

October 15, 2004

Mr. Randall K. Edington
Vice President-Nuclear and CNO
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION - ISSUANCE OF AMENDMENT RE: ONE-TIME
EXTENSION OF DIESEL GENERATOR ALLOWED OUTAGE TIME FROM
7 DAYS TO 14 DAYS (TAC NO. MC3770)

Dear Mr. Edington:

The Commission has issued the enclosed Amendment No. 207 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, 2004, as supplemented by letters dated September 28 and October 14, 2004.

The amendment would revise TS Section 3.8.1, AC Sources - Operating, Condition B, to provide a one-time extension of the allowed outage time for one Diesel Generator inoperable from 7 days to 14 days. It also would revise TS Section 3.8.3, Diesel Fuel Oil, Lube Oil, and Starting Air, Limiting Condition for Operation, to allow the use of temporary fuel oil storage tanks to supply the required fuel oil storage inventory.

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. 207 to DPR-46
2. Safety Evaluation

cc w/encls: See next page

October 15, 2004

Mr. Randall K. Edington
Vice President-Nuclear and CNO
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION - ISSUANCE OF AMENDMENT RE: ONE-TIME
EXTENSION OF DIESEL GENERATOR ALLOWED OUTAGE TIME FROM
7 DAYS TO 14 DAYS (TAC NO. MC3770)

Dear Mr. Edington:

The Commission has issued the enclosed Amendment No. 207 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, 2004, as supplemented by letters dated September 28 and October 14, 2004.

The amendment would revise TS Section 3.8.1, AC Sources - Operating, Condition B, to provide a one-time extension of the allowed outage time for one Diesel Generator inoperable from 7 days to 14 days. It also would revise TS Section 3.8.3, Diesel Fuel Oil, Lube Oil, and Starting Air, Limiting Condition for Operation, to allow the use of temporary fuel oil storage tanks to supply the required fuel oil storage inventory.

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. 207 to DPR-46
2. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION:

PUBLIC

RidsNrrDlpmLpdiv (HBerkow)
RidsNrrLADJohnson
RidsOgcRp
TKoshy

PDIV-1 r/f

RidsNrrDlpmLpdiv1 (RGramm)
RidsNrrDipmIrob (TBoyce)
RidsRgn4MailCenter (KKennedy)
JRajan

GHill (2)

RidsNrrPMMHoncharik
RidsAcrsAcnwMailCenter
RidsNrrDlpmDpr (SWall)

*No substantive changes

ACCESSION NO: ML042920532(Letter)

OFFICE	PDIV-1/PM	PDIV-1/LA	EEIB-B/SC*	EMEB-A/SC*	OGC(NLO)	PDIV-1/SC/A
NAME	MHoncharik	DJohnson	RJenkins	DTerao	MLemoncelli	MWebb
DATE	10/14/04	10/14/04	10/05/04	10/13/04	10/15/04	10/15/04
OFFICE	SPLB-A/SC	IROB-B/SC	IROB-A/SC			
NAME	J. Dixon-Herrity** (via email)	DTrimble**	TBoyce**			
DATE	10/13/04	10/13/04	10/08/04			

OFFICIAL RECORD COPY

NEBRASKA PUBLIC POWER DISTRICT

DOCKET NO. 50-298

COOPER NUCLEAR STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 207
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, 2004, as supplemented by letter dated September 28 and October 14, 2004, 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. 207, 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 on or before October 22, 2004, and is subject to the license conditions as stated in the licensee's letter dated October 14, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Michael K. Webb, Acting 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: October 15, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 207

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

3.8-3
3.8-13

INSERT

3.8-3
3.8-13

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 207 TO

FACILITY OPERATING LICENSE NO. DPR-46

NEBRASKA PUBLIC POWER DISTRICT

COOPER NUCLEAR STATION

DOCKET NO. 50-298

1.0 INTRODUCTION

By application dated July 15, 2004 (ADAMS Accession No. ML042020269), as supplemented by letters dated September 28 (ADAMS Accession No. ML042780486) and October 14, 2004, Nebraska Public Power District (NPPD, the licensee), requested changes to the Technical Specifications (TSs) for Cooper Nuclear Station. The supplements dated September 28 and October 14, 2004, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on August 3, 2004 (69 FR 46586).

