

September 13, 1991

Docket No. 50-331

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Mr. Lee Liu
Chairman of the Board and
Chief Executive Officer
Iowa Electric Light and Power Company
Post Office Box 351
Cedar Rapids, Iowa 52406

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ACRS(10) DHagan
CGrimes DRP, Region III

Dear Mr. Liu:

SUBJECT: AMENDMENT NO. 176 TO FACILITY OPERATING LICENSE NO. DPR-49
(TAC NO. 81054)

The Commission has issued the enclosed Amendment No. 176 to Facility Operating License No. DPR-49 for the Duane Arnold Energy Center. This amendment consists of changes to the Operating License in response to your application dated April 1, 1991.

The amendment revises License Condition 2.B(4) by replacing the numerical limits for special nuclear material, source, and byproduct materials with a more generalized description. Condition 2.B(5) is deleted, and Condition 2.B(6) is renumbered 2.B(5).

A copy of the related Safety Evaluation is also enclosed. Notice of issuance will be included in the Commission's next biweekly Federal Register notice.

Sincerely,

Original Signed By:

Clyde Y. Shiraki, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No. 176 to License No. DPR-49
- 2. Safety Evaluation

cc w/enclosures:
See next page

LA: PDIII-3:DRPW
PKreutzer
8/11/91

PM: PDIII-3:DRPW
CShiraki:rc
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DOCUMENT NAME: 81054 AMD

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OGC Conference
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NRC to issue permit
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Subject to PDR
NOT TO ISSUE PER
REGISTRATION OF
SHIRAKI NOTICE
8/10/91

Mr. Lee Liu
Iowa Electric Light and Power Company

Duane Arnold Energy Center

cc:

Jack Newman, Esquire
Kathleen H. Shea, Esquire
Newman and Holtzinger
1615 L Street, N.W.
Washington, D.C. 20036

Chairman, Linn County
Board of Supervisors
Cedar Rapids, Iowa 52406

Iowa Electric Light and Power Company
ATTN: David L. Wilson
Post Office Box 351
Cedar Rapids, Iowa 52406

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
Rural Route #1
Palo, Iowa 52324

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Mr. John A. Eure
Assistant to the Division Director
for Environmental Health
Iowa Department of Public Health
Lucas State Office Building
Des Moines, Iowa 50319



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

IOWA ELECTRIC LIGHT AND POWER COMPANY
CENTRAL IOWA POWER COOPERATIVE
CORN BELT POWER COOPERATIVE

DOCKET NO. 50-331

DUANE ARNOLD ENERGY CENTER

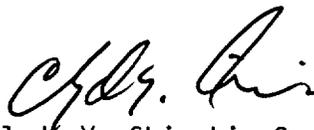
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 176
License No. DPR-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Iowa Electric Light and Power Company, et al., dated April 1, 1991, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, Facility Operating License No. DPR-49 is hereby amended as follows:
 - a. Revise paragraph 2.B(4) to read:
 - (4) IELP, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated radioactive apparatus components.
 - b. Delete paragraph 2.B(5) and renumber paragraph 2.B(6) accordingly.

3. The license amendment is effective as of the date of issuance and shall be implemented within 30 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Clyde Y. Shiraki, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Attachment:
Revised Page 3 to DPR-49

Date of issuance: September 13, 1991

- (2) IELP, pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended as of January 1, 1975 and as supplemented and amended by letters dated October 13, 1977, December 20, 1977, March 14, 1978, May 11, 1978, May 15, 1978, June 6, 1978 and June 19, 1978, and June 29, 1978.
 - (3) IELP, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (4) IELP, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated radioactive apparatus components.
 - (5) IELP, pursuant to the Act and 10 CFR Parts 30 and 70, to possess but not to separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
- C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I; Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

Maximum Power Level

- (1) IEL&P is authorized to operate the Duane Arnold Energy Center at steady state reactor core power levels not in excess of 1658 megawatts (thermal).
- (2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 176 TO FACILITY OPERATING LICENSE NO. DPR-49

IOWA ELECTRIC LIGHT AND POWER COMPANY
CENTRAL IOWA POWER COOPERATIVE
CORN BELT POWER COOPERATIVE

DUANE ARNOLD ENERGY CENTER

DOCKET NO. 50-331

1.0 INTRODUCTION

By letter dated April 1, 1991, Iowa Electric Light and Power Company (IELP), the licensee, submitted an amendment request for Facility Operating License No. DPR-49, which revised the numerical limits for special nuclear material, source, and byproduct material by replacing them with a more generalized description.

2.0 EVALUATION

In a letter from the Atomic Energy Commission to Iowa Electric Light and Power Company dated December 16, 1974, the Commission recommended changes to existing Operating Licenses. Specifically, the Commission noted that a more generalized license provision regarding the possession of source, byproduct and special nuclear material rather than a separate listing of each item, would eliminate frequent license amendments for any change in licensed materials. Amendment 9 to Facility Operating License DPR-49, issued June 3, 1975, incorporated this more generalized approach.

Subsequent to the issuance of Amendment 9, the Commission recommended an even more generalized approach to license provisions concerning the possession of source, byproduct, and special nuclear materials. This new approach eliminated altogether the numerical possession limits contained in the license and remains the standard for possession license provision.

The proposed change to DAEC's operating license would incorporate the now-standard wording regarding the receipt, possession and use of byproduct, source and special nuclear materials.

In their submittal dated April 1, 1991, Iowa Electric Light and Power Company proposed replacing sections 2.B(4) and 2.B(5) of the DAEC operating license with the now-standard wording regarding the possession of byproduct, source and special nuclear material. Currently, section 2.B(4) limits the

amount of byproduct material which may be possessed for use in sample analysis or instrument calibration or associated with radioactively contaminated apparatus to 100 millicuries of each material. Section 2.B(5) currently limits the amount of source or special nuclear material which may be possessed for use in sample analysis or instrument calibration or associated with radioactively contaminated apparatus to 100 milligrams of each material.

The requested change would delete these two requirements and replace them with one section which allows the receipt, possession and use of byproduct, source and special nuclear material in amounts as required. This revised wording is identical to that used for licenses issued after approximately 1975.

The staff has reviewed the revised license language and finds that it provides the degree of specificity necessary to assure that plant activities can be conducted without endangering the health and safety of the public. The changes simplify the language and help to avoid unnecessary license amendments in the future. The staff concludes that the revised wording provides reasonable assurance that radioactive material will be received, stored and used in a manner necessary to meet the applicable provisions of 10 CFR Parts 30, 40 and 70. Therefore, the staff finds the proposed amendment to be acceptable.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Iowa State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATIONS

This amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 or changes a surveillance requirement. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration and there has been no public comment on such finding (56 FR 37586). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

5.0 CONCLUSION

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be

conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Clyde Y. Shiraki

Date: September 13, 1991