

PR 20, 30, 40, 50, 70 and 72
(73FR03811)



Fort Calhoun Station
P.O. Box 550
Fort Calhoun, NE 68023

May 8, 2008
LIC-08-0061

Secretary, U. S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, DC 20555-0001

- References:
1. Docket No. 50-285
 2. Proposed Rule on Decommissioning Planning Published in Federal Register (FR) on January 22, 2008 (73 FR 3812)

**SUBJECT: Omaha Public Power District Comments on Proposed Rule –
Decommissioning Planning (RIN 3150-AH45)**

The purpose of this submittal is to provide the Omaha Public Power District's (OPPD) comments on the decommissioning planning proposed rule of Reference 2.

Adoption of the proposed rule will force the nuclear industry to re-evaluate decommissioning funding and impose unnecessary and unacceptable burdens on existing plants; therefore, OPPD is opposed to this rule. The reduction of radiological risk associated with the proposed rule is extremely small, yet compliance will be very resource intensive and costly. Furthermore, the proposed rule appears to duplicate current Technical Specification requirements for environmental monitoring of the site boundary necessary to maintain the level of radioactive effluent control required by 10 CFR 20.1302, 40 CFR 190, 10 CFR 50.36a, and 10 CFR 50, Appendix I.

10 CFR 20 prohibits gaseous effluent releases to the atmosphere above regulatory limits. In accordance with 10 CFR 50, Appendix I, releases within regulatory limits must account for the dose to the public. Thus, low levels of radioactivity could be deposited onto the site due to rainout, washout and other means, which could then leach into the subsoil. The proposed rule does not consider that these gaseous effluents are accounted for at the time of their release, causing them to be counted again.

It is our understanding that the Nuclear Energy Institute (NEI) will be submitting a letter that is also opposed to the proposed rule. OPPD endorses NEI's position on this matter.

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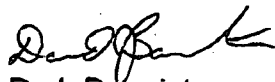
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If you should have any questions or require additional information, please contact Mr. Thomas C. Matthews at (402) 533-6938.

Sincerely,



D. J. Bannister
Vice President

DJB/mle

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Fax

To: Secretary **Date:** 5-8-08

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Subject: Comments on Proposed Rule
RIN 3150-AH45 **CC:**

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Comments:

Attached are Omaha Public Power District's
 comments on Proposed Rule - Decommissioning
 Planning (RIN 3150-AH45).