The proposed changes would revise TS Section 3.8.1, AC Sources - Operating, Condition B, to provide a one-time extension of the allowed outage time (AOT) for one Diesel Generator (DG) inoperable from 7 days to 14 days and TS Section 3.8.3, Diesel Fuel Oil, Lube Oil, and Starting Air, Limiting Condition for Operation, to allow the use of temporary fuel oil storage tanks to supply the required fuel oil storage inventory. This TS change would be applicable through November 30, 2004, to allow corrective maintenance to the fuel oil storage and transfer system, which may take longer than the presently permitted seven day AOT.

In a letter to NRC dated December 4, 2003 (ADAMS Accession No. ML033430312) from NPPD on "Confirmation of Commitments," NPPD had committed to coat the DG fuel oil storage tanks during the next refueling outage, scheduled for January 2005, as a corrective action to mitigate the effects of corrosion, which had caused diesel fuel transfer system strainer fouling. In order to provide a more timely resolution of the corrosion issue and reduce critical path time during the refueling outage, NPPD has scheduled the corrective maintenance as an on-line activity for completion during the fall of 2004. During this scheduled activity, a high flow flush of the underground transfer piping is also planned to be conducted to remove accumulated corrosion products from the piping.

The licensee will configure emergency DG (EDG) fuel oil storage and transfer system to ensure a minimum fuel oil inventory to support four days of full load EDG operation using the operable permanent storage tank. Existing cross-tie capabilities in the fuel storage and transfer system piping, in conjunction with proceduralized manual actions, will ensure the four-day fuel supply

will be available to either DG. The remaining three-day fuel supply will be stored in temporary non-Class I tanks.

2.0 REGULATORY EVALUATION

The NRC staff finds that the licensee, in Section 5.2 of its July 15, 2004, submittal identified the applicable regulatory requirements. The regulatory guidance and requirements which the staff considered in reviewing the application included:

1. Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR), Appendix A, General Design Criterion (GDC) 17, "Electric Power Systems," of Appendix A, "General Design Criteria for Nuclear Power Plants," requires, in part, that nuclear power plants have onsite and offsite electric power systems to permit the functioning of structures, systems, and components that are important to safety. The onsite system is required to have sufficient independence, redundancy, and testability to perform its safety function, assuming a single failure.
2. Regulatory Guide (RG) 1.137, "Fuel-Oil Systems for Standby Diesel Generators," Revision 1, indicates that the requirements for the design of fuel-oil systems for DGs that provide standby electrical power included in American National Standards Institute (ANSI) Standard N195-1976, "Fuel Oil System for Standby Diesel Generators," provide a method acceptable for complying with the pertinent requirements of GDC 17.
3. RG 1.137, provides a discussion of the two methods for calculation of fuel oil storage requirements set forth in Section 5.4 of ANSI N195-1976. The two methods are (1) calculations based on the assumption that the DG operates continuously for 7 days at its rated capacity, and (2) calculations based on the time-dependent loads of the DG. For the time-dependent load method, the minimum required capacity should include the capacity to power the engineered safety features.
4. NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," (SRP) Section 3.7.3 "Seismic Subsystem Analysis," provides the regulatory requirements for seismic analysis of Category I Structures. Subsection I.14 of SRP 3.7.3 discusses methods of analysis of above-ground tanks. For Category I above-ground tanks, the seismic criteria and methods that consider hydrodynamic forces, tank flexibility, soil-structure interaction, and other pertinent parameters are reviewed.
5. SRP Section 3.7.2, "Seismic System Analysis," Subsection II.1, provides the applicable acceptance criteria. SRP 3.7.3, Subsection I.12 provides the review requirements for Category I buried piping. Seismic criteria and methods which consider the compliance characteristics of soil media, dynamic pressures, settlement due to earthquake and differential movements at support points, penetrations, and entry points into structures provided with anchors are reviewed.
6. GDC 1, "Quality Standards and Records," requires that structures, systems, and components be designed, fabricated, erected, and tested to quality standards commensurate with the importance of the safety function to be performed.

