

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
JAN 31 12:01

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
50-441

AFFIDAVIT OF
JOHN BAER
ON CONTENTION Z

County of Dauphin)
State of Pennsylvania) ss

John Baer, being duly sworn, deposes and says:

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. A current statement of my professional and technical qualifications is attached hereto. I have personal knowledge of the matters stated herein and believe them to be true and correct. I make this affidavit in support of Applicants' Motion for Summary Disposition of Contention Z.

2. Contention Z claims that the emergency plans do not provide "decontamination protection for bus drivers during an emergency." Sunflower believes that bus drivers, in addition to the dosimeters they will have, should also be provided with protective gear such as respirators and goggles.

8502010567 850130
PDR ADOCK 05000440
PDR

3. There is no regulatory requirement and no regulatory guidance that calls for bus drivers to be provided with protective gear such as respirators and goggles. The NRC regulations require that there be means for controlling radiation exposures to emergency workers. 10 C.F.R. § 50.47(b)(11). Further guidance on this topic is contained in NUREG-0654, Criterion K.3, which describes provision for supplying dosimetry to emergency workers. Neither NRC regulations nor NUREG-0654 nor other guidance documents suggest that respiratory devices or goggles should be provided for emergency workers such as bus drivers.

4. The county emergency plans provide for the distribution of personnel dosimetry, both self-reading and permanent record types, and associated recordkeeping materials to those bus drivers who will be serving as emergency workers.

5. Bus drivers have access to dosimetry at assembly areas from which they will be deployed. Each bus driver will wear dosimetry equipment at all times. Training in the use of and associated recordkeeping of dosimetry has been, and will continue to be provided to bus drivers. This includes "reading" dosimeters regularly while performing emergency duties. Procedures require that bus drivers, as well as other emergency workers, read their dosimeters and record their readings at least once an hour. If the bus driver's self-reading dosimeter indicates any radiation exposure, the procedures call for him to report to a monitoring and

decontamination station (all of which are outside the plume exposure pathway EPZ) for monitoring and, if needed, decontamination. This monitoring would show any differing exposure levels to different parts of the body. Upon completion of a mission or shift, each bus driver is required to turn in his or her dosimetry to be checked and recorded. Dosimetry records are forwarded to the county EOC and retained.

6. In each school district emergency procedure there is a section that details radiological exposure control procedures for bus drivers. Information contained in this section includes:


- The distribution and use of dosimeters;
- Associated exposure control recordkeeping; and
- Availability of monitoring and decontamination services at specified worker decontamination stations.

7. There are several other factors that reduce the chance of bus drivers being exposed to any radiation hazard.

- a. Emergency response plans have been written so that an evacuation can be completed before the release of significant radioactivity occurs.
- b. The nature of bus drivers' duties will have them spending less time inside the plume exposure pathway emergency planning zone than most other emergency workers, i.e., bus drivers leave the risk area as soon as their buses are loaded.
- c. Every bus driver will have a radio in his bus which will ensure prompt receipt or transmission of pertinent information, including radiological information.

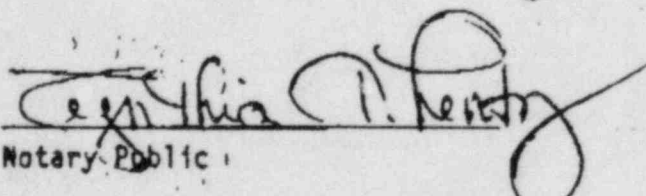
- d. State and CEI radiological monitoring teams will be reading radiation levels and can provide radiological data through emergency management channels that can be relayed to bus drivers. Each of the three county plans provides for the dissemination of information originating with the state radiological monitoring teams. Lake Plan, Annex H, p. 100; Ashtabula Plan, Section H, p. 3; Geauga Plan, Section H, p. 3. The dissemination of radiological or other information is yet another way to protect bus drivers.

8. In light of the information and procedures in the emergency response plans relevant to the proper dosimetry, exposure control recordkeeping and monitoring services, bus drivers are well protected. There is no need for bus drivers to have goggles, protective clothing or respirators.



John Baer

Subscribed and sworn before me
this 30th day of January, 1985



Notary Public

My Commission Expires:

CYNTHIA T. LENTZ, NOTARY PUBLIC
My Commission Expires August 8, 1987
Harrisburg, PA Dauphin County



ENERGY CONSULTANTS

Riverside Office Center 3 • 2101 N. Front St. • Harrisburg, PA 17110
(717) 236-0031

Resume Current 01-11-85

JOHN W. BAER

Education

- 1970 Post Graduate Study - Political Science
American University
Washington, D.C.
- 1966 Bachelor of Arts - Political Science
Western Maryland College
Westminster, Maryland

