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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION '81 NOV 24 P4:27

Before the Atomic Safety and Licensing Board

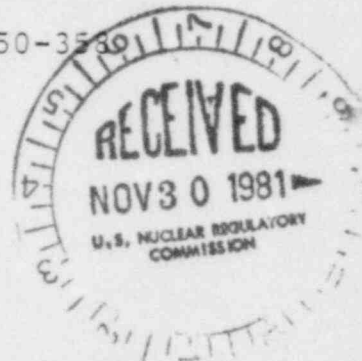
In the Matter of )

The Cincinnati Gas & Electric )  
Company, et al. )

(Wm. H. Zimmer Nuclear )  
Power Station) )

Docket No. 50-3589

SECRETARY  
OF THE BOARD  
& SERVICE  
BRANCH



APPLICANTS' MOTION FOR SUMMARY DISPOSITION  
RESPECTING CONTENTION 2

Pursuant to 10 C.F.R. §2.749, Applicants, The Cincinnati Gas & Electric Company, et al., hereby move the Atomic Safety and Licensing Board for summary disposition of those matters set forth in the attached "Applicants' Statement of Material Facts as to Which There is No Genuine Issue to be Heard Respecting Contention 2," and the attached "Applicants' Memorandum in Support of Their Motion for Summary Disposition Respecting Contention 2." Contention 2 was filed by Dr. David B. Fankhauser, an intervenor in the captioned proceeding.

Respectfully submitted,

CONNER & WETTERHAHN

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November 24, 1981

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

RELATED CORRESPONDENCE

In the matter of )

The Cincinnati Gas & Electric )  
Company, et al. )

(Wm. H. Zimmer Nuclear Power )  
Station) )

) Docket No. 50-356

) '81 NOV 25 P3:11

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)  
) SECRETARY  
) DOCKETING & SERVICE  
) BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of the following, all dated November 24, 1981, in the captioned matter, have been served upon those listed below by deposit in the United States mail this 24th day of November, 1981:

1. Applicants' Motion For Summary Disposition Respecting Contention 2;
2. Applicants' Statement Of Material Facts As To Which There Is No Genuine Issue To Be Heard Respecting Contention 2;
3. Applicants' Memorandum In Support Of Their Motion For Summary Disposition Respecting Contention 2;
4. Affidavit Of Greg C. Ficke.

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

Chairman, Atomic Safety and  
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Washington, D.C. 20555

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\*Copies also hand delivered to Judge Frye.

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

APPLICANTS' STATEMENT OF MATERIAL FACTS AS  
TO WHICH THERE IS NO GENUINE ISSUE TO BE  
HEARD RESPECTING CONTENTION 2

Contention 2

1. Plans for monitoring radioactive releases from the Zimmer Nuclear Power Station are described in the Environmental Report §6.2 and Final Safety Analysis Report §11.6 for the Wm. H. Zimmer Nuclear Power Station ("Zimmer Station").

2. Monitoring requirements for the Zimmer Station will be a part of the operating license in the form of Technical Specifications.

3. The preoperational and operational Environmental Radiological Monitoring Programs are designed in conformance with NRC's Regulatory Guides 4.1 and 4.8 regarding the measuring, evaluating and reporting of environmental radiation levels.

4. The operational Environmental Radiological Monitoring Program is based upon the experience gained during the conduct of the preoperational Environmental Radiological Monitoring Program.

5. The conduct of the preoperational Environmental Radiological Monitoring Program is set forth in Preoperational Environmental Radiological Monitoring Program, Wm. H. Zimmer Nuclear Power Station, Unit 1, Moscow, Ohio, Final Report dated August 28, 1978 ("Final Report").

6. The details of the implementation of the environmental monitoring program, including sampling locations and techniques, counting procedures and accuracy of results are set forth in the Final Report.

7. The successful conduct of the preoperational program gives assurance that the operational monitoring program, which is almost identical, can be successfully implemented.

8. The release of radioactive materials from the Zimmer Station will be governed by the Technical Specifications which are, in turn, based upon the requirements of 10 C.F.R. Part 20 and the Guides on Technical Specifications for Limiting Conditions for Operation found in Section IV of Appendix I to 10 C.F.R. Part 50.

9. Releases of radioactivity from the Zimmer Station are continuously measured by radiation detection equipment.

10. Release rates of radioactivity from the Zimmer Station are continuously recorded.

11. Information concerning the type and quantities of radioactivity released are reported to the NRC at intervals specified in the facility Technical Specifications.

12. The reports on radioactivity released are made available for public inspection and provide a basis for evaluating the adequacy and performance of effluent treatment methods and controls.

