July 8, 1988

Docket No. 50-298

Mr. George A. Trevors, Division
Manager - Nuclear Support
Nebraska Public Power District
Post Office Box 499
Columbus, Nebraska 68601

Dear Mr. Trevors:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION AND OPPORTUNITY FOR HEARING

Enclosed is a copy of the notice which relates to your application for amendment dated July 5, 1988 to revise the Cooper Nuclear Station Technical Specifications relating to MSIV surveillance testing.

We are publishing this notice as an individual notice with a 15-day notice period, in lieu of a regular biweekly notice, due to the exigent circumstances described in your application.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

/s/

William O. Long, Project Manager
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

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Docket File	NRC PDR	Local PDR	PD4 Reading
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DF01
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PDIV:LA	PDIV:PM	OGC-ROCK	PDIV:D
PNoonan	WLong:kb	S H Lewis	JCalvo
7/7/88	7/7/88	7/8/88	7/8/88

No legal objection, if changes noted are made.

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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See next page

Mr. George A. Trevors
Nebraska Public Power District

Cooper Nuclear Station

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

Cooper Nuclear Station
ATTN: Mr. Guy R. Horn, Division
Manager of Nuclear Operations
P. O. Box 98
Brownville, Nebraska 68321

Dennis Grams, Director
Nebraska Department of Environmental
Control
P. O. Box 98922
Lincoln, Nebraska 68509-8922

Mr. Larry Bohlken, Chairman
Nemaha County Board of Commissioners
Nemaha County Courthouse
1824 N Street
Auburn, Nebraska 68305

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 218
Brownville, Nebraska 68321

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

Mr. Harold Borchart, Director
Division of Radiological Health
Department of Health
301 Centennial Mall, South
P. O. Box 95007
Lincoln, Nebraska 68509-5007

UNITED STATES NUCLEAR REGULATORY COMMISSION

NEBRASKA PUBLIC POWER DISTRICT

DOCKET NO. 50-298

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO

FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS

CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-46, issued to the Nebraska Public Power District (the licensee), for operation of the Cooper Nuclear Station located in Nemaha County, Nebraska.

The amendment would revise the frequency for surveillance testing of main steam isolation valves (MSIV's).

The facility Technical Specifications presently require that MSIV's be slow-speed/partial-stroke tested weekly and full-speed/full-stroke tested quarterly. Since issuance of the Cooper Technical Specifications the staff position has been revised to reflect increased experience with MSIV testing. The current staff position, which is consistent with ASME Section XI Inservice Testing requirements, is that stroke testing can be conducted quarterly, partial stroke only, if full stroke testing cannot be performed at power. Cooper presently has an inoperable slow-speed test solenoid valve in one of its MSIV control circuits. This precludes the capability to partially stroke that valve. Because the MSIV cannot be slow-speed/partial-stroke tested weekly, it must be full-speed/full-stroke tested weekly in order to comply with the Technical Specifications. The full-speed/full-stroke test requires that power be reduced in order to prevent a high pressure scram.

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The amendment would eliminate the weekly test. By expediting the amendment, the weekly power reductions, with the concurrent increased possibility of scram, with the attendent increased challenges to Safety 1 Relief valves can sooner be eliminated.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards considerations. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The proposed Technical Specification change is judged to involve no significant hazards based on the following:

1. Does the proposed license amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

   Evaluation:

   This proposed change deletes the weekly exercise of the MSIV's. The weekly surveillance involves partial closure of each individual valve to the 90% open position and reopening to the full open position.

   The safety function of the MSIV is to isolate the main steamline in case of a steamline break or major fuel failure, to limit the loss of

reactor coolant and to limit the release of radioactive materials. The MSIV's do not affect the probability of any accident occurring. Also, the test which is being deleted does not test the safety function of the MSIV's. The safety function is tested during the quarterly full stroke fast closure trip test. Since deleting the weekly partial closure test is not considered to have any affect on the reliability of the MSIV's to perform their safety function, there is no increase in the consequences of any postulated accidents.

2. Does the proposed license amendment create the possibility for a new or different kind of accident from any accident previously evaluated?

Evaluation:

The safety function of the MSIV's is to mitigate the consequences of accidents by isolating the main steamline to limit the release of reactor coolant and radioactive materials. The MSIV's do not prevent the occurrence of any accident. Failure of the MSIV's to isolate could increase the consequences of several accidents previously evaluated in Chapter 14 of the Updated Safety Evaluation Report, but would not create any new or different kind of accident since they perform only a mitigation function. The elimination of the weekly exercising of the MSIV's by partial closure does not test the safety function of the valves, and therefore, cannot increase the consequences of an accident. Since the MSIV's perform a mitigating safety function, and the quarterly test adequately tests the safety function, elimination of the weekly test cannot create any new or different kind of accident.

3. Does the proposed license amendment involve a significant reduction in a margin of safety?

Evaluation:

The deletion of the weekly partial closure test of the MSIV's does reduce the frequency of testing the MSIV's. This could be considered to reduce the margin of safety for the MSIV's, however, the test to be deleted does not test the safety function of the valves, and therefore, does very little to test any function or capability of the valve.

The weekly partial closure test uses a test solenoid valve to change the position of the three way pilot valve, which slowly exhausts the air pressure that holds open the MSIV. As the air pressure is reduced, the springs in the MSIV start to close the valve. At the 90% open position, a limit switch is tripped and the test solenoid valve is de-energized by the operator, allowing the MSIV to return to its full open position. The normal MSIV isolation does not rely upon the test solenoid valve for full closure. The only purpose that this test fulfills is a weekly check to verify that the MSIV is not binding. The MSIV's are tested quarterly, and this test adequately verifies that the MSIV's are not binding and that the valves will perform their safety function.

The quarterly full stroke fast closure trip test is considered to be adequate, since this is the only test required by the ASME Boiler and Pressure Vessel Code and the Standard Technical Specifications (STS). Also, a quarterly test is all that is required of the other power operated primary containment isolation valves.

Based upon the discussion above, the weekly partial closure test does not test the safety function of the MSIV's, the quarterly full stroke fast closure test is clearly a better test and deletion of the partial closure test would not significantly reduce any margin of safety.

Accordingly, the Commission proposes to determine that this change does not involve significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration and Resources Management, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice.

Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By July 29, 1988 , the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a

written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rule of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of 30-days, the Commission will make a final determination on the issue of no significant hazards considerations. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards considerations, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves significant hazards considerations, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the

notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendment involves no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Herbert N. Berkow: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Mr. G. D. Watson, Nebraska Public Power District, Post Office Box 499, Columbus, Nebraska 68601, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent

a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated July 5, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. 20555, and at the Local Public Document Room, Auburn Public Library, 118 15th Street, Auburn, Nebraska 68305.

Dated at Rockville, Maryland, this 8th day of July 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

William O. Long

William O. Long, Project Manager
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation