



Omaha Public Power District
444 South 16th Street Mall
Omaha, NE 68102-2247

October 11, 2013
LIC-13-0147

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Mail Station P1-137
Washington, D.C. 20555

- References:
1. Docket No. 50-285
 2. Letter from OPPD (L. P. Cortopassi) to NRC (Document Control Desk), "Request for Exemption from Requirements of 10 CFR 26.205(d)(7)," dated August 16, 2013 (ML13231A018) (LIC-13-0121)
 3. Letter from NRC (J. M. Sebrosky) to OPPD (L. P. Cortopassi), "Fort Calhoun Station, Unit No. 1 – Supplemental Information Needed for Acceptance of Requested Licensing Action RE: Request for Exemption from Work Hour Requirements of 10 CFR 26.205(d)(7) (TAC No. MF2571)," dated August 26, 2013 (ML13233A248) (NRC-13-0109)
 4. Letter from OPPD (L. P. Cortopassi) to NRC (Document Control Desk), "Reply to NRC Request for Supplemental Information Needed for Acceptance of Requested Licensing Action RE: Request for Exemption from Work Hour Requirements of 10 CFR 26.205(d)(7) (TAC No. MF2571)," dated August 30, 2013 (ML13246A182) (LIC-13-0125)
 5. Email from NRC (J. Sebrosky) to OPPD (B. R. Hansher), "Request for Information Associated with the August 16, 2013, Work Hour Exemption Request (MF2571)," dated September 18, 2013 (ML13261A212) (NRC-13-0124)
 6. Letter from OPPD (L. P. Cortopassi) to NRC (Document Control Desk), "Reply to NRC Request for Information RE: Request for Exemption from Work Hour Requirements of 10 CFR 26.205(d)(7) (TAC No. MF2571)," dated September 23, 2013 (ML13267A186) (LIC-13-0135)
 7. Email from NRC (L. Wilkins) to OPPD (B. R. Hansher), "Request for Additional Information Re: Fort Calhoun Station Request for Exemption from Work Hour Requirements of 10 CFR 26.205(d)(7) (TAC No. MF2571)," dated October 9, 2013

SUBJECT: Reply to NRC Request for Additional Information Re: Request for Exemption from Work Hour Requirements of 10 CFR 26.205(d)(7) (TAC No. MF2571)

On August 16, 2013, the Omaha Public Power District (OPPD) submitted a request (Reference 2) for an exemption from requirements of paragraph 26.205(d)(7) of Title 10 of the *Code of Federal Regulations* (10 CFR) for Fort Calhoun Station, Unit No.1. Reference 2 requested an exemption from specific requirements of 10 CFR 26.205(d)(7), to allow the use of the less restrictive work hour limitations described in 10 CFR 26.205(d)(4) and (d)(5) to support activities required for plant startup from the current extended outage, for a period not to exceed 45 days. In Reference 3, the NRC determined that additional information was needed before the staff could begin a detailed review of the Reference 2 exemption request and OPPD provided its response in Reference 4. Reference 5 transmitted an NRC request for information to which OPPD responded in Reference 6.

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The purpose of this letter is to respond to the most recent NRC request for additional information (Reference 7). Accordingly, OPPD's response is attached.

This letter contains no new regulatory commitments.

If you should have any additional questions or require additional information, please contact Mr. Bill Hansher at (402) 533-6894.

Sincerely,

A handwritten signature in black ink, appearing to read 'LPC', written in a cursive style.

