



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

PDR-016

Ms. Nina Bell  
Nuclear Information and Resource Service  
1616 P Street, NW, Suite 160  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-85-362

Dear Ms. Bell:

This is in further response to your letter dated May 8, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), all records related to the desirability of voluntary or required redress of nuclear plant sites where work was undertaken but construction is no longer contemplated, including the Clinch River Breeder Reactor (CRBR), and NRC's legal analysis of the need for site redress.

The documents identified on the enclosed Appendix D are already available in the NRC Public Document Room (PDR).

Copies of the documents listed on the enclosed Appendix E are being placed in the NRC Public Document Room (PDR). The records will be filed in PDR folder FOIA-85-362 under your name.

Staff of the Office of Nuclear Reactor Regulation have informed this office that 25 photographs of the Clinton site and 16 photographs of the Black Fox site are available for inspection in their office, or copying at a cost of \$82.00. If you wish to make arrangements regarding these photographs, please telephone Mr. Stephen Isaacs at 301-492-7604 by December 12, 1985.

Sincerely,

A handwritten signature in cursive script, reading "Donnie H. Grimsley".

Donnie H. Grimsley, Director  
Division of Rules and Records  
Office of Administration

Enclosures: As stated

8512300023 851203  
PDR FOIA  
BELL85-362 PDR

APPENDIX D

1. Letter to James Keppler, Region III, from W. H. Dickhoner, Cincinnati Gas and Electric Company, dated January 27, 1984 - Accession No. 8402030260
2. Motion for Withdrawal of Application In the Matter of the Cincinnati Gas and Electric Company, et. al., (Wm. H. Zimmer Nuclear Power Station) submitted by Troy B. Conner, Jr., Conner & Wetterhahn, P.C. Counsel for the Applicants, dated March 20, 1984 - Accession No. 8403210178
3. NPC Staff's Answer to Motion for Withdrawal of Application submitted by Stuart A. Treby, Assistant Chief Hearing Counsel, In the Matter of Cincinnati Gas and Electric Company, et. al., Wm. H. Zimmer Nuclear Power Station, Unit 1, Before the Atomic Safety and Licensing Board, dated April 9, 1984 - Accession No. 8404120418
4. Letter from James R. Schott, Cincinnati Gas and Electric Company to Harold R. Denton, Director, Office of Nuclear Reactor Regulation, dated June 1, 1984 - Accession No. 8406050405
5. Applicant's transmittal of information relating to Their Motion for Withdrawal of Application, submitted by Mark Wetterhahn, Conner & Wetterhahn, P. C., Counsel for the Applicants', dated August 2, 1984, In the Matter of the Cincinnati Gas and Electric Company, et. al., Wm. H. Zimmer Nuclear Power Station - Accession No. 8408070461
6. NRC Staff's Further Answer to Motion for Withdrawal of Application submitted by Stuart A. Treby, Assistant Chief, Hearing Counsel, dated August 17, 1984, Before the ASLB In the Matter of Cincinnati Gas and Electric Company, et. al. - Accession No. 8408210366
7. Memorandum and Order (Ruling on Applicant's Motion to Withdraw Application) issued by Atomic Safety and Licensing Board, dated August 29, 1984 - Accession No. 8408310104
8. Letter to Harold R. Denton, Director, NRR from Troy B. Conner, Jr., Counsel for the Applicant, Subject: In the Matter of the Cincinnati Gas and Electric Company, et. al. (Wm. H. Zimmer Nuclear Power Station) dated October 18, 1984 - Accession No. 8410220018
9. Letter to J. R. Schott, Cincinnati Gas and Electric Company from C. J. Paperiello, Chief, Emergency Preparedness and Radiological Branch dated January 11, 1985 - Accession No. 850201066
10. Letter from J. R. Schott, Cincinnati Gas and Electric Company to B. J. Youngblood, Chief, Licensing Branch No. 1, dated May 11, 1985 - Accession No. 8405180047

APPENDIX D

11. Letter to W. H. Dickhoner, Cincinnati Gas and Electric from Hugh L. Thompson, Director, Division of Licensing, Subject: Revocation of Construction Permit No. CPPR-88 - Wm. H. Zimmer Nuclear Power Station, Unit 1, dated May 16, 1985 - Accession No. 8506040561
12. Letter to NRC from PSE&G, Subject: Withdrawal of Hope Creek Unit 2 Construction Permit, dated December 29, 1981 - Accession No. 8112310271.
13. Letter to NRC from GSU, Subject: Forwards Amendment 1 to application for Operation license and report on termination of construction activities for River Bend Station Unit 2, dated June 29, 1984 - Accession No. 8401100330
14. Letter to NRC from GSU, Subject: Informs NRC of GSU's Board of Directors decision not to build River Bend Station Unit 2, dated January 10, 1984 - Accession No. 8401100146
15. Letter to H. Denton from Booker, Subject: Assessment of impacts on structures adjacent to River Bend Unit 2 Excavation dated February 7, 1984 - Accession No. 8403010321
16. Letter to NRC from Schiff, Hardin and Waite, Subject: Motion to terminate proceedings with a notice of filing and certificate of service for Clinton Nuclear Station Unit 2, dated May 17, 1985 - Accession No. 8505200679
17. Letter to NRC, Subject: Clinton Power Station Unit 2 Construction Permit No. CPPR-138 Withdrawal, dated April 9, 1985 - Accession No. 8504120244.

