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion For Summary Disposition of Contention H," "Applicants' Statement of Material Facts As To Which There Is No Genuine Issue To Be Heard on Contention H" and "Affidavit of Gary Winters on Contention H," were served this 5th day of February, 1985, by deposit in the U.S. mail, first class, postage prepaid, upon the parties listed on the attached Service List, except for those parties identified by asterisk who were served by hand.



Jay E. Silberg

Dated: February 5, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

SERVICE LIST

James P. Gleason, Chairman
513 Gilmore Drive
Silver Spring, Maryland 20901

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Jerry R. Kline
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

* Colleen P. Woodhead, Esquire
Office of the Executive Legal
Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Alan S. Rosenthal, Chairman
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

* Terry Lodge, Esquire
Suite 105
618 N. Michigan Street
Toledo, Ohio 43624

Dr. W. Reed Johnson
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Donald T. Ezzone, Esquire
Assistant Prosecuting Attorney
Lake County Administration
Center
105 Center Street
Painesville, Ohio 44077

Gary J. Edles, Esquire
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

John G. Cardinal, Esquire
Prosecuting Attorney
Ashtabula County Courthouse
Jefferson, Ohio 44047

* Ms. Sue Hiatt
8275 Munson Avenue
Mentor, Ohio 44060