



444 South 16th Street Mall
Omaha NE 68102-2247

October 5, 2007
LIC-07-0089

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

References: 1. Docket No. 50-285
2. Letter from NRC (W. B. Jones) to OPPD (R. T. Ridenoure) dated September 7, 2007 (NRC-07-0095) (ML072540771)

SUBJECT: NRC Inspection Report 05000285/2007007, Reply to a Notice of Deviation

In Reference 2 the NRC transmitted a Notice of Deviation to the Omaha Public Power District (OPPD). Attached is the OPPD response to this Deviation. This letter does contain the following regulatory commitment:

The temperature monitoring modification noted in the September 6, 1979, OPPD letter will be addressed as a "Regulatory Commitment Revised in Accordance with NEI 99-04" in the next 10 CFR 50.59 Report, Updated Safety Analysis Report (USAR) Revision, and Technical Specification Basis Changes letter submitted for Fort Calhoun Station. This report will be submitted by December 31, 2008. (AR 26137)

If you should have any questions, please contact me.

Sincerely,

D. J. Bannister
Site Director
Fort Calhoun Station

DJB/EPM/epm

Attachment

c: E. E. Collins, NRC Regional Administrator, Region IV
A. B. Wang, NRC Project Manager
J. D. Hanna, NRC Senior Resident Inspector

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REPLY TO A NOTICE OF VIOLATION

**Omaha Public Power District
Fort Calhoun Station**

**Docket No. 50-285
License No. DPR-40**

During an NRC inspection conducted from May 21 through July 25, 2007, a deviation of a commitment that Omaha Public Power District made in a September 6, 1979, letter to the U.S. Nuclear Regulatory Commission, was identified. In accordance with the NRC Enforcement Manual, the deviation is listed below:

In the September 6, 1979, letter in support of the licensee's application for License Amendment 52, Fort Calhoun Station committed to "install temperature detectors, with readouts and alarms, in the control room to monitor safety injection pump room temperatures."

Contrary to the above, the licensee did not install temperature detectors, with readouts and alarms, in the control room to monitor safety injection pump room temperatures, as stated in the September 6, 1979, letter. The deviation occurred on October 14, 1980, the date when License Amendment 52 was issued based, in part, on the modification to install temperature detectors. In addition, on November 1, 1999, after modifying operating procedures to restore ventilation to the safety injection pump rooms after an accident, the licensee did not notify the NRC that the commitment was never implemented.

OPPD Response

Reasons for the Deviation

Three factors contributed to this Deviation. These factors are; 1) ambiguity in the wording of the September 6, 1979, letter and the associated License Amendment No. 52; 2) the evolution of how regulatory commitments are handled between licensees and the NRC; and 3) failure of Omaha Public Power District (OPPD) to adequately track and close this issue.

This is a historical issue. Following an investigation, it is unclear why the proposed temperature detectors were not installed. Even when the actions were reviewed in 1999 during transition to a new tracking system, they were not properly closed out. As a result, the reason for the deviation is unknown.

Corrective Steps Taken and Results Achieved

In 1999, OPPD created steps in Abnormal Operating and Emergency Operating Procedures to restore safety injection pump room ventilation air flow after a LOCA such that operability temperature limits for the pump motors would not be reached. This proceduralized action has obviated the need for the temperature monitoring and an associated alarm.

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Attachment

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Current administrative controls and reviews provide improved tracking and resolution of regulatory commitments; no corrective steps are necessary. This Deviation is not indicative of current OPPD performance.

By current guidance on commitments, the proposed temperature monitoring system described in the OPPD letter and the corresponding NRC SER is an enhancement not a commitment. As a result, OPPD has determined that this will not be tracked in the future as a commitment.

Corrective Steps That Will Be Taken to Avoid Further Deviations

The temperature monitoring modification noted in the September 6, 1979, OPPD letter will be addressed as a "Regulatory Commitment Revised in Accordance with NEI 99-04" in the next 10 CFR 50.59 Report, Updated Safety Analysis Report (USAR) Revision, and Technical Specification Basis Changes letter submitted for Fort Calhoun Station.

Date When Your Corrective Action Will Be Completed

The report noted above will be submitted by December 31, 2008. (AR 26137)