

CITY OF MENTOR, KENTUCKY

'82 DEC -6 A10:27

SECRETARY  
DOCKETING & SERVICE  
BRANCH

RESOLUTION OF THE CITY COUNCIL OF MENTOR, KENTUCKY, IN SUPPORT  
OF A JOINT PETITION SUBMITTED TO THE NUCLEAR REGULATORY  
COMMISSION ON NOVEMBER 19, 1982, BY INTERVENORS  
ZAC/ZACK AND THE CITY OF MENTOR

WHEREAS, the proposed Zimmer nuclear power plant lies within two miles of the City of Mentor, and

WHEREAS, the consequences of an accident at Zimmer would fall grievously, perhaps devastatingly, upon the people of Mentor because of this proximity, and

WHEREAS, the effects of radiation upon life are so severe that there is no room for error in nuclear technology, and

WHEREAS, the long history of construction problems at Zimmer is common public knowledge and a cause of anxiety and fear for the people of Mentor, and

WHEREAS, the utility's actions during ten years of construction have served to accumulate and exacerbate errors, doubts and suspicions at and about Zimmer to the point that the Nuclear Regulatory Commission has found it necessary to stop construction and impose extraordinary measures of control, and

WHEREAS, the City of Mentor has worked diligently through the intervention process in the face of vigorous opposition from the applicant utility, the NRC staff and FEMA and has had its position regarding the adequacy of emergency planning vindicated by the denial of an operating license for Zimmer by the Atomic Safety and Licensing Board, and

WHEREAS, the Commission's order of November 12, 1982, contains no provision for public participation in the mechanism it sets forth or for direct and ongoing public scrutiny or review of the same, and

DSQ3

WHEREAS, in a transparent and presumptuous effort to preempt corrective action by the Commission, the utility took a precipitate action outlined by its president in his November 10, 1982, letter to the Commission that compromised the objectivity of the third party it named therein and complicates the fulfillment of the Commission's order, and

WHEREAS, the utility has been publicly derisive of the Commission's order of November 12, 1982, by describing it as punitive and unnecessary, and

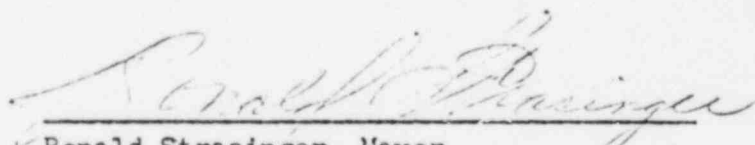
WHEREAS, in view of the discretionary authority given by the Commission to its Regional Administrator to relax all or part of the conditions of its order, it is appropriate that the public have formal means of communication with management, construction and third party entities and with the Regional Administrator during his execution of the Commission's order in a manner that is generally described in the intervenors' petition of November 19, 1982, and

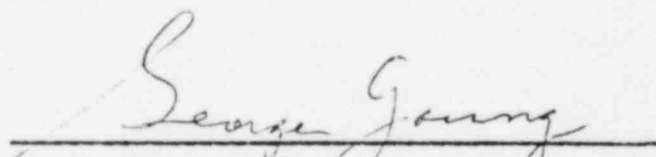
WHEREAS, the \$200,000 collected by the NRC from the utility as a fine for previous violations would be well spent in establishing public representation at Zimmer to aid the public in understanding the management and construction problems at Zimmer and the methods proposed and taken for their resolution and thereby helping to forestall further recalcitrance by the utility,

THEREFORE, BE IT RESOLVED, the City of Mentor supports the proposition that immediate and continued public participation in a manner satisfactory to the intervenors is a necessary ingredient in any meaningful attempt to resolve the difficulties at Zimmer, and

BE IT FURTHER RESOLVED, the City of Mentor supports the November 19, 1982, petition submitted to the NRC by intervenors ZAC/ZACK and Mentor and urges the Commission to act favorably upon it.

Passed by Council Dec 2, 1982.

  
\_\_\_\_\_  
Ronald Strasinger, Mayor

  
\_\_\_\_\_  
George Young, City Clerk

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document entitled "Resolution of the City of Mentor, Kentucky, in support of a joint petition submitted to the Nuclear Regulatory Commission on November 19, 1982, by intervenors ZAC/ZACK and the City of Mentor" was served by U.S. Mail upon the following persons on 12-3-82.

DOCKETED  
1982  
NOV - 6 AM 10:27

David K. Martin, Esq.  
Assistant Attorney General  
209 St. Clair Street  
Frankfort, Kentucky 40601

John D. Woliver, Esq.  
P.O. Box 47  
550 Kilgore Street  
Batavia, Ohio 45103

Andrew B. Dennison  
Council for ZAC/ZACK  
200 Main Street  
Batavia, Ohio 45103

George Pattison, Esq.  
Prosecuting Attorney, Clermont County  
462 Main Street  
Batavia, Ohio 45103

Chairman Nunzio J. Palladino  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

William J. Moran, Esq.  
General Counsel  
Cincinnati Gas & Electric Co.  
P.O. Box 960  
Cincinnati, Ohio 45202

Commissioner John F. Ahearne  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Chase R. Stephens  
Docketing and Service Branch  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Commissioner James K. Asselstine  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Commissioner Thomas M. Roberts  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Commissioner Victor Gilinsky  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Lynne Bernabei, Esq.  
Government Accountability Project  
1901 Q Street, N.W.  
Washington, D.C. 20009

John H. Frye, III, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Charles A. Barth, Esq.  
Counsel for the NRC Staff  
Office of the Executive Legal  
Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Frank F. Hooper  
Administrative Judge  
School of Natural Resources  
University of Michigan  
Ann Arbor, Michigan 48109

Dr. M. Stanley Livingston, Member  
Atomic Safety and Licensing Board  
1005 Calle Largo  
Santa Fe, New Mexico 87501

Brian P. Cassidy, Esq.  
Office of the General Counsel  
Federal Emergency Management Agency  
500 C Street, S.W.  
Washington, D.C. 20472

Troy B. Conner, Esq.  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

Donald Reder