



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
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ARLINGTON, TEXAS 76011-8064

September 10, 1998

S. K. Gambhir, Division Manager
Division Manager - Nuclear Operations
Omaha Public Power District
Fort Calhoun Station FC-2-4 Adm.
P.O. Box 399
Hwy. 75 - North of Fort Calhoun
Fort Calhoun, Nebraska 68023-0399

SUBJECT: NRC INSPECTION REPORT 50-285/98-16 AND NOTICE OF VIOLATION

Dear Mr. Gambhir:

Thank you for your letter of August 28, 1998, in response to our July 29, 1998, letter and Notice of Violation concerning the failure to sample waste streams and update scaling factors, as required. We have reviewed your reply and find it responsive to the concerns raised in our Notice of Violation. We will review the implementation of your corrective actions during a future inspection to determine that full compliance has been achieved and will be maintained.

Sincerely,

A handwritten signature in cursive script that reads "Blaine Murray".

Blaine Murray, Chief
Plant Support Branch
Division of Reactor Safety

Docket No.: 50-285
License No.: DPR-40

cc:
James W. Tills, Manager
Nuclear Licensing
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Fort Calhoun Station FC-2-4 Adm.
P.O. Box 399
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Fort Calhoun, Nebraska 68023-0399

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Omaha Public Power District

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Omaha Public Power District
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P.O. Box 95007
Lincoln, Nebraska 68509-5007

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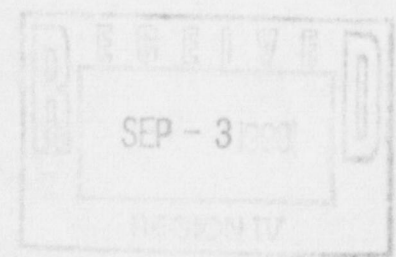
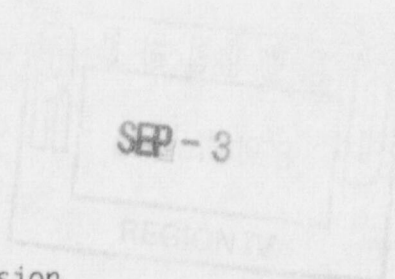
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Omaha Public Power District
444 South 16th Street Mall
Omaha, Nebraska 68102-2247

August 28, 1998
LIC-98-0114



U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
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Washington, DC 20555

- References:
1. Docket No. 50-285
 2. Letter from NRC (W. D. Johnson) to OPPD (S. K. Gambhir) dated July 29, 1998

SUBJECT: NRC Inspection Report No. 50-285/98-16, Reply to a Notice of Violation

The subject report transmitted a Notice of Violation (NOV) resulting from a NRC inspection conducted July 6-10, 1998 at the Fort Calhoun Station (FCS). Attached is the Omaha Public Power District (OPPD) response to this NOV.

If you should have any questions, please contact me.

Sincerely,

S. K. Gambhir
Division Manager
Nuclear Operations

SKG/brh

Attachment

- c: E. W. Merschoff, NRC Regional Administrator, Region IV
L. R. Wharton, NRC Project Manager
W. C. Walker, NRC Senior Resident Inspector
Winston and Strawn

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REPLY TO A NOTICE OF VIOLATION

Omaha Public Power District
Fort Calhoun Station

Docket No.: 50-285
License No.: DPR-40

During an NRC inspection conducted on July 6-10, 1998, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

Technical Specification 5.8.1 requires written procedures and administrative policies be established, implemented, and maintained that meet or exceed the minimum requirements of Sections 5.1 and 5.3 of ANSI N18.7-1972 and Appendix A of USNRC Regulatory Guide 1.33. Appendix A of USNRC Regulatory Guide 1.33 includes procedures for the solid waste system.

Procedure RW-221, "10 CFR 61 Sampling," Revision 3, Section 7.9.1 requires that annual samples be taken of the dry active waste stream. Section 7.15.1, requires that off-site laboratory results be compared with Fort Calhoun gamma isotopic results for each waste stream sample to verify consistency between the two analyses. Section 7.16.2 requires that the annual off-site laboratory waste stream sampling results be compared with the previous year's results for the same waste stream. Section 7.16.3 requires that scaling factor values be updated with the new data.

Contrary to the above, the licensee did not implement the requirements of Procedure RW-221 in the following ways:

- (a) Dry active waste samples were not taken annually. Dry active waste stream samples were collected in June 1995 and August 1997.
- (b) Off-site laboratory results of the dry active waste stream were not compared with Fort Calhoun gamma isotopic results for the same waste stream sample to verify consistency between the two analyses from August 1995 to July 1998.
- (c) Annual off-site laboratory waste stream sampling results for the dry active waste stream were not compared with the previous year's results from the same waste stream from August 1995 to July 1998.

- (d) Scaling factors for the dry active waste stream were not updated from August 1995 to July 1998.

This is a Severity Level IV violation (Supplement IV)(50-285/9816-01).

OPPD Response

1. Reason for the Violation

Procedure RW-221, "10 CFR 61 Sampling," requires annual samples to be taken of the dry active waste stream and a comparison of the results to the previous year's results. Sampling is conducted in order to verify the stability of scaling factors of difficult-to-measure radionuclides used to classify low level radioactive waste for disposal per 10 CFR Part 61. This requirement was not completed in 1996 due to the over-reliance on personnel memory to initiate the sampling and follow-up comparisons.

2. Corrective Steps Taken and Results Achieved

A Radiological Analysis (98-004) was performed to evaluate and validate the dry active waste stream scaling factors for 1996 and 1997. The calculated 1997 Cesium 137 - Cobalt 60 ratio was eight (8). The 1995 Cesium 137 - Cobalt 60 ratio was four (4). The change in these ratios is a factor of two (2), which is much less than the factor of ten (10) required by the NRC as the required precision. The mean change in scaling factor ratio for all radionuclides was 5.7. The results of this analysis were reviewed and verified and were used to update the dry active waste classification worksheet, FC-RW-218-3.

Results of the off-site analysis of the dry active waste stream for 1998 were received and are currently under review and comparison with previous data. Since samples were not taken in 1996, off-site analyses cannot be completed for 1996. However, the Radiological Analysis described above verified that scaling factors were within NRC guidelines.

3. Corrective Steps That Will Be Taken To Avoid Further Violations

Dry active waste stream sampling will be included in a computerized action tracking system prior to 1999. The action tracking tasks will include sampling and timely review, including off-site analysis, of results and updating necessary forms/procedures.

4. The date when full compliance will be achieved

Fort Calhoun Station is in full compliance.