

NRR-PMDAPem Resource

From: Kim, James
Sent: Wednesday, March 22, 2017 1:30 PM
To: MATZKE, ERICK P
Cc: BLOME, BRADLEY H; CAMERON, COREY A
Subject: FORT CALHOUN STATION - FINAL NSIR/DPR RAI Regarding Proposed Emergency Planning Exemption (CAC NO. MF9067)

Final Request for Additional Information

On March 16, 2017, the U.S. Nuclear Regulatory Commission (NRC) staff sent Fort Calhoun Station (FCS) the draft Request for Additional Information (RAI). This RAI relates to exemptions from portions of Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 50) for the FCS Radiological Emergency Response Plan.

On March 22, 2017, a teleconference between FCS and NRC staff was held to discuss the information requested by the NRC staff was understood and any additional clarifications on the RAI were required. Based on the teleconference, FCS determined that the information requested by the NRC staff was clearly understood and any other additional clarifications on the RAI was not necessary. FCS agreed to provide a response to this **final** RAI shown below within 30 days from the date of this correspondence. The NRC staff also informed the licensee that a publicly available version of this final RAI would be placed in the NRC's Agencywide Documents Access and Management System.

REQUEST FOR ADDITIONAL INFORMATION
EXEMPTION FROM THE REQUIREMENTS OF 10 CFR 50.47 AND APPENDIX E
OMAHA PUBLIC POWER DISTRICT
FORT CALHOUN STATION
DOCKET NO. 50-285

By letter dated June 24, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16176A213), supplemented by letter dated August 25, 2016 (Accession No. ML16242A127), OPPD submitted certification to the U.S. Nuclear Regulatory Commission (NRC) indicating its intention to permanently cease power operations at the FCS facility on October 24, 2016, pursuant to 10 CFR 50.82(a)(1)(i). By letter dated November 13, 2016 (Accession No. ML16319A254), OPPD submitted a certification to the NRC of the removal of fuel from the reactor vessel, pursuant to 10 CFR 50.82(a)(1)(ii). Upon docketing of the certifications, the 10 CFR Part 50 license for FCS no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, as specified in 10 CFR 50.82(a)(2).

By letter dated December 16, 2016 (Agency-wide Documents Access and Management System (ADAMS) Accession No. ML16356A578), as supplemented by letter dated February 10, 2017 (ADAMS Accession No. ML17041A443), Omaha Public Power District (OPPD) requested exemptions from portions of Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 50) for the Fort Calhoun Station (FCS) Radiological Emergency Response Plan. Specifically, OPPD requested exemption from certain Emergency Plan Requirements contained in 10 CFR 50.47(b), 10 CFR 50.47(c)(2), and Section IV to Appendix E of 10 CFR Part 50. The requested exemptions would allow OPPD to modify the FCS emergency plan commensurate with the reduced likelihood of significant radiological events presented by the permanently defueled condition of the reactor and low decay heat rate of the stored fuel.

In reviewing the request for exemption, the NRC staff used the guidance from recent emergency preparedness (EP)-related decommissioning exemption reviews provided in Interim Staff Guidance (ISG) document – NSIR/DPR-ISG-02, “Emergency Planning Exemption Requests For Decommissioning Nuclear Power Plants” (ADAMS Accession No. ML14106A057). The staff also informed its review with guidance and regulations applicable to an Independent Spent Fuel Storage Installation (ISFSI).

Based on the NRC staff’s initial review of OPPD’s EP exemption request, the following requests for additional information (RAIs) are required to facilitate completion of the staff’s technical review:

RAI-NSIR/DPR-001

In Table 1, “Exemptions Requested from 10 CFR 50.47(b) and 50.47(c)(2)”, Item 18 (page 12), to Attachment 1 of the December 16, 2016 letter, OPPD provides the basis for the exemption to 10 CFR 50.47(c)(2), which references the U.S. Environmental Protection Agency (EPA) document, entitled “Protective Action Guides and Planning Guidance for Radiological Incidents, Draft for Interim Use and Public Comment,” dated March 2013. It provides a quote from the referenced document that *“EPZs are not necessary at those facilities where it is not possible for PAGs to be exceeded off-site.”* Since OPPD’s December 16, 2016 letter, EPA issued a revision to the PAG Manual: “Protective Action Guides and Planning Guidance for Radiological Incidents, EPA-400/R-17/001,” dated January 2017 (ADAMS Accession No. ML17044A073), which no longer includes the quote cited.

