



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 31, 2024

Troy Via, Chief Operations Officer
and Vice President Utility Operations
Omaha Public Power District
Fort Calhoun Station
Mail Stop FC-2-4
9610 Power Lane
Blair, NE 68008

SUBJECT: FORT CALHOUN STATION, UNIT 1 -ISSUANCE OF AMENDMENT TO
RENEWED FACILITY LICENSE TO ADD LICENSE CONDITION TO INCLUDE
LICENSE TERMINATION PLAN REQUIREMENTS (EPID L-2021-LIT-0000)

Dear Troy Via:

The U.S. Nuclear Regulatory Commission (NRC) is issuing the enclosed Amendment No. 302 to Renewed Facility License No. DPR-40 for the Fort Calhoun Station, Unit 1 (FCS). This amendment is in response to your application dated August 3, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21271A178), as supplemented by letters dated January 13, 2022 (ML22034A602), June 15, 2022 (ML22167A199), February 27, 2023 (ML23060A197), August 24, 2023 (ML23236A478), and December 6, 2023 (ML23346A153), Omaha Public Power District (OPPD) submitted a license amendment request (LAR) to the NRC to approve FCS's License Termination Plan (LTP) and add License Condition 3.D to include LTP requirements and establish criteria for determining when changes to the LTP require prior NRC approval.

The FCS LTP provides the details of OPPD's plan for characterizing, identifying, and remediating the remaining residual radioactivity at the FCS site to a level that will allow the site to be released for unrestricted use. The FCS LTP also describes how the licensee will confirm the extent and success of remediation through radiological surveys, provide financial assurance to complete decommissioning, and ensure that the environmental impacts of decommissioning activities are within the scope originally envisioned in documented environmental evaluations for the site.

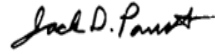
This licensing action amends Renewed Facility License No. DPR-40 for FCS to reflect approval of the FCS LTP. Specifically, the amendment adds License Condition 3.D, which incorporates the approved FCS LTP, and associated addendum, and establishes the criteria for determining when changes to the LTP require prior NRC approval. The LTP will be implemented by OPPD to complete decommissioning activities at the FCS site. Once decommissioning is complete, OPPD will need to submit a separate request to the NRC to terminate the FCS license.

T. Via

2

A copy of the NRC's related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next monthly *Federal Register* notice of license amendments issued.

Sincerely,



Signed by Parrott, Jack
on 01/19/24

Jack D. Parrott, Senior Project Manager
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

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

Enclosures:

1. Amendment No. 302 to DPR-40
2. Safety Evaluation

cc: Fort Calhoun Station Listserv

SUBJECT: FORT CALHOUN STATION, UNIT 1 ISSUANCE OF AMENDMENT TO RENEWED FACILITY LICENSE TO ADD LICENSE CONDITION TO INCLUDE LICENSE TERMINATION PLAN REQUIREMENTS (EPID L-2021-LIT-0000) DATE January 31, 2024.

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- RAlexander, RIV

ADAMS Accession No. ML

OFFICE	NMSS/DUWP/RDB/PM	NMSS/DUWP/RDB/BC	NMSS/DUWP/RTAB/BC
NAME	JParrott	SAnderson	CMcKenney
DATE	01/19/2024	01/24/2024	01/25/2024
OFFICE	OGC – NLO	NMSS/DUWP/DD	
NAME	NMertz	JMarshall	
DATE	01/19/2024	01/31/2024	

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

OMAHA PUBLIC POWER DISTRICT

DOCKET NO. 50-285

FORT CALHOUN STATION, UNIT 1

AMENDMENT TO RENEWED FACILITY LICENSE

Amendment No. 302
Renewed License No. DPR-40

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Omaha Public Power District (the licensee), dated August 3, 2021, as supplemented by letters dated January 13, 2022, June 15, 2022, February 27, 2023, August 24, 2023, and December 6, 2023, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will be maintained in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, Renewed Facility License No. DPR-40 is amended to add License Condition 3.D. to read as follows:

3.D License Termination Plan (LTP)

OPPD shall implement and maintain in effect all provisions of the approved License Termination Plan, Revision 1, dated December 6, 2023, and the OPPD response to RAI TE 2-11 dated August 24, 2023, as approved in License Amendment No. 302, subject to and as amended by the following stipulations.

