

50-440



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 27, 1997

Mr. Lew W. Myers
Vice President Nuclear - Perry
Centerior Service Company
P. O. Box 97, A200
Perry, OH 44081

SUBJECT: PROPOSED EMERGENCY ACTION LEVEL CHANGES, PERRY NUCLEAR POWER PLANT,
UNIT NO. 1 (TAC NO. M94800)

Dear Mr. Myers:

By letter dated February 16, 1996, as supplemented by letters dated September 27, 1996 and December 23, 1996, Cleveland Electric Illuminating Company (the licensee) submitted proposed changes to the Perry Nuclear Power Plant emergency action levels (EALs). The proposed EALs incorporate the guidance in NUMARC/NESP-007, Revision 2, "Methodology for Development of Emergency Action Levels." NUMARC/NESP-007 was endorsed by the staff in Regulatory Guide 1.101, Revision 3, "Emergency Planning and Preparedness for Nuclear Power Reactors," as an acceptable method for meeting the requirements of 10 CFR 50.47(b)(4) and Appendix E to 10 CFR Part 50.

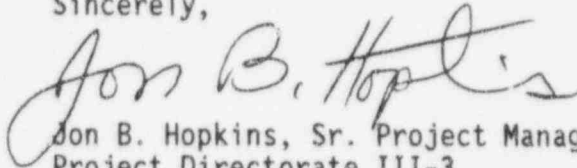
The NRC staff has completed its review of the proposed changes and supporting documentation. As a result of that review, we conclude that with one exception all the EALs as written, meet the requirements of 10 CFR 50.47(b)(4) and Appendix E to 10 CFR Part 50. The exception is the EAL for the loss of the containment barrier as indicated by failure of a containment penetration to isolate with existence of a pathway to the environment. This EAL includes a footnote (number 2) which indicates that the containment is not considered lost if the pathway is to the environment and is through the normal process stream or with normal filtration intact. The staff considers this footnote to be an inappropriate deviation from the NUMARC/NESP-007 guidance. Removal of this footnote will make the EAL acceptable. Alternatively, the licensee may provide additional justification for this deviation or submit a revised EAL for NRC approval. Our conclusions are summarized in the attached safety evaluation.

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DFO 1/1

In accordance with Appendix E to 10 CFR Part 50, these EALs must be discussed and agreed on by the licensee and the State and local government authorities prior to implementation.

Sincerely,

A handwritten signature in cursive script, reading "Jon B. Hopkins". The signature is written in dark ink and is positioned above the typed name and title.

Jon B. Hopkins, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosure: Safety Evaluation

cc w/encl: See next page

In accordance with Appendix E to 10 CFR Part 50, these EALs must be discussed and agreed on by the licensee and the State and local government authorities prior to implementation.

Sincerely,

Original signed by:

Jon B. Hopkins, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosure: Safety Evaluation

cc w/encl: See next page

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In accordance with Appendix E to 10 CFR Part 50, these EALs must be discussed and agreed on by the licensee and the State and local government authorities prior to implementation.

Sincerely,

Original signed by:

Jon B. Hopkins, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosure: Safety Evaluation

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L. Myers
Centerior Service Company

cc:

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