Louis P. Cortopassi
Site Vice President and CNO

Attachment: OPPD Response to Request for Additional Information Regarding Work Hour Exemption Request

**OPPD Response to Request for Additional Information
Regarding Work Hour Exemption Request**

NRC Request for Information

As provided in supplemental information to the exemption request dated August 30, 2013, and in response to a request for additional information dated September 23, 2013, Omaha Public Power District provided the average hours worked by various groups of personnel subsequent to the ending of the initial exemption period. Because the proposed heat up of the Fort Calhoun Station has been delayed past the October 4, 2013, need date identified in your September 23, 2013, letter, the staff is considering not issuing the exemption until heat-up of FCS is imminent. However, the staff would have to continually request that the average hours worked by various groups be updated such that the NRC staff could confirm that individuals had adequate time to recuperate from fatigue. The NRC staff is considering an alternative to this approach. Specifically, the staff is considering the placing the following limitations on the work hour exemption:

Because the exemption is tied to activities that directly relate to heating the reactor coolant T_{cold} greater than 210°F (i.e., exiting Mode 4 or 5), the exemption is being issued coincident with the date that OPPD intends to heat the reactor coolant T_{cold} greater than 210°F (i.e., exit Mode 4 or 5). Further, the exemption is granted to those individuals who perform duties described in 10 CFR 26.4(a)(1) through (a)(5) that, as of the date of this exemption, have not exceeded a 48 hour average work week for the 6 week period prior to the date of this exemption.

If the above language is unacceptable to you, please provide a justification for why such a restriction should not be considered by the NRC staff.

OPPD Response

OPPD will apply the limitation listed above to those individuals who perform duties described in 10 CFR 26.4(a)(1) through (a)(4) that, as of the date of this exemption, have not exceeded a 48-hour average work week for the 6-week period prior to the date of this exemption. However, OPPD requests that the limitation listed above be revised to also apply to those individuals who perform duties described in 10 CFR 26.4(a)(5) (i.e., Security personnel) that, as of the date of this exemption, have not exceeded a 50-hour average work week for the 6-week period prior to the date of this exemption.

As noted in Reference 1, a force-on-force (FOF) exercise is scheduled to be conducted in the near future and to ensure a successful exercise, security personnel must put in extra hours to train and prepare. Also, as described in Reference 2, an exemption from the requirements of 10 CFR Part 73, Section 73.55 is set to expire on November 5, 2013. Although the modifications necessary to meet the requirements of 10 CFR 73.55 are in their final stages, in the interim, security personnel must work additional hours to support the modifications.

Thus, there is a conflict between the need for security personnel to be fully prepared for FOF and ensure that the requirements of 10 CFR 73.55 are met yet keep work hours as low as possible to minimize fatigue. A 50-hour average work week for the 6-week period prior to the date of this exemption will allow security personnel to be prepared for FOF and support the

modifications required to meet 10 CFR 73.55 but is well under the hours they are permitted to work by 10 CFR 26.205(d)(7).

The proposed changes to the limitation above are shown below with deletions in ~~strikeout~~ and additions in underline:

Because the exemption is tied to activities that directly relate to heating the reactor coolant T_{cold} greater than 210°F (i.e., exiting Mode 4 or 5), the exemption is being issued coincident with the date that OPPD intends to heat the reactor coolant T_{cold} greater than 210°F (i.e., exit Mode 4 or 5). Further, the exemption is granted to those individuals who perform duties described in 10 CFR 26.4(a)(1) through (a)(~~5~~4) that, as of the date of this exemption, have not exceeded a 48 hour average work week for the 6 week period prior to the date of this exemption. The exemption is also granted to those individuals who perform duties described in 10 CFR 26.4(a)(5) that, as of the date of this exemption, have not exceeded a 50 hour average work week for the 6 week period prior to the date of this exemption.

References

1. Letter from NRC (M. C. Layton) to OPPD (L. P. Cortopassi) "Notification of Scheduled Triennial Force-on-Force Inspection and Exercise Activities at the Fort Calhoun Station, Unit 1," dated August 26, 2013 (NRC-13-0112)
2. Letter from NRC (L. Wilkins) to OPPD (D. J. Bannister) "Fort Calhoun Station, Unit 1 - Exemption from the Requirements of 10 CFR Part 73, Section 73.55 (TAC No. ME7065)," dated October 5, 2011 (NRC-11-0120)