

DEC 7 1977

Distribution

✓ Docket
ORB #3
Local PDR
NRC PDR
VStello
KGoller
GLear
CParrish
RClark
Attorney, OELD
OI&E (2)
BScharf (2)
DEisenhut
OPA (CMiles)
ACRS (16)

TBAbernathy
JRBuchanan
JBishop, OELD Files
CWilliams, ASLAP (4)

Docket No. 50-331

Iowa Electric Light & Power Company
ATTN: Mr. Duane Arnold, President
P. O. Box 351
Cedar Rapids, Iowa 52406

Gentlemen:

By letter dated October 13, 1977, you submitted a report entitled "Design and Safety Evaluation for Replacement of Spent Fuel Pool Storage Racks" for the Duane Arnold Energy Center. You requested NRC review and approval of a replacement program. We have concluded that replacement of the existing racks in the spent fuel pool of the facility with racks of a design capable of accommodating additional spent fuel assemblies requires our review, approval, and issuance of a license amendment. We have already been in touch with your staff for additional information.

We have requested the Office of the FEDERAL REGISTER to publish the enclosed "Notice of Proposed Issuance of Amendments to Facility Operating License," relating to the required license amendments. Please note that the information submitted on October 13, 1977, and all subsequent submittals should be provided under oath or affirmation in accordance with the Commission's rules. We will be pleased to meet with your staff to discuss a review schedule.

Sincerely,

Original signed by

George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors

Enclosure:
Notice

cc w/enclosure:
See next page

*SEE PREVIOUS YELLOW FOR CONCURRENCES

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GD

OFFICE➤	ORB #3 <i>GLC</i>	OELD	ORB #3	AD:DOR		
SURNAME➤	*Parrish/Jaffe	*	*GLear	KGoller		
DATE➤	11/30/77	11/30/77	12/2/77	12/5/77		

Docket No. 50-331

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P. O. Box 351
Cedar Rapids, Iowa 52406

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Sincerely,

George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors

Enclosure:
Notice

cc w/enclosure: See page 2

*SEE PREVIOUS YELLOW FOR CONCURRENCES

OFFICE	ORB #3	OELD	ORB #3	AD/dor	DOR	NRR
SURNAME	*Parrich/Jaffe	*	GLear	KGoller	VStello	ECase
DATE	11/30/77	11/30/77	12/3/77	12/5/77	12/ /77	12/ /77

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Docket No. 50-331

Iowa Electric Light & Power Company
ATTN: Mr. Duane Arnold, President
P. O. Box 351
Cedar Rapids, Iowa 52406

Gentlemen:

By letter dated October 13, 1977, you submitted a report entitled "Design and Safety Evaluation for Replacement of Spent Fuel Pool Storage Racks" for the Duane Arnold Energy Center. While your submittal was in the form of an information report, you requested NRC review and approval of the program if required. We have concluded that the replacement of the existing racks in the spent fuel pool of the facility with racks of a design capable of accommodating additional spent fuel assemblies requires our review and approval. We have already been in touch with your staff for additional information.

We have requested the Office of the FEDERAL REGISTER to publish the enclosed "Notice of Proposed Issuance of Amendments to Facility Operating License," relating to the required license amendments. Please note that the information submitted on October 13, 1977, and all subsequent submittals should be provided under oath or affirmation in accordance with the Commission's rules. We will be pleased to meet with your staff to discuss a program schedule.

Sincerely,

George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors

Enclosure:
Notice

cc w/enclosure: See page 2

OFFICE	ORB #3	ORB #3	OELD	ORB #3	DOR	NRR
SURNAME	CParrish	R. Clark	B. M. Braasch	GLear	VStello	ECass
DATE	11/25/77	11/30/77	11/27/77	12/ /77	12/ /77	12/ /77

AD/DOR
Koller
12/ /77

PROVIDED CHARGE OF WORKING COPY ARE NRC

GL

For ORB #3

R. Clark

B. M. Braasch

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Iowa Electric Light & Power Company - 2 -

cc:

Mr. Robert Lowenstein, Esquire
Harold F. Reis, Esquire
Lowenstein, Newman, Reis and Axelrad
1025 Connecticut Avenue, N. W.
Washington, D. C. 20036

