

ENCLOSURE 1

NOTICE OF VIOLATION

Omaha Public Power District  
Fort Calhoun Station

Docket: 50-285  
License: DPR-40

During an NRC team inspection conducted on August 7-25, 1995, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (60 FR 34381; June 30, 1995), the violation is listed below:

Title 10, CFR 50.59(a)(1) allows licensees to make changes to the facility as described in the final safety analysis report without prior Commission approval unless the proposed change involves an unreviewed safety question. Title 10, CFR 50.59(b)(1) requires the licensee to maintain records of changes to the facility and that these records must include a written safety evaluation which provides the basis for the determination that the change does not involve an unreviewed safety question.

Production Engineering Division Procedure PED-GEI-60, "Substitute Replacement Item Evaluations," Step 4.3, required that the substitute replacement process only be used to implement modifications if the modification does not involve a change to the plant's design basis. Step 4.3 also required that 10 CFR 50.59 safety evaluations be performed for the installation and testing phases of a plant modification.

Contrary to the above, on August 25, 1995, a plant modification (Engineering Change Notice 91-306) was implemented using the substitute replacement process even though the modification involved a change to the plant's design basis. In addition, seven plant modifications (Engineering Change Notices 93-152, 93-237, 93-379, 93-488, 93-600, 93-631, 95-129) that used the substitute replacement process, were implemented without the performance of 10 CFR 50.59 safety evaluations for the installation and testing phases of the modifications.

This is a Severity Level IV violation (Supplement I). (285/9511-01)

Pursuant to the provisions of 10 CFR 2.201, Omaha Public Power District is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the

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required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because the response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if it is necessary to include such information, it should clearly indicate the specific information that should not be placed in the PDR, and provide the legal basis to support the request for withholding the information from the public.

Dated at Arlington, Texas  
this 19th day of October 1995