

August 29, 1985

Docket No. 50-298

Mr. J. M. Pilant, Technical  
Staff Manager  
Nuclear Power Group  
Nebraska Public Power District  
Post Office Box 499  
Columbus, Nebraska 68601

Dear Mr. Pilant:

SUBJECT: ORDER MODIFYING LICENSE CONFIRMING ADDITIONAL LICENSEE  
COMMITMENTS ON EMERGENCY RESPONSE CAPABILITY  
(SUPPLEMENT 1 TO NUREG-0737)

Re: Cooper Nuclear Station

The Commission has issued the enclosed Order confirming your additional commitments on emergency response capability. This Order is based on your letter dated June 18, 1985 which commits to the schedules specified in the Table attached to the Order.

This Order pertains to the schedules for the Safety Parameter Display System, the Technical Support Center and the Emergency Operations Facility.

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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*keep note  
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Mr. J. M. Pilant  
Nebraska Public Power District

Cooper Nuclear Station

cc:

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

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

Cooper Nuclear Station  
ATTN: Mr. Paul Thomason, Division  
Manager of Nuclear Operations  
Post Office Box 98  
Brownville, Nebraska 68321

Director  
Nebraska Dept. of Environmental Control  
Post Office 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  
U. S. Nuclear Regulatory Commission  
Resident Inspector  
Post Office Box 218  
Brownville, Nebraska 68321

Robert D. Martin  
Regional Administrator  
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U. S. Nuclear Regulatory Commission  
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Arlington, Texas 76011

H. Ellis Simmons, Director  
Division of Radiological Health  
Department of Health  
301 Centennial Mall, South  
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Lincoln, Nebraska 68509

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

ORDER MODIFYING LICENSE CONFIRMING ADDITIONAL LICENSEE COMMITMENTS  
ON EMERGENCY RESPONSE CAPABILITY

I.

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 at steady state reactor power levels each 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 included 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 official studies and investigations of the accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1

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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.

The licensee responded to Generic Letter 82-33 by letter dated April 15, 1983. By letters dated July 11, July 28, and December 30, 1983, the licensee modified several dates as a result of negotiations with the NRC staff. In these submittals, the licensee made commitments to complete the basic requirements. The licensee's commitments included (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. The staff found that these dates were reasonable and

achievable dates for meeting the Commission requirements and concluded that the schedule proposed by the licensee would provide timely upgrading of the licensee's emergency response capability. On February 22, 1984, the NRC issued "Order Confirming Licensee Commitments on Emergency Response Capability" which confirmed the licensee's commitments.

#### IV.

The February 22, 1984 Order stated that for those requirements for which the licensee committed to a schedule for providing implementation dates, those dates would be reviewed, negotiated and confirmed by a subsequent order. In conformance with the milestones in the February 22, 1984 Order, the licensee provided completion schedules for the following requirements:

- |   |  |
|---|--|
| 1. Safety Parameter Display System (SPDS)                               | 1b. SPDS fully operational and operators trained.  |
| 2. Detailed Control Room Design Review (DCRDR)                          | 2b. Submit a summary report to the NRC including a proposed schedule for implementation. |
| 3. Regulatory Guide 1.97 - Application to Emergency Response Facilities | 3b. Implement (installation or upgrade) requirements.                                    |
| 5. Emergency Response Facilities  | 5a. Technical Support Center fully functional.   |
|   | 5c. Emergency Operations Facility fully functional.                                      |

The attached Table summarizing the licensee's schedular commitments for the above items was developed by the NRC from the information provided by the licensee. The staff reviewed the licensee's March 1, April 16, and August 9, 1984 and March 6, and May 29, 1985 letters and discussed the dates with the licensee. As a result of these discussions, the licensee provided certain revised dates by letter dated June 18, 1985.

The NRC staff finds that these dates are reasonable and 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 the licensee's commitments are required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

V.

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 Part 2.204 and 10 CFR Part 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, THAT Facility Operating License No. DPR-46 is modified to provide that the licensee shall:

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

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

VI.

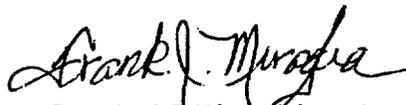
The licensee or any person with an adversely affected interest may request a hearing on this Order within 20 days of the date of publication of this Order in the FEDERAL REGISTER. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. A copy should 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 V of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Frank J. Miraglia, Acting Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Dated in Bethesda, Maryland  
this 29th day of August 1985.

Attachment:  
Licensee's Additional 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.	Completed
	1b. SPDS fully operational and operators trained.	July 31, 1986
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.	Completed
	2b. Submit a summary report to the NRC including a proposed schedule for implementation.	Completed
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.	Completed
	3b. Implement (installation or upgrade) requirements.	Prior to Startup for Cycle 13 Operation (approx. Spring 1989)
4. Upgrade Emergency Operating Procedures (EOPs)	4a. Submit a Procedures Generation Package to the NRC.	Completed
	4b. Implement the upgraded EOPs.	September 30, 1985
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	December 31, 1986
	5b. Operational Support Center fully functional.	Completed
	5c. Emergency Operations Facility fully functional.	December 31, 1986