

September 30, 2002

Mr. David L. Wilson  
Vice President of Nuclear Energy  
Nebraska Public Power District  
P. O. Box 98  
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION - ISSUANCE OF AMENDMENT  
RE: VENTILATION FILTER TESTING PROGRAM TECHNICAL  
SPECIFICATION CHANGE (TAC NO. MB2142)

Dear Mr. Wilson:

The Commission has issued the enclosed Amendment No. 195 to Facility Operating License No. DPR-46 for the Cooper Nuclear Station. The amendment consists of changes to Technical Specification (TS) in response to your application dated May 30, 2001.

The amendment revises the TS 5.5.7, "Ventilation Filter Testing Program (VFTP)," to reference American Society of Mechanical Engineers N510-1989 edition instead of the reference to N510-1980 edition, and to correct references to Regulatory Guide 1.52, Revision 2. The inappropriate reference occurred during the conversion of the TSs to the U. S. Nuclear Regulatory Commission's improved standard TSs which are consistent with the improved standard TSs.

A copy of our related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

*/RA/*

Mohan C. Thadani, Senior Project Manager, Section 1  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-298

Enclosures: 1. Amendment No. 195 to DPR-46  
2. Safety Evaluation

cc w/encls: See next page

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Mohan C. Thadani, Senior Project Manager, Section 1  
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ACCESSION NO.: ML022670221

\*no changes to SE input dated May 5, 2002

OFFICE	PDIV-1/PM	PDIV-1/LA	SPLB/BC*	OGC	PDIV-1/SC
NAME	MThadani	MMcAllister	JHannon	CBray - NLO	RGramm
DATE	9/30/02	9/30/02	05/15/02	9/30/02	9/30/02

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NEBRASKA PUBLIC POWER DISTRICT

DOCKET NO. 50-298

COOPER NUCLEAR STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 195  
License No. DPR-46

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Nebraska Public Power District (the licensee), dated May 30, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment and Paragraph 2.C.(2) of Facility Operating License No. DPR-46 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 195, are hereby incorporated in the license. The Nebraska Public Power District shall operate the facility in accordance with the Technical Specifications.

3. The license amendment is effective as of its date of issuance and shall be implemented within 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Robert A. Gramm, Chief, Section 1  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: September 30, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 195

FACILITY OPERATING LICENSE NO. DPR-46

DOCKET NO. 50-298

Replace the following pages of the Appendix A Technical Specifications with the enclosed revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

5.0-11  
5.0-13

INSERT

5.0-11  
5.0-13

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 195

TO FACILITY OPERATING LICENSE NO. DPR-46

NEBRASKA PUBLIC POWER DISTRICT

COOPER NUCLEAR STATION

DOCKET NO. 50-298

1.0 INTRODUCTION

By letter dated May 30, 2001, Nebraska Public Power District, the licensee for Cooper Nuclear Station (CNS) requested an amendment to the CNS license, DPR-46, in accordance with the provisions of Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR). The licensee requested to revise the Technical Specification (TS) 5.5.7, "Ventilation Filter Testing Program (VFTP)." Specifically, the licensee requested to replace the present reference to ASME (American Society of Mechanical Engineers) N510-1980 with the reference to ASME N510-1989; revise the reference in TS 5.5.7e to ASME N510-1989 Section 14.5.1 for heater dissipation testing, because no such section exists; and revise references in TSs 5.5.7a and 5.5.7b, so that only the correct subsections of the Revision 2 of Regulatory Guide (RG) 1.52 that apply to the topic of the TS paragraph are referenced.

2.0 REGULATORY EVALUATION

Amendment 178 to the CNS operating license implemented the improved standard technical specification (STS) format in the CNS TS on July 31, 1998. Amendment 178 characterized the changes made by conversion as administrative only. The associated surveillance procedures remained unchanged as a result of the implementation of Amendment 178. Thus, no technical changes were made. While implementing the format of the improved STS into the CNS TS, an inappropriate reference to ASME N510-1980 was added to TS 5.5.7.

The regulatory guidance for the proposed revision is provided in ASME N510-1989, Revision 2 of the U. S. Nuclear Regulatory Commission (NRC) RG 1.52, and NUREG-1433 Revision 1. The provisions of ASME N510-1989 are intended as technical guidance rather than a requirement as explained below.

The control room emergency filtration (CREF) and the standby gas treatment (SGT) systems are used for air treatment at CNS. Neither of these systems was designed to the provisions of ASME N510. Both the CREF and SGT systems were designed to General Electric contract and design specification requirements.

Section 1.2 of ASME N510-1989, "Limitations of this Standard," discusses how the code will be applied to these systems. That section states, in part:

“This Standard shall be applied in its entirety to systems designed and built to ASME N509 specifications. Sections of this Standard may be used for technical guidance for testing air treatment systems designed according to other criteria.”

Consequently, the NRC staff concludes that the application of the provisions of ASME N510-1989 at CNS as technical guidance instead of requirements is appropriate.

### 3.0 TECHNICAL EVALUATION

As stated above, while issuing Amendment 178 to revise the format of TSs to the improved STS, an inappropriate reference to ASME N510-1980 was added to TS 5.5.7. The licensee proposes to change the reference from N510-1980 to the reference of N510-1989. This change in the TSs will not result in a change in the required testing performed following the implementation of Amendment 178. The NRC staff finds that the proposed replacement of the ASME N510-1989 reference is acceptable.

In addition, the reference to Section 14.5.1 of ASME N510-1980 in TS 5.5.7.e for heater power dissipation testing is inappropriate because no such section exists in 1980 version of ASME N510. The appropriate reference for heater power dissipation testing is Section 14.5.1 of ASME N510-1989, “Power-On Electrical Tests.” There is no change in the technical requirements of 5.5.7.e. Therefore, the proposed change is acceptable.

Also, in the TSs 5.5.7.a and 5.5.7.b the licensee proposes to add reference to ASME N510-1989 replacing the erroneous reference to N510-1980. This change in the TSs will not result in a change in the required testing. The change will maintain testing consistent with the testing performed following the implementation of Amendment 178. TS 5.5.7.a relates to high-efficiency particulate air (HEPA) filter testing and includes references to Sections c.5.c and c.5.d of Revision 2 of RG 1.52. Because this TS only relates to HEPA filter testing, it should only reference Section C.5.c of Revision 2 of RG 1.52. TS 5.5.7.b relates to charcoal adsorber filter testing and includes references to Sections c.5.c and c.5.d of Revision 2 of RG 1.52. Because this TS only relates to charcoal adsorber filter testing, it should only reference Section C.5.d of Revision 2 of RG 1.52. Other minor changes that do not change the requirements are also made. The NRC staff accepts the above changes for the reasons stated above.

### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Nebraska State official was notified of the proposed issuance of the amendment. The State official had no comments.

### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a surveillance requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding

(66 FR 46480 published September 5, 2001). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR Section 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

## 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Vincent Klco

Date: September 30, 2002

Cooper Nuclear Station

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August 2002