

UNITED STATES NUCLEAR REGULATORY COMMISSIONIES UTILITIES INC.DOCKET NO. 50-331NOTICE OF PARTIAL DENIAL OF AMENDMENT TO FACILITY OPERATING LICENSE
AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) has partially denied a request by IES Utilities Inc. (licensee), for an amendment to Facility Operating License No. DRP-49 issued to the licensee for operation of the Duane Arnold Energy Center, located in Palo, Iowa. Notice of Consideration of Issuance of this amendment was published in the FEDERAL REGISTER on September 15, 1993 (58 FR 48384).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) by changing the reporting frequency of the Radioactive Material Release Report and the 10 CFR 50.59 reporting of facility changes, tests and experiments. This is to reflect the new requirements of 10 CFR Part 50. The Offsite Dose Assessment Manual (ODAM) will remain part of the Radioactive Material Release Report and will be submitted annually.

In lieu of the current annual reporting requirement, the licensee's request would extend the reporting to six months after a refueling outage. In contrast, the Improved Standard Technical Specifications (NUREG 1433) places the safety and relief valve challenge information in the Monthly Operating Report.

The NRC staff has concluded that the licensee's request concerning the reporting of safety and relief valve challenges cannot be granted. The licensee was notified of the Commission's denial of the proposed change by a letter dated March 22, 1994.

By April 29, 1994, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 by the above date.

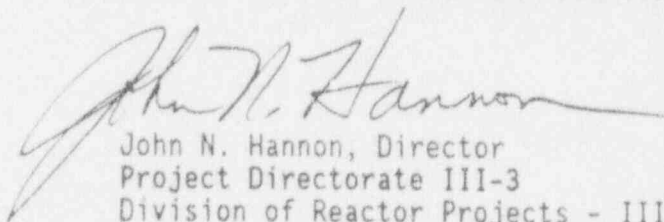
A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Jack Newman, Esquire, Kathleen H. Shea, Esquire, Newman and Holtzinger, 1615 L Street, NW., Washington, DC 20036, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated July 28, 1993, and (2) the Commission's letter to the licensee dated March 22, 1994.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room located in the Cedar Rapids Library, 500 First Street, S.E., Cedar Rapids, Iowa 52401. A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Document Control Desk.

Dated at Rockville, Maryland, this 23rd day of March 1994.

FOR THE NUCLEAR REGULATORY COMMISSION



John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects - III/IV/V
Office of Nuclear Reactor Regulation