APPENDIX E

1. 04/09/84 Memo to B. J. Youngblood from R. L. Ballard, Subject: Comments on Termination of the Zimmer Project. (3 pages)
2. 05/03/84 Letter to Jim Schott, Cincinnati Gas and Electric Company from B. J. Youngblood, Chief, Licensing Branch No. 1, Division of Licensing, Subject: Request for Additional Information for Environmental Review of Applicant's Request to Withdraw the Zimmer OL Application. (4 pages)
3. 06/20/84 Memorandum for B. J. Youngblood, Chief, Licensing Branch No. 1, DL from Ronald L. Ballard, Chief, Environmental and Hydrologic Engineering Branch, DE, Subject: Environmental Review of Applicant's Request to Withdraw the Zimmer OL Application. (2 pages)
4. 07/05/84 Memorandum for S. Treby, Assistant Chief, Hearing Counsel, OELD from B. J. Youngblood, Chief, Licensing Branch No. 1, DL, Subject: Environmental Aspects of Cincinnati Gas and Electric Company's (CG&E) Request to Withdraw the Zimmer OL Application. (3 pages)
5. 08/29/84 Memorandum and Order (Ruling on Applicant's Motion to Withdraw Application issued by the ASLR on August 29, 1984, In the Matter of The Cincinnati Gas and Electric Company, et. al., (Wm. H. Zimmer Nuclear Power Station, Unit 1). (8 pages)
6. 09/11/84 Note to Harold R. Denton from James p. Murray, Subject: Zimmer OL Application. (1 page)
7. 10/03/84 Memorandum for D. G. Eisenhut, Director, NRR from L. L. Kintner, Project Manager, Licensing Branch No. 1, DL, Subject: Plan for Action for Withdrawal of Zimmer OL Application and Cancellation of Construction Permit. (7 pages)
8. 10/08/84 Letter to L. Kintner from G. C. Ficke, Subject: Identification of Remaining NRC Licenses. (1 page)
9. 10/31/84 Letter to James R. Schott, Cincinnati Gas and Electric Company signed by Frank J. Miraglia, Subject: SALR Order Authorizing Withdrawal of Application for Operating License - Wm. H. Zimmer Nuclear Power Station, Unit 1, Enclosure: Federal Register Notice. (6 pages)
10. 11/02/84 Memo to NRR Mgt. from L. L. Kintner; Subject: Daily Highlight. (1 page)
11. 11/02/84 Memo to Docketing and Service Branch from NRR, Subject: Notice of Withdrawal of Application for Operating License and Termination of Proceeding. (2 pages)

APPENDIX E

12. 01/11/85 Letter to NMSS from J. D. Flynn, Subject: Request that Zimmer Special Nuclear Material License SNM-1823 be terminated. (15 pages)
13. 01/25/85 Memo to E. Adensam from R. L. Ballard, Subject: Environmental Inspection of Zimmer NPP Site. (1 page)
14. 02/25/85 Memo to W. Crow from C. J. Paperiello, Subject: Confirmatory Survey and License Terminator 2/25/85, SNM-1823. (20 pages)
15. 03/14/85 Letter to J. D. Flynn from W. T. Crow, Subject: Termination of Materials License No. SNM-1823. (2 pages)
16. 05/07/85 Region III Outgoing Transmission Service Request to Les Kintner from Barbara Schnulle, Subject: Amendment No. 11 - Lic. No. 34-07251-04 (Termination). (2 pages)
17. 05/07/85 Note to Harold R. Denton, Director, NRR from Hugh L. Thompson, Jr., Director, DL, NRR. (1 page)

CLINCH RIVER

18. 03/23/84 Note for T. King, CRBR Program Office, from R. L. Ballard, DE, Subject: Contact Point for Clinch River Breeder Reactor Site Redress. (1 page)
19. 04/30/84 Memo for T. King, CRBR Program Office, from R. L. Ballard, DE, Subject: Review of Proposed Clinch River Breeder Reactor (CRBR) Site Redress Plan. (2 pages)
20. 02/21/85 Note for T. King, DST/NRR, and G. LaRoche, DE/NRR, from S. Turk, OELD, Subject: Board questions on Clinch River Site Redress. (1 page)
21. Undated Drawing - Location of Rare & Unusual Plant Species, Clinch River Breeder Reactor Plant. (1 page)

