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NLS2006001
January 30, 2006

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

SUBJECT: Application for Technical Specification Change to Add LCO 3.0.8 on the Inoperability of Snubbers Using the Consolidated Line Item Improvement Process
Cooper Nuclear Station, Docket No. 50-298, DPR-46

The purpose of this letter is for the Nebraska Public Power District (NPPD) to request an amendment to Facility Operating License DPR-46 in accordance with the provisions of 10 CFR 50.4 and 10 CFR 50.90 to revise the Technical Specifications (TS) for Cooper Nuclear Station (CNS). The proposed amendment would modify TS requirements for inoperable snubbers by adding LCO 3.0.8. The CNS TS currently contains the TS Bases Control Program as Section 5.5.10.

Attachment 1 provides a description of the proposed change, the requested confirmation of applicability, and plant-specific verifications. Attachment 2 provides the existing TS pages marked up to show the proposed change. Attachment 3 provides revised (clean) TS pages. Attachment 4 provides the existing TS Bases pages marked up to show the proposed change (for information only). Attachment 5 provides a summary of the regulatory commitments made in this submittal.

NPPD requests U.S. Nuclear Regulatory Commission (NRC) approval of the proposed TS change and issuance of the requested license amendment by May 24, 2006, with the amendment being implemented within 60 days of issuance.

In accordance with 10 CFR 50.91, a copy of this application, with attachments, is being provided to the State of Nebraska official. Copies are also being provided to the NRC Region IV office and the CNS Resident Inspector in accordance with 10 CFR 50.4(b)(1).

The proposed TS changes have been reviewed by the necessary safety review committees (Station Operations Review Committee and Safety Review and Audit Board). Amendments to the CNS Facility Operating License through Amendment 216, dated January 5, 2006, have been incorporated into this request. This request is submitted under oath pursuant to 10 CFR 50.30(b).

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If you have any questions concerning this matter, please contact Paul Fleming, Licensing Manager, at (402) 825-2774.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1/30/06
(date)

Sincerely,

Randall K. Edington
Vice President – Nuclear and
Chief Nuclear Officer

/rr

Attachments

cc: Regional Administrator w/ attachments
USNRC - Region IV

Senior Project Manager w/ attachments
USNRC - NRR Project Directorate IV-1

Senior Resident Inspector w/ attachments
USNRC – CNS

Nebraska Health and Human Services w/ attachments
Department of Regulation and Licensure

NPG Distribution w/o attachments

CNS Records w/ attachments

Attachment 1

Description and Assessment

Cooper Nuclear Station
Docket 50-298, DPR-46

1.0 DESCRIPTION

The proposed amendment would modify technical specification (TS) requirements for inoperable snubbers by adding LCO 3.0.8.

The changes are consistent with Nuclear Regulatory Commission (NRC) approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification (STS) change TSTF-372 Revision 4. The availability of this TS improvement was published in the Federal Register on May 4, 2005, as part of the consolidated line item improvement process (CLIIP).

2.0 ASSESSMENT

2.1 Applicability of Published Safety Evaluation

Nebraska Public Power District (NPPD) has reviewed the safety evaluation (SE) dated May 4, 2005, as part of the CLIIP. This review included a review of the NRC staff's SE, as well as the supporting information provided to support TSTF-372. NPPD has concluded that the justifications presented in the TSTF proposal and the SE prepared by the NRC staff are applicable to Cooper Nuclear Station (CNS), and justify this amendment for the incorporation of the changes to the CNS TS.

2.2 Optional Changes and Variations

NPPD is not proposing any variations or deviations from the TS changes described in the TSTF-372 Revision 4 or the NRC staff's model SE dated May 4, 2005.

NPPD is proposing one variation in the Bases. Section 3.1.2 of the model SE contains specific restrictions to the implementation of the proposed TS to avoid potentially high-risk configurations. To ensure proper application of LCO 3.0.8, NPPD is proposing to state these specific restrictions in the Bases. This is reflected in the Bases included with this amendment request.

3.0 REGULATORY ANALYSIS

3.1 No Significant Hazards Consideration Determination

NPPD has reviewed the proposed no significant hazards consideration determination (NSHCD) published in the Federal Register as part of the CLIIP. NPPD has concluded that the proposed NSHCD presented in the Federal Register notice is applicable to CNS and is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

3.2 Verification and Commitments

As discussed in the notice of availability published in the Federal Register on May 4, 2005, for this TS improvement, plant-specific verifications were performed as follows:

NPPD has established TS Bases for LCO 3.0.8 which provide guidance and details on how to implement the new requirements. LCO 3.0.8 requires that risk be managed and assessed. The Bases also state that while the industry and NRC guidance on implementation of 10 CFR 50.65(a)(4), the Maintenance Rule, does not address seismic risk, LCO 3.0.8 should be considered with respect to other plant maintenance activities, and integrated into the existing Maintenance Rule process to the extent possible so that maintenance on any unaffected train or subsystem is properly controlled, and emergent issues are properly addressed. The risk assessment need not be quantified, but may be a qualitative assessment of the vulnerability of systems and components when one or more snubbers are not able to perform their associated support function.

Finally, NPPD has a Bases Control Program consistent with Section 5.5 of the STS.

4.0 ENVIRONMENTAL EVALUATION

NPPD has reviewed the environmental evaluation included in the model SE dated May 4, 2005, as part of the CLIIP. NPPD has concluded that the staff's findings presented in that evaluation are applicable to CNS and the evaluation is hereby incorporated by reference for this application.

Attachment 2

Proposed Technical Specification Changes
(Mark-Up)

Cooper Nuclear Station
Docket 50-298, License DPR-46

Technical Specification Pages

3.0-3

3.0 LCO APPLICABILITY

LCO 3.0.6 (continued) When a support system's Required Action directs a supported system to be declared inoperable or directs entry into Conditions and Required Actions for a supported system, the applicable Conditions and Required Actions shall be entered in accordance with LCO 3.0.2.

LCO 3.0.7 Special Operations LCOs in Section 3.10 allow specified Technical Specifications (TS) requirements to be changed to permit performance of special tests and operations. Unless otherwise specified, all other TS requirements remain unchanged. Compliance with Special Operations LCOs is optional. When a Special Operations LCO is desired to be met but is not met, the ACTIONS of the Special Operations LCO shall be met. When a Special Operations LCO is not desired to be met, entry into a MODE or other specified condition in the Applicability shall only be made in accordance with the other applicable Specifications.

[Add]

LCO 3.0.8 When one or more required snubbers are unable to perform their associated support function(s), any affected supported LCO(s) are not required to be declared not met solely for this reason if risk is assessed and managed, and:

a. the snubbers not able to perform their associated support function(s) are associated with only one train or subsystem of a multiple train or subsystem supported system or are associated with a single train or subsystem supported system and are able to perform their associated support function within 72 hours; or

b. the snubbers not able to perform their associated support function(s) are associated with more than one train or subsystem of a multiple train or subsystem supported system and are able to perform their associated support function within 12 hours.

At the end of the specified period the required snubbers must be able to perform their associated support function(s), or the affected supported system LCO(s) shall be declared not met.

Attachment 3

Proposed Technical Specification Revisions
(Final Typed)

Cooper Nuclear Station
Docket 50-298, License DPR-46

Technical Specification Pages

3.0-3

3.0 LCO APPLICABILITY

LCO 3.0.6 (continued)

When a support system's Required Action directs a supported system to be declared inoperable or directs entry into Conditions and Required Actions for a supported system, the applicable Conditions and Required Actions shall be entered in accordance with LCO 3.0.2.

LCO 3.0.7

Special Operations LCOs in Section 3.10 allow specified Technical Specifications (TS) requirements to be changed to permit performance of special tests and operations. Unless otherwise specified, all other TS requirements remain unchanged. Compliance with Special Operations LCOs is optional. When a Special Operations LCO is desired to be met but is not met, the ACTIONS of the Special Operations LCO shall be met. When a Special Operations LCO is not desired to be met, entry into a MODE or other specified condition in the Applicability shall only be made in accordance with the other applicable Specifications.