7. SRP Section 3.8.4 "Other Seismic Category I Structures," provides guidance describing design methodology, materials testing, and construction techniques that are commensurate with the importance of the safety function to be performed. Conformance with these requirements imposes specific restrictions to ensure that structures other than the containment will perform acceptably, commensurate with their intended safety function, when designed in accordance with the above standards. Meeting these requirements provides added assurance that the structures, systems, and components described herein will perform their intended safety function. In the case of temporary equipment, it is necessary to demonstrate that the equipment will remain functional following a seismic event and not suffer catastrophic damage.

3.0 TECHNICAL EVALUATION

3.1 Electrical Evaluation

For the duration of the repair work on the fuel oil tanks, the licensee will configure the EDG oil storage and transfer system to ensure a minimum fuel oil inventory will be available to support four days of full load EDG operation in the operable permanent storage tank. Existing cross-tie capabilities in the fuel storage and transfer system piping, in conjunction with proceduralized manual actions, will ensure the four-day fuel supply is available to either DG. The remaining three-day fuel supply will be stored in temporary non-Class 1 storage tanks.

In the event that fuel stored in the temporary tanks is not available to support full load operation of the DG beyond four days, replenishment of fuel oil from offsite can be accomplished within approximately 24 hours through the use of existing purchase orders for fuel oil and diesel fuel. The temporary storage tank replenishment provisions and the proceduralized manual actions fully preserve the EDG fuel requirements, except for use of non-Class 1 structures and temporary piping during the performance of the fuel tank repair.

In response to NRC staff questions on the reliability of the transfer scheme for the offsite power, the licensee stated that in the operating history of the plant, there have been only three events when the power supply did not transfer over to the start up transformer and, in those cases, the plant was energized by the emergency service transformer that avoided the need for EDGs.

Following the subject maintenance activity, the licensee agreed to conduct the following tests that are normally conducted on-line to verify the readiness of the EDG fuel oil system (Condition 1 in Section 4.0 of this safety evaluation):

"DIESEL FUEL OIL AVAILABILITY," which satisfies TS Surveillance Requirement (SR) 3.8.3.1 to ensure an adequate inventory of fuel oil is available, and SR 3.8.3.5 which checks for and removes accumulated water from the storage tanks.

"DIESEL FUEL OIL STORAGE TANK, BUNKER A & B QUALITY TEST," which satisfies TS SR 3.8.3.3, in part, to ensure fuel oil properties are within limits of the Diesel Fuel Oil Testing Program.

"DIESEL GENERATOR 31 DAY OPERABILITY TEST," which satisfies the following:
(1) SR 3.8.1.2 to verify the DG starts from standby conditions and achieves required

steady state voltage and frequency; (2) SR 3.8.1.3 to verify the DG is synchronized, loaded, and operates for greater than 2 hours while loaded; (3) SR 3.8.1.4 to verify fuel level in the day tank; (4) SR 3.8.1.5 to remove accumulated water from the day tank; (5) SR 3.8.1.7 to verify the DG starts and loads from standby conditions and achieve required voltage and frequency within 14 seconds, and maintains the required voltage and frequency after steady state conditions are achieved; (6) SR 3.8.3.2 which verifies lube oil inventory; and (7) SR 3.8.3.4 which verifies the starting air system pressure.

“DIESEL GENERATOR FUEL OIL TRANSFER PUMP IST [Inservice Testing] FLOW TEST,” which satisfies conditions of TS Section 5.5.6, Inservice Testing (IST) Program.

