

August 27, 2001

Mr. J. H. Swailes
Vice President of Nuclear Energy
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION RE: COMPLETION OF LICENSING ACTION
FOR GENERIC LETTER 99-02, "LABORATORY TESTING OF NUCLEAR-
GRADE ACTIVATED CHARCOAL" (TAC NO. MA5781)

Dear Mr. Swailes:

On June 3, 1999, the U.S. Nuclear Regulatory Commission (NRC) issued Generic Letter (GL) 99-02, "Laboratory Testing of Nuclear-Grade Activated Charcoal," to all holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that the fuel has been permanently removed from the reactor vessel.

The purpose of the GL was to:

- (1) Alert addressees that the NRC has determined that testing nuclear-grade activated charcoal to standards other than American Society for Testing and Materials (ASTM) D3803-1989, "Standard Test Method for Nuclear-Grade Activated Carbon," does not provide assurance for complying with the current licensing basis as it relates to the dose limits of General Design Criterion 19 of Appendix A to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR) and Subpart A of 10 CFR Part 100.
- (2) Request that all addressees determine whether their Technical Specifications (TS) reference ASTM D3803-1989 for charcoal filter laboratory testing. Addressees whose TS do not reference ASTM D3803-1989 should either amend their TS to reference ASTM D3803-1989 or propose an alternative test protocol and provide the information discussed in the requested actions.
- (3) Alert addressees to the staff's intent to exercise enforcement discretion under certain conditions.
- (4) Request that all addressees send the NRC written responses on the implementation of the actions requested in this GL.

In GL 99-02, the NRC staff established the following four groups of plants:

- (1) plants in compliance with their TS that test in accordance with ASTM D3803-1989
- (2) plants in compliance with their TS that test in accordance with a test protocol other than ASTM D3803-1989
- (3) plants not in compliance with their TS that test in accordance with ASTM D3803-1989
- (4) plants not in compliance with their TS that test in accordance with a test protocol other than ASTM D3803-1989

In response to GL 99-02, you provided a letter dated December 2, 1999, as supplemented by letter dated December 8, 1999, for Cooper Nuclear Station (CNS). On March 17, 2000, Nebraska Public Power District submitted a request for a license amendment to change CNS TS to provide for testing as described in the GL. That license amendment request was withdrawn by the licensee's letter dated January 2, 2001, and was resubmitted by letter dated February 28, 2001. The NRC staff has reviewed your responses and has concluded that the licensee has provided the requested information and the TS change request in accordance with the GL. In addition, the licensee has committed to test in accordance with ASTM D3803-1989 until your TS amendment is issued. Therefore, we consider GL 99-02 to be closed for your facility. The TS change will be reviewed as a separate, plant-specific action under TAC No. MB1423.

If you have any questions regarding this matter, please contact me at 301-415-1476.

Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-298

cc: See next page

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Cooper Nuclear Station

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