

November 10, 2003

Mr. R. T. Ridenoure  
Division Manager - Nuclear Operations  
Omaha Public Power District  
Fort Calhoun Station FC-2-4 Adm.  
Post Office Box 550  
Fort Calhoun, NE 68023-0550

SUBJECT: FORT CALHOUN STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT  
(TAC NO. MB7499)

Dear Mr. Ridenoure:

The Commission has issued the enclosed Amendment No. 223 to Renewed Facility Operating License No. DPR-40 for the Fort Calhoun Station, Unit No. 1. The amendment consists of changes to the Technical Specifications (TS) in response to your application dated January 27, 2003, as supplemented by letter dated October 14, 2003.

The amendment deletes TS 2.3(2)i and the corresponding Bases that allows the performance of the surveillance test of Table 3-2, Item 20 (Recirculation Actuation Logic Channel Functional Test) under administrative controls, while components in excess of those allowed by Conditions a, b, d, and e of TS 2.3(2) are inoperable, provided they are returned to operable status within one hour. This allowance was granted in Amendment No. 206 issued April 19, 2002, on an exigent basis and only applied until the end of Cycle 21.

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

Sincerely,

**/RA/**

Alan B. Wang, Project Manager, Section 2  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-285

Enclosures: 1. Amendment No. 223 to DPR-40  
2. Safety Evaluation

cc w/encls: See next page

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**TS: ML033160419**

**NRR-100**

**ACCESSION NO.: ML033160056**

**PKG.: ML033160067**

**NRR-058**

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OMAHA PUBLIC POWER DISTRICT

DOCKET NO. 50-285

FORT CALHOUN STATION, UNIT NO. 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 223  
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 January 27, 2003, as supplemented October 14, 2003, 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 operate in conformity with the application, 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 Operating License No. DPR-40 is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B. of Facility Operating License No. DPR-40 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 223, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

Stephen Dembek, Chief, Section 2  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: November 10, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 223

FACILITY OPERATING LICENSE NO. DPR-40

DOCKET NO. 50-285

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain vertical lines indicating the areas of change.

REMOVE

2-21  
2-23b

INSERT

2-21  
2-23b

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 223 TO RENEWED FACILITY  
OPERATING LICENSE NO. DPR-40  
OMAHA PUBLIC POWER DISTRICT  
FORT CALHOUN STATION, UNIT NO. 1  
DOCKET NO. 50-285

1.0 INTRODUCTION

By application dated January 27, 2003, as supplemented by letter dated October 14, 2003, Omaha Public Power District (OPPD) requested changes to the Technical Specifications (TSs) (Appendix A to Renewed Facility Operating License No. DPR-40) for the Fort Calhoun Station, Unit No. 1 (FCS). The requested change deletes TS 2.3(2)i and the corresponding Bases to allow the performance of the surveillance test of Table 3-2, Item 20 (Recirculation Actuation Logic Channel Functional Test) under administrative controls, while components in excess of those allowed by Conditions a, b, d, and e of TS 2.3(2) are inoperable, provided they are returned to operable status within one hour.

The supplemental letter dated October 14, 2003, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on March 18, 2003 (68 *FR* 12955).

2.0 REGULATORY REQUIREMENTS

The staff granted in Amendment No. 206, issued April 19, 2002, on an exigent basis, an allowance for the performance of the surveillance test in Table 3-2, Item 20, under administrative controls until the end of Cycle 21. This change is needed because Cycle 21 ended on October 31, 2003, and therefore, TS 2.3(2)i is no longer applicable.

3.0 EVALUATION

Until a recent NRC inspection, FCS had credited the use of dedicated operators to allow the tested equipment to remain operable. In particular, during the recirculation actuation logic channel functional test, a recirculation actuation signal (RAS) is generated and one of the

recirculation minimum flow valves closes. OPPD used an operator during this test to ensure that in the event of an engineered safety feature actuation, the test could be rapidly terminated and the recirculation minimum flow valve opened to allow a minimum flow path for the high pressure safety injection and low pressure safety injection pumps. The actions required to be performed to allow the recirculation minimum flow valve to open can be rapidly performed by one dedicated operator in less than one minute. During the NRC Safety System Design and Performance Capability inspection in February 2002, station personnel were informed that manual actions could not be used in lieu of automatic actions to maintain equipment operable without prior NRC approval. As a result of this, a comprehensive review was conducted of plant procedures that used manual actions in place of automatic actions in order to allow equipment to remain operable. The quarterly recirculation actuation logic channel functional test is the only test identified in this review requiring a TS change to perform the test.

By letter dated April 10, 2002, OPPD proposed a temporary TS amendment to change the testing methodology crediting operator action until a permanent solution could be found. The staff granted an allowance to perform the surveillance test in Table 3-2, Item 20, under administrative controls until the end of Cycle 21 in Amendment No. 206. The amendment allowed the continued testing of the logic channels using an improved methodology (i.e., one that does not isolate the recirculation minimum flow path) for a limited time to allow careful consideration of the appropriate approach to any permanent changes to the TSs or the plant.

OPPD committed to submit a permanent resolution for this allowance by January 31, 2003. OPPD met this commitment by proposing a plant modification in this amendment request. OPPD stated that during the September 2003 refueling outage, a plant modification will be made to install two test switches which precludes the need to rely on administrative controls to allow tested equipment to remain operable while performing the quarterly recirculation actuation logic channel functional test. By letter dated October 14, 2003, OPPD informed the staff that this modification has been completed. This modification was made under 10 CFR 50.59. Therefore, the staff concludes that the removal of TS 2.3.(2)i is editorial in nature as TS 2.3.(2)i is no longer applicable and has determined that this TS change is acceptable.

OPPD has deleted Bases 2.3(2)i. TS 5.20, "Technical Specification (TS) Bases Control Program," ensures the continuing accuracy and adequacy of the Bases Sections. Therefore, the Bases changes have had the appropriate administrative controls and reviews performed to ensure the accuracy and adequacy of the change. The staff has reviewed this Bases change and has no objections to them.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Nebraska State official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

This amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental



impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

## 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: A. Wang

Date: November 10, 2003