13. The operational Environmental Radiological Monitoring Program described in §11.6 of the FSAR verifies the magnitude of releases from the Station and the adequacy of effluent controls.

14. The NRC's Office of Inspection and Enforcement performs regular inspections and audits of the operation of the Zimmer Station, including releases and the implementation of the operational Environmental Radiological Monitoring Program.

15. There are presently two Resident Inspectors situated at the Zimmer Station.

16. Announced and unannounced inspections of all station activities by the Resident Inspectors and other experts from the NRC's Office of Inspection and Enforcement are conducted, including review and verification of records pertaining to the release of radioactive materials, as well as observation of on-going operations.

17. The inspection activities also include verification of the radiation detection equipment used as a basis for reporting releases of radioactive materials.

18. The verification of the program is accomplished in part by comparing the results of split samples analyzed



separately by the Applicants and by the NRC on its equipment.

19. There is no NRC requirement that the citizenry in the vicinity of the Zimmer Station be involved in the monitoring of the plant's activities.

20. Aside from the cooperation of citizens in obtaining environmental samples, further "involving the citizenry in the vicinity of the site" would not assist in the monitoring of the plant effluents.

21. The Applicants' operational Environmental Radiological Monitoring Program meets or exceeds all NRC regulations and requirements.

22. There is no NRC requirement that every possible isotope of every element be monitored as part of a radiological environmental monitoring program.

23. The isotopes and pathways that were selected for monitoring within the operational Environmental Radiological Monitoring Program were based upon NRC guidance and extensive experience gained at other operating reactors.

24. The operational Environmental Radiological Monitoring Program is designed in accordance with Regulatory Guide 4.1 (Revision 1), and the relevant Branch Technical Position on the radiological portion of the environmental monitoring program which sets forth an acceptable radiological monitoring program; procedures for sample collection and analysis will

be consistent with EPA's Environmental Radioactivity Surveillance Guide" (June 1972), and the appropriate Regulatory Guides.

25. The number, location and sampling frequency of monitoring as shown in FSAR Table 11.6.5 provides a high degree of assurance that data will be provided on measurable levels of radiation and radioactive materials in the environment in order to evaluate the relationship of quantities of radioactive material released in effluents and resultant radiation doses to individuals from probable pathways of exposure and are in accordance with NRC requirements.

26. The operational Environmental Radiological Monitoring Program, including location, frequency and type of analysis is fully described in FSAR Table 11.6-5.

27. The Zimmer Station operational Environmental Monitoring Program includes requirements for periodic isotopic evaluation of foodstuffs as shown in Table 11.6.5.

28. The monitored foodstuffs include green leafy vegetation, domestic meat, milk, fish and poultry, and the methods of analysis include gamma spectrometric analysis, radioiodine, and strontium -89 and -90 analysis, as appropriate.

29. The requirements for foodstuff monitoring in the operational Environmental Radiological Monitoring Program were included based upon operating experience at other facilities, surveys, and contacts done by the Applicants as



part of the preoperational programs and knowledge of the limiting pathways gained by extensive operating experience at other nuclear power plants.

30. The choice of foodstuffs and the intervals for sampling are adequate to monitor the expected critical pathways and in accordance with all regulatory requirements.

31. There is no NRC requirement that isotopic analyses of foodstuffs be carried out on a monthly basis.

32. As part of the operational Environmental Radiological Monitoring Program, there are eight air sampling station locations which continuously collect samples for weekly analysis for particulates and iodines.

33. In addition to the eight thermoluminescent dosimeters ("TLD") at the air monitoring stations which are read quarterly, the Applicants will place another 32 TLD's around the site at least six months prior to fuel load.

34. The NRC has placed 40 TLD's around the site.

35. The States of Ohio and Kentucky have placed approximately 37 TLD's around the site.

36. While not a requirement of the NRC and not intended to be a component of the Environmental Radiological Monitoring Program, the Applicants will provide a ring system of "real time" radiation monitors surrounding the Zimmer Station.

37. A total of 15 remote detector locations will be established around the Zimmer Station; seven locations will be located in Kentucky and eight in Ohio.

38. Data collected at each ring system remote location will be transmitted by radio to the Station where it would be stored in a computer and could be accessed, inter alia, in the control room.

39. In case of activation of the emergency plan, the stored data from these ring monitors, as well as "real time" radiation measurements, would be available to computer terminals via the microwave system in the Emergency Operations Facility and the Emergency Operation Centers for Ohio, Kentucky, Clermont County, and in the City of Cincinnati's Columbia Control Center.