Additionally, the diesel fuel oil duplex strainer will be inspected and cleaned.

The licensee has established communication with the Energy Management System at the Doniphan Control Center (DCC) to ensure adequate voltage and capacity for the offsite power, and that the DCC informs the control room on any contingency violations that could degrade the offsite power supply. Further, the licensee participates in a daily teleconference with the system dispatcher and other power stations which make up the local offsite power system to provide status on the local system conditions. The special procedure for the fuel tank maintenance activity will provide the system dispatcher with the DG status and the station power needs (Conditions 2 and 3 in Section 4.0 of this safety evaluation).

The licensee’s Project Plan and Special Procedure for the fuel tank maintenance activity will contain the requirement to evaluate weather conditions prior to entering the activity (Condition 4 in Section 4.0 of this safety evaluation). Furthermore, the licensee will not plan any activities that have the potential to challenge DG operability or availability of emergency core cooling systems (ECCS), critical switchgear/electrical buses, offsite power sources or safety-related cooling water systems for the duration of the fuel tank maintenance activities (Condition 5 in Section 4.0 of this safety evaluation). The high pressure coolant injection system, a steam driven system with the capability to restore reactor vessel inventory, and other ECCS will remain available during the fuel tank maintenance activities.

The equipment to transfer fuel oil from the temporary storage tanks to support DG operation, in accordance with contingency and defense-in-depth plans, will be pre-staged to ensure it is available in the event of a DG start (Condition 6 in Section 4.0 of this safety evaluation). Additional staffing, in addition to the minimum staffing needed for Emergency Response Organization duties, will be continuously available to implement the defense-in-depth plans. The EDG associated with the tank undergoing the repair will remain available to start and load throughout the maintenance activity.

Based on the above temporary modifications and proceduralized manual actions to preserve the availability of the EDGs during the fuel oil tank repair, the staff finds the proposed changes to be acceptable.

3.2 Seismic Evaluation

In Section 4.3 of the July 15, 2004, submittal, the licensee stated that the temporary equipment required to perform diesel fuel movement will be located on an area of engineered fill, which is resistant to damage caused by seismic events.

In its request for additional information dated August 6, 2004 (ADAMS Accession No. ML042300347) the NRC staff requested the licensee to do the following: (a) provide the basis for this statement, (b) include a discussion of the level of earthquake ground motion, (c) discuss the load transfer between the tank and the engineered fill, (d) discuss the basis for the statement that the temporary equipment will remain functional during seismic events at this location, (e) include a description of the evaluation of the ability of temporary piping to withstand seismic loadings, and (f) include a description of the evaluation of the ability of above-ground tank anchorages to withstand seismic loadings.

In its September 28, 2004, submittal, in response to item (a), basis for resistance to seismic damage, the licensee stated:

The area in which the temporary storage tank(s) and pumping equipment are to be located is at the plant site grade surface (approximately elevation 903'-0") in the South East corner of the site Protected Area. The general area is best described as the area South of the existing Diesel Fuel Storage Tanks, East of the Condensate Storage Tank, and at the grade surface above the plant discharge tunnel (Seal Well Structure), which are shown on Burns and Roe drawing 4003 Updated Safety Analysis Report (USAR) reference drawing). This is an area in which the soil profile consists of highly compacted backfill down to the elevation of the bedrock at the site (approximate elevation 820'). This backfill, previously referred to as "engineered fill," is described as Type I Fill, or Structural Fill, as this level of compaction was utilized to provide the structural fill upon which the Class I and Class II Principal Structures were founded. This backfill was extended to grade around the Principal Structures, and is the same fill in which the Class I Diesel Fuel Storage Tanks and Class I Transfer Piping are imbedded. This fill is considered to be equivalent to the bedrock of the plant site, both in terms of structural stability, as well as in terms of the seismic input motion that structures found in, or upon, are subjected to during plant seismic events. Since the seismic ground motion is not amplified through this structural fill, the expected seismic input to the temporary equipment is expected to be low, such that the subject commercial components are not expected to be significantly damaged by the postulated seismic events.