LCO 3.0.8

When one or more required snubbers are unable to perform their associated support function(s), any affected supported LCO(s) are not required to be declared not met solely for this reason if risk is assessed and managed, and:

a. The snubbers not able to perform their associated support function(s) are associated with only one train or subsystem of a multiple train or subsystem supported system or are associated with a single train or subsystem supported system and are able to perform their associated support function within 72 hours; or

b. The snubbers not able to perform their associated support function(s) are associated with more than one train or subsystem of a multiple train or subsystem supported system and are able to perform their associated support function within 12 hours.

At the end of the specified period the required snubbers must be able to perform their associated support function(s), or the affected supported system LCO(s) shall be declared not met.

Attachment 4

Proposed Technical Specifications Bases Revisions
Markup Format

Cooper Nuclear Station
Docket 50-298, DPR-46

Technical Specification Bases Pages

B 3.0-1
B 3.0-9
Insert Page B 3.0-9a
Insert Page B 3.0-9b

Note: TS Bases pages are provided for information. Following approval of the proposed TS change, Bases changes will be implemented in accordance with TS 5.5.10, "Technical Specification (TS) Bases Control Program."

B 3.0 LIMITING CONDITION FOR OPERATION (LCO) APPLICABILITY

BASES

LCOs

LCO 3.0.1 through LCO 3.0.8 establish the general requirements applicable to all Specifications in Sections 3.1 through 3.10 and apply at all times, unless otherwise stated.

LCO 3.0.1

LCO 3.0.1 establishes the Applicability statement within each individual Specification as the requirement for when the LCO is required to be met (i.e., when the unit is in the MODES or other specified conditions of the Applicability statement of each Specification).

LCO 3.0.2

LCO 3.0.2 establishes that upon discovery of a failure to meet an LCO, the associated ACTIONS shall be met. The Completion Time of each Required Action for an ACTIONS Condition is applicable from the point in time that an ACTIONS Condition is entered. The Required Actions establish those remedial measures that must be taken within specified Completion Times when the requirements of an LCO are not met. This Specification establishes that:

a. Completion of the Required Actions within the specified Completion Times constitutes compliance with a Specification; and

b. Completion of the Required Actions is not required when an LCO is met within the specified Completion Time, unless otherwise specified.

There are two basic types of Required Actions. The first type of Required Action specifies a time limit in which the LCO must be met. This time limit is the Completion Time to restore an inoperable system or component to OPERABLE status or to restore variables to within specified limits. If this type of Required Action is not completed within the specified Completion Time, a shutdown may be required to place the unit in a MODE or condition in which the Specification is not applicable. (Whether stated as a Required Action or not, correction of the entered Condition is an action that may always be considered upon entering

(continued)

BASES

LCO 3.0.7 (continued)

perform special maintenance activities, and to perform special evolutions. Special Operations LCOs in Section 3.10 allow specified TS requirements to be changed to permit performances of these special tests and operations, which otherwise could not be performed if required to comply with the requirements of these TS. Unless otherwise specified, all the other TS requirements remain unchanged. This will ensure all appropriate requirements of the MODE or other specified condition not directly associated with or required to be changed to perform the special test or operation will remain in effect.

The Applicability of a Special Operations LCO represents a condition not necessarily in compliance with the normal requirements of the TS. Compliance with Special Operations LCOs is optional. A special operation may be performed either under the provisions of the appropriate Special Operations LCO or under the other applicable TS requirements. If it is desired to perform the special operation under the provisions of the Special Operations LCO, the requirements of the Special Operations LCO shall be followed. When a Special Operations LCO requires another LCO to be met, only the requirements of the LCO statement are required to be met regardless of that LCO's Applicability (i.e., should the requirements of this other LCO not be met, the ACTIONS of the Special Operations LCO apply, not the ACTIONS of the other LCO). However, there are instances where the Special Operations LCO ACTIONS may direct the other LCO ACTIONS be met. The Surveillances of the other LCO are not required to be met, unless specified in the Special Operations LCO. If conditions exist such that the Applicability of any other LCO is met, all the other LCO's requirements (ACTIONS and SRs) are required to be met concurrent with the requirements of the Special Operations LCO.

