

OPPD

Omaha Public Power District
444 South 16th Street Mall
Omaha, Nebraska 68102-2247
402/636-2000

April 12, 1991
LIC-91-0029

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Mail Station P1-137
Washington, DC 20555

Reference: Docket No. 50-285

Gentlemen:

SUBJECT: Exemption Request from 10 CFR 50.71(e)(4)

The Omaha Public Power District (OPPD) has recently completed an extensive Design Basis Reconstitution program to support the as-built condition of the Fort Calhoun Station Unit No. 1. Title 10 Code of Federal Regulations Part 50.71(e) requires that licensees periodically update the Final Safety Analysis Report (FSAR) to assure that the information included in the FSAR is the latest material developed. Further, Part 50.71(e)(4) requires that FSAR revisions reflect all changes up to a maximum of 6 months prior to the date of filing.

As the Design Basis Reconstitution program potentially has a significant amount of information which will require incorporation into the Fort Calhoun Station Unit No. 1 Updated Safety Analysis Report (USAR), OPPD respectfully requests that a scheduler exemption from 10 CFR 50.71(e)(4) be granted to allow this source of information to be incorporated into the USAR over the next three (3) required updates.

The current format and level of detail included in the USAR is based on "A Guide for the Organization and Contents of Safety Analysis Reports," which predates the Standard Review Plan and Regulatory Guide 1.70. OPPD has initiated a program to expand the current level of detail and format of the USAR to more closely reflect the standards set forth by the Standard Review Plan and Regulatory Guide 1.70. It is believed that accomplishing such a task will greatly enhance future evaluations conducted by OPPD and reviews conducted by the NRC, in ensuring the public health and safety.

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The principal alternative to this exemption request would be to require rigid compliance with the schedular requirements of 10 CFR 50.71(e)(4) for the USAR update. This would require inclusion of all appropriate information gathered during the Design Basis Reconstitution program into the 1991 annual update. Such action would result in costs significantly in excess of those contemplated when the regulation was adopted. Part 50.12(2)(iii) provides for the granting of such relief. In addition, Part 50.12(2)(v) provides for the granting of temporary relief from the requirements of the regulations contained in Part 50. It is for these reasons that OPPD respectfully requests that a schedular exemption from 10 CFR 50.71(e)(4) be granted for incorporation of information from the Design Basis Reconstitution program.

This exemption request would apply only to Design Basis Reconstitution information and therefore would not affect the normal updates which reflect changes to the facility conducted in accordance with 10 CFR 50.59. Information discovered during the Design Basis Reconstitution which is outside the design basis of the current USAR as stated in 10 CFR Parts 50.72 and 50.73, will be incorporated in the applicable USAR update as required to ensure adequacy of 10 CFR 50.59 evaluations.

The proposed exemption will not change plant equipment, operation, or procedures and therefore does not adversely affect either the probability or the consequences of any accident evaluated for the Fort Calhoun Station. The exemption does not affect the types or amounts of radiological effluents from the facility and therefore the exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and pursuant to 10 CFR 51.22(b) no environmental assessment need be prepared.

If you have additional questions, or require further information, please do not hesitate to contact me or members of my staff.

Sincerely,

W. G. Gates

W. G. Gates
Division Manager
Nuclear Operations

WGG/sel

- c: LeBoeuf, Lamb, Leiby & MacRae
R. D. Martin, NRC Regional Administrator, Region IV
W. C. Walker, NRC Project Manager
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