OPPD may make changes to the LTP without prior approval provided the proposed changes do not meet any of the following criteria:

- (a) requires Commission approval pursuant to 10 CFR 50.59,
- (b) results in significant environmental impacts not previously reviewed,
- (c) detracts or negates the reasonable assurance that adequate funds will be available for decommissioning,
- (d) decreases a survey unit area classification (i.e., impacted to not impacted, Class 1 to Class 2, Class 2 to Class 3, or Class 1 to Class 3 without providing NRC a minimum 14-day notification prior to implementing the change in classification),
- (e) increases the dose concentration guideline limits (DCGLs) and related minimum detectable concentrations (MDCs) (for both scan and fixed measurement methods),
- (f) increases in the radioactivity level, relative to the applicable DCGL, at which an investigation occurs,
- (g) changes the statistical test applied to one other than the Sign test, or
- (h) increases in the Type I decision error,
- (i) changes the approach used to demonstrate compliance with the dose criteria (e.g., change from demonstrating compliance using DCGLs to demonstrating compliance using a dose assessment that is based on final concentration data), or
- (j) changes parameter values or pathway dose conversion used to calculate the dose such that the resultant dose is lower than in the approved LTP and if a dose assessment is being used to demonstrate compliance with the dose criteria.

3. This license amendment is effective as of the date of issuance and shall be implemented within 60 days from that date.

FOR THE NUCLEAR REGULATORY COMMISSION



Whitman, Jennifer signing on behalf
of Marshall, Jane
on 01/31/24

Jane E. Marshall, Director
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Attachment:

1. Changes to the Renewed Facility
License No. DPR-40

Date of Issuance: January 31, 2024

ATTACHMENT TO LICENSE AMENDMENT NO. 302

RENEWED FACILITY LICENSE NO. DPR-40

FORT CALHOUN STATION, UNIT 1

DOCKET NO. 50-285

Replace the following page of the Renewed Facility License with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Renewed Facility License No. DPR-40

Remove

-3-

Insert

-3-

-4-

3. This renewed license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter 1: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Section 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. DELETED

B. Technical Specifications

The Permanently Defueled Technical Specifications contained in Appendix A, as revised through Amendment No. 299, are hereby incorporated in the license. Omaha Public Power District shall maintain the facility in accordance with the Permanently Defueled Technical Specifications.

C. Security and Safeguards Contingency Plans

The Omaha Public Power District shall fully implement and maintain in effect all provisions of the Commission approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to 10 CFR 72.212(b)(9) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Fort Calhoun Station Security Plan, Training and Qualification Plan, Safeguards Contingency Plan," approved by letter dated, March 25, 2020.

D. License Termination Plan (LTP)

OPPD shall implement and maintain in effect all provisions of the approved License Termination Plan, Revision 1, dated December 6, 2023, and the OPPD response to RAI TE 2-11 dated August 24, 2023, as approved in License Amendment No. 302, subject to and as amended by the following stipulations.

OPPD may make changes to the LTP without prior approval provided the proposed changes do not meet any of the following criteria:

- (a) requires Commission approval pursuant to 10 CFR 50.59,
- (b) results in significant environmental impacts not previously reviewed,
- (c) detracts or negates the reasonable assurance that adequate funds will be available for decommissioning,
- (d) decreases a survey unit area classification (i.e., impacted to not impacted, Class 1 to Class 2, Class 2 to Class 3, or Class 1 to Class 3 without providing NRC a minimum 14-day notification prior to implementing the change in classification),

- (e) increases the dose concentration guideline limits (DCGLs) and related minimum detectable concentrations (MDCs) (for both scan and fixed measurement methods),
 - (f) increases in the radioactivity level, relative to the applicable DCGL, at which an investigation occurs,
 - (g) changes the statistical test applied to one other than the Sign test, or
 - (h) increases in the Type I decision error,
 - (i) changes the approach used to demonstrate compliance with the dose criteria (e.g., change from demonstrating compliance using DCGLs to demonstrating compliance using a dose assessment that is based on final concentration data), or
 - (j) changes parameter values or pathway dose conversion used to calculate the dose such that the resultant dose is lower than in the approved LTP and if a dose assessment is being used to demonstrate compliance with the dose criteria.
4. This license is effective as of the date of issuance and authorizes ownership and possession of Fort Calhoun Station until the Commission notifies the licensee in writing that the license is terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by:
J.E. Dyer

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Attachments: 1. Appendix A - Permanently Defueled Technical Specifications
2. Appendix B - Deleted

Date of Issuance: November 4, 2003

DPR-40
Amendment No. 302

SAFETY EVALUATION