

December 5, 2003

Mr. Clay C. Warren
Chief Nuclear Officer
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION - ISSUANCE OF AMENDMENT ON REVISION
OF TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENTS FOR
LOCKED, SEALED, OR SECURED SECONDARY CONTAINMENT ISOLATION
VALVES (SR 3.6.4.2.1) (TAC NO. MC0833)

Dear Mr. Warren:

The Commission has issued the enclosed Amendment No. 202 to Facility Operating License No. DPR-46 for the Cooper Nuclear Station. The amendment consists of changes to the Technical Specifications (TS) in response to your application dated July 15, 2003.

The amendment would modify the TS requirements for surveillance of the status of Secondary Containment Isolation Valves and Blind Flanges in Surveillance Requirement 3.6.4.2.1, consistent with TS Task Force Traveler-45. The applicable TS Bases have also been revised to document the TS changes and provide supporting information.

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/

Michelle C. Honcharik, 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. 202 to DPR-46
2. Safety Evaluation

cc w/encls: See next page

Cooper Nuclear Station
cc:

Mr. William J. Fehrman
President and Chief Executive Officer
Nebraska Public Power District
1414 15th Street
Columbus, NE 68601

Mr. Thomas J. Palmisano
Site Vice President
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

Mr. John R. McPhail, General Counsel
Nebraska Public Power District
P. O. Box 499
Columbus, NE 68602-0499

Mr. Paul V. Fleming, Licensing Manager
Nebraska Public Power District
P.O. Box 98
Brownville, NE 68321

Mr. Michael J. Linder, Director
Nebraska Department of Environmental
Quality
P. O. Box 98922
Lincoln, NE 68509-8922

Chairman
Nemaha County Board of Commissioners
Nemaha County Courthouse
1824 N Street
Auburn, NE 68305

Ms. Cheryl K. Rogers, Program Manager
Nebraska Health & Human Services
System
Division of Public Health Assurance
Consumer Services Section
301 Centennial Mall, South
P. O. Box 95007
Lincoln, NE 68509-5007

Mr. Ronald A. Kucera, Director
of Intergovernmental Cooperation
Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102

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

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

Jerry Uhlmann, Director
State Emergency Management Agency
P. O. Box 116
Jefferson City, MO 65101

Chief, Radiation and Asbestos
Control Section
Kansas Department of Health
and Environment
Bureau of Air and Radiation
1000 SW Jackson
Suite 310
Topeka, KS 66612-1366

Mr. Daniel K. McGhee
Bureau of Radiological Health
Iowa Department of Public Health
401 SW 7th Street
Suite D
Des Moines, IA 50309

Mr. Scott Clardy, Director
Section for Environmental Public Health
P.O. Box 570
Jefferson City, MO 65102-0570

December 5, 2003

Mr. Clay C. Warren
Chief Nuclear Officer
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION - ISSUANCE OF AMENDMENT ON REVISION OF TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENTS FOR LOCKED, SEALED, OR SECURED SECONDARY CONTAINMENT ISOLATION VALVES (SR 3.6.4.2.1) (TAC NO. MC0833)

Dear Mr. Warren:

The Commission has issued the enclosed Amendment No. 202 to Facility Operating License No. DPR-46 for the Cooper Nuclear Station. The amendment consists of changes to the Technical Specifications (TS) in response to your application dated July 15, 2003.

The amendment would modify the TS requirements for surveillance of the status of Secondary Containment Isolation Valves and Blind Flanges in Surveillance Requirement 3.6.4.2.1, consistent with TS Task Force Traveler-45. The applicable TS Bases have also been revised to document the TS changes and provide supporting information.

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/

Michelle C. Honcharik, 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. 202 to DPR-46
2. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION:

PUBLIC RidsNrrLAMMcAllister
PDIV-1 r/f RidsNrrDipmIrob (T. Boyce)
G. Hill (2) RidsOgcRp
RidsNrrDipmLpdiv (H. Berkow) RidsAcrcAcnwMailCenter
RidsNrrDipmLpdiv-1 (R. Gramm) RidsRgn4MailCenter (K. Kennedy)
RidsNrrPMMHoncharik R.J. Giardina

ACCESSION NO: ML033500335

*No substantive changes

OFFICE	PDIV-1/PM	PDIV-1/LA	IROB/SC	OGC	PDIV-1/SC
NAME	MHoncharik	MMcAllister	TBoyce	KKannler(NLO)	RGramm
DATE	11/19/03	11/20/03	11/4/03*	11/26/03	12/4/03

OFFICIAL RECORD COPY

NEBRASKA PUBLIC POWER DISTRICT

DOCKET NO. 50-298

COOPER NUCLEAR STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 202
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 July 15, 2003, 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. 202, 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 60 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: December 5, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 202

FACILITY OPERATING LICENSE NO. DPR-46

DOCKET NO. 50-298

Replace the following page of the Appendix A Technical Specifications with the enclosed revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

3.6-37

INSERT

3.6-37

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 202 TO

FACILITY OPERATING LICENSE NO. DPR-46

NEBRASKA PUBLIC POWER DISTRICT

COOPER NUCLEAR STATION

DOCKET NO. 50-298

1.0 INTRODUCTION

By letter dated July 15, 2003, Nebraska Public Power District (NPPD or the licensee) submitted a request to change the Cooper Nuclear Station Technical Specifications (TSs). The proposed changes would revise Surveillance Requirement (SR) 3.6.4.2.1 to exclude locked, sealed or otherwise secured manual secondary containment isolation valves (SCIVs) and blind flanges from being verified closed and revise the Bases for TS 3.6.4.2 to reflect this change. The proposed TS changes are consistent with the Standard Technical Specifications (STSs) for General Electrical Plants, BWR/4 (NUREG-1433, Revision 2) as modified by Technical Specification Task Force Traveler-45 (TSTF-45) Revision 2.

2.0 REGULATORY EVALUATION

The licensee has implemented NUREG-1433 Revision 1, "Standard Technical Specifications - General Electrical Plants, BWR/4." NUREG-1433 Revision 1 as modified by TSTF-45 Revision 1, provides some relaxation for valve position verification in various Action statements and SRs in STS 3.6.1.3, "Primary Containment Isolation Valves (PCIV)." The licensee has proposed to update its TSs to incorporate TSTF-45 Revision 2, which extends the change to STS 3.6.4.2 "Secondary Containment Isolation Valves (SCIVs)." These changes were incorporated in Revision 2 of NUREG-1433 dated April 2001.

The staff finds that the licensee in Section 4 of its submittal identified the applicable regulatory requirements and guidance. The regulatory requirements and guidance for which the staff based its acceptance criteria are:

- Title 10 of the *Code of Federal Regulations* (10 CFR) Sections 50.36, 50.59, 50.90, and 50.92, and 10 CFR Part 50 Appendix A
- TSTF-45 Revision 2 approved by the NRC on July 26, 1999.
- The model TSs contained in the STSs, NUREG-1433, Revision 2, "Standard Technical Specifications, General Electric Plants, BWR/4" dated October 10, 2001.

3.0 TECHNICAL EVALUATION

The staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment which are described in the Sections 5 and 6, respectively, of the licensee's application. The evaluation below supports the conclusion 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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

The proposed change to TS 3.6.4.2 and its associated Bases is:

1. SR 3.6.4.2.1 is modified by the addition of the words "not locked, sealed, or otherwise secured and is" between the words "is" and "required." The associated Bases are revised accordingly.

Adding the words "not locked, sealed, or otherwise secured and is " to SR 3.6.4.2.1 excludes those valves that are locked, sealed, or otherwise secured in the closed position from the verification requirements of this SR. This is acceptable since these valves were verified to be in the correct position upon locking, sealing, or securing.

In addition NPPD has stated in Attachment 1 of their submittal that administrative controls currently in place at Cooper will continue to provide assurance that normally closed manual containment isolation devices that are locked, sealed or otherwise secured, are maintained in their correct positions. The staff finds this change does not change the intent of the SR and is therefore acceptable.

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 requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes a surveillance requirement. 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 (68 FR 61479) published October 28, 2003. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 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: R.J. Giardina

Date: December 5, 2003