



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

SEP 21 1979

Mr. Saul Rigberg
536 Howell Avenue
Apartment 3
Cincinnati, Ohio 45220

Dear Mr. Rigberg:

I am pleased to reply to your inquiry to Senator Metzenbaum regarding shipment of fuel to the Zimmer Nuclear plant in Moscow, Ohio. Senator Metzenbaum's office wrote to us indicating that you were concerned why fuel is being delivered to the plant especially when there is a question as to whether the plant will be licensed.

Utilities place their orders for nuclear fuel so that the fuel will arrive at the site in line with the earliest date that the plant construction is projected to be completed. Should plant construction be delayed, the utility must make a determination regarding storage of the completed fuel assemblies at the vendors plant which will incur further financial charges; or storage at the plant site. Before new fuel can be delivered to the plant site, the utility applicant must obtain a separate materials license from the NRC. In the case of the Zimmer plant, the NRC issued a Materials License No. SNM-1823 after reviewing the utility's application and making a favorable safety evaluation. The License authorizes receipt, possession, inspection and storage; and packaging of the fuel for delivery to a carrier in accordance with Commission rules and conditions of the License. New fuel was actually delivered to the Zimmer site on August 15, 1979.

The review of the Zimmer plant for an operating license is a separate matter. Before an operating license is issued that would authorize the loading of fuel into the reactor and subsequently going to power, the staff needs to complete its review and make a favorable conclusion on safety and environmental aspects of the Zimmer operation. This evaluation will also include aspects of the Three Mile Island incident as they relate to the Zimmer plant. The Atomic Safety and Licensing Board presently conducting the public hearings for the Zimmer plant will resume hearings later this year regarding the remaining contentions. Before Zimmer is licensed for operation, the Board must make a favorable licensing decision. In addition, consideration will also be given to recommendations of the President's Commission and the NRC Three Mile Island Special Inquiry Group before the issuance of an operating license.

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Mr. Saul Rigberg

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I hope this information has addressed your concerns satisfactorily.

Sincerely,

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

cc: Senator Howard Metzenbaum
8405 Federal Building
Cincinnati, Ohio 45202

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