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April 12, 1986

Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555

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USNRC

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Re: Cleveland Electric Illuminating Co. (Perry Nuclear Power
Plant, Units 1 and 2), Docket Nos. 50-440 and 50-441, DD-86-04

OFFICE OF
DOCKETING & SERVICE
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Dear Mr. Denton:

I must object to your intellectually dishonest tactic used to discredit the February 3, 1986 petition of Ohio Citizens for Responsible Energy (OCRE) filed under 10 CFR 2.206 regarding the Perry seismic design in light of the January 31, 1986 earthquake. I am referring to the following statement on page 9 of DD-86-04: "Both WRA [Western Reserve Alliance] and OCRE assert that the January 31 earthquake has demonstrated that, contrary to information in the FSAR, the plants have been constructed on a fault line . . ."

This statement is manifestly untrue. While WRA did in fact make such a statement, OCRE did not. Nothing in OCRE's petition, its March 11 letter to the ACRS, or its filings before the Appeal Board ever came close to the WRA assertion that "the Perry plant site is literally on a fault line." WRA petition, February 4, 1986, at 4, footnote 2. There is a big difference between this statement and OCRE's position that the January 31 earthquake demonstrates the existence of a capable fault in the general vicinity of the site, and that said fault needs to be studied, pursuant to NRC regulations, to determine its nearest approach to the Perry site and its maximum earthquake potential.

I also find it unfortunate that you chose to respond to both petitions in the same decision. While the WRA petition (p. 4, footnote 1) does make reference to OCRE, this reference is completely unauthorized. OCRE took no part in the WRA petition, and such filing should not have been construed as a joint petition.

However, I must comment on the implication in the "Statement of the Nuclear Regulatory Commission before the Subcommittee on Energy of the Committee on Interior and Insular Affairs" dated April 8, 1986 regarding the WRA/GAP allegations that GAP and WRA are somehow being uncooperative in providing further information on these allegations (Attachment 2, p. 7). A recent, disturbing comment in a newspaper by a Perry resident inspector indicates that they may merely be exercising prudent caution in dealing with the NRC.

The comment in question appeared in the Lake County News-Herald on Tuesday, April 8, 1986, in an article attributed to the Associated Press, in response to my testimony before

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Congress on that day regarding the January 31 earthquake:

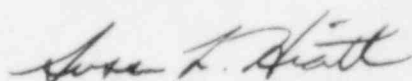
NRC inspector Kevin A. Connaughton said no matter how many earthquake investigations are completed, Hiatt would probably never be satisfied. "I don't make much of her comments," said Connaughton, a resident inspector at the Perry plant. "It's as vague as the other rhetoric that comes from that source."

I am appalled that an employee of the NRC would voice such an attack on a public interest group which I believe has behaved very responsibly and professionally in raising its concerns. Needless to say, Mr. Connaughton's disdain for "that source" is in sharp contrast with statements of both the Licensing Board and Appeal Board praising OCRE's legal and technical competence in the Perry OL proceeding.

On several occasions I have been contacted by present and former Perry workers having safety concerns about the construction or operation of the Perry facility. Based on previous dealings with the resident inspector's office at Perry, I had felt confident that I could take the allegers' concerns (and identities) to them for impartial investigation. I will no longer be able to do so. Instead, I will advise such allegers to contact GAP. I wish to have no further dealings with people expressing blatant disrespect for me and my organization. I suspect that this disrespect also extends to workers raising safety concerns.

GAP's approach in dealing with the NRC on the WRA allegations thus seems to be one of prudence, not irresponsibility.

Sincerely,



Susan L. Hiatt
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cc: Chairman Palladino
Commissioner Asselstine
Commissioner Roberts
Commissioner Bernthal
—Commissioner Zech
Mr. James Keppler, Administrator, Region III
Congressman Dennis Eckart
Congressman John Seiberling
Mr. James Lawless, The Plain Dealer