

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

OMAHA PUBLIC POWER DISTRICT
(Ft. Calhoun Station)

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Docket: 50-285
License DPR-40
EA 84-122

ORDER IMPOSING CIVIL MONETARY PENALTIES

I

Omaha Public Power District, 1623 Harney, Omaha, Nebraska (the "licensee") is the holder of License DPR-40 (the "license") issued by the Nuclear Regulatory Commission (the "NRC"). License DPR-40 authorizes the licensee to operate the Ft. Calhoun Station at the designated location in Washington County, Nebraska, in accordance with the procedures and limitations set forth in the license and the rules and regulations of NRC.

II

An inspection of the licensee's activities under its license was conducted during the period August 20-24, 1984. As a result of the inspection, it appears that the licensee had not conducted its activities in full compliance with the conditions of its license. The results of the inspection were discussed with licensee representatives during an enforcement conference on October 11, 1984. A written Notice of Violation and Proposed Imposition of Civil Penalties was served upon the licensee by letter dated February 14, 1985. This Notice stated the nature of the violations, the provisions of its license conditions which the licensee had violated, and the amount of civil penalties proposed. An answer dated March 15, 1985 to the Notice of Violation and Proposed Imposition of Civil Penalties was received from the licensee.

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III

Upon consideration of the answers received and the statements of fact, explanation, and arguments for remission or mitigation of the proposed civil penalties contained therein, as set forth in the Appendix to this Order, the Director of the Office of Inspection and Enforcement has determined that, with one exception, the penalties proposed for the violations designated in the Notice of Violation and Proposed Imposition of Civil Penalties should be imposed.

IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282, PL 95-295) and 10 CFR 2.205, IT IS HEREBY ORDERED THAT:

The licensee pay civil penalties in the total amount of Twenty One Thousand Four Hundred Twenty-five Dollars within 30 days of the date of this Order, by check, draft, or money order, payable to the Treasurer of the United States, and mailed to the Director of the Office of Inspection and Enforcement, USNRC, Washington, D.C. 20555.

V

The licensee may, within 30 days of the date of this Order, request a hearing. A request for hearing shall be addressed to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington,

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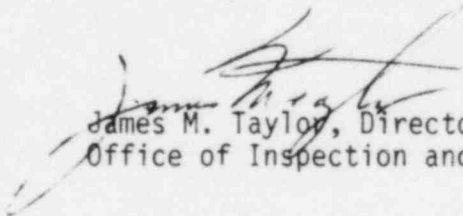
D.C. 20555. A copy of any request for hearing shall also be sent to the Executive Legal Director at the same address. If a hearing is requested, the Commission will issue an Order designating the time and place of hearing.

Upon failure of the licensee to request a hearing within 30 days of the date of this Order, the provisions of this Order shall be effective without further proceedings and, if payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event the licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

- (a) whether the licensee violated NRC requirements as set forth in the Notice of Violation and Proposed Imposition of Civil Penalties, as modified by the Appendix to this Order; and
- (b) whether on the basis of such violations this Order shall be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION


James M. Taylor, Director
Office of Inspection and Enforcement

Dated at Bethesda, Maryland,
this 30th day of July 1985.

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