MARBLE HILL

22. 04/01/85 Memo for B. J. Youngblood, DL, from R. Ballard, DE, Subject: Marble Hill Site Stabilization Plan and Surrender of Construction Permit. (2 pages)

CHEROKEE

23. 11/03/83 Memo for H. Rood, DL, from R. Ballard, DE, Subject: Return of CP's for Cherokee. (3 pages)

APPENDIX E

CHEROKEE - (CONTINUED)

24. 05/24/81 Memo for G. Knighton, DL, from R. Ballard, DE, Subject: Cherokee Cancellation - Site Stabilization Plan (TAC #54651). (4 pages)
25. Undated Figure 1 - Areas Disturbed During Construction, Duke Power Company, Cherokee Nuclear Station. (1 page)
26. Undated Figure 2 - Existing Plant Structures and Construction Facilities, Duke Power Company, Cherokee Nuclear Station. (1 page)

HARTSVILLE AND PHIPPS BEND

27. 12/08/82 Memo for A. Schwencer, DL, from R. Ballard, DE, Subject: Procedure for Cancelling CP's for Hartsville B, 1 and 2, and Phipps Bend 1 and 2 NPP. (2 pages)

BLACK FOX

28. 10/28/83 Letter to J. B. West, Public Service Company of Oklahoma, from G. LaRoche, DE, Subject: Proposed Site Visit (Black Fox) - to observe implementation of soil stabilization & erosion control plan. (1 page)
29. 02/01/84 Memo for E. Adensam, DL, from R. Ballard, DE, Subject: Inspection of Black Fox Erosion Control Plan's Execution. (4 pages)

RAILLY

30. 02/03/82 Memo for D. Lynch, DL, from R. Ballard, DE, Subject: Environmental Engineering Branch Review of Redress of Raily Site. (4 pages)

CLINTON

31. 04/19/85 Description (list) of General Plan View of site (Photos of Clinton Unit 2 excavation). (3 pages)
32. 05/31/82 Memo for W. Butler, DL, from R. Ballard, DE, Subject: Environmental Review of Applicant's Request to Withdraw the Clinton Unit 2 OL Application and the Withdrawal of Construction Permit No. CPPR-138. (2 pages)
33. 06/06/85 NRC Staff's Response to Applicant's Motion to Terminate Proceeding (Clinton Power Station, Unit 2). (15 pages)



## Nuclear Information and Resource Service

1346 Connecticut Avenue NW, 4th Floor, Washington, D.C. 20036 (202) 296-7552

May 8, 1985

James M. Felton, Director  
Division of Rules and Records  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

*July*  
**FREEDOM OF INFORMATION  
ACT REQUEST**

**FOIA-85-362**

*rec'd 5/16/85*

### FREEDOM OF INFORMATION ACT REQUEST

Dear Mr. Felton:

Pursuant to the Freedom of Information Act, 5 U.S.C. 522, as amended, the Nuclear Information and Resource Service requests the following documents regarding the redress of sites where nuclear plant construction has begun. Please consider "documents" to include reports, studies, test results, correspondence, memoranda, meeting notes, meeting minutes, working papers, graphs, charts, diagrams, notes and summaries of conversations and interviews, computer records, and any other forms of written communication, including internal NRC Staff memoranda. The documents are specifically requested from, but not limited to, the Office of the Executive Legal Director (OELD) and Office of Nuclear Reactor Regulation (NRR).

Pursuant to this request, please provide all documents prepared or utilized by, in the possession of, or routed through the NRC related to:

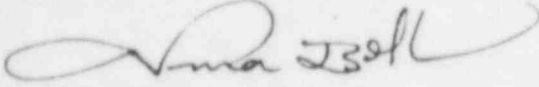
1. The desirability of voluntary or required redress of nuclear power plant sites where exploratory, excavation or construction work has taken place and construction is no longer contemplated, including the Clinch River Breeder Reactor, except those documents already part of NRC proceedings;
2. NRC's legal analysis of the need for site redress of such sites both with and without a current construction permit and with and without a Limited Work Authorization having been issued.

In our opinion, it is appropriate in this case for you to waive search charges, pursuant to 5 U.S.C. 552(a)(4)(A) "because furnishing the information can be considered as primarily benefiting the general public." The Nuclear Information and Resource Service is a non-profit organization serving local organizations concerned about nuclear power and providing information to the general public. Information required by 10 CFR 9.14a was provided by letter dated August 3, 1984.

*[Handwritten signature]*

- 2 -

Sincerely,

A handwritten signature in cursive script, appearing to read "Nina Bell". The signature is fluid and elegant, with a large initial "N" and a long, sweeping underline.

Nina Bell  
Assistant Director

cc: File