

December 5, 2005

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: DELETION
OF TEMPORARY NOTES FROM TECHNICAL SPECIFICATIONS
(TAC NO. MC7064)

Dear Mr. Edington:

The Commission has issued the enclosed Amendment No. 213 to Facility Operating License No. DPR-46 for the Cooper Nuclear Station. The amendment consists of changes to the Technical Specifications (TSs) in response to your application dated May 25, 2005.

The amendment deletes from the TSs temporary footnotes that have expired and are no longer in effect.

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. 213 to DPR-46
2. Safety Evaluation

cc w/encls: See next page

Cooper Nuclear Station

cc:

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July 2005

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

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Michelle C. Honcharik, Project Manager, Section 1
Project Directorate IV
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NEBRASKA PUBLIC POWER DISTRICT

DOCKET NO. 50-298

COOPER NUCLEAR STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 213
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 25, 2005, 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. _____, 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

David Terao, 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, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 213

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

3.3-36
3.3-65
3.3-68
3.5-6
3.5-10
3.6-2
3.6-40
3.8-3
3.8-13
3.8-18

INSERT

3.3-36
3.3-65
3.3-68
3.5-6
3.5-10
3.6-2
3.6-40
3.8-3
3.8-13
3.8-18

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 213 TO
FACILITY OPERATING LICENSE NO. DPR-46
NEBRASKA PUBLIC POWER DISTRICT
COOPER NUCLEAR STATION
DOCKET NO. 50-298

1.0 INTRODUCTION

By application dated May 25, 2005 (Agencywide Documents and Access Management System Accession No. ML051520424), Nebraska Public Power District (the licensee), requested changes to the Technical Specifications (TSs) for Cooper Nuclear Station (CNS). The proposed changes would delete from the CNS TSs temporary footnotes that have expired and are no longer in effect. The temporary footnotes were added by CNS Amendment No. 205, dated July 14, 2004, and Amendment No. 207, dated October 15, 2004.

2.0 REGULATORY EVALUATION

The CNS TSs were revised by Amendment Nos. 205 and 207 to insert footnotes into various individual TSs. Amendment 205 inserted footnotes extending various surveillance requirements (SRs) to support the extension of CNS Cycle 22. Amendment 207 added footnotes to TSs related to the storage of diesel fuel oil to support operability of a diesel generator during tank cleaning and coating maintenance activities. Both sets of footnotes were temporary and expired upon startup from the last refueling outage. The proposed removal of the footnotes is intended to restore the TS requirements to include only the permanent requirements and avoid confusion regarding the affected surveillances or diesel fuel oil tanks.

3.0 TECHNICAL EVALUATION

3.1 Temporary Footnote for One-Time Extension of Surveillance Requirements

The proposed change would delete a temporary footnote from the following 11 SRs: SR 3.3.5.1.5, SR 3.3.8.1.2, SR 3.3.8.1.3, SR 3.3.8.2.1, SR 3.3.8.2.2, SR 3.5.1.9, SR 3.5.2.5, SR 3.6.1.1.2, SR 3.6.4.3.2, SR 3.6.4.3.4, and SR 3.8.4.7. The temporary footnote states that the next required performance of the surveillances may be delayed until the current cycle refueling outage, but no later than February 2, 2005, and that the temporary footnote expires upon startup from that refueling outage.

The delay of these SRs was needed to allow CNS to continue operation in operating Cycle 22 until the scheduled refueling outage. The temporary footnote specified a date by when the surveillance would be performed and contained a provision stating that the temporary footnote expired upon startup from the refueling outage. The NRC approved the addition of the temporary footnotes in CNS Amendment No. 205. CNS restarted from the Cycle 22 refueling outage on February 18, 2005. At that time the temporary footnotes expired. The NRC staff concludes that deletion of the above mentioned temporary footnotes are administrative in nature and, therefore, is acceptable.

3.2 Temporary Footnote for One-Time Extension of Diesel Generator Allowed Outage Time

The proposed change would delete temporary footnotes from TS 3.8.1, Condition B, Required Action B.4 and TS 3.8.3. CNS TSs required that an inoperable diesel generator be returned to operable status within seven days. Because of a concern with corrosion on the interior surfaces of the permanent diesel fuel oil storage tanks, CNS developed a plan to drain the tanks, clean the interior surfaces, and coat the interior surfaces with a corrosion-inhibiting material. This required that the fuel oil be transferred to temporary tanks, resulting in a diesel generator being inoperable. To allow this work to be performed as soon as possible with CNS operating, a temporary footnote was added to TS 3.8.1, Condition B, Required Action B.4 to allow a 14-day period to return the diesel generator to operable status, but only if it was inoperable solely due to its alignment to a temporary tank. CNS TS also required that the fuel oil be stored in permanent tanks. Thus, a temporary footnote was added to TS 3.8.3 to allow the use of temporary tanks during cleaning and coating of the permanent tanks. Both notes stated that it expired upon completion of the cleaning and coating maintenance activities but no later than November 30, 2004. The NRC approved the addition of both temporary footnotes in CNS Amendment No. 207. The cleaning and coating of both tanks was completed in early November 2004. At that time the temporary footnotes expired. The NRC staff concludes that deletion of the above mentioned temporary footnotes are administrative in nature and, therefore, is 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 surveillance requirements. 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 July 5, 2005 (70 FR 38721). 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: D. Duvigneaud

Date: December 5, 2005