

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

Cincinnati Gas & Electric Company
Dayton Power & Light Company
Columbus & Southern Ohio
Electric Company

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Docket No. 50-358

ORDER REVOKING CONSTRUCTION PERMIT

I.

Construction Permit No. CPPR-88 authorizes construction of the Wm. H. Zimmer Nuclear Power Station, Unit 1, located in Moscow, Ohio, approximately 24 miles southeast of Cincinnati, Ohio. This construction permit is held by Cincinnati Gas and Electric Company (CG&E or permittee) on its own behalf and on behalf of Dayton Power and Light Company and Columbus and Southern Ohio Electric Company. Construction Permit No. CPPR-88 was issued on October 27, 1972. The latest construction completion date in the permit, as amended, was December 31, 1982. CG&E filed a timely request on November 24, 1982 to extend the latest completion date to December 31, 1984.

II.

On January 27, 1984, CG&E informed the Commission that the owners of Zimmer Unit 1 planned to convert the nuclear fueled facility to a coal fueled plant. By motion dated March 20, 1984, CG&E requested the Atomic Safety and Licensing Board (ASLB) to authorize withdrawal of its application for a license to operate

the Zimmer Station. CG&E removed all nuclear fuel from the site and disabled the reactor so that it could not be operated as a nuclear fuel utilization facility. The ASLB authorized withdrawal of the operating license application on August 29, 1984, subject to staff verification that the site would be restored to stable environmental conditions. The NRC staff verified that CG&E had satisfactorily restored the site to an environmentally stable condition. The environmental impact of terminating the plant construction at this stage of completion was assessed by the NRC staff. Pursuant to 10 CFR 51.32, the Commission has determined that the termination of this construction permit will have no significant impact on the environment. An Environmental Assessment and Finding of No Significant Impact was published in the Federal Register on April 16, 1985 (50 FR 15018).

III.

A notice of withdrawal of the Zimmer operating license application was published in the Federal Register on November 8, 1984 (49 FR 44695).

For reasons set forth above, it is hereby ordered that Construction Permit No. CPPR-88 is revoked.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by
Hugh L. Thompson, Jr., Director
Division of Licensing
Office of Nuclear Reactor Regulation

Effective Date: MAY 28 1985

LB#1:DL
MRushbrook:kab
03/1/85

LB#4:DL
LKintner
03/08/85

LB#1:DL
BJYoungblood
03/1/85

OELD
M. KARMAN
03/12/85

AD:1:DL
TNovak
04/9/85

D:DL
HThompson
03/1/85

WA

57