

Certified By L. E. Speder

DEC 22 1982

Docket No. 50-358

John D. Woliver, Esq.
Legal Aid Society
P.O. Box 47
550 Kilgore Street
Batavia, OH 45103

[This letter has also been sent to those persons on the attached service list.]

Dear Mr. Woliver:

NRC Region III has received comments which you have filed regarding Cincinnati Gas & Electric Company's (CG&E) proposal for approval of Bechtel as the independent entity to review CG&E's management of the Zimmer project. Having reviewed your comments and those filed by other individuals and organizations, we have decided to hold a meeting in Cincinnati for the purpose of exploring the comments further. Participation in the meeting will be limited to those persons whose comments have been received in NRC Region III sufficiently in advance of the meeting date to permit consideration of the comments and notification of the commenters of the meeting. The meeting is scheduled to be held on Wednesday, January 5, 1983, starting at 9:30 a.m. at the following location:

Federal Office Building, Room 5409
Fifth and Main Streets (across the street from the Federal Courthouse
and Post Office)
Cincinnati, Ohio

Please advise my office (312-932-2500) by January 3, 1983, of your availability to attend the meeting.

Since we do not anticipate that you will have another opportunity to discuss your comments with the NRC staff, we urge you to attend or to send another person to represent you. To ensure that the meeting can achieve this objective, we are inviting only one representative of each commenter.

For your information, we are enclosing the NRC staff's Plan of Action for its evaluation of the submittals which CG&E is required to make in response to the

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Commission's November 12, 1982, order. As indicated in the Plan, the NRC staff will be offering the opportunity for written comment on subsequent CG&E submittals, will open to the public for observation the meetings held with CG&E and its independent reviewers to discuss these submittals, and will entertain questions from the public following those meetings.

The NRC staff looks forward to meeting with you on January 5.

Sincerely,

151 by James G. Keppler

James G. Keppler
Regional Administrator

Enclosure: Zimmer Plan of Action

RIII *JHX*
Lewis/jp
12/21/82

RIII
J
Davis
12/22

RIII
JX
Keppler

Service List

cc w/enclosure:

Public Citizen's Critical
Mass Energy Project
Webster W. Posey, Clerk of Council
City of Cincinnati
Ms. Susan L. Fremont, and
Ms. Isabelle Davidson, The Woman's
City Club of Greater Cincinnati
William A. Spratley, Consumers' Counsel
Sylvester Murray, City Manager
Phillip W. Amadon, Coalition for
Affordable, Safe Energy
D. David Altman, Environmental
Advisory Council
Mr. & Mrs. Earl Chowning
Lynne Bernabei, Government
Accountability Project
Ms. Muriel S. Hiatt
Ms. Lenna Mae Gara
Ms. Carolyn B. Miller, President
The League of Women Voters of
the Cincinnati Area
Cincinnati Gas & Electric Co.
Mark Wetterhahn, Esq.
Jerome Vennemann, Esq.

ZIMMER PLAN OF ACTION

Issue	Plan of Action	Special Comments
<p>Selection of Independent Organization to Perform Management Review of Zimmer Project</p>	<ul style="list-style-type: none"> • Licensee has submitted written report to NRC recommending Bechtel Power Corporation to perform required review and provided the bases for this recommendation. (Order Requirement IV.B.(1)(a).) • By letter dated 12/1/82, Region III has sent the submittal (and other background documents) to interested persons for their comments, with a request for written comments by 12/15/82. Each person will be contacted at the end of the comment period and appropriate action will be taken to assure that the concerns from interested persons have been received and understood. • Region III has provided copies of the submittal to NRR, IE and ELD and will coordinate its review with these Offices. • Region III will thoroughly review the licensee's submittal and evaluate all comments from interested persons. • In coordination with IE, NRR and ELD, and in consultation with the Executive Director for Operations (EDO), Region III will prepare a written response to CG&E's proposed action. • Region III will respond in writing to CG&E's proposed action. 	<ul style="list-style-type: none"> • The licensee's submittal will be assessed principally from the standpoint of independence and technical and managerial competence. The criteria governing the relationship between the licensee and the consultant will parallel those used for the Diablo Canyon review. • Since this phase is only preliminary to the licensee's presentation of recommendations regarding future management of the project, lengthy procedures for public participation are not considered necessary. Therefore, a public meeting is not planned at this stage.

