

February 22, 1984

Docket No. 50-298

Mr. J. M. Pilant  
Licensing & Quality Assurance  
Nebraska Public Power District  
Post Office Box 499  
Columbus, Nebraska 68601

Dear Mr. Pilant:

SUBJECT: ISSUANCE OF ORDER CONFIRMING LICENSEE COMMITMENTS  
ON EMERGENCY RESPONSE CAPABILITY

The Commission has issued the enclosed Order confirming your commitments on emergency response capability for the Cooper Nuclear Station. This Order is based on your letter dated April 15, 1983, as modified by letters dated July 11, 28, and December 30, 1983, committing to the actions specified in the Order.

A copy of this Order is being filed with the Office of the Federal Register for publication.

Sincerely,

Original signed by/

Domenic B. Vassallo, Chief  
Operating Reactors Branch #2  
Division of Licensing

Enclosure:  
Order

cc w/enclosure:

See next page

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Mr. J. M. Pilant  
Nebraska Public Power District  
Cooper Nuclear Station

cc:

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Cooper Nuclear Station  
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Post Office Box 94877  
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Mr. William Siebert, Commissioner  
Nemaha County Board of Commissioners  
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Mr. Dennis Dubois  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	}	
NEBRASKA PUBLIC POWER DISTRICT	}	Docket No. 50-298
(Cooper Nuclear Station)	}	

ORDER CONFIRMING LICENSEE COMMITMENTS  
ON EMERGENCY RESPONSE CAPABILITY

I.

Nebraska Public Power District (NPPD) (the licensee) is the holder of Facility Operating License No. DPR-46 which authorizes the operation of the Cooper Nuclear Station (the facility) at steady-state power levels not in excess of 2381 megawatts thermal. The facility is a boiling water reactor (BWR) located in Nemaha County, Nebraska.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial additional protection in the operation of nuclear facilities and significant upgrading of emergency response capability based on the experience from the accident at TMI-2 and the official studies and investigations of the

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accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1 to NUREG-0737, "Requirements for Emergency Response Capability." Among these requirements are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modifications, and specific information to be submitted.

On December 17, 1982, a letter (Generic Letter 82-33) was sent to all licensees of operating reactors, applicants for operating licenses, and holders of construction permits enclosing Supplement 1 to NUREG-0737. In this letter operating reactor licensees and holders of construction permits were requested to furnish the following information, pursuant to 10 CFR 50.54(f), no later than April 15, 1983:

- (1) A proposed schedule for completing each of the basic requirements for the items identified in Supplement 1 to NUREG-0737, and
- (2) A description of plans for phased implementation and integration of emergency response activities including training.

### III.

NPPD responded to Generic Letter 82-33 by letter dated April 15, 1983. By letters dated July 11, 28, and December 30, 1983, NPPD modified several dates a result of negotiations with the NRC staff. In these submittals, NPPD made commitments to complete the basic requirements. The attached Table summarizing NPPD's schedular commitments or status was developed by the NRC staff from the Generic Letter and the information provided by NPPD.

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NPPD's commitments include (1) dates for providing required submittals to the NRC, (2) dates for implementing certain requirements, and (3) a schedule for providing implementation dates for other requirements. These latter implementation dates will be reviewed, negotiated and confirmed by a subsequent order.

The NRC staff reviewed NPPD's April 15, 1983 letter and entered into negotiations with the licensee regarding schedules for meeting the requirements of Supplement 1 to NUREG-0737. As a result of these negotiations, the licensee modified certain dates by letters dated July 11 and 28, 1983. The NRC staff finds that the modified dates are reasonable, achievable dates for meeting the Commission requirements. The NRC staff concludes that the schedule proposed by the licensee will provide timely upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of NPPD's commitments are required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

#### IV.

Accordingly, pursuant to Sections 103, 161i, 161o and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, THAT the licensee shall:

Implement the specific items described in the Attachment to this ORDER in the manner described in NPPD's submittals noted in Section III herein no later than the dates in the Attachment.

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Extensions of time for completing these items may be granted by the Director, Division of Licensing, for good cause shown.

V.

The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy should also be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section IV of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Darrell G. Eisenhut, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,  
this 22 day of February, 1984.

Attachment:  
Licensee's Commitments on  
Requirements Specified in  
Supplement 1 to NUREG-0737

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
1. Safety Parameter Display System (SPDS)	1a. Submit a safety analysis and an implementation plan to the NRC.  1b. SPDS fully operational and operators trained.	March 1, 1984  Submit a firm completion date by March 1, 1984.
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.  2b. Submit a summary report to the NRC including a proposed schedule for implementation.	March 1, 1984  Submit a firm completion date by March 1, 1984.
3. Regulatory Guide 1.97 - Application to Emergency Response Facilities	3a. Submit a report to the NRC describing how the requirements of Supplement 1 to NUREG-0737 have been or will be met.  3b. Implement (installation or upgrade) requirements.	March 1, 1984  Submit a firm completion date by March 1, 1984.

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
4. Upgrade Emergency Operating Procedures (EOPs)	4a. Submit a Procedures Generation Package to the NRC.	June 30, 1984
	4b. Implement the upgraded EOPs.	September 30, 1985
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	Submit a firm completion date by March 1, 1984.
	5b. Operational Support Center fully functional.	Complete
	5c. Emergency Operations Facility fully functional.	Submit a firm completion date by March 1, 1984.