

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:  
John H. Frye, III, Chairman  
Dr. M. Stanley Livingston  
Dr. Frank F. Hooper

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In the Matter of  
CINCINNATI GAS & ELECTRIC COMPANY,  
et al.

(Zimmer Nuclear Power Station,  
Unit 1)

Docket No. 50-358-01

February 18, 1982



ORDER

On February 5, 1982, ZAC-ZACK orally moved the Board to adjourn the hearing until such time as "there are answers" to the questions raised by ZAC-ZACK. The City of Mentor joined in this motion. (Tr. 7048.) ZAC-ZACK's motion came toward the end of two-weeks of hearing at which it became clear that many matters remain to be resolved with respect to the offsite emergency plans. Applicants and Staff opposed this motion. The Board took the matter under advisement. (See Tr. 7041-55.)

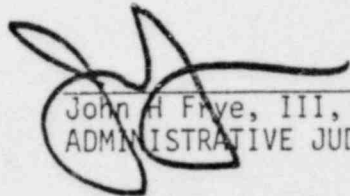
As the record reflects, the Board has been troubled by the fact that the hearing has been devoted to interim plans which are still being developed. The Board notes that most of the emergency planning hearing has now been completed and, on review of the record compiled to date, the Board believes that it can write a meaningful decision taking the state of the plans into account in its findings and conclusions.

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Particularly in view of Applicants' position that they are willing to submit this record, when completed, for decision, (Tr. 7051-2), the Board is of the view that the best course is to continue the hearings rather than adjourn them. To the extent that the interim nature of the plans results in unanswered contentions, the Board can take appropriate action in its Initial Decision.

Judges Hooper and Livingston concur.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD



John H. Frye, III, Chairman  
ADMINISTRATIVE JUDGE

Bethesda, Maryland  
February 18, 1982