

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Atomic Safety and Licensing Board

BOOKETED
USNRC

75 FEB 25 P1:

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

Docket Nos. 50-440 and

OFFICE OF SECRETAR
BOOKETING & SERVICE
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SUNFLOWER'S STATEMENT OF MATERIAL FACTS
(CONTENTION I)

Now comes Sunflower Alliance and sets forth the following material facts upon which genuine issues of fact and law exists for hearing of Contention I:

1. At para. 5 and 6 of its "Statement of Material Facts" on this contention, Applicant states that protective actions under the PNPP Emergency Plan "may" be extended, depending upon conditions, to a 10-mile radius of the plan, and that protective action recommendations "can" include evacuation of the entire 10 mile EPZ.

2. 10 CFR Section 50.47(c)(2) states as follows:

Generally, the plume exposure pathway EPZ for nuclear power plants shall consist of an area about 10 miles (16 km) in radius and the ingestion pathway EPZ shall consist of an area about 50 miles (80 km) in radius.

(emphasis supplied)

3. EPA's recommendations appear in its Manual of Protective Act Guides, supra at 2.5:

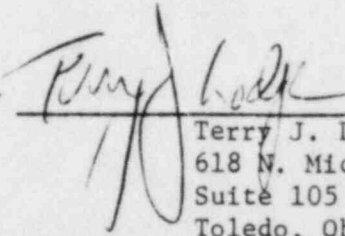
When ranges are shown (of projected thyroid radiation dosage from inhalation of a passing plume), the lowest value should be used if there are no major local constraints in providing protection at that level, especially to sensitive populations.

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4. Applicant has not established a network of technical devices to measure wind trajectory and dose assessment in response to the criticisms of Dr. Isaac Vander Hoven in this 1984 review of the "Description of the Perry Nuclear Power Plant Emergency offsite Dose Calculations" (NUS-4336, April, 1983).

Respectfully submitted,

By



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