



Nebraska Public Power District

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NLS2013071

June 25, 2013

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

Subject: Nebraska Public Power District's Answer to the June 6, 2013, Commission Order Modifying License With Regard To Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions (Order Number EA-13-109)
Cooper Nuclear Station, Docket No. 50-298, DPR-46

Reference: Nuclear Regulatory Commission Letter to Nebraska Public Power District, *Issuance of Order to Modify Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions*, dated June 6, 2013

Dear Sir or Madam:

On June 6, 2013, the Nuclear Regulatory Commission (NRC) issued an immediately effective Order to all licensees that operate boiling-water reactors (BWRs) with Mark I and Mark II containment designs, including Nebraska Public Power District (NPPD), entitled "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation under Severe Accident Conditions (Effective Immediately)" (EA-13-109). Order EA-13-109 rescinds an Order issued by the NRC on March 12, 2012 (EA-12-050), that required all BWRs with Mark I and Mark II containments to take certain actions to ensure the operability of reliable hardened vent systems to remove decay heat and maintain control of containment pressure following events that result in loss of active containment heat removal capability or prolonged loss of AC power.

Order EA-13-109 requires NPPD to install hardened containment venting systems that can be maintained functional during severe accident conditions, i.e., following significant core damage. The substantive requirements of the Order are contained in Attachment 2. The Order includes two separate implementation phases. Phase 1 includes modifications to wetwell venting systