

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USARC

Before the Atomic Safety and Licensing Board

In the Matter of)

THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY)

(Perry Nuclear Power Plant,)
Units 1 and 2))

Docket Nos. 50-440 and 50-441

* * *

SUNFLOWER'S MEMORANDUM IN OPPOSITION
TO SUMMARY DISPOSITION OF CONTENTION U

By 10 CFR Section 2.749 (d), Applicant must show that there is no genuine issue as to any material fact and that it is entitled to a decision as a matter of law. The record is to be viewed in the light most favorable to the party opposing the motion. Poller v. Columbia Broadcasting System, Inc., 368 U.S. 464, 473 (1962); Pennsylvania Power & Light Co. and Allegheny Electric Cooperative, Inc. (Susquehanna Steam Electric Station, Units 1 and 2), LBP-81-8, 13 NRC 335, 337 (1981).

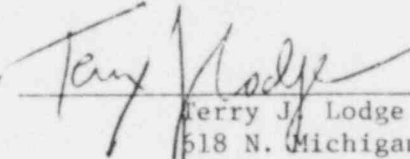
Applicant again seeks on this contention to fill the gaps in planning by Affidavit assurances that certain events will occur prior to fuel loading at Perry, such as training of fire department personnel, and the placement of emergency kits at reception centers.

Provisions for decontamination of vehicles were a sore point of deficiency in the November, 1984 test of emergency plans at PNPP. The Saybrook Fire Station in Ashtabula County was strongly criticized, with the recommendation that it not be designated for decontamination activity because of certain physical facility limitations.

These are hard, and as yet unresolved, fact issues. Based upon them, Sunflower prays that summary disposition of Contention U be denied.

Respectfully submitted,

By



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