Experience

- 1981 to Present Energy Consultants
Harrisburg, Pennsylvania

Project Manager, Emergency Management Services. Responsible for providing supervision and technical assistance to project staff. Assigned responsibility for emergency management planning, procedure preparation, personnel training, drill/exercise preparation, licensing support, and scheduling and coordinating project work with the client. Recent project assignments have included:

- managing the offsite radiological emergency preparedness programs for the Counties of Ashtabula, Geauga and Lake (Ohio) to support response to incidents at the Perry Nuclear Power Plant including establishing operational readiness of county emergency operations centers, offsite drill and exercise preparation and ASLB hearing support;
- managing the offsite radiological emergency preparedness re-training program to support response to incidents at the Waterford 3 Steam Electric Station;
- coordinating the offsite radiological emergency preparedness program to support response to incidents at the Callaway Plant including direct responsibility for revision of the Missouri State

Nuclear Accident Plan and associated local radiological emergency response plans, preparation of affidavits to support motions for summary disposition of licensing contentions, development of local RERP implementing procedures, establishing operational readiness of local emergency operations centers, development of emergency response training programs for local EOC staff officers and emergency workers, and development/conduct of the offsite drill and exercise program;

- evaluating and preparing revisions to the station and offsite radiological emergency preparedness plans in support of the Palo Verde Nuclear Generating Station;
- development of the Louisiana Office of Emergency Preparedness implementing procedures and lesson plans for training of state, parish and local emergency response personnel in support of the Waterford 3 Steam Electric Station; and
- preparation of lesson plans and conduct of training programs for state, county and local emergency response personnel in support of the R. E. Ginna Nuclear Station.

1973 to 1980

Southcentral Regional Planning Council
Harrisburg, Pennsylvania

Director. Responsible for administration of an eight-county planning and evaluation program for the Commonwealth of Pennsylvania. Assisted local governments in planning and development of criminal justice/emergency response communications and automated information systems. Developed and revised training courses in data analysis for use by planning and operational personnel at the state and local government level. Assisted with delivery of six 35-hour training sessions for criminal justice personnel within a ten-state region. Developed and conducted practical group exercises for course participants.

Planner (1973 to 1978). Assisted local governments in planning and development of a range of criminal justice programs, criminal justice system communications and automated information systems.

John W. Baer
Page 3

1971 to 1973

Lord Fairfax Planning District Commission
Front Royal, Virginia

Planner. Performed general planning tasks, including criminal justice and emergency response planning for a five-county region of Northern Virginia.

1966 to 1968

U.S. Department of Defense
Fort Meade, Maryland

Security Specialist. Evaluated security measures for a federal security agency. Provided recommendations for security requirements. Top secret/crypto security clearance.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'85 JAN 31 P12:01

In the Matter of)

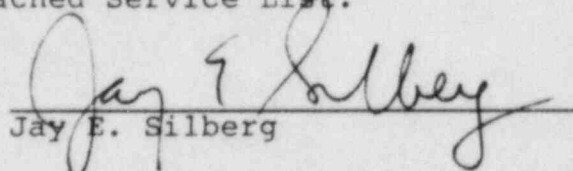
THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY)

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

Docket Nos. 50-440
50-441

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion For Summary Disposition of Contention Z," "Applicants' Statement of Material Facts As To Which There Is No Genuine Issue To Be Heard on Contention Z" and "Affidavit of John Baer on Contention Z," were served this 30th day of January, 1985, by deposit in the U.S. mail, first class, postage prepaid, upon the parties listed on the attached Service List.


Jay E. Silberg

Dated: January 30, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
THE CLEVELAND ELECTRIC)	Docket Nos. 50-440
ILLUMINATING COMPANY, <u>ET AL.</u>)	50-441
)	
(Perry Nuclear Power Plant,)	
Units 1 and 2))	

SERVICE LIST

James P. Gleason, Chairman 513 Gilmore Drive Silver Spring, Maryland 20901	Atomic Safety and Licensing Appeal Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555
Mr. Jerry R. Kline Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Docketing and Service Section Office of the Secretary U.S. Nuclear Regulatory Commission Washington, D.C. 20555
Mr. Glenn O. Bright Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Colleen P. Woodhead, Esquire Office of the Executive Legal Director U.S. Nuclear Regulatory Commission Washington, D.C. 20555
Alan S. Rosenthal, Chairman Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Terry Lodge, Esquire Suite 105 618 N. Michigan Street Toledo, Ohio 43624
Dr. W. Reed Johnson Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Donald T. Ezzone, Esquire Assistant Prosecuting Attorney Lake County Administration Center 105 Center Street Painesville, Ohio 44077
Gary J. Edles, Esquire Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555
John G. Cardinal, Esquire Prosecuting Attorney Ashtabula County Courthouse Jefferson, Ohio 44047	Ms. Sue Hiatt 8275 Munson Avenue Mentor, Ohio 44060