



Federal Emergency Management Agency

Region I J.W. McCormack Post Office and Court House
Boston, Massachusetts 02109

January 4, 1983

Stuart A. Treby
Assistant Chief Hearing Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Mail Stop MNBB 9604

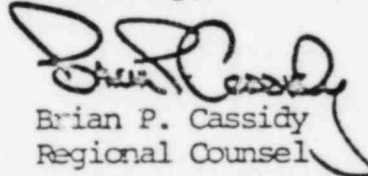
Re: In the Matter of Cincinnati Gas and Electric Co.
(Zimmer Nuclear Power Station, Unit 1) Docket No. 50-358

Dear Mr. Treby:

I am in receipt of your November 30, 1982 letter regarding hearing dates for Zimmer. As I indicated to you in our telephone conversation on January 3, 1983, I will respond to your inquiry as soon as possible.

I did want to take this opportunity to clarify one item in my November 3, 1982 letter. On page 2, I discussed the status of the SOP's. After further discussion with Regional staff, they state that all of the SOP's for Zimmer are still under review at this time and the Regions have not reached any formal conclusions as to the status of the SOP's.

Sincerely,



Brian P. Cassidy
Regional Counsel

cc: ✓ Charles Barth, NRC
Megs Hepler, NTH
Frederick Sharrocks, NTH
John Heard, NTH, Region IV
Dan Bement, NTH, Region V

November 30, 1982

Mr. Brian Cassidy
Regional Counsel
Federal Emergency Management
Agency, Region I
J.W. McCormack Post Office
and Court House
Boston, MA 02109

In the Matter of
Cincinnati Gas and Electric Company, et al.
(Wm. H. Zimmer Nuclear Power Station, Unit No. 1)
Docket No. 50-358

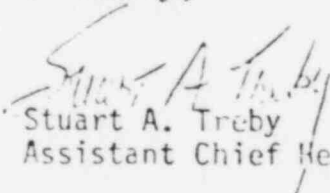
Dear Mr. Cassidy:

Thank you for your letter of November 3, 1982, in which you provided information as to your estimate, based on discussions with FEMA staff members from Regions IV and V, as to when FEMA would be prepared to complete its final finding in accordance with 44 C.F.R. Part 350 (as proposed). Your letter has been forwarded to the Atomic Safety and Licensing Board and to the parties the Zimmer proceeding.

Under the Memorandum of Understanding between NRC and FEMA dated January 14, 1980 (45 FR 5847), it is the usual practice to proceed to hearing on off-site emergency preparedness matters prior to completion of the FEMA final finding pursuant to 44 C.F.R. Part 350 (as proposed). Accordingly, please advise me when you estimate FEMA could provide the NRC Staff with interim findings of sufficient finality on the matters which are the subject of contentions in this proceeding so that we can proceed to hearing.

Thank you for your assistance in this matter.

Sincerely,


Stuart A. Treby
Assistant Chief Hearing Counsel

cc: Spence Perry

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Federal Emergency Management Agency

Region I J.W. McCormack Post Office and Court House
Boston, Massachusetts 02109

November 3, 1982

Stuart Treby, Esquire
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Mail Stop MNEB 9604

Re: Matter of Cincinnati Gas and Electric Co., et. al.
Zimmer Nuclear Power Station, Docket No. 50-358

Dear Mr. Treby:

You advised me that the ASLB panel for Zimmer has inquired as to when FEMA might be ready to proceed with further hearings on off-site emergency preparedness issues. Based upon the ASLB Order and subsequent denial of the Applicant's motion for modification, it is my understanding that two items must be completed before FEMA can proceed to address the ASLB's concerns; first, that the school evacuation procedures must be completed and reviewed and that FEMA's final finding in accordance with 44 C.F.R. Part 350 (as proposed) is completed.

I met with the staffs of Region IV and V on October 28, 1982 to discuss these issues. I will address the final FEMA finding first.

The Commonwealth of Kentucky has told FEMA Region IV that they do not plan to submit the Kentucky State and County Plans until after deficiencies that may be identified in the June 1983 exercise have been corrected. It has been our experience that there will be a four to six month time period before we receive the corrected plan. Thus, taking a conservative approach we would not receive the plans for review until December 1983. Region IV estimates that it will take them two months to have the RAC complete its review and for the Region to incorporate the RAC comments into its analysis. Therefore, Region IV would have the plans ready to submit to FEMA's National Office near the end of March 1984. The National Office staff estimates another sixty days for their review and preparation of the final FEMA finding would be ready in May 1984.

We do not have a plan submission schedule from the State of Ohio. Region V will contact the State to obtain such a schedule. Since both State plans must be submitted to FEMA's National Office simultaneously, the May 1984 date could be affected by Ohio's choice of a submission date.

Additionally, these dates are conditioned on the assumption that there are no significant deficiencies in the several plans that need to be corrected before FEMA can approve.

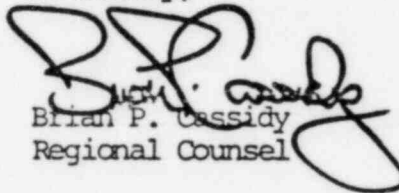
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The second issue is the school evacuation plans. The Applicant placed a schedule of completion of SOP's including the school evacuation plans at the hearing. Stone and Webster did not adhere to this schedule. Regions IV and V have received and reviewed the SOP's. Neither Region found the SOP's acceptable at the time.

FEMA originally assumed, based upon Stone and Websters representations that we would be able to accomplish verification of items during the exercise which was scheduled in November 1982. At the Applicant's request, the exercise date was changed to June 1983. It is FEMA's intention to establish a procedure for field verifying those items of concern to the ASLB by the end of November. FEMA intends to conduct field verification prior to and during the exercise in June 1983.

The ASLB indicated that once the final FEMA findings are completed, they will allow the Intervenors an opportunity to examine FEMA on the remaining open issues. It appears that FEMA's final finding will not be available until May 1984. Consequently, it seems that a hearing could not be held until sometime after June 1984.

Sincerely,


Brian P. Cassidy
Regional Counsel

cc: Megs Hepler, NIH
Frederick Sharrocks, NIH
John Heard, NIH, Region IV
Dan Benent, NIH, Region V