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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

It the Matter of)
)
THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY, ET AL.)
)
(Perry Nuclear Power Plant,)
Units 1 and 2))

Docket Nos. 50-440
50-441

APPLICANTS' DIRECT TESTIMONY
OF JOHN BAER
ON ISSUE NO. 1 - CONTENTION BB

1. I am presently Project Manager for Emergency Management Services, Energy Consultants, Inc. My business address is 2101 North Front Street, Harrisburg, Pennsylvania 17110. In my position, I am project manager for off-site radiological emergency response planning being provided to Lake, Ashtabula and Geauga Counties with respect to the Perry Nuclear Power Plant.

2. Contention BB claims that the off-site emergency plans for the Perry facility are inadequate due to the planning deficiencies set forth in the Federal Emergency Management Agency's Interim Report on Off-site Radiological Emergency Planning for the Perry Nuclear Power Station, dated January 10, 1984 ("FEMA Interim Report").

3. The conclusion of the FEMA Interim Report was that "there is reasonable assurance that the plans are adequate and capable of being implemented in the event of an accident at the site."

4. The FEMA Interim Report reflects the review by the FEMA Regional Assistance Committee ("RAC") of draft Ashtabula, Geauga and Lake County Emergency Plans submitted for review by the State of Ohio on March 17, 1983, and the schedule of corrections to the RAC review received by FEMA from the State on August 30, 1983. As reflected in the FEMA Interim Report, more than half of the planning deficiencies identified by the RAC were corrected and the corrective action accepted by FEMA in the Interim Report itself. A subsequent submittal of corrections to be made to the county plans was made by the State to FEMA on March 29, 1984.

5. Each of the county plans was revised in response to the FEMA Interim Report. The Ashtabula County Plan was revised in May 1984. The Geauga County Plan was revised in March and July 1984. The Lake County Plan was revised in June and October 1984. The plan revisions reflect corrective actions made in direct response to the planning deficiencies noted in the FEMA Interim Report.

6. My independent review of the Lake, Ashtabula, and Geauga County Plans shows that, of the total of 145 planning deficiencies listed in the Interim Report, all have been corrected or are being addressed. Attachment A hereto shows the planning deficiencies noted in the FEMA Interim Report, those deficiencies acknowledged by FEMA to have been corrected by the August 30, 1983 State submission, those remaining deficiencies corrected by the plan revisions made subsequent to

the Interim Report and where in revised plans the remaining deficiencies were corrected. The few items still being addressed involve emergency information material which will be distributed prior to fuel load.

7. Attachment A hereto shows that each of the planning deficiencies listed in the Interim Report has been, or is being, resolved. These resolutions further support FEMA's conclusion that the county plans are adequate. It is therefore incorrect to claim that the planning deficiencies noted in the FEMA Interim Report indicate that the county plans are inadequate.