

January 11, 2018

Michael S. Chesney, Acting Director
Technological Hazards Division
Federal Emergency Management
Agency – Area 8
400 C Street, South West
Washington, DC 20024

SUBJECT: NOTIFICATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
THE APPROVAL OF EXEMPTION OF FORT CALHOUN STATION FROM
OFF-SITE EMERGENCY PLANNING REQUIREMENTS

Dear Mr. Chesney:

This is to notify you that on December 11, 2017, the U.S. Nuclear Regulatory Commission (NRC) granted an exemption to Omaha Public Power District (OPPD) from certain emergency planning requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.47, "Emergency plans," and Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to 10 CFR Part 50. This exemption allows OPPD to discontinue off-site radiological emergency planning activities and reduce the scope of its on-site emergency planning at the Fort Calhoun Station Unit 1 (FCS), to be effective no sooner than April 7, 2018. A copy of the NRC's safety evaluation for the requested exemption is enclosed (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17263B198).

FCS is a decommissioning power reactor located on approximately 660 acres midway between Fort Calhoun and Blair, Nebraska, on the west bank of the Missouri River, with an additional exclusion area of 582 acres on the northeast bank of the river, directly opposite the plant buildings. Under their current 10 CFR Part 50 license, FCS is no longer authorized to operate the reactor, or emplace or retain fuel in the reactor vessel, as specified in 10 CFR 50.82(a)(2). However, OPPD is authorized to possess and store spent nuclear fuel at the permanently shutdown and defueled FCS facility. As such, spent fuel is currently being stored on-site at FCS in a spent fuel pool and at an on-site dry cask storage facility.

The regulations that require each nuclear power reactor licensee to establish and maintain emergency plans and preparedness are set forth in 10 CFR 50.47, and Appendix E to 10 CFR Part 50. The regulations include standards for both on-site and off-site radiological emergency plans. However, the regulations do not take into account the reduced risk, when compared to an operating nuclear power plant, of an off-site radiological release at a permanently shutdown and defueled power reactor. The NRC has concluded that the emergency planning requirements for FCS, as modified by the exemptions described in the enclosed safety evaluation, would provide: (1) an adequate basis for an acceptable state of emergency preparedness; and (2) in conjunction with arrangements made with off-site response agencies, reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at FCS.

In light of the exemption granted, upon OPPD's implementation of the permanently defueled emergency plan (PDEP), which was approved by the NRC on December 12, 2017 (ADAMS Accession No. ML17276B286), emergency planning and preparedness at FCS will be limited to on-site activities, notification of off-site authorities in the event of an emergency classification, requiring only on-site exercises with the opportunity for off-site response organization participation, and maintaining arrangements for only off-site response organizations (i.e., law enforcement, fire and medical services) that may respond to on-site emergencies. Implementation of the PDEP will occur no sooner than April 7, 2018. At that time, the NRC will no longer require the Federal Emergency Management Agency (FEMA) to monitor, review, or report on off-site radiological emergency planning and preparedness activities at FCS, in accordance with the Memorandum of Understanding between FEMA and the NRC, dated December 7, 2015 (ADAMS Accession No. ML15344A371). We will provide verbal notification to FEMA when informed by OPPD that the PDEP has been implemented.

We request that FEMA provide advance notice to the appropriate State and local governments that the off-site radiological emergency plans, required by 44 CFR Part 350, will no longer be required for the FCS site, no sooner than April 7, 2018, and subsequently upon being informed by the NRC of OPPD's implementation of the NRC-approved PDEP.

Should you need more information or support in interfacing with State and local government officials on this matter, please contact Joseph Anderson of my staff at (301) 287-9300.

Sincerely,

/RA/

Michael L. Scott, Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

Enclosure:

Letter to Senior Director for Decommissioning,
Omaha Public Power District, Fort Calhoun Station
(ADAMS Accession No. ML17263B198)

cc: T. Greten, FEMA
D. Musick, FEMA
H. Sherwood, FEMA
V. Quinn, FEMA
C. Fiore, FEMA
D. Jenkins, FEMA

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DATE: 01/11/18

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- M. Norris, NSIR
- R. Kinard, NSIR

ADAMS Accession No.: ML17346A379 (Package) ML17346A419 (Letter) ML17263B198 (Enclosure)

OFFICE	NSIR/DPR	NSIR/DPR:BC	OGC (NLO)	NSIR/DPR: Acting DD	NSIR/DPR:D
NAME	R. Kinard	J.D. Anderson	HBenowitz	T. Bloomer	M. Scott
DATE	12/12/17	12/12/17	12/21/17	01/08/18	01/11/18

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