

February 5, 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 ) 50-441  
 )  
(Perry Nuclear Power Plant, )  
Units 1 and 2) )

APPLICANTS' STATEMENT OF MATERIAL FACTS  
AS TO WHICH THERE IS NO GENUINE  
ISSUE TO BE HEARD ON CONTENTION H

Pursuant to 10 C.F.R. § 2.749(a), Applicants state, in support of their Motion For Summary Disposition of Contention H, that there is no genuine issue to be heard with respect to the following material facts:

1. All of the local emergency response plans establish radiation exposure limits for emergency workers that conform to EPA guidance. The exposure limits for emergency workers are:

a. For other than lifesaving missions:

Projected Whole Body Gamma Dose - 25 rem

Projected Thyroid Dose - 125 rem

b. For lifesaving missions:

Projected Whole Body Gamma Dose - 75 rem

Projected Thyroid Dose - No limit

Winters Affidavit, ¶ 3.

2. A decision chain for authorization of an emergency worker to exceed the exposure limits established in the local emergency plans is provided in each of the plans. The decision chain provides that the emergency worker's department head will discuss the need with direction and control personnel of local emergency operations (i.e., the County Commissioners) who, in consultation with the Ohio Department of Health, will concur with, or disapprove, the increased exposure. Winters Affidavit, ¶ 4.

3. There is no NUREG-0654 criterion providing for respirators for offsite emergency workers. Winters Affidavit, ¶ 5.

4. In any event, respirators are available for use by emergency workers. The table below represents a partial inventory of self-contained breathing apparatus ("SCBA") available to the three counties through municipal fire departments in the counties.

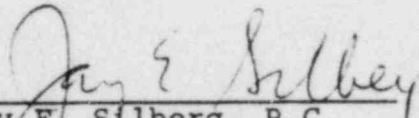
Self-Contained Breathing Apparatus  
Partial Listing: Fire Departments within the Three Counties

County	SCBA	Extra Tanks	Cascade Refill Systems	Compressors
Lake	353	345	17	3
Ashtabula	132	125	8	1
Geauga	165	186	8	1

Additional respiratory protection equipment (beyond that identified above) is locally available to the counties.

Winters Affidavit, ¶ 6.

Respectfully submitted,

  
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