

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, UNIT1 - PUBLIC NOTICE OF APPLICATION FOR
AMENDMENT TO FACILITY OPERATING LICENSE (TAC NO. MC1949)

Dear Mr. Ridenoure:

The enclosed announcement was forwarded to the Omaha World-Herald for publication.
This announcement relates to your application dated February 6, 2004, for amendment to
Facility Operating License No. DPR-40. The proposed amendment will extend the effective full
implementation period to 120 days for Amendment 224 that was issued January 16, 2004.

Sincerely,

/RA/

Alan B. Wang, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-285

Enclosure: Public Notice

cc w/encl: See next page

February 9, 2004

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, UNIT1 - PUBLIC NOTICE OF APPLICATION FOR
AMENDMENT TO FACILITY OPERATING LICENSE (TAC NO. MC1949)

Dear Mr. Ridenoure:

The enclosed announcement was forwarded to the Omaha World-Herald for publication.
This announcement relates to your application dated February 6, 2004, for amendment to
Facility Operating License No. DPR-40. The proposed amendment will extend the effective full
implementation period to 120 days for Amendment 224 that was issued January 16, 2004.

Sincerely,

/RA/

Alan B. Wang, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-285

Enclosure: Public Notice

cc w/encl: See next page

DISTRIBUTION:

PUBLIC

PDIV-2 Reading

RidsNrrDlpmLpdiv (HBerkow)

RidsNrrPMAWang

RidsNrrLAEPeyton

RidsOgcRp

RidsAcrsAcnwMailCenter

RidsNrrDlpmDpr

RidsRgn4MailCenter (C. Johnson)

MShuaibi

ACCESSION NO.: ML040400333

NRR-106

OFFICE	PDIV-2/PM	PDIV-2/LA	PDIV-2/SC
NAME	AWang:esp	EPeyton	SDembek
DATE	2/9/04	2/9/04	2/9/04

DOCUMENT NAME: C:\ORPCheckout\FileNET\ML040400333.wpd

OFFICIAL RECORD COPY

Ft. Calhoun Station, Unit 1

cc:

Winston & Strawn
ATTN: James R. Curtiss, Esq.
1400 L Street, N.W.
Washington, DC 20005-3502

Chairman
Washington County Board of Supervisors
P.O. Box 466
Blair, NE 68008

Mr. John Kramer, Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 310
Fort Calhoun, NE 68023

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-4005

Ms. Sue Semerera, Section Administrator
Nebraska Health and Human Services
Systems
Division of Public Health Assurance
Consumer Services Section
301 Centennial Mall, South
P.O. Box 95007
Lincoln, NE 68509-5007

Mr. David J. Bannister, Manager
Fort Calhoun Station
Omaha Public Power District
Fort Calhoun Station FC-1-1 Plant
P.O. Box 550
Fort Calhoun, NE 68023-0550

Mr. John B. Herman
Manager - Nuclear Licensing
Omaha Public Power District
Fort Calhoun Station FC-2-4 Adm.
P.O. Box 550
Fort Calhoun, NE 68023-0550

Mr. Daniel K. McGhee
Bureau of Radiological Health
Iowa Department of Public Health
401 SW 7th Street, Suite D
Des Moines, IA 50309

Mr. Richard P. Clemens
Division Manager - Nuclear Assessments
Omaha Public Power District
Fort Calhoun Station
P.O. Box 550
Fort Calhoun, NE 68023-0550

PUBLIC NOTICE

NRC STAFF PROPOSES TO AMEND OPERATING LICENSE AT THE
FORT CALHOUN STATION, UNIT 1

The U.S. Nuclear Regulatory Commission (NRC) staff has received an application dated February 6, 2004, from Omaha Public Power District (OPPD), for an exigent amendment to the renewed operating license for the Fort Calhoun Station, Unit 1 (FCS), located in Washington County, Nebraska.

