

April 16, 2002

Mr. Ross T. Ridenoure
Division Manager- Nuclear Operations
Omaha Public Power District
Fort Calhoun Station FC-2-4 Adm.
Post Office Box 550
Fort Calhoun, Nebraska 68023-0550

SUBJECT: DETERMINATION OF ACCEPTABILITY AND SUFFICIENCY FOR
DOCKETING, PROPOSED REVIEW SCHEDULE, AND OPPORTUNITY FOR A
HEARING REGARDING AN APPLICATION FROM THE OMAHA PUBLIC
POWER DISTRICT FOR RENEWAL OF THE OPERATING LICENSE FOR
FORT CALHOUN STATION, UNIT 1

Dear Mr. Ridenoure:

On January 11, 2002, the staff of the U.S. Nuclear Regulatory Commission (NRC) received the application for renewal of Operating License No. DPR-40 for Fort Calhoun Station, Unit 1 (FCS). Notice of receipt of the application was published in the *Federal Register* on February 12, 2002 (67 FR 6551).

The NRC staff has determined that the Omaha Public Power District has submitted sufficient information that is acceptable for docketing, in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c). However, the staff's determination does not preclude requests for additional information as the review proceeds.

This letter forwards the staff's safety and environmental review schedule for the FCS application (Enclosure 1). The NRC staff will follow established review procedures and the enclosed schedule to complete the environmental and safety reviews required by 10 CFR Parts 51 and 54, respectively. This schedule has been established in accordance with a 30-month review plan, which includes time for the conduct of a hearing should a hearing be requested and granted. Milestones for hearing activities are not included in the enclosed schedule because those dates are established by the Commission and the Atomic Safety and Licensing Board.

I would like to stress that this is a very ambitious schedule and the staff will make every effort to meet or exceed the milestones. We, therefore, request that you inform the staff as early as possible should potential delays arise in your support of the schedule.

R. Ridenoure

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Finally, we have also enclosed, for your information, a copy of the notice relating to your application that has been sent to the Office of the *Federal Register* for publication (Enclosure 2). This notice also provides, in accordance with the provisions of 10 CFR 2.105, the opportunity to request a hearing and to file a petition for leave to intervene.

Please note that the above referenced notice is a correction to a notice published in the *Federal Register* on April 16, 2002 (67 FR 18639). This notice is also enclosed (Enclosure 3).

If you have any questions on this matter, please contact William Burton, the license renewal Project Manager for the FCS application, at 301-415-2853.

Sincerely,

Original Signed By: PTKuo

Pao-Tsin Kuo, Program Director

License Renewal and Environmental Impacts

Division of Regulatory Improvement Programs

Office of Nuclear Reactor Regulation

Docket No. 50-285

Enclosures: As stated

cc w/enclosures: See next page

R. Ridenoure

-2-

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Sincerely,
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Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No. 50-285

Enclosures: As stated

cc w/enclosures: See next page

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NAME	E. Hylton*		S. Mitra*		W. Burton*		S.Babrach*		P.T. Kuo*	
DATE	04/15/02		04/11/02		04/15/02		04/16/02		04/16/02	

