

MAR 14 1983

Docket No. 50-298

Mr. J. M. Pilant, Director
Licensing & Quality Assurance
Nebraska Public Power District
P. O. Box 499
Columbus, Nebraska 68601

Dear Mr. Pilant:

The Commission has issued the enclosed Order confirming your commitments to implement those post-TMI related items set forth in NUREG-0737 for which the staff requested completion on or after July 1, 1981. The Order is based on commitments contained in your letters responding to the NRC's Generic Letters 82-05 and 82-10 dated March 17, 1982 and May 5, 1982, respectively.

The Order references your letters and, in its Attachments, contains lists of the applicable NUREG-0737 items with your schedular commitments. As discussed in the Order, several of the items listed in Generic Letter 82-10 will be handled outside of this Order.

The Commission's intention when it issued NUREG-0737 was that items would be completed in accordance with the staff's recommended schedule. However, our evaluation of your proposed schedule exceptions concludes that the proposed delays are acceptable. Among other things, the Order requires implementation of these items in accordance with your proposed schedule.

Some of the items set forth in the Attachments to the Order are subject to post implementation review and inspection. Our post implementation review and/or the development of Technical Specifications may identify alterations to your method of implementing and maintaining the requirements. Any identified alterations will be the subject of future correspondence.

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| DATE ▶ | | | | | | | |

Mr. J. M. Pilant

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

Sincerely,

ORIGINAL SIGNED BY

V. P. Romy for

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

Enclosure:
Order

cc w/enclosure:
See next page

| | | | |
|---------|---------------|-----------|--------------|
| Dist: | Docket File | SECY | ELJordan |
| NRC PDR | NSIC | JHeltemes | JMTaylor |
| LPDR | ORB#2 Reading | ORAB | DEisenhut |
| SNorris | BSiegel | OELD | TBarnhart(4) |
| RDiggs | ASLAB | Extra-5 | Gray |
| ACRS-10 | OPA, C. Miles | | |

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| OFFICE | DL: ORB#2 SNorris | DL: ORB#2 BSiegel | DL: ORB#2 DVassallo | DL: OR GLaynas | DL: OR DEisenhut | <i>kdcr</i> | <i>Topolito</i> |
| SURNAME | SNorris | BSiegel | DVassallo | GLaynas | DEisenhut | | ORAB |
| DATE | 1/1/82 | 1/1/82 | 1/1/82 | 1/1/82 | 1/1/82 | 3/3/83 | 3/4/83 |

Mr. J. M. Pilant
Nebraska Public Power District

cc:

Mr. G. D. Watson, General Counsel
Nebraska Public Power District
P. O. Box 499
Columbus, Nebraska 68601

Mr. Arthur C. Gehr, Attorney
Snell & Wilmer
3100 Valley Center
Phoenix, Arizona 85073

Cooper Nuclear Station
ATTN: Mr. L. Lessor
Station Superintendent
P. O. Box 98
Brownville, Nebraska 68321

Director
Nebraska Dept. of Environmental Control
P. O. Box 94877, State House Station
Lincoln, Nebraska 68509

Mr. William Siebert, Commissioner
Nemaha County Board of Commissioners
Nemaha County Courthouse
Auburn, Nebraska 68305

Mr. Dennis Dubois
USNRC
Resident Inspector
P. O. Box 218
Brownville, NE 68321

U. S. Environmental Protection Agency
Region VII Office
Regional Radiation Representative
324 East 11th Street
Kansas City, MO 64106

John T. Collins
Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
NEBRASKA PUBLIC POWER DISTRICT)
(COOPER NUCLEAR STATION))

Docket No. 50-298

ORDER CONFIRMING LICENSEE COMMITMENTS
ON POST-TMI RELATED ISSUES

I.