Issue	Plan of Action	Special Comments
<p>Recommended Course of Action by Licensee Based on Independent Review</p>	<ul style="list-style-type: none">• Licensee will submit written report to NRC recommending course of action following receipt of the report of the independent review. (Order Requirement IV.B.(1)(b).) A copy of the report of the independent review will have been provided directly to Region III by the independent reviewer. However, the licensee's report of its recommended course of action should have appended to it the report of the independent reviewer.• Region III will provide copies of this report to interested persons for comment. Written comments from interested persons must be received in Region III within three weeks of the date the report was mailed from Region III.• Region III will provide copies of the submittal to NRR, IE and ELD and will coordinate its review with these offices.• A meeting, which will be open to the public, among the NRC, the licensee, and the independent reviewer will be held to discuss the report. Following the meeting, questions from the public will be entertained by the staff representatives. <p>(continued on page 3)</p>	<ul style="list-style-type: none">• As part of this coordination, the Region III Administrator has requested IE to head an NRC team composed of personnel from NRR and IE, personnel from Regions other than Region III, and consultants, that will conduct a broad baseline evaluation for the purpose of ensuring a complete understanding of the problems at the Zimmer facility. This will include an in-depth inspection of hardware similar to the inspections conducted by the IE Construction Appraisal Team (CAT).

Issue	Plan of Action	Special Comments
Recommended Course of Action by Licensee Based on Independent Review - (continuation)	<ul style="list-style-type: none">• In coordination with IE, NRR and ELD, and in consultation with the EDO, Region III will prepare a written response to CG&E's proposed action. The response will include an evaluation of all timely comments from interested persons.• Region III will respond in writing to CG&E's recommended course of action.	

Issue	Plan of Action	Special Comments
Submittal of Updated Comprehensive Plan to Verify Quality of Construction	<ul style="list-style-type: none">• Licensee will submit plan to NRC (Order Requirement IV.B.(2)(a).)• Region III will provide copies of this plan to interested persons for their comment. Written comments from interested persons must be received in Region III within three weeks of the date the plan was mailed from Region III.• Region III will provide copies of the plan to NRR, IE and ELD and will coordinate its review with these offices.• A meeting, which will be open to the public, among NRC, the licensee and the independent reviewer will be held to discuss the plan. Following the meeting, questions from the public will be entertained by the staff representatives.• In coordination with IE, NRR and ELD, and in consultation with the EDO, Region III will prepare a response to the licensee's plan. The response will include an evaluation of all timely comments received from members of the public.• Region III will respond in writing to CG&E's proposed plan.	None

Issue	Plan of Action	Special Comments
Submittal of Comprehensive Plan for Continuation of Construction	<ul style="list-style-type: none">. Licensee will submit plan to NRC (Order Requirement IV.B.(2)(b).). Region III will provide copies of this plan to interested persons for comment. Written comments from inspected persons must be received in Region III within three weeks of the date the report was mailed from Region III.. Region III will provide copies of the plan to NRR, IE and ELD and will coordinate its review with these Offices.. A meeting, which will be open to the public, among NRC, the licensee, and the independent reviewer will be held to discuss the plan. Following the meeting, questions from the public will be entertained by the staff representatives.. A detailed evaluation will be performed by an NRC team comprised of personnel from Region III, NRR, and IE, personnel from other Regions and consultants, of the plan, procedures and organization for the continuation of construction.. In coordination with IE, NRR and ELD, and in consultation with the EDO, Region III will prepare a response to the licensee's plan. The response will include an evaluation of all timely comments received from members of the public.. Region III will respond in writing to CG&E's proposed plan.	

Issue	Plan of Action	Special Comments
Relaxation of All or Part of the Order for Resumption of Specified Activities	<ul style="list-style-type: none">• Prior to approval of the Comprehensive Plan for Continuation of Construction (Order Requirement IV.B(2)(b)), the licensee may submit a written request(s) for relaxation of all or parts of the Order to permit resumption of specified construction activities. (Order Requirement IV.B.(3).)• Region III will provide copies of each request to interested persons for their information.• Region III will provide copies of each request to IE, NRR and ELD and its review and response will be coordinated with these Offices, and with the EDO.• Region III will respond in writing to the relaxation requests.	<ul style="list-style-type: none">• When the program is substantially complete (in excess of about 75%) an overall broad evaluation of completed work will be conducted by an NRC team composed of personnel from NRR and IE, personnel from Regions other than Region III, and consultants to determine that deficiencies identified by the evaluation described on page 2 above have been corrected and that the completed work is acceptable. The team should be to the extent practical, the same as the team that performed the prior evaluation and the direction responsibility for the evaluation will again be assigned to IE. This overall evaluation will supplement the normal inspections of completed work that will be performed by Region III throughout the program period.