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R. Ridenoure

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G. Galletti

B. Thomas

R. Architzel

J. Moore

R. Weisman

M. Mayfield

A. Murphy

W. McDowell

S. Droggitis

S. Duraiswamy

RLEP Staff

Fort Calhoun Station License Renewal Application

Review Schedule

MILESTONE	TARGET DATE
Receive License Renewal Application	01/11/02
FRN published for receipt & acceptability review	02/12/02
Press Release describing FRN	02/13/02
FRN published describing acc./rejection	04/16/02
FRN published for opportunity for hearing	04/16/02
FRN published for Intent/Env Scoping mtg	05/10/02
Deadline for Filing Hearing Requests and Petitions for Intervention	05/22/02
Environmental Scoping Meeting	06/18/02
EIS Scoping Period Ends	07/10/02
Scoping and Screening Methodology Audit Complete	07/16/02
Env. RAls Issued to Applicant	08/02/02
Env. RAls Responses Issued to NRC	09/27/02
Safety RAls issued by RLSB	10/09/02
Responses to Safety RAls received	12/22/02
Draft SEIS to EPA, Issue Notice of Availability	01/17/03
Scoping Inspection Complete	01/20/03
Public Meeting to Discuss DEIS	02/26/03
AMR Inspection Complete	03/20/03
End of DEIS Comment Period	04/10/03
SER w/OI issued by RLSB	04/21/03
ACRS Subcommittee on SER OI	05/18/03
ACRS Full committee on SER OI	06/02/03
Responses to SER OI received	07/05/03
Optional Final Inspection complete	08/14/03
Final SEIS issued to EPA/Issue Notice of Availability	08/15/03
SER issued by RLSB	09/19/03
Regional Administrator's Letter	10/01/03
ACRS Subcommittee on SER	10/16/03
ACRS Full committee on SER	10/30/03
SER issued as NUREG	11/03/03
ACRS Letter	11/14/03
Commission Paper W/Staff Recommendations	05/07/04
Commission Decision	08/09/04

UNITED STATES NUCLEAR REGULATORY COMMISSION

OMAHA PUBLIC POWER DISTRICT(OPPD)

FORT CALHOUN STATION, UNIT 1

NOTICE OF ACCEPTANCE FOR DOCKETING OF THE APPLICATION

AND NOTICE OF OPPORTUNITY FOR A HEARING REGARDING RENEWAL OF LICENSE

No. DPR-40

FOR AN ADDITIONAL TWENTY-YEAR PERIOD: CORRECTION

The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering an application for the renewal of Operating License No. DPR-40, which authorizes the Omaha Public Power District to operate Fort Calhoun Station, Unit 1 (FCS), at 1500 megawatts thermal. The renewed license would authorize the applicant to operate FCS for an additional 20 years beyond the period specified in the current license or forty years from the date of issuance of the new license, whichever occurs first. The current operating license for FCS expires on August 9, 2013.

The Omaha Public Power District submitted an application to renew the operating license for FCS, on January 11, 2002. A Notice of Receipt of Application, "Omaha Public Power District (OPPD), Fort Calhoun Station, Unit 1; Notice of Receipt of Application for Renewal of Facility Operating License No. DPR-40 for an Additional 20-Year Period," was published in the *Federal Register* on February 12, 2002 (67 FR 6551).

The NRC staff has determined that the Omaha Public Power District has submitted information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is complete and acceptable for docketing. The current Docket No. 50-285 for

Enclosure 2

Operating License No. DPR-40, will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

This notice is also being issued as a correction to an earlier notice entitled "Omaha Public Power District (OPPD), Fort Calhoun Station, Unit 1; Notice of Receipt of Application for Renewal of Facility Operating License No. DPR-40 for an Additional 20-Year Period," issued on April 16, 2002 (67 FR 18639). The earlier notice contained an incorrect title and date. This notice provides the correct title as set forth in the heading of this document, and allows stakeholders until May 22, 2002 to file a request for hearing and a petition for leave to intervene (see below).

Before issuance of each requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the NRC's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis (CLB) and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants" (May 1996). Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future *Federal Register* notice. The Commission also intends to hold public meetings to discuss the license renewal process and the schedule for conducting the review. The Commission will provide prior notice of these meetings. As discussed further herein, in the event that a hearing is held, issues that may be litigated will be confined to those pertinent to the foregoing.

