

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

DOCKETED
USNRC

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

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Docket Nos. 50-440 and 50-
OFFICE OF SECRETARY
DOCKETING & SERVICE
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SUNFLOWER'S STATEMENT OF MATERIAL FACTS
(CONTENTION M)

Now comes Sunflower Alliance, and sets forth the following as
material facts in support of its opposition to summary disposition of
Contention M:

1. 10 CFR §50.47(b)(9) requires an emergency plan to ensure:

Adequate methods, systems and equipment for assessing and
monitoring actual or potential offsite consequences of a
radiological emergency condition are in use.

2. By its own statement of facts and supporting affidavit material,
Applicant has failed to mention any cost consideration in support of its
opposition to independent monitoring systems in all affected counties.

3. The current revision of the State Plan still contains the 1980
letter from Charles Croft, Chief of Ohio Department of Public Health
laboratories to Curtis Griffith, Jr., Deputy Director of the Ohio
Adjutant's Department, stating that the Radiochemistry Unit of the
ODH laboratories does not have various necessary equipment to handle
and analyze "hot" samples.

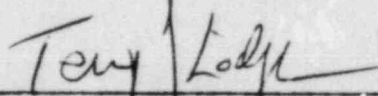
4. At p. 35 of the FEMA Exercise Report from the November, 1984 emergency
drill at PNPP, there was a specific finding that emergency officials showed
a lack of familiarity with sampling procedures for testing irradiated materials.

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5. NUREG-0654 identifies as a local responsibility that there be methods of rapidly assessing actual or potential magnitude and locations of radiological hazards through liquid or gaseous release pathways. Id. at 58. The Ashtabula County Radiological Emergency Response Plan at p. I-1 indicates only that local officials will "support" the state "as requested."

6. Contrary to Applicant's allegation at para. 11 of its "Statement of Material Fact," the State of Ohio does not have fixed independent radiation monitoring systems in place, but uses three mobile vehicles. FEMA Exercise Report at 33. These vehicles are apparently headquartered at the Ohio DSA offices in Worthington, Ohio, and require 3 or more hours of driving time to get to PNPP. Id.

Respectfully submitted,


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