INSERT A

INSERT A

LCO 3.0.8 LCO 3.0.8 establishes conditions under which systems are considered to remain capable of performing their intended safety function when associated snubbers are not capable of providing their associated support function(s). This LCO states that the supported system is not considered to be inoperable solely due to one or more snubbers not capable of performing their associated support function(s). This is appropriate because a limited length of time is allowed for maintenance, testing, or repair of one or more snubbers not capable of performing their associated support function(s) and appropriate compensatory measures are specified in the snubber requirements, which are located outside of the Technical Specifications (TS) under licensee control. The snubber requirements do not meet the criteria in 10 CFR 50.36(c)(2)(ii), and, as such, are appropriate for control by the licensee.

If the allowed time expires and the snubber(s) are unable to perform their associated support function(s), the affected supported system's LCO(s) must be declared not met and the Conditions and Required Actions entered in accordance with LCO 3.0.2.

LCO 3.0.8.a applies when one or more snubbers are not capable of providing their associated support function(s) to a single train or subsystem of a multiple train or subsystem supported system or to a single train or subsystem supported system. LCO 3.0.8.a can be used only if one of the following two means of heat removal is available:

(1) At least one high pressure makeup path (e.g., using HPCI or RCIC or equivalent) and heat removal capability including a minimum set of supporting equipment required for success, not associated with the inoperable snubber(s),

OR

(2) At least one low pressure makeup path (e.g., LPCI) and heat removal capability including a minimum set of supporting equipment required for success, not associated with the inoperable snubber(s),

LCO 3.0.8.a allows 72 hours to restore the snubber(s) before declaring the supported system inoperable. The 72 hour Completion Time is reasonable based on the low probability of a seismic event concurrent with an event that would require operation of the supported system occurring while the snubber(s) are not capable of performing their associated support function and due to the availability of the redundant train of the supported system.

LCO 3.0.8.b applies when one or more snubbers are not capable of providing their associated support function(s) to more than one train or subsystem of a multiple train or subsystem supported system. LCO 3.0.8.b can be used only if at least one success path exists, using equipment not associated with the inoperable snubber(s), to provide makeup and core cooling needed to mitigate LOOP accident sequences.

LCO 3.0.8.b allows 12 hours to restore the snubber(s) before declaring the supported system inoperable. The 12 hour Completion Time is reasonable based on the low probability of a seismic event concurrent with an event that would require operation of the supported system occurring while the snubber(s) are not capable of performing their associated support function.

LCO 3.0.8 requires that risk be assessed and managed. Industry and NRC guidance on the implementation of 10 CFR 50.65(a)(4) (the Maintenance Rule) does not address seismic risk. However, use of LCO 3.0.8 should be considered with respect to other plant maintenance activities, and integrated into the existing Maintenance Rule process to the extent possible so that maintenance on any unaffected train or subsystem is properly controlled, and emergent issues are properly addressed. The risk assessment need not be quantified, but may be a qualitative awareness of the vulnerability of systems and components when one or more snubbers are not able to perform their associated support function.

Attachment 5

List of Regulatory Commitments

Cooper Nuclear Station
Docket 50-298, DPR-46

Correspondence Number: NLS2006001

The following table identifies those actions committed to by Nebraska Public Power District (NPPD) in this document. Any other actions discussed in the submittal represent intended or planned actions by NPPD. They are described for information only and are not regulatory commitments. Please notify the Licensing Manager at Cooper Nuclear Station of any questions regarding this document or any associated regulatory commitments.

COMMITMENT	COMMITMENT NUMBER	COMMITTED DATE OR OUTAGE
NPPD will establish the Technical Specification Bases for LCO 3.0.8 as adopted with the applicable license amendment.	NLS2006001-01	Implemented with amendment