The NRC staff finds the licensee's response acceptable and adequate because this compacted backfill is considered to be equivalent to the bedrock of the plant site, both in terms of structural stability, as well as in terms of the seismic input motion that structures found in, or upon, are subjected to during plant seismic events. In addition, it satisfies regulatory requirements for locating temporary structures.

In its September 28, 2004, submittal, with regard to the information requested in item (b), level of earthquake ground motion, the licensee stated:

The structural fill does not amplify the design basis ground input motion of the postulated earthquakes, which is 0.10g for the Operating Basis Earthquake (OBE), and 0.20g for the Safe Shutdown Earthquake (SSE). Thus, the maximum expected seismic input to the temporary equipment is 0.10g for the OBE condition, and 0.20g for the SSE condition.

The NRC staff finds the level of ground motion due to postulated earthquakes, acceptable because they are consistent with the plant design basis.

In its September 28, 2004, submittal, in response to item (c), load transfer to the temporary equipment, the licensee stated:

The load transfer between the temporary tank is dependent on the type of tank in question. The credited 21,000 gallons of off-loaded fuel is planned to be stored in a tank that rests directly on the grade surface. The load transfer is via friction between the tank bottom and the grade surface.

The NRC staff finds that the licensee's assessment of the load transfer mechanism is acceptable.

In its September 28, 2004, submittal, in response to item (d) relating to the temporary equipment function during seismic events, the licensee stated:

The temporary installation is not intended to be a Class I Safety-Related installation, and is not intended to be capable of functioning during a seismic event. The "temporary equipment" is located such that the temporarily stored volume of fuel will remain available after a seismic event, as the tank is not expected to suffer catastrophic damage due to an earthquake because the expected seismic input is judged insufficient to result in a rupture of the tank. The pumping equipment will not be connected to Safety-Related power supplies, nor will the transfer hoses be connected to the "in-service" underground storage tank. If necessary, transfer hoses can be connected between the temporary storage tank and the "in-service" underground storage tank, to replenish the "in-service" supply to an operating Diesel Generator (DG) Unit. The volume of fuel in the temporary tank represents a portion of the total stored volume of fuel required to support the seven day mission time of the in-service DG Unit under Design Basis Accident conditions. This portion of fuel is not required to be available to the operating DG unit for at least 4 days, since the "in-service" underground tank will be filled to maximum capacity.

The NRC staff finds the licensee's response reasonable and acceptable because the level of ground motion is not likely to cause catastrophic damage to the tank and adequate fuel would be available after a seismic event.

In its September 28, 2004, submittal, the evaluation of temporary piping was provided in the response to item (e). The licensee stated:

There are no plans to connect the "temporary equipment" to the "in-service" underground storage tank via piping. If necessary, transfer hoses can be connected between the temporary storage tank and the "in-service" underground storage tank. The hoses are flexible, and do not require evaluation for seismic loading conditions.

Since transfer hoses can be connected between the temporary storage tank and the "in-service" underground storage tank, the staff's concern related to underground piping is resolved. Therefore, the NRC staff finds the licensee's use of transfer hoses acceptable.

In its September 28, 2004, submittal, in response to item (f), above ground tank anchorages, the licensee stated:

The temporary storage tank is not planned to be anchored to the ground in any manner. The input seismic accelerations are judged to be insufficient to cause significant lateral displacement of the tank. No horizontal accelerations sufficient to cause overturning of the tank is expected to occur. There will be no hard piping connections that could be damaged by differential movements caused by the earthquakes. As such, no anchorage of the temporary tank is considered necessary.

The NRC staff finds the licensee's response acceptable because there will be no hard piping connections that could be damaged by differential movements caused by the earthquakes. Therefore, no anchorage of the temporary tank is considered necessary.

