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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of

CLEVELAND ELECTRIC ILLUMINATING
COMPANY, et al

Docket Nos. 50-440-OL
50-441-OL

(Perry Nuclear Power Plant,
Units 1 and 2)

BRIEF BY SUNFLOWER ALLIANCE INC. IN SUPPORT OF
OCRE MOTION TO HOLD RECORD OPEN ON QUALITY
ASSURANCE ISSUE

1. On or about April 18, 1983, OCRE filed its Motion to Hold Open the Record on Issue 3. Sunflower Alliance Inc. supports this Motion and urges the Board to grant it.

2. Several reasons call for this approach. First, the plant is not yet completed and construction is still in progress. Recently, a meeting was held at the Perry plant concerning Applicant's problems with welds. According to media reports, certain of the welds contained in the plant to date are not up to State standards. Applicant is alleged to be seeking a waiver of these State standards on certain of the welds due to the fact that construction has occurred over the welds and it would be difficult and expensive to correct these welds. A NRC report is to be issued on this matter, again according to media reports.

3. Staff's concern over the welds is but another example of Applicant's on going Quality Assurance problems. Since critical wiring is yet to be completed and since previously constructed work is now being questioned, it would be


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appropriate for the Quality Assurance contention to remain open until the plant is completed.

4. Applicant is continually moving back the completion date of the plant and the initial start up date. While Applicant complains that the delays are caused by NRC red tape, it is clear that the real reason for the delay is the on going Quality Assurance problems. It is to be remembered that 10 CFR 50.57(a)(1) permits the Commission to license a facility only if there is a finding that construction of the facility has been in compliance with all of the rules and regulations of the Commission. Since Applicant, on its own volition, is moving back the date of the completion of construction, it would not be harmed, nor could it, by holding open the record on this issue.

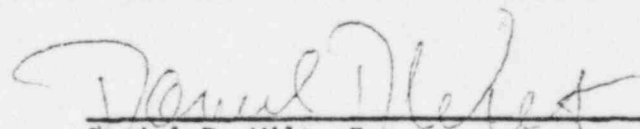
WHEREFORE, Sunflower Alliance Inc. urges this Board to grant OCRE's motion.

Respectfully submitted,


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PROOF OF SERVICE

A copy of this Brief has been sent to all persons on the Service List on this 29 day of April, 1983.


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