Office for Planning and Programming
523 East 12th Street
Des Moines, Iowa 50319

Chairman, Linn County
Board of Supervisors
Cedar Rapids, Iowa 52406

Iowa Electric Light & Power Company
ATTN: Ellery L. Hammond
P. O. Box 351
Cedar Rapids, Iowa 52406

Chief, Energy Systems Analysis Branch (AW-459)
Office of Radiation Programs
U. S. Environmental Protection Agency
Room 645, East Tower
401 M Street, S. W.
Washington, D. C. 20460

U. S. Environmental Protection Agency
Region VII
ATTN: EIS COORDINATOR
1735 Baltimore Avenue
Kansas City, Missouri 64108

Cedar Rapids Public Library
426 Third Avenue, S. E.
Cedar Rapids, Iowa 52401

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-331

IOWA ELECTRIC LIGHT & POWER COMPANY

NOTICE OF PROPOSED ISSUANCE OF AMENDMENTS
TO FACILITY OPERATING LICENSE

The U. S. Nuclear Regulatory Commission (the NRC) has received from the Iowa Electric Light & Power Company (the licensee) a report for NRC review and approval to store additional quantities of spent fuel in the spent fuel pool at the Duane Arnold Energy Center (the facility) in Linn County, Iowa. Such approval would require amendment of Facility Operating License No. DPR-49. The licensee proposes to replace the existing racks in the spent fuel pool of the facility with racks of a design capable of accommodating additional spent fuel assemblies in accordance with the licensee's request dated October 13, 1977. Accordingly, notice is hereby given that the NRC has under consideration issuance of a license amendment authorizing the licensee to install the new racks and to store additional quantities of spent fuel in the spent fuel storage pool of the Duane Arnold Energy Center (the facility).

The NRC may issue the license amendment, (1) upon the completion of a Safety Evaluation on the licensee's request by its Office of Nuclear Reactor Regulation and the completion of any environmental review which may be required by the NRC's regulations in 10 CFR Part 51; and (2) when findings required by the Atomic Energy Act of 1954, as amended (the Act) and the NRC's Rules and Regulations have been made.

By January 13, 1977, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a

request for a hearing in the form of a petition for leave to intervene with respect to the issuance of such amendment to the subject facility operating license. Requests for a hearing and/or petitions for leave to intervene shall be filed in accordance with the NRC's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing and/or petition for leave to intervene is filed within the time prescribed in this notice, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary of the Commission or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR §2.714. As required in 10 CFR §2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which he wishes to intervene and setting forth with particularity both the

facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

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. 20555, Attention: Docketing and Service Section or may be delivered to the NRC Public Document Room, 1717 H Street, N. W., Washington, D. C., by the above date. A copy of the petition and/or request should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555 and to Robert Lowenstein, Esquire, of the firm of Lowenstein, Newman, Reis & Axelrad, 1025 Connecticut Avenue, N. W., Washington, D. C. 20036, the attorneys for the licensee.

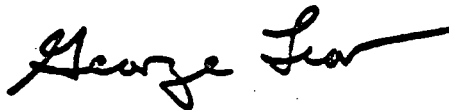
A petition for leave to intervene which is not timely will not be granted unless the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on the petition determines that the petitioner, in addition to the matters specified in 10 CFR §2.714(d), has made a substantial showing of good cause. The reasons for tardiness in filing a petition for leave to intervene, as well as the factors specified in 10 CFR §2.714(a)(1) - (4), shall be considered in determining whether there has been a substantial showing of good cause by petitioners.

For further details pertinent to these matters, see the licensee's letter dated October 13, 1977 along with other material that may be submitted

by the licensee in support of this action, all of which are or will be available for public inspection at the NRC's Public Document Room, 1717 H Street, N. W., Washington, D. C., and at the Cedar Rapids Public Library, 426 Third Avenue, S. E., Cedar Rapids, Iowa.

Dated at Bethesda, Maryland this 7th day of December 1977.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, reading "George Lear". The signature is written in dark ink and is positioned above the printed name and title.

George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors