

November 4, 2003

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

SUBJECT: ISSUANCE OF RENEWED FACILITY OPERATING LICENSE NO. DPR-40 FOR
FORT CALHOUN STATION, UNIT 1

Dear Mr. Ridenoure:

The U.S. Nuclear Regulatory Commission (NRC) has issued Renewed Facility Operating License No. DPR-40 (Enclosure 1), for the Fort Calhoun Station, Unit 1 (Fort Calhoun, Unit 1). The renewed facility operating license has been issued on the basis of our review of your application dated January 9 and April 5, 2002, as supplemented by letters dated November 22, 2002 (two letters), December 12, 2002, December 19, 2002 (two letters), March 14, 2003, April 4, 2003, May 16, 2003, and July 7, 2003. The Technical Specifications for Fort Calhoun, Unit 1, were not amended as a result of our review.

Enclosure 1 contains Renewed Facility Operating License No. DPR-40 with two attachments: (1) Appendix A, "Technical Specifications", and (2) Appendix B, "Additional Conditions."

Renewed Facility Operating License No. DPR-40 (the renewed license for Fort Calhoun, Unit 1) expires at midnight, August 9, 2033.

The technical basis for issuing the renewed license is set forth in NUREG-1782, "Safety Evaluation Report Related to the License Renewal of Fort Calhoun Station, Unit 1," dated October, 2003. The results of the environmental reviews related to the issuance of the renewed license are contained in NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 12, Regarding Fort Calhoun Unit 1," dated August 15, 2003.

R.T. Ridenoure

- 2 -

Enclosure 2 is a copy of the related *Federal Register* notice of issuance of the renewed license. The original has been sent to the Office of the Federal Register for publication.

Sincerely,
/RA/

Raj K. Anand, Project Manager
License Renewal Section A
License Renewal and Environmental Impacts Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No.: 50-285

Enclosures: 1. Renewed Facility Operating License No. DPR-40
2. *Federal Register* Notice

cc w/encls (w/o Attachments to Operating License): See next page

R.T. Ridenoure

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Raj K. Anand, Project Manager
License Renewal Section A
License Renewal and Environmental Impacts Program
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Docket No.: 50-285

Enclosures: 1. Renewed Facility Operating License No. DPR-40
2. *Federal Register* Notice

cc w/encls (w/o Attachments to Operating License): See next page

DISTRIBUTION:

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ACCESSION NO.:

1. Ltr. to R.T. Ridenoure w/Operating License DPR-40, FRN: **ML033040033**

*See previous concurrence

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DISTRIBUTION: Issuance of Renewed Facility Operating License Re: Ft. Calhoun,
Dated: November 4, 2003

ML033040033

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Because the Technical Specifications for Fort Calhoun, Unit 1 are being reissued with the renewed license, only Omaha Public Power District will receive the package with the Technical Specifications attached. If a hard copy of the Technical Specifications is needed, they can be retrieved from ADAMS, or by contacting the Project Manager, Alan Wang at 301-415-1445.

OMAHA PUBLIC POWER DISTRICT

DOCKET NO. 50-285

FORT CALHOUN STATION, UNIT 1

RENEWED FACILITY OPERATING LICENSE NO. DPR-40

1. The U.S. Nuclear Regulatory Commission (the Commission) having previously made the findings set forth in License No. DPR-40 issued August 9, 1973, has now found that:
 - A. The application to renew License No. DPR-40 filed by Omaha Public Power District (the licensee) 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 1, and all required notifications to other agencies or bodies have been duly made;
 - B. 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 to require review under 10 CFR 54.21(a)(1), and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by this renewed license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for Fort Calhoun Station, Unit No. 1, and that any changes made to the plant's current licensing basis in order to comply with 10 CFR 54.29(a) are in accord with the Act and the Commission's regulations;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - D. There is reasonable assurance: (1) that the activities authorized by this renewed license can be conducted without endangering the health and safety of the public, and (2) that such activities will be conducted in compliance with the rules and regulations of the Commission;
 - E. Omaha Public Power District is technically qualified and financially qualified to engage in the activities authorized by this renewed license in accordance with the rules and regulations of the Commission;
 - F. Omaha Public Power District has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - G. The issuance of this renewed license will not be inimical to the common defense and security or to the health and safety of the public;

- H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental costs and considering available alternatives, the Commission concludes that the issuance of Renewed Operating License No. DPR-40 is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. The receipt, possession, and use of source, byproduct, and special nuclear material as authorized by the renewed license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including but not necessarily limited to 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.
2. On the basis of the forgoing findings regarding this facility, Facility Operating License No. DPR-40, issued August 9, 1973, is superseded by Renewed Facility Operating License No. DPR-40, which is hereby issued to the Omaha Public Power District, to read as follows:
- A. This renewed license applies to the Fort Calhoun Station, Unit 1, a pressurized water nuclear reactor and associated equipment (the facility), which is owned by the Omaha Public Power District. The facility is located in Washington County, Nebraska, and is described in the Updated Safety Analysis Report as supplemented and amended and the Environmental Report as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Omaha Public Power District:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location in Washington County, Nebraska in accordance with the procedures and limitations set forth in this renewed license;
 - (2) Pursuant to the Act and 10 CFR Parts 40 and 70, to receive, possess, and use at any time source and special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Updated Safety Analysis Report, as supplemented and amended;
 - (3) 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) 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 when associated with radioactive apparatus or components;
 - (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by operation of the facility.
3. This renewed license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter 1: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Section 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and 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:
 - A. Maximum Power Level

