



City of Cincinnati

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October 14, 1983

H. Denton
Office of Nuclear Regulation
U.S. Nuclear Regulatory Commission
Phillips Building
7920 Norfolk Avenue
Bethesda, Maryland 20014

Dear Mr. Denton:

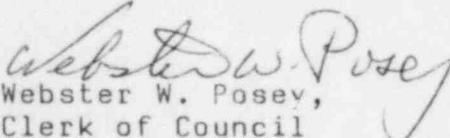
Council of the City of Cincinnati, State of Ohio, at its session on October 12, 1983, approved a resolution entitled:

RESOLUTION No. R/195-1983

RESOLUTION expressing Council's support for the creation of a Zimmer Over-sight Committee, in substantially the same form as that recommended in the attached proposal from the Environmental Advisory Council.

At the request of Council, a copy of the resolution is enclosed.

Very truly yours,


Webster W. Posey,
Clerk of Council

WWP/dhr

Encl.

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RESOLUTION NO. *R/195* 1983

Expressing council's support for the creation of a Zimmer Oversight Committee in substantially the same form as that recommended in the attached proposal from the Environmental Advisory Council (EAC).

WHEREAS, Torrey Pines Technology has submitted a Zimmer Project Management Review to the NRC detailing management deficiencies which, to a great extent, resulted in the current problems with the construction of the facility; and

WHEREAS, said management review report included a recommendation for a Zimmer Oversight Committee to keep the public apprised of the status of the Zimmer facility, including information as to the cost of completion, the exact nature of any construction problems at Zimmer, the scope and form of remedial measures to correct hardware deficiency, and related matters contained in the attached recommendation of the EAC; and

WHEREAS, the function of said Oversight Committee would be purely advisory and educational, and therefore would not usurp the decision-making powers from those primarily responsible for the completion, conversion, or abandonment of the Zimmer Facility, but rather, would provide a basis for establishing public confidence in any future determinations regarding the facility; now, therefore,

BE IT RESOLVED by the council of the city of Cincinnati, state of Ohio:

Section 1. That council hereby expresses its support for the creation of a Zimmer Oversight Committee in substantially the same form as that recommended in the attached proposal from the Environmental Advisory Council. *-Said Commission shall remain in existence no longer than the date on which the NRC licenses the facility.

Section 2. That this resolution be spread upon the minutes of council, and that copies be sent to the appropriate officials at the U. S. Nuclear Regulatory Commission, the President and Board of Directors of the Cincinnati Gas and Electric Company, the Environmental Advisory Council, and to such other officials and agencies as may be appropriate.

Passed October 12 A.D., 1983

[Signature]
Mayor

Attest: *[Signature]*
Clerk

*- Amended on the floor of Council Session of October 12, 1983.

City of Cincinnati



Sylvester Murray
City Manager

Environmental Advisory Council

October 7, 1983

City Council
City of Cincinnati
801 Plum Street
Cincinnati, Ohio 45202

RE: EAC Proposal for Zimmer Oversight Commission

Dear Councilmember:

In August, 1983, Torrey Pines Technology submitted a Zimmer Project Management Review to the NRC. This report outlined the scope of the management problems as they pertain to the Zimmer plant.

Included among the recommendations was a call for a Zimmer Oversight Committee. Acting upon this suggestion, the Environmental Advisory Council has discussed the question of how such a committee should be formed and what its responsibilities should include.

The following proposal is based upon our belief that an oversight committee, or commission, should, by its composition, reflect the interests and concerns of the public at large and that it should be able to remedy a heretofore serious deficiency in the public education process by communicating its observations, findings and conclusions directly to the appointing entities and the interested public. The EAC requests that the City Council of the City of Cincinnati endorse the following proposal:

1. Membership. The Commission should be composed of five individuals who have demonstrated knowledge of and concern for the problems at Zimmer. These individuals should be appointed, one each, by the Governor of the State of Ohio, the Governor of the State of Kentucky, the County Commissioners of Clermont County, the City Council of the City of Cincinnati and the joint intervenors.

2. Purpose. The Commission, as a minimum, should monitor all steps taken by the NRC and the utility under the November, 1982 shutdown order to insure that the order is interpreted and implemented in a manner which: (a) reveals the exact nature of any construction problems at the site, and (b) insures that all remedial work will be carried out with the

October 7, 1983

primary goal of safety and quality. The work of the Commission should extend to all hardware audits, to all remaining construction, rework and quality reviews, to the adequacy of the evacuation plans, and to providing information for audits by public utility commissions.

3. Responsibilities. The Commission should periodically advise the appointing governmental entities and representatives of the public of the nature of major utility and NRC decisions and their impact on cost and safety. In order to discharge this obligation the Commission should have access to information from all sources which would help the Commission formulate, on behalf of the public, an evaluation of the degree to which safety and quality of construction are being emphasized in remedying the problems outlined by Torrey Pines, the NRC, Congressional committees and the intervenors. The Commission members should have the obligation to communicate the status of the project to the public through the media and through public forums.

4. Legal Status. The NRC Commissioners or the regional staff should require the Public Oversight Commission to be part of any Zimmer Reorganization Plan approved under the November, 1982 shutdown order. Precedent for the Commission can be found in both the Diablo Canyon and the Three Mile Island advisory committees and commissions.

5. Staff. The staff should be comprised of independent consultants and organizations without ongoing or significant past financial relationships with present and past partners and agents of the utility. The staff would include specialists with construction, strength of materials, nuclear engineering, design, quality assurance, mechanical engineering, thermohydraulics and economics expertise. The staff would also include clerical, research interns and legal and accounting consultants.

6. Funding. The owner utilities would provide the funding for the Commission's operation.

Respectfully submitted,

ENVIRONMENTAL ADVISORY COUNCIL
CITY OF CINCINNATI

By

D. David Altman, Chairman

cc: Honorable Sylvester Murray

CITY OF CINCINNATI
CLERK OF COUNCIL
CITY HALL
CINCINNATI, OHIO 45202



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