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October 18, 1984

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

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

Dear Mr. Denton:

As you are aware, The Cincinnati Gas & Electric Company, on its own behalf and on behalf of The Dayton Power and Light Company and Columbus and Southern Ohio Electric Company ("Applicants") announced on January 21, 1984 that it was ceasing work on the Zimmer Station as a nuclear plant and that the three companies would use their best efforts to convert the plant to a coal-burning unit. The Commission was notified of this action by letter dated January 27, 1984.

Accordingly, Applicants filed a Motion for Withdrawal of Application in the pending operating license proceeding with the Atomic Safety and Licensing Board on March 20, 1984. With regard to this motion, the Staff requested additional information by letter dated May 3, 1984, which the NRC technical staff required in order to determine whether any conditions for the protection of the environment would be necessary. By letter dated June 1, 1984, Applicants provided the requested information to the NRC. Following review by the technical Staff, the Staff filed an answer to the companies' motion before the Licensing Board on August 17, 1984, stating that the Staff does not oppose the motion.

On August 29, 1984, the Licensing Board issued a Memorandum and Order (Ruling on Applicants' Motion to Withdraw Application) which granted the motion without

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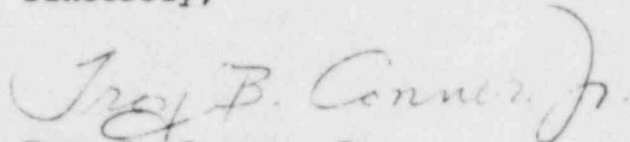
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prejudice subject to the condition that they are to implement their June 1, 1984 site restoration plan and the Staff is to verify that this has been accomplished within six months of the date of its Memorandum and Order.

Implementation of the site restoration plan is complete. Applicants request that the NRC immediately verify that this has been accomplished so that, in accordance with the Nuclear Regulatory Commission's precedents in such cases, the Staff may perform the ministerial act of terminating Construction Permit No. CPPR-88. Applicants would request written notification that the Construction Permit has been terminated.

Sincerely,



Troy B. Conner, Jr.
Counsel for the Applicants

TBC:sdd

cc: James G. Keppler, Director
Region III
Service List