



Nebraska Public Power District
Nebraska's Energy Leader

NLS2002095

July 3, 2002

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555-0001

Subject: Request for Emergency Processing of Proposed License Amendment Requests
Cooper Nuclear Station, NRC Docket 50-298, DPR-46

- References:**
1. Nebraska Public Power District (NPPD) letter NLS2001064, to U.S. Nuclear Regulatory Commission (NRC), dated July 30, 2001, "Proposed License Amendment Related to Emergency Core Cooling System Pump Net Positive Suction Head Requirements."
 2. NPPD letter NLS2002008, to NRC, dated May 20, 2002, "License Amendment Request to Revise the Ultimate Heat Sink and Reactor Equipment Cooling Water Temperature Requirements."
 3. NPPD letter NLS2002082, to NRC, dated June 19, 2002, "Request for Exigent Review of Proposed License Amendment Request."

The purpose of this letter is to request emergency processing of the license amendment requests (LAR), submitted by References 1 and 2, by the Nuclear Regulatory Commission (NRC) pursuant to 10 CFR 50.91(a)(5). By Reference 1 the Nebraska Public Power District (NPPD) submitted a LAR that requested revision of the licensing basis with respect to containment overpressure contribution to emergency core cooling system pump net positive suction head requirements following a loss-of-coolant accident. By Reference 2 NPPD submitted a LAR that requested an increase in the cooling water temperature limits of Cooper Nuclear Station (CNS) Technical Specifications (TS) for the Ultimate Heat Sink (UHS) and Reactor Equipment Cooling System. By Reference 3 NPPD requested that the NRC process the LAR submitted by Reference 2 on an exigent basis pursuant to 10 CFR 50.91(a)(6), and presented the basis for that request.

The current situation at CNS satisfies the criteria for an emergency outlined in 10 CFR 50.91(a)(5), in that CNS TS requires shutdown of the plant in the event that the temperature of the Missouri River, the UHS for CNS, exceeds the temperature limit in TS. The current temperature limit in TS is 90°F. This emergency situation is caused by environmental factors beyond the control of NPPD. As discussed in Reference 3 the Missouri River is experiencing lower than normal flows as a result of continuing drought conditions and low reservoir levels

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upstream of CNS. Additionally, the area surrounding CNS has recently been experiencing a continued period of high ambient air temperatures. During the evening of June 30, 2002, the temperature of the Missouri River exceeded 85°F. Taking the uncertainty of the permanent instrumentation into account, the plant staff must conservatively begin to take action at 87°F to place the plant in shutdown. Thus, the UHS temperature is extremely close to the value at which the shutdown would commence. NPPD is installing temporary instrumentation with a smaller instrument uncertainty in an attempt to provide additional margin.

The Reference 1 LAR was noticed in the June 25, 2002, Biweekly Federal Register Notice for the standard 30-day public review period. This comment period expires on July 25, 2002. The Reference 2 LAR was noticed individually in the June 28, 2002, Federal Register Notice for a 14-day public review period. This comment period expires on July 12, 2002. As explained in the Reference 2 letter, the LAR submitted by Reference 1 supports the LAR submitted by Reference 2, and therefore both should be approved at the same time. Based on the dates of Federal Register Notice publication and the comment periods, the amendments could not be issued until July 25, 2002. With the trend of increasing Missouri River temperatures being experienced it is very likely that the river will exceed 90°F prior to that date, with resultant shutdown of the plant.

Thus, the combination of natural phenomena and standard regulatory process could result in an unwarranted plant shutdown.

References 1 and 2 included the evaluation required by 10CFR50.91(a)(1) of whether the proposed changes to the CNS operating license involved any significant hazards consideration using the standards in 10CFR50.92(c). The results of that evaluation for both the Reference 1 and Reference 2 LAR concluded that the requested changes to the license present no significant hazards considerations. This request for emergency processing of the subject LAR does not affect those evaluations provided in References 1 and 2. Therefore, no additional reviews by the onsite or offsite safety review committees were required for this request.

In consideration of the above, NPPD believes it is in the best interest of the energy community to request emergency processing of the LAR submitted by Reference 1 and 2 LAR. Should you have any questions concerning this matter, please contact Mr. Ed McCutchen at (402) 825-2707.

Sincerely,



David L. Wilson
Vice President-Nuclear

NLS2002095

Page 3 of 4

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cc: Regional Administrator
USNRC - Region IV

Senior Project Manager
USNRC - NRR Project Directorate IV-1

Senior Resident Inspector
USNRC

NPG Distribution

Records

Affidavit

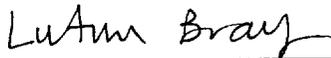
(STATE OF NEBRASKA)
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(NEMAHA COUNTY)

David L. Wilson, being first duly sworn, deposes and says that he is an authorized representative of the Nebraska Public Power District, a public corporation and political subdivision of the State of Nebraska; that he is duly authorized to submit this correspondence on behalf of Nebraska Public Power District; and that the statements contained herein are true to the best of his knowledge and belief.



David L. Wilson

Subscribed in my presence and sworn to before me this 3rd day of July, 2002.



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