

December 1, 2016

Vanessa Quinn, Chief
Radiological Emergency Preparedness Branch
Technological Hazards Division
Federal Emergency Management Agency – Area 8
400 C Street, South West
Washington, DC 20024

SUBJECT: LICENCE AMENDMENT REQUEST – PROPOSED CHANGES TO THE
FORT CALHOUN STATION EMERGENCY PLAN TO ADDRESS THE
PERMANENTLY DEFUELED CONDITION

Dear Ms. Quinn:

By letter dated September 2, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16246A321), the Omaha Public Power District (OPPD) submitted a license amendment request (LAR) to the Radiological Emergency Response Plan for Fort Calhoun Station (FCS RERP) for U.S. Nuclear Regulatory Commission (NRC) approval. The proposed changes to the FCS RERP would eliminate specific on-shift and augmented emergency response organization (ERO) positions based on written certification to the NRC under §50.82(a)(1) to Title 10 of the *Code of Federal Regulations* (10 CFR) of the permanent cessation of reactor operation and transfer of spent fuel from of the reactor vessel. The proposed on-shift and augmented ERO staffing changes are commensurate with the reduced spectrum of credible accidents from that of an operating power reactor or a power reactor with fuel remaining in the reactor vessel. These proposed changes are not associated with any requests for exemption to NRC regulations and must continue to meet the standards of 10 CFR 50.47, “Emergency plans,” and the requirements of Appendix E to 10 CFR Part 50, “Emergency Planning and Preparedness for Production and Utilization Facilities.”

In its September 2, 2016 letter, OPPD identified that pursuant to 10 CFR 50.91, “Notice for public comment; State consultation,” paragraph (b), the designated official for the State of Nebraska, Mr. Bradley H. Blome, was notified of this LAR via a transmitted copy of the OPPD letter and it’s supporting attachments. The September 2, 2016 letter also stated:

Preliminary discussions on the proposed schedule associated with changes to the FCS RERP and its effects on the off-site resources were conducted as part of meetings with various Federal, State and local agencies. Follow up meetings with Federal, State and local agencies will cover this proposed RERP (LAR 16-02), its impact on off-site resources and the FCS decommissioning process. Updates will continue with off-site agencies during the normally scheduled quarterly meetings.

OPPD's September 2, 2016 letter contains the following attachments:

- Attachment 1, Description and Evaluation of the Proposed Changes;
- Attachment 2, Tabular Summary of Proposed Changes to FCS RERP;
- Attachment 3, Proposed Revision to the FCS RERP (copy with changes marked and clean copy);
- Attachment 4, Analysis of Proposed Post-Shutdown On-Shift Staffing;
- Attachment 5, Emergency Response Organization Task Analysis; and
- Attachment 6, List of Regulatory Commitments.

Table 1 (Emergency Response Organization Positions) to Attachment 1 provides a comparison of current ERO positions and proposed post-shutdown ERO staffing. Section 4.2.1.5 to Attachment 1 provides OPPD's evaluation of the impact to off-site response organizations. On Page 12 to Attachment 1, OPPD specifically states, in part:

The proposed changes to the FCS RERP, including the changes made to develop the post-shutdown ERO, have been evaluated for impacts on the ERO and for the ability of offsite response organizations to implement their Federal Emergency Management Agency (FEMA) approved Radiological Emergency Preparedness (REP) Plans. Potential impacts on the ability of the State and local response organizations to effectively implement their FEMA-approved REP Plans do not exist because no tasks that require interfacing with State and local response organizations are proposed for elimination. FCS has appropriately addressed elimination of ERO positions that interface with offsite representatives by transferring the necessary tasks to remaining post-shutdown ERO positions.

The NRC's initial review of the proposed FCS RERP indicates that these changes would not impact: the methods or timing for the notification of State and local agencies of an emergency declaration and/or offsite protective action recommendation; offsite radiological monitoring and assessment capabilities; or the current location of licensee emergency response facilities. However, due to the extent of proposed changes to the licensee's ERO, specifically at the Emergency Operations Facility (EOF) and Joint Information Center (JIC), per the Memorandum of Understanding Between the Department of Homeland Security / FEMA and NRC Regarding Radiological Response, Planning and Preparedness (ADAMS Accession No. ML15344A371), I am requesting FEMA's review of the proposed licensee staffing changes above against the current FEMA-approved State and local REP plans to verify that no potential adverse impacts exist that would preclude the effective implementation of State and local REP plans.

OPPD is requesting NRC approval of the proposed LAR by September 8, 2017, with implementation within 60 days following NRC approval. At this time, I am requesting that FEMA provide its assessment by no later than February 3, 2017, to support any further request for information to OPPD. Please contact me if FEMA is unable to meet this due date.

For your awareness, in Attachment 6 to the September 2, 2016 letter, OPPD has identified a regulatory commitment stating, "State, local and Federal response organizations will be provided the opportunity to participate in or observe the drills conducted in preparation for implementation of the FCS post-shutdown RERP." OPPD further provides that appropriate advanced notice will also be provided to the NRC and FEMA to allow the agencies an opportunity to observe each drill.

As always, thank you for your assistance. If you have any questions regarding the specifics of the changes requested to the FCS RERP, or the NRC's evaluation of these proposed changes, please contact Richard Kinard at (301) 287-3768.

Sincerely,

/RA/

Joseph D. Anderson, Chief
Reactor Licensing Branch
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

cc: J. King, FEMA HQ

As always, thank you for your assistance. If you have any questions regarding the specifics of the changes requested to the FCS RERP, or the NRC's evaluation of these proposed changes, please contact Richard Kinard at (301) 287-3768.

Sincerely,

/RA/

Joseph D. Anderson, Chief
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cc: J. King, FEMA HQ

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