

UNITED STATES NUCLEAR REGULATORY COMMISSIONOMAHA PUBLIC POWER DISTRICTDOCKET NO. 50-285PARTIAL 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 the licensee for an amendment to Facility Operating License No. DPR-40 issued to Omaha Public Power District, for operation of the Fort Calhoun Station, Unit 1 located in Washington County, Nebraska. The Notice of Consideration of Issuance of Amendment was published in the FEDERAL REGISTER on March 23, 1988 (53 FR 9509).

The amendment, as proposed by the licensee, would: (1) relax the current Technical Specifications (TS) requirement to control airborne radioactive effluents on an instantaneous basis; (2) allow the licensee to use a non-standard format for reporting radioactive effluent releases; (3) allow the licensee to use annual average (rather than real-time) meteorological dispersion factors to calculate doses; and (4) correct and clarify some parts of TS 2.9.1 and 5.9.4.

With regard to item (1) above, the licensee proposed amending the TS and Basis to 2.9.1 by deleting the word "instantaneous" so that they state "to ensure that these releases result in an annual dose from radioactive materials in liquid and gaseous effluents released to unrestricted areas that are within the limits specified in 10 CFR Part 20." The effect of these changes would allow the licensee to exceed the concentrations specified in 10 CFR Part 20 on an "instantaneous basis." The staff finds the proposed change unacceptable

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because it would allow the licensee to exceed the concentrations in 10 CFR Part 20 on an instantaneous basis; this would not be consistent with the Standard Technical Specifications.

With regard to item (2), the licensee proposes to change TS 5.9.4.a to delete the phrase "as outlined in Regulatory Guide 1.21, Revision 1" from the Radioactive Effluent Release Reporting requirements. The proposed change would allow the licensee more flexibility in formatting their radioactive effluent release reports. The staff finds this change unacceptable since the licensee would no longer be required to use a standard format to report the quantities of radioactive effluents released from Fort Calhoun.

With regard to items (3) and (4), the staff finds the proposed changes acceptable. These items are addressed in a separate Federal Register Notice.

By June 27, 1988, the licensee may demand a hearing with respect to the partial denial described above and any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D.C. 20055, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C. by the above date.

A copy of any petition should be sent to the Office of the General Counsel, White Flint, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to LeBoeuf, Lamb, Leiby and MacRae, 1333 New Hampshire Avenue, N.W. Washington, D.C. 20036, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated February 8, 1988, and (2) the Commission's Safety Evaluation forwarded to the licensee by letter dated May 4, 1988, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C. 20555, and at the W. Dale Clark Library, 215 South 15th Street, Omaha, Nebraska 68102. A copy of Item (2) may be obtained upon request addressed to U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Projects - III, IV, V and Special Projects.

Dated at Rockville, Maryland, this 19th day of May, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

Jose A. Calvo
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Project Directorate - IV
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