



10 CFR 171.15

November 14, 2016
LIC-16-0104

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

Fort Calhoun Station, Unit No. 1
Renewed Facility Operating License No. DPR-40
NRC Docket No. 50-285

References:

1. Letter from OPPD (T. Burke) to NRC (Document Control Desk), "Certification of Permanent Cessation of Power Operations," dated June 24, 2016 (LIC-16-0043) (ML16176A213)
2. Letter from OPPD (T. Burke) to NRC (Document Control Desk), "Certification of Permanent Cessation of Power Operations," dated August 25, 2016 (LIC-16-0067)(ML16242A127)
3. Letter from OPPD (T. Burke) to NRC (Document Control Desk), "Certification of Permanent Removal of Fuel from the Reactor Vessel," dated November 13, 2016 (LIC-16-0074)

Subject: Request to Reclassify Fort Calhoun Station under 10 CFR 171.15, "Annual Fees: Reactor Licenses and Independent Spent Fuel Storage Licenses"

By letter dated June 24, 2016 (Reference 1), Omaha Public Power District (OPPD) notified the NRC of its intention to permanently cease power operations of Fort Calhoun Station (FCS) by the end of 2016. By letter dated August 25, 2016 (Reference 2), OPPD certified that FCS would permanently ceased power operations on October 24, 2016. By letter dated November 13, 2016 (Reference 3), OPPD certified that all fuel has been permanently removed from the reactor vessel.

Upon docketing of these certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel, 10 CFR 50.82(a)(2) states that the 10 CFR Part 50 license no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel.

Therefore, OPPD requests that the NRC reclassify FCS with respect to 10 CFR 171.15, "Annual fees: Reactor licenses and independent spent fuel storage licenses." Specifically, OPPD requests that the NRC reclassify FCS as a "power reactor holding a 10 CFR Part 50 license that is in decommissioning or possession only status and has spent fuel stored on site" and assess annual fees under 10 CFR 171.15(c)(1) until such time that NRC is notified that all fuel has been removed from the site.

OPPD also requests that the NRC billing of fees for the first quarter of fiscal year 2017 (October - December, 2016) reflect the new classification of FCS under 10 CFR 171.15(c)(1), prorated based on all fuel being permanently removed from the FCS reactor vessel on November 13, 2016, as certified by Reference (3), in accordance with 10 CFR 171.17(a)(2), "Terminations."

This letter contains no regulatory commitments. If you should have further questions, please contact Mr. Bradley H. Blome, Manager - Site Regulatory Assurance, at 402-533-7270.

Respectfully,



Shane M. Marik *For*
Site Vice President and CNO

SMM/epm

c: K. M. Kennedy, NRC Regional Administrator, Region IV
C. F. Lyon, NRC Senior Project Manager
S. M. Schneider, NRC Senior Resident Inspector