

## Burkhardt, Janet

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**From:** Lynn Moorer <lmoorer@windstream.net>  
**Sent:** Thursday, July 25, 2013 3:17 PM  
**To:** Sebrosky, Joseph  
**Cc:** Markley, Michael; Hay, Michael; Vegel, Anton  
**Subject:** Docket No. 50-285, Fort Calhoun Station, Unit 1 Exigent License Amendment Request 13-02

July 25, 2013

Joseph Sebrosky  
Nuclear Regulatory Commission

Re: Docket No. 50-285. Comments re: Fort Calhoun Station, Unit 1 - Application for Amendment to Renewed Facility Operating License (TAC No. MF2469). Exigent License Amendment Request 13-02 Revise Current Licensing Basis to Adopt a Revised Design Basis/Methodology for Addressing Design-Basis Tornado/Tornado Missile Impact dated July 21, 2013.

Mr. Sebrosky:

Following are comments regarding the Exigent License Amendment Request (LAR) regarding Fort Calhoun Station, Unit 1 noted above submitted by Omaha Public Power District (OPPD) on Sunday, July 21, 2013.

1. OPPD's assertion that the LAR involves no significant hazards consideration is unsupported by its application.

a. One cannot reasonably conclude, as OPPD does, that the proposed amendment will not involve a significant reduction in a margin of safety when OPPD plans to reduce by more than 50 percent (from 500 miles per hour to 230 mph) the maximum wind velocity it plans to protect the Fort Calhoun containment structure against during a tornado.

b. Use of the different regulatory guide OPPD proposes—Regulatory Guide 1.76—may not protect to an adequate level of safety at Fort Calhoun and may also significantly reduce the margin of safety. The LAR states that the roof of the auxiliary building at 1,044 feet MSL is a potential target for the RG 1.76 automobile missile launched from the access control point. It is not clear that the auxiliary building roof is strong enough to withstand an RG 1.76 automobile missile.

2. OPPD's claimed basis for exigent circumstances and request for approval of the proposed amendment within seven days is not justified. OPPD's assertion that an extended delay in "a key activity would have a cascading, adverse impact" on OPPD's efforts to restart the plant is greatly overstated in light of the current situation at the nuclear plant. Fort Calhoun has already been shut down for 27 months due in large part to OPPD's prolonged poor performance in recognizing and resolving pervasive problems plant wide. OPPD's repeated assertions over the past two years that the plant is ready for heat-up or restart have routinely been proven to be inaccurate as have many of its assertions that it was ready for inspection. OPPD's claim now that "a cascading, adverse impact" will befall Fort Calhoun's efforts to restart if the NRC does not approve the proposed LAR within seven days similarly lacks credibility.

In light of the numerous documented instances of OPPD's inadequate and/or incorrect analyses identified by NRC inspectors recently regarding all areas of plant operation, it would be highly imprudent and likely unsafe to rush this LAR through based upon OPPD's assertions and analysis. Public safety demands that this LAR be treated with appropriate deliberation including an opportunity for public hearing prior to an NRC determination regarding issuance.

3. The public comment period of less than 48 hours for this LAR is wholly inadequate and unjustified. Such a short period effectively precludes a meaningful opportunity for public participation regarding this LAR. As noted in 2. above, OPPD has not demonstrated that an exigent circumstance actually exists. The comment period should be extended to no less than 30 days.

Thank you.

Sincerely,  
Lynn E. Moorer  
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