The Nebraska Public Power District (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 at the licensee's site 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 based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The staff's proposed requirements and schedule for implementation are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements." Among these requirements are a number of items, consisting of hardware modifications, administrative procedure implementation and specific information to be submitted by the licensee, scheduled to be completed on or after July 1, 1981. On March 17, 1982, a letter (Generic Letter 82-05) was sent to all licensees of operating power reactors for those items that were scheduled to be implemented from July 1, 1981 through March 1, 1982. Subsequently, on May 5, 1982, a letter (Generic Letter 82-10) was also sent to all licensees of operating power reactors for those items that were scheduled for implementation after March 1, 1982. These letters are hereby incorporated by reference. In these letters each licensee was requested to furnish within 30 days pursuant to 10 CFR 50.54(f) the following information for items which the staff had proposed for completion on or after July 1, 1981:

- (1) For applicable items that have been completed, confirmation of completion and the date of completion,
- (2) For items that have not been completed, a specific schedule for implementation, which the licensee committed to meet, and
- (3) Justification for delay, demonstration of need for the proposed schedule, and a description of the interim compensatory measures being taken.

III.

The licensee responded to Generic Letter 82-05 by letters dated April 16, and October 18, 1982; the licensee responded to Generic Letter 82-10 by letter dated June 4, 1982. In these submittals, the licensee confirmed that all but two of the items identified in the Generic Letters had been completed and made firm commitments to complete the remainder. The attached Tables summarizing the licensee's schedular commitments or status were developed by the staff from the Generic Letters and the licensee-provided information.

Generic Letters 82-05 and 82-10 applied to 16 and 10 items, respectively, for BWRs with jet-pumps. Of the ten items listed in Generic Letter 82-10, six items are not included in this Order. Item I.A.1.3.2 is part of a separate rulemaking; Items I.C.1, III.A.1.2 (2 items), and III.A.2.2 will be handled separately following Commission actions that would proceed as a result of its consideration of SECY 82-111, as amended; and Item II.K.3.30 and II.K.3.31 (one item) is not required until one year after staff approval of the generic model and staff review of these models has not been completed.

Eighteen of the 20 items addressed in this Order are considered by the licensee to be completed or to require no modifications. The staff's evaluation of the licensee's delays for the remaining two items is provided herein:

II.F.1(1 and 2) Post-Accident Monitoring (2 Items)

The licensee will complete installation and confirm operability of the noble gas and iodine particulate post-accident monitoring instrumentation

during the Spring 1983 refueling outage, which is scheduled to begin in April 1983. The delay is due to continuing vendor equipment delivery delays. The licensee has cancelled its original contract and selected a new vendor that will provide the required instrumentation in time for installation during the Spring refueling outage. In accordance with its letter to NRC (Short Term Lessons Learned) dated April 10, 1980, the licensee has interim procedures in place for post-accident monitoring.

We find, based on the above evaluation, that: 1) the licensee has taken corrective actions regarding the delays and has made a responsible effort to implement the NUREG-0737 requirements noted; and 2) there is good cause for the delays; equipment delays and 3) as noted above, interim compensatory measures have been provided.

In view of the foregoing, I have determined that these modifications and actions are required in the interest of public health and safety and, therefore, the licensee's commitment should be confirmed by Order.

IV.

Accordingly, pursuant to Sections 103, 161i, and 161o 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 and maintain the specific items described in the Attachments to this Order in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachments.

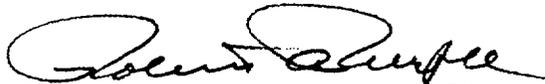
V.

The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. A request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy shall 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 requested by the licensee, 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



Robert A. Purple, Deputy Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 14th day of March 1983.