Omaha Public Power District is authorized to operate the Fort Calhoun Station, Unit 1, at steady state reactor core power levels not in excess of 1500 megawatts thermal (rated power).
 - B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 221, are hereby incorporated in the license. Omaha Public Power District shall operate the facility in accordance with the Technical Specifications.
 - C. Security and Safeguards Contingency Plans

The Omaha Public Power District shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Fort Calhoun Station Physical Security Plan," with revisions submitted through September 30, 1988; "Fort Calhoun Station Guard Training and Qualification Plan," with revisions submitted through August 17, 1979; and "Fort Calhoun Station Safeguards Contingency Plan," with revisions submitted through March 20, 1979. If certain security modifications are delayed beyond expectations of the schedule, approved compensatory measures must be implemented during the transition period.

D. Fire Protection Program

Omaha Public Power District shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Updated Safety Analysis Report for the facility and as approved in the NRC safety evaluation reports (SERs) dated February 14 and August 23, 1978; November 17, 1980; April 8 and August 12, 1982; July 3 and November 5, 1985; July 1, 1986; December 20, 1988; November 14, 1990; March 17, 1993; and January 14, 1994, subject to the following provision:

Omaha Public Power District may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

E. Updated Final Safety Analysis Report

The Omaha Public Power District Updated Final Safety Analysis Report supplement, submitted pursuant to 10 CFR 54.21(d), describes certain future activities to be completed prior to the period of extended operation. The Omaha Public Power District shall complete these activities no later than August 9, 2013, and shall notify the NRC in writing when implementation of these activities is complete and can be verified by NRC inspection.

The Updated Final Safety Analysis Report supplement, as revised, shall be included in the next scheduled update to the Updated Final Safety Analysis Report required by 10 CFR 50.71(e)(4) following issuance of this renewed license. Until that update is complete, the Omaha Public Power District may make changes to the programs and activities described in the supplement without prior Commission approval, provided that the Omaha Public Power District evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

F. Appendix B

The Additional Conditions contained in Appendix B, as revised through Amendment No. 181, are hereby incorporated into this license. Omaha Public Power District shall operate the facility in accordance with the Appendix B Additional Conditions.

4. This renewed license is effective as of the date of issuance and shall expire at midnight on August 9, 2033.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Attachments: 1. Appendix A - Technical Specifications
2. Appendix B - Additional Conditions

Date of Issuance: November 4, 2003

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 285OMAHA PUBLIC POWER DISTRICTFORT CALHOUN STATION, UNIT 1NOTICE OF ISSUANCE OF RENEWED FACILITYOPERATING LICENSE NO. DPR-40FOR AN ADDITIONAL 20-YEAR PERIOD

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Renewed Facility Operating License No. DPR-40 to Omaha Public Power District (the licensee), the operator of the Fort Calhoun Station, Unit 1 (Fort Calhoun, Unit 1). Renewed Facility Operating License No. DPR-40 authorizes operation of Fort Calhoun, Unit 1, by the licensee at reactor core power levels not in excess of 1500 megawatts thermal in accordance with the provisions of the Fort Calhoun, Unit 1, renewed license and its Technical Specifications.

Fort Calhoun, Unit 1, is a pressurized, light water moderated and cooled, nuclear reactor located in Washington County, Nebraska.

The application for the renewed license complied with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. As required by the Act and the Commission's regulations in 10 CFR Chapter 1, the Commission has made appropriate findings, which are set forth in each license. Prior public notice of the action involving the proposed issuance of the renewed license and of an opportunity for a hearing regarding the proposed issuance of the renewed license was published in the *Federal Register* on April 22, 2002 (67 FR 19599).

For further details with respect to this action, see (1) the Omaha Public Power District's renewal application for Fort Calhoun, Unit 1 dated January 9 and April 5, 2002, as supplemented by letters dated November 22, 2002 (two letters), December 12, 2002, December 19, 2002 (two letters), March 14, 2003, April 4, 2003, May 16, 2003, and July 7, 2003; (2) the Commission's safety evaluation report, dated October, 2003 (NUREG-1782); (3) the licensee's updated safety analysis report; and (4) the Commission's final environmental impact statements (NUREG-1437, Supplement 12, for Fort Calhoun, Unit 1, dated August 15, 2003). These documents are available at the NRC's Public Document Room, One White Flint North, 11555 Rockville Pike, first floor, Rockville, Maryland 20852, and can be viewed from the NRC Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>.

Copies of Renewed Facility Operating License No. DPR-40, may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Director, Division of Regulatory Improvement Programs. Copies of the safety evaluation report (NUREG- 1782), and the final environmental impact statements (NUREG-1437), Supplement 12, for Fort Calhoun, Unit 1 may be purchased from the National Technical Information Service, Springfield, Virginia 22161-0002 (<http://www.ntis.gov>), 1-800-553-6847, or the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954 (http://www.access.gpo.gov/su_docs), 202-512-1800. All orders

should clearly identify the NRC publication number and the requestor's Government Printing Office deposit account number or VISA or MasterCard number and expiration date.

Dated at Rockville, Maryland, this 4th day of November, 2003.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
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Ft. Calhoun Station, Unit 1

cc:

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