Amendment 224 of the FCS Unit 1 Renewed Facility Operating License DPR-40 was approved and issued by the NRC on January 16, 2004. This amendment approved a measurement uncertainty recapture (MUR) power uprate by revising the renewed operating license and the technical specifications to increase the licensed rated power by 1.6 percent from 1500 megawatts thermal (MWt) to 1524 MWt. The MUR power uprate at FCS is based on decreased instrument uncertainty provided in part by installation of a CROSSFLOW ultrasonic flow measurement system.

Included in the regulatory commitments section contained in the licensee's February 6, 2004, application was the following statement: "Modifications associated with the MUR power uprate will be completed prior to implementation." Because of unforeseen equipment problems, OPPD will be unable to complete all modifications associated with the MUR power uprate and comply with Item 3 (page 2) of Amendment 224, which states "The license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance."

OPPD has decided that the aforementioned problem must be resolved prior to declaring the CROSSFLOW modification complete and operable, and prior to raising reactor power from

1500 MWt to 1524 MWt. The problem is still unresolved at present; troubleshooting by the vendor and OPPD is ongoing, and OPPD will not be able to complete the CROSSFLOW modification prior to the end of the 30-day implementation period. OPPD's implementation plan for completing the MUR power uprate project called for completion well within 30 days of NRC approval. However, OPPD at that point did not know that the CROSSFLOW discrepancy could not be resolved within the implementation period and put the plant in a condition outside of its license. In order to allow ample time for identification and resolution of the problem's root cause, an extension of the implementation period to 120 days is being requested on an exigent basis so that the plant will remain within its license during the implementation of the Amendment 224.

The licensee and the NRC staff have evaluated this proposed change with regard to the determination of whether or not a significant hazards consideration is involved. Operation of FCS, in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed exigent amendment extends the implementation period specified in Item 3 of Amendment 224 and will allow OPPD to meet the regulatory commitment that modifications associated with the MUR power uprate will be completed prior to implementation. The proposed amendment has no technical or safety aspects.

The proposed amendment will not create the possibility of a new or different kind of accident from any previously analyzed. The proposed exigent amendment extends the implementation period specified in Item 3 of Amendment 224 and will allow OPPD to meet the regulatory commitment that modifications associated with the MUR power uprate will be

completed prior to implementation. The proposed amendment has no technical or safety aspects.

The proposed amendment will not involve a significant reduction in a margin of safety. The proposed exigent amendment extends the implementation period specified in Item 3 of Amendment 224 and will allow OPPD to meet the regulatory commitment that modifications associated with the MUR power uprate will be completed prior to implementation. The proposed amendment has no technical or safety aspects.

Following an initial review of this application, the requested amendment has been evaluated against the standards in 10 CFR 50.92 and the NRC staff has made a proposed (preliminary) determination that the requested amendment involves no significant hazards considerations. The changes do not significantly increase the probability or consequences of any accident previously considered, nor create the possibility of an accident of a different kind, nor significantly decrease any margin of safety.

If the proposed determination that the requested license amendment involves no significant hazards consideration becomes final, the staff will issue the amendment without first offering an opportunity for a public hearing. An opportunity for a hearing will be published in the *Federal Register* at a later date and any hearing request will not delay the effective date of the amendment.

If the staff decides in its final determination that the amendment does involve a significant hazards consideration, a notice of opportunity for a prior hearing will be published in the *Federal Register* and, if a hearing is granted, it will be held before the amendment is issued.

Comments on the proposed determination of no significant hazards consideration may be (1) telephoned to Stephen Dembek, Chief, Section 2, Project Directorate IV, by collect call to

301-415-1455, or by facsimile to 301-4153313, (2) e-mailed to SXD@nrc.gov, or (3) submitted in writing to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. All comments received by close of business on February 12, 2004, from 7:30 a.m. to 4:15 p.m. Federal workdays, will be considered in reaching a final determination. A copy of the application may be examined electronically through the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html> and at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.