By May 22, 2002, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the licenses in accordance with the provisions of 10 CFR 2.714. Interested persons should consult a current copy of 10 CFR 2.714, which is available at the Commission's Public Document Room, 11555 Rockville Pike (first floor) Rockville, Maryland, and on the NRC Web site at <http://www.nrc.gov> (the Electronic Reading Room). If a request for a hearing or a petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request(s) and/or petition(s), and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed by the above date, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR Parts 51 and 54, renew the licenses without further notice.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR Parts 51 and 54. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest. The petition must also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the board up to 15 days before the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days before the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene that must include a list of the contentions that the petitioner seeks to have litigated in the hearing. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the expert opinion that supports the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petitioner must provide sufficient information to show that a genuine dispute exists with the

applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one that, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement that satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

Requests for a hearing and petitions for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852-2738, by the above date. A copy of the request for a hearing and the petition to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Mr. Ross T. Ridenoure, Division Manager - Nuclear Operations, Omaha Public Power District, Fort Calhoun Station FC-2-4 Adm, Post Office Box 550, Fort Calhoun, Nebraska, 68023-0550.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions, and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

Detailed information about the license renewal process can be found under the nuclear reactors' icon of the NRC's Web page at <http://www.nrc.gov>.

A copy of the application is available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or on the NRC Web site from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The staff has verified that a copy of the license renewal application for Fort Calhoun Station, Unit 1 has been provided to the Blair Public Library located in Blair, Nebraska, and the W. Dale Clark Library in Omaha, Nebraska.

Dated at Rockville, Maryland, this 16th day of April, 2002.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By: PTKuo

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

<PRE>

[Federal Register: April 16, 2002 (Volume 67, Number 73)]

[Notices]

[Page 18639-18640]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-285]

Omaha Public Power District (OPPD), Fort Calhoun Station, Unit 1;
Notice of Receipt of Application for Renewal of Facility Operating
License No. DPR-40 for an Additional 20-Year Period

The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering an application for the renewal of Operating License No. DPR-40, which authorizes the Omaha Public Power District to operate Fort Calhoun Station, Unit 1 (FCS), at 1500 megawatts thermal. The renewed license would authorize the applicant to operate FCS for an additional 20 years beyond the period specified in the current license or forty years from the date of issuance of the new license, whichever occurs first. The current operating license for FCS expires on August 9, 2013.

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The NRC staff has determined that the Omaha Public Power District has submitted information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is complete and acceptable for docketing. The current Docket No. 50-285 for Operating License No. DPR-40, will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of each requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the NRC's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed license will continue to

be conducted in accordance with the current licensing basis (CLB) and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants" (May 1996). Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future Federal Register notice. The

[[Page 18640]]

Commission also intends to hold public meetings to discuss the license renewal process and the schedule for conducting the review. The Commission will provide prior notice of these meetings. As discussed further herein, in the event that a hearing is held, issues that may be litigated will be confined to those pertinent to the foregoing.

By May 15, 2002, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the licenses in accordance with the provisions of 10 CFR 2.714. Interested persons should consult a current copy of 10 CFR 2.714, which is available at the Commission's Public Document Room, 11555 Rockville Pike (first floor) Rockville, Maryland, and on the NRC Web site at http://www.nrc.gov (the Electronic Reading Room). If a request for a hearing or a petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request(s) and/or petition(s), and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed by the above date, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR parts 51 and 54, renew the licenses without further notice.

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Requests for a hearing and petitions for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852-2738, by the above date. A copy of the request for a hearing and the petition to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Mr. Ross T. Ridenoure, Division Manager--Nuclear Operations, Omaha Public Power District, Fort Calhoun Station FC-2-4 Adm, Post Office Box 550, Fort Calhoun, Nebraska, 68023-0550.

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from the NRC Web site at <A
HREF="http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=leavingFR.html&log=linklog&t
o=http://www.nrc.gov/reading-rm/adams.html">http://www.nrc.gov/reading-rm/adams.html.

The
staff has verified that a copy of the license renewal application for
Fort Calhoun Station, Unit 1 has been provided to the Blair Public
Library located in Blair, Nebraska, and the W. Dale Clark Library in
Omaha, Nebraska.

Dated at Rockville, Maryland, the 11th day of February 2002.

For the Nuclear Regulatory Commission.
Pao-Tsin Kuo,
Program Director, License Renewal and Environmental Impacts, Division
of Regulatory Improvement Programs, Office of Nuclear Reactor
Regulation.
[FR Doc. 02-9189 Filed 4-15-02; 8:45 am]
BILLING CODE 7590-01-P

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