February 26, 2003

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

SUBJECT: FORT CALHOUN STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE: RELOCATION OF TECHNICAL SPECIFICATION 3.5(5), REQUIREMENTS FOR TESTING PRESTRESSED CONCRETE CONTAINMENT TENDONS, TO THE UPDATED SAFETY ANALYSIS REPORT (TAC NO. MB6472)

Dear Mr. Ridenoure:

The Commission has issued the enclosed Amendment No. 216 to Facility Operating License No. DPR-40 for the Fort Calhoun Station, Unit No. 1. The amendment consists of changes to the technical specifications (TSs) in response to your application dated October 8, 2002.

The amendment relocates the requirements of TS 3.5(5) for testing prestressed concrete containment tendons to the Fort Calhoun Station Unit 1 (FCS) Updated Safety Analysis Report (USAR). Relocation of these requirements to the FCS USAR assures that future changes to the requirements for testing prestressed concrete containment tendons will be subject to the provisions of 10 CFR 50.59. The amendment also adds the requirement for a Containment Tendon Testing Program (TS 5.21).

A copy of the related Safety Evaluation is enclosed. The Notice of Issuance will be included in the Commission's next regular biweekly *Federal Register* notice.

Sincerely,

/RA by Alan Wang for/
Brian Benney, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-285

Enclosures: 1. Amendment No. 216 to DPR-40
2. Safety Evaluation

cc w/encls: See next page

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OMAHA PUBLIC POWER DISTRICT

DOCKET NO. 50-285

FORT CALHOUN STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.216
License No. DPR-40

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by the Omaha Public Power District (the licensee) dated October 8, 2002, 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 license 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-40 is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B. of Facility Operating License No. DPR-40 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 216, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. The license amendment is effective as of its date of issuance and shall be implemented within 120 days from the date of issuance, including the incorporation of the containment tendons testing requirements into the Updated Safety Analysis Report.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Stephen Dembek, Chief, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: February 26, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 126

FACILITY OPERATING LICENSE NO. DPR-40

DOCKET NO. 50-285

Replace the following pages of Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain vertical lines indicating the areas of change.

REMOVE	INSERT
3-38	3-38
3-45	---
3-46	---
3-47	---
3-48	---
3-49	---
3-50	---
3-51	3-51
3-52	3-52
3-53	---
5-5	5-5
5-7	5-7
5-18	5-18

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 126 TO FACILITY OPERATING LICENSE NO. DPR-40

OMAHA PUBLIC POWER DISTRICT

FORT CALHOUN STATION, UNIT NO. 1

DOCKET NO. 50-285

1.0 INTRODUCTION

By letter dated October 8, 2002, Omaha Public Power District (the licensee) requested an amendment to the Technical Specifications (TSs) appended to Facility Operating License No. DPR-40 for Fort Calhoun Station, Unit No. 1 (FCS). The proposed amendment would delete all sections of existing TS 3.5(5), “Surveillance for Prestressing System," and its associated Bases. These requirements have been incorporated in the licensee's Updated Safety Analysis Report (USAR). The licensee stated that the TS did not meet any of the criteria in 10 CFR 50.36 for retention in the TSs and is not addressed in NUREG-1432, Revision 2, "Improved Standard Technical Specifications (ITS) for Combustion Engineering Plants."

The proposed amendment adds a TS requirement for the Containment Tendon Testing Program as TS 5.21 consistent with that presented in Section 5.5 of NUREG-1432, Revision 2.

The amendment relocates the requirements of TS 3.5(5) for testing Prestressed Concrete Containment Tendons to the FCS USAR. The licensee stated that these actions would assure that the prestressed concrete containment testing requirements would continue to be controlled in accordance with the requirements of 10 CFR 50.59.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act requires applicants for nuclear power plant operating licenses to state TSs to be included as part of the license. The Commission's regulatory requirements related to the contents of TSs are set forth in 10 CFR 50.36. That regulation requires that the TSs include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TSs.

The regulations in 10 CFR 50.36 identify four criteria to be used in determining whether particular safety functions are required to be included in the TSs, as follows:

(1) Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary;

(2) A process variable, design feature, or operating restriction that is an initial condition of a design-basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier;

(3) A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design-basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier; and

(4) A structure, system, or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

As a result, existing TS requirements that fall within or satisfy any of the criteria in this regulation must be retained in the TSs, while those TS requirements that do not fall within or satisfy these criteria may be relocated to other licensee-controlled documents.

3.0 TECHNICAL EVALUATION

3.1 Discussion

TS 3.5(5) discusses the selection, inspection, tests, acceptance criteria, corrective action and reporting, and test frequency for containment tendons. The testing of containment tendons is in accordance with ASME Boiler and Pressure Vessel Code, Section IX, Subsections IWE and IWL, as required by 10 CFR 50.55a. Therefore, this TS requirement is redundant to a current regulation.

3.2 Evaluation

The staff has evaluated the proposed deletion of the TS against the four criteria in 10 CFR 50.36 discussed in Section 2 above and determined that each of the four criteria is satisfied as follows:

(1) The requirements provided by TS 3.5(5), "Surveillance for Prestressing System," do not contain requirements for instrumentation used to detect and indicate in the control room, significant degradation of the reactor coolant pressure boundary. Therefore, Criterion I does not apply.

(2) TS 3.5(5) does not contain a process variable, design feature, or operating restriction that is an initial condition of a design-basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier. Therefore, Criterion 2 does not apply.

(3) TS 3.5(5) does not address structures, systems, or components that are part of the primary success path and do not function or actuate to mitigate a design-basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.

(4) The risk to the health and safety of the public as a result of relocating requirements of TS 3.5(5) for testing prestressed concrete containment tendons to the FCS USAR is minimal. The amendment adds a TS requirement for a containment tendon testing program as TS 5.21, and 10 CFR 50.55a specifies testing of containment tendons in accordance with the ASME Boiler and Pressure Vessel Code. The licensee will continue to control its Containment Tendon Testing Program in accordance with these requirements, which have been incorporated in administratively controlled procedures, subject to the change provisions of 10 CFR 50.59.

Accordingly, the staff has concluded that the requirements for TS 3.5(5), "Surveillance for Prestressing System," and its Bases do not meet the 10 CFR 50.36 criteria. Therefore, the staff finds the proposed deletion of the TS 3.5(5) requirements to be acceptable. The requirements will be incorporated into the FCS USAR. Subsequent changes to the requirements will be subject to the provisions of 10 CFR 50.59.

In summary, the staff has determined that the requirements proposed to be deleted are not required to be in the TSs under 10 CFR 50.36. In addition, with the incorporation of the requirements into the FCS USAR, the staff finds that sufficient regulatory controls exist under 10 CFR 50.59 to ensure that any future changes to the requirements that constitute an unreviewed safety question will be subject to NRC review and approval prior to implementation.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment 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 (67 FR 67841). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). This amendment also involves changes in recordkeeping, reporting or administrative procedures or requirements. Accordingly, with respect to these items, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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.

6.0 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: Brian Benney

Date: February 26, 2003