Attachments:

1. Licensee's Commitments on Applicable NUREG-0737 Requirements from Generic Letter 82-05
2. Licensee's Commitments on Applicable NUREG-0737 Requirements from Generic Letter 82-10

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

| Item | Title | NUREG-0737 Schedule | Requirement | Licensee's Completion Schedule (or status) |
|----------|-------------------------------------|------------------------|---|---|
| I.A.3.1 | Simulator Exams | 10/1/81 | Include simulator exams in licensing examinations | Complete |
| II.B.2 | Plant Shielding | 1/1/82 | Modify facility to provide access to vital areas under accident conditions | Complete |
| II.B.3 | Post-Accident Sampling | 1/1/82 | Install upgraded post-accident sampling capability | Complete |
| II.B.4 | Training for Mitigating Core Damage | 10/1/81 | Complete training program | Complete |
| II.E.4.2 | Containment Isolation Dependability | 7/1/81 | Part 5-lower containment pressure setpoint to level compatible w/normal operation | Complete |
| | | 7/1/81 | Part 7-isolate purge & vent valves on radiation signal | Complete |
| II.F.1 | Accident Monitoring | 1/1/82 | (1) Install noble gas effluent monitors | Refueling outage 8 (4/83) |
| | | 1/1/82 | (2) Provide capability for effluent monitoring of iodine | Refueling outage 8 (4/83) |
| | | 1/1/82 | (3) Install incontainment radiation-level monitors | Complete |

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

| Item | Title | NUREG-0737 | Requirement | Licensee's Completion Schedule |
|-----------|---------------------------------------|------------|--|--------------------------------|
| II.F.1 | | 1/1/82 | (4) Provide continuous indication of containment pressure | Complete |
| | | 1/1/82 | (5) Provide continuous indication of containment water level | Complete |
| | | 1/1/82 | (6) Provide continuous indication of hydrogen concentration in containment | Complete |
| II.K.3.15 | Isolation of HPCI & RCIC Modification | 7/1/81 | Modify pipe break detection logic to prevent inadvertent isolation | Complete |
| II.K.3.22 | RCIC Suction | 1/1/82 | Modify design of RCIC suction to provide automatic transfer to torus | Complete |
| II.K.3.24 | Space Cooling for HPCI/RCIC | 1/1/82 | Confirm the adequacy of space cooling for HPCI/RCIC | Complete |
| II.K.3.27 | Common reference level | 7/1/81 | Provide common reference level for vessel level instrumentation | Complete |

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10

| Item | Title | NUREG-0737 | Requirement | Licensee's Completion Schedule |
|-------------------|--|--|---|--|
| 1.A.1.3.1 | Limit Overtime | 10/1/82 per Gen. Ltr. 82-12 dtd 6/15/82 | Revise administrative procedures to limit overtime in accordance w/NRC Policy Statement issued by Generic Ltr. No. 82-12, dtd 6/15/82 | Complete |
| 1.A.1.3.2 | Minimum Shift* Crew | To be superseded by Proposed Rule | To be addressed in the Final Rule on Licensed Operator Staffing at Nuclear Power Units | To be addressed when Final Rule is issued |
| I.C.1 | Revise Emergency* Procedures | Superseded by SECY 82-111 | Reference SECY 82-111, Requirements for Emergency Response Capability | To be determined |
| II.D.1.2 | RV and SV Test Programs | 7/1/82 | Submit plant specific reports or relief and safety valve program | Complete |
| II.K.3.18 | ADS Actuation | 9/30/82 | Submit revised position on need for modifications | Complete |
| II.K.3.30 & 31 | SBLOCA Analysis* | 1 yr. after staff approval of model | Submit plant specific analyses | To be determined following staff approval of model |
| III.A.1.2 | Staffing Levels* for Emergency Situations | Superseded by SECY 82-111 | Reference SECY 82-111, Requirements for Emergency Response Capability | To be determined |

*Not Part of Confirmatory Order

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10

| Item | Title | NUREG-0737 | Requirement | Licensee's Completion Schedule (or status) |
|-----------|--|------------------------------------|---|--|
| III.A.1.2 | Upgrade Emer* gency Support Facilities | Superseded by SECY 82-111 | Reference SECY 82- 111, Requirements for Emergency Response Capability | To be determined |
| III.A.2.2 | Meteorological* Data | Superseded by SECY 82-111 | Reference SECY 82- 111, Requirements for Emergency Response Capability | To be determined |
| III.D.3.4 | Control Room Habitability | To be Determined by licensee | Modify facility as identified by licensee study | Complete |

*Not Part of Confirmatory Order