

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

Before the Atomic Safety and Licensing Board

85 FEB 25 P1:36

In the Matter of )  
THE CLEVELAND ELECTRIC )  
ILLUMINATING COMPANY )  
(Perry Nuclear Power Plant, )  
Units 1 and 2) )  
)  
)

Docket Nos. 50-440

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

\* \* \*

SUNFLOWER'S STATEMENT OF MATERIAL FACTS  
(CONTENTION H)

Now comes Sunflower Alliance and sets forth the following in support of its position that there are genuine issues of material fact and law on Contention H:

1. 10 CFR 50.47 (10) requires Applicant to demonstrate a "range" of protective actions for emergency workers and the public.
2. Applicant provides a wholly incomplete inventory of respirator equipment as evidence in support of its motion.
3. Applicant's witness (see Mauro affidavit at 9) minimizes radioiodine exposures, suggesting that protective actions should be taken to protect offsite radiation workers.
4. The Environmental Protection Agency references respiratory protection for emergency workers immediately upon evidence of a radiation release. EPA-520/1-75-001 at 1.29, 2.5, 5.34.

Respectfully submitted,

By Terry J. Lodge  
Terry J. Lodge  
618 N. Michigan Street  
Suite 105  
Toledo, Ohio 43624  
Phone: (419) 255-7552  
Counsel for Sunflower Alliance

8502260420 850223  
PDR ADOCK 05000440  
e PDR