

THE CINCINNATI GAS & ELECTRIC COMPANY



E. A. BORGMANN  
SENIOR VICE PRESIDENT

November 24, 1982

Docket No. 50-358

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

Re: Wm. H. Zimmer Nuclear Power Station -  
Unit 1 - Application for Extension of  
Construction Permit Completion Date

Dear Mr. Denton:

The Cincinnati Gas & Electric Company, Columbus and Southern Ohio Electric Company and The Dayton Power and Light Company ("Applicants") hereby request that, pursuant to Section 185 of the Atomic Energy Act of 1954, as amended, and the regulations of the Nuclear Regulatory Commission ("NRC" or "Commission"), particularly 10 C.F.R. 50.55(b), the latest completion date of December 31, 1982 specified in Construction Permit No. CPPR-88 as amended on December 18, 1981 (46 Fed. Reg. 62570 (December 24, 1981)) be extended to December 31, 1984.

The delay in the completion of the facility is primarily due to the conduct of the Quality Confirmation Program ("QCP") involving inspection, evaluation and necessary rework which resulted from NRC enforcement action in the form of an Immediate Action Letter ("IAL") dated April 8, 1981, and the issuance of a Notice of Violation (358/81-13) on November 24, 1981. The QCP was formulated with sufficient flexibility such that any deficiencies subsequently found of the type covered by the IAL and the NOV could be incorporated within the existing tasks of the QCP. These ongoing changes to the QCP are needed to correct potential or actual deficiencies uncovered by this program.

Additional time to complete the facility is also necessary to correct matters reported to the NRC (e.g., pursuant to 10 C.F.R. §50.55(e)) and to be responsive to NRC concerns regarding the management and quality assurance of the project.

Boof

w/check:

\$1200.00

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Time is needed to implement the corrective actions which are indicated by Applicants' QCP review to date and to integrate these with ongoing construction and to ensure that proper quality assurance measures have been taken.

When problems are revealed during the QCP or in the construction of the facility, work has been stopped, in accordance with requirements of the Quality Assurance Program, until proper corrective action has been taken. The issuance of such stop work orders, of course, delays the completion of construction. The duplicative inspection effort required by the IAL has also added to the time needed to complete construction items.

Because of changes in systems and rework required under the QCP, portions of the startup test program for systems which had previously been turned over to the production department will have to be repeated. This could lead to further delay.

On November 12, 1982, the NRC issued an Order to Show Cause and Order Immediately Suspending Construction (CLI-82-33) ("Order to Show Cause") for the Zimmer Station. Therein the Commission concluded that safety related construction, including rework activities, should be suspended until there is reasonable assurance that future construction activities will be appropriately managed to assure that rework activities and all other construction activities will be conducted in accordance with 10 C.F.R. Part 50, Appendix B and other Commission requirements (Order to Show Cause, slip op. at 13-14). The Commission made this order immediately effective.

Safety-related construction activities, including rework, have been suspended and the Applicants have indicated that they intend to consent to the operative provisions of the Order to Show Cause such that they can satisfy the NRC that any deficiencies will be corrected and all Commission requirements for the facility will be met.

Section IV of the Order to Show Cause requires, inter alia, an independent review of the management of the Zimmer project and an analysis of certain courses of action and the submittal of an updated comprehensive plan to verify the quality of construction. Such steps require time to develop and implement. Approval of the actions proposed by the Applicants by the NRC's Regional Administrator which is required for each of these steps and before construction may resume is expected to consume additional time. These NRC actions and the steps which are required to be fulfilled pursuant to the Order to Show Cause will, of course, delay construction completion.

The Applicants are diligently pursuing the completion of these programs to assure the completion of the construction of the Station in a quality manner.

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Construction of the Zimmer Station is presently approximately 97 percent complete and the Applicants estimated, as of September 24, 1982, that a reasonable target date for loading fuel at the Wm. H. Zimmer Nuclear Power Station was the third quarter of 1983. However, as discussed above, there are many variables and uncertainties which can affect this estimated completion date. Commissioner Victor Gilinsky noted at an NRC meeting in October, 1982 that, in his opinion, "[i]t looks like it could take years just to completely identify the problems." While we do not believe that estimate to be accurate, we are committed to cooperating fully with the NRC for the prompt resolution of any problems in order to expedite the issuance of an Operating License for the Zimmer Station. We have chosen to request an extension until December 31, 1984 because of the variety of circumstances which could push completion of construction to that date.

Since the requested extension of the Construction Permit involves no significant hazards consideration and no undue risk to the health and safety of the public, it is requested that the Commission dispense with the notice and publication requirements as permitted under Section 189(a) of the Atomic Energy Act of 1954.

In accordance with 10 C.F.R. Section 170.12(c), enclosed is a check in the amount of \$1,200.00. For the reasons set forth above, the Company has determined that this application constitutes a Class II Amendment of a Power Reactor Facility Permit.

Very truly yours,

THE CINCINNATI GAS & ELECTRIC  
COMPANY

By *E. A. Borgmann*  
E. A. Borgmann

State of Ohio                    )  
County of Hamilton            ) ss

Sworn to and subscribed before me this 24<sup>th</sup> day of  
November, 1982.

*Alice M. Leurck*  
Notary Public

ALICE M. LEURCK

Notary Public, State of Ohio  
My Commission Expires December 16, 1986

EAB/ijy

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