Please update the basis for the exemption in Table 1 to Attachment 1 accordingly, to reflect current Federal guidance provided in EPA-400/R-17/001.

RAI-NSIR/DPR-002

Section IV.B.1 of Appendix E to 10 CFR Part 50 states, in part that *“emergency action levels shall be reviewed with the State and local government authorities on an annual basis.”* OPPD proposes in Table 2, “Exemptions Requested from 10 CFR 50, Appendix E”, Item 37 (page 21), to Attachment 1 of the December 16, 2016 letter, to *“continue to review EALs with the State of Nebraska and Washington County on an annual basis.”*

Please provide further explanation as to why the State of Iowa and Harrison County, which are contiguous to the FCS site (directly across the Missouri River from the FCS site), are not planned to be part of any EAL annual review. Please provide any documentation of discussions with the State of Iowa and Harrison County indicating agreement with proposed change.

RAI-NSIR/DPR-003

Proposed exemptions related to the notification and communications with State and local response organizations include:

- Exemption to 10 CFR 50.47(b)(5), as proposed in Table 1, Item 6 (page 8) to Attachment 1 states that “Procedures have been established for notification, by the licensee, of State and local response organizations...”
- Exemption to Section IV.D.3 of Appendix E to 10 CFR Part 50, as proposed in Table 2, Item 43 (page 26) to Attachment 1 continues to provide that *“A licensee shall have the capability to notify responsible State and local government agencies ~~within 15 minutes~~ after declaring an emergency.”*
- Exemption to Section IV.E.9.a of Appendix E to 10 CFR Part 50, as proposed in Table 2, Item 65 (page 34) to Attachment 1 continues to provide that *“Provision for communications with contiguous State/local governments ~~within the plume exposure pathway EPZ.~~ Such communications shall be tested monthly.”*

However, in the Basis for Exemption for Item 43 (page 27) on Table 2 to Attachment 1, OPPD states, *“FCS proposes to complete emergency notification to the State of Nebraska within 60 minutes after an emergency declaration or a change in classification.”* This appears to be inconsistent with Item 65 (page 33) of Table 2 to

Attachment 1 where OPPD states, “FCS will maintain communications with the State of Nebraska, **Washington County**, and the NRC.” *[Emphasis added]*

- a. Please clarify the apparent inconsistencies as to what communications will occur between FCS and the site’s host county (Washington County, NE), as well as with Harrison County, IA, which is located contiguous to the FCS site.
- b. The Basis for Exemption for Item 43 (page 27) on Table 2 also states the *“Emergency management officials with both states have agreed that the proposed notification to Nebraska within 60 minutes is appropriate.”* Please provide documentation that the State of Iowa and Harrison County, which reside contiguous to the FCS site, concur in the proposed notification being exclusively to the State of Nebraska. In addition, if FCS does not propose to include Washington County in emergency notification, then documentation should include discussions with Washington County.

Regards,

Jim Kim
Project Manager – Fort Calhoun Station
NRR/DORL/LSPB
301-415-4125

Hearing Identifier: NRR_PMDA
Email Number: 3412

Mail Envelope Properties (James.Kim@nrc.gov20170322133000)

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From: Kim, James

Created By: James.Kim@nrc.gov

Recipients:
"BLOME, BRADLEY H" <bblome@oppd.com>
Tracking Status: None
"CAMERON, COREY A" <ccameron@oppd.com>
Tracking Status: None
"MATZKE, ERICK P" <ematzke@oppd.com>
Tracking Status: None

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Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
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