

September 14, 1987

(10 CFR §2.206)

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

Dear Mr. Lodge:

On November 7, 1986, you filed a Motion on behalf of Sunflower Alliance, Inc., requesting that the Nuclear Regulatory Commission reopen the record in the Perry Nuclear Power Plant operating license proceeding. The Motion asked that the Commission consider new contentions related to offsite emergency planning, or, alternatively, that the Commission issue an order to the Perry licensees to show cause why the facility's operating license should not be modified or revoked pursuant to 10 CFR §2.206 on the basis of alleged offsite emergency planning deficiencies. On February 25, 1987, the NRC notified you that this matter would be considered as a Petition pursuant to 10 CFR §2.206. On July 1, 1987, the NRC notified you that the Federal Emergency Management Agency (FEMA) was reviewing the issues raised in the Petition and that additional time would be required for a response to your Petition. FEMA's review is now complete and a decision on the Petition is now possible.

For the reasons set forth in the enclosed "Director's Decision Pursuant to 10 CFR 2.206." DD-87-15, the Petition has been denied. A copy of the enclosed Director's Decision will be referred to the Secretary for the Commission's review in accordance with 10 CFR §2.206(c).

Sincerely,

Original signed by  
Thomas E. Murley  
Thomas E. Murley, Director  
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Director's Decision
- 2. Federal Register Notice

cc: See next page

DISTRIBUTION:

VStello, EDO	DBMatthews, NRR	RKIngram, NRR	PEPB R/F	NRC PDR
JPMurray, OGC	RJBarrett, NRR	DJPerrotti, NRR	RWKrimm, FEMA	OGC
RKHoeffling, OGC	LJCunningham, NRR	MEOons, NRR	TGColburn, NRR	FMiraglia
TEMurley, NRR	CRVan Niel, NRR	DFMossburg, EDO-2462	Docket File	DCrutchfield
JHSniezek, NRR	FKantor, NRR	MCBridgers, EDO-2462	Local PDR	EDO Reading
RWStarostecki, NRR	DHagan, AEOD	ABDavis, RIII	GPA/PA	
JLFunches, NRR	WLClements, SECY	JAHind, RIII	ASLAB	
JLBlaha, NRR	SMSohinki, OGC	Central Files	ASLBP	
FJCongel, NRR	ACRS (10)	EDO R/F	JResner, (2)	
			GESimonds, NRR	

*ADT/NRR	DD/NRR	TEMurley
RWStarostecki	JHSniezek	9/13/87
9/ /87	9/13/87	

\*See Previous Concurrence

*PEPB/NRR	*TECH ED	*PEPB/NRR	*C/PEPB/NRR	*D/DREP/NRR	*OGC	*DPLB/NRR
DJPerrotti:sc	FKantor	DBMatthews	FJCongel	SMSohinki	MVVirgilio	
8/17/87	8/18/87	8/31/87	8/31/87	8/31/87	8/31/87	8/31/87

cc w/enclosures:

Mr. Murray R. Edelman  
Sr. Vice President  
Nuclear Group  
The Cleveland Electric  
Illuminating Company  
P.O. Box 5000  
Cleveland, Ohio 44101

Jay E. Silberg, Esquire  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N.W.  
Washington, D.C. 20037

Donald H. Hauser, Esquire  
The Cleveland Electric  
Illuminating Company  
P.O. Box 5000  
Cleveland, Ohio 44101

Resident Inspector's Office  
U.S. Nuclear Regulatory Commission  
Parmlly at Center Road  
Perry, Ohio 44081

Regional Administrator, Region III  
U.S. Nuclear Regulatory Commission  
799 Roosevelt Road  
Glen Ellyn, Illinois 60137

Frank P. Weiss, Esquire  
Assistant Prosecuting Attorney  
105 Main Street  
Lake County Administration Center  
Painesville, Ohio 44077

Ms. Sue Hiatt  
OCRE Interim Representative  
8275 Munson  
Mentor, Ohio 44060

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

Eileen M. Buzzelli  
The Cleveland Electric  
Illuminating Company  
P.O. Box 97 E-210  
Perry, Ohio 44081

Mr. James W. Harris, Director  
Division of Power Generation  
Ohio Department of Industrial  
Relations  
P. O. Box 825  
Columbus, Ohio 43216

The Honorable Lawrence Logan  
Mayor, Village of Perry  
4203 Harper Street  
Perry, Ohio 44081

The Honorable Robert V. Orosz  
Mayor, Village of North Perry  
North Perry Village Hall  
4778 Lockwood Road  
North Perry Village, Ohio 44081

Attorney General  
Department of Attorney General  
30 East Broad Street  
Columbus, Ohio 43212

Radiological Health Program  
Ohio Department of Health  
1224 Kinnear Road  
Columbus, Ohio 43212

Ohio Environmental Protection  
Agency  
361 East Broad Street  
Columbus, Ohio 43266-0558

Mr. James R. Secor, Chairman  
Perry Township Board of Trustees  
Box 65  
4171 Main Street  
Perry, Ohio 44081

State of Ohio  
Public Utilities Commission  
180 East Broad Street  
Columbus, Ohio 43266-0573