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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

RELATED CORRESPONDENCE

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July 23, 1985

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BRANCH

James P. Gleason, Chairman  
Administrative Judge  
513 Gilmore Drive  
Silver Spring, MD 20901

Dr. Jerry R. Kline  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Mr. Glenn O. Bright  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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

Dear Administrative Judges:

The Staff has received a copy of a July 10, 1985 letter from Ms. Hiatt to the Board requesting the Board to direct the Applicants to file a complete report of a proposed merger between Cleveland Electric Illuminating Company and Toledo Edison Company. OCRE states that the portions of the SER (§§ 13 and 17) concerning Applicants' operational structure are now invalid and there is cause for concern over a possible change in management for the Perry plant. The Staff wishes to point out that this matter is entirely unrelated to any issue pending before the Board and that, in any event, Ms. Hiatt errs in her assumption that the proposed merger will escape any NRC review.

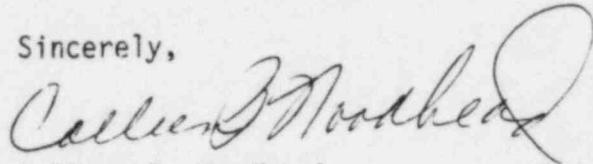
Ms. Hiatt may have overlooked the requirement in 10 CFR § 50.34(b)(6)((i) and (ii) and (b)(7) for Applicants to provide full information to NRC concerning their organizational and management structure in the Final Safety Analysis Report. Although the proposed merger of which you were notified by Mr. Glasspiegel's recent letter, is in the initial planning stages, any change in information must be submitted to NRC for review and evaluation in an SER supplement. Finally, Ms. Hiatt also overlooks the fact that the Commission must find in accord with 10 CFR § 50.57(a)(4), that the Applicant is qualified to engage in the activities authorized by an operating license

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in accordance with the Commission's regulations. Therefore, Ms. Hiatt mistakenly asserts that the proposed merger in question will occur without Commission evaluation to the detriment of the management of the Perry facility.

Sincerely,

A handwritten signature in cursive script, appearing to read "Colleen P. Woodhead".

Colleen P. Woodhead  
Counsel for NRC Staff

cc: Service list