The NRC staff also requested information on the bearing pressure and soil settlement data that might have been taken at the engineered fill location to assure that differential settlement is not occurring at this time and the soil bearing pressure is adequate to support the temporary equipment in a stable manner.

In its September 28, 2004, submittal, the licensee stated:

The "engineered fill" is the "Type I structural fill" which provides the structural support for the Class I and Class II Principal Structures at Cooper Nuclear Station. This fill is not expected to experience differential settlement or liquefaction during either of the Design Basis Seismic Event[s]. This highly compacted soil has a minimum Design Basis allowable bearing pressure of 12,000 psf [pounds per square foot] for the OBE condition, and 10,000 psf for the SSE condition. Based on the original Design Criteria for the structural fill, the bearing pressure is considered more than adequate to support the temporary equipment in a stable manner.

The NRC staff finds the licensee's response reasonable and acceptable because the bearing pressure of the compacted fill is considered adequate to support the temporary equipment in a stable manner.

3.3 Technical Conclusion

The NRC staff finds the proposed amendment to revise TS Section 3.8.1 AC Sources - Operating, Condition B, to extend the AOT for one DG inoperable from 7 days to 14 days, and TS Section 3.8.3, Diesel Fuel Oil, Lube Oil, and Starting Air, Limiting Condition for Operation, to allow the use of temporary fuel oil storage tanks to supply the required fuel oil storage inventory, acceptable.

Based on its review of the information provided by the licensee in the amendment request and in response to the staff's requests for additional information, the NRC staff finds that the licensee has satisfactorily resolved the staff's concerns. As discussed above, the licensee's seismic analysis for the temporary equipment also satisfies the regulatory requirements delineated in the Section 2.0, Regulatory Evaluation, of this safety evaluation.

4.0 CONDITIONS

In the October 14, 2004, letter the licensee listed the following license conditions:

	Condition	Date
1	Requirements for Post Maintenance Testing, in accordance with station surveillance procedures for the following activities (DIESEL FUEL OIL AVAILABILITY, DIESEL FUEL OIL STORAGE TANK, BUNKER A & B QUALITY TEST, DIESEL GENERATOR 31 DAY OPERABILITY TEST (IST) and DIESEL GENERATOR FUEL OIL TRANSFER PUMP IST FLOW TEST) and duplex strainer inspection and cleaning to be conducted at the conclusion of each divisional work window will be included in the Special Procedure.	October 20, 2004
2	The special procedure for the fuel tank maintenance activity will provide control for including communication of the DG status and CNS power needs to the system dispatcher on a daily basis for the duration of the activity.	October 20, 2004
3	Existing administrative controls for coordination of work in switchyards and transformer yards will be utilized to minimize the risk of power loss to equipment important to plant safety. It will be a specific requirement of the Special Procedure to ensure that this information is communicated to the System Load Dispatcher.	October 20, 2004
4	The Special Procedure for the fuel tank maintenance activity will contain the requirement to evaluate weather conditions prior to entering the activity.	October 20, 2004
5	Plant activities with the potential to challenge diesel generator operability or availability, or availability of Emergency Core Cooling Systems, critical switchgear/electrical buses, offsite power sources or safety related cooling water systems will not be planned for the duration of the fuel tank maintenance activities.	October 20, 2004
6	Work instructions to restore off-loaded fuel to the permanent storage tank, in the event of a DG start, and work instructions to accomplish the defense in depth measures will be incorporated into an approved procedure.	October 20, 2004

5.0 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.

6.0 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. 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 published August 3, 2004 (69 FR 46586). 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.

7.0 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 Contributors: T. Koshy
J. Rajan

Date: October 15, 2004

Cooper Nuclear Station

cc:

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

Mr. Clay C. Warren
Vice President of Strategic Programs
Nebraska Public Power District
1414 15th Street
Columbus, NE 68601

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 400
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

Jerry C. Roberts, Director of Nuclear
Safety Assurance
Nebraska Public Power District
P.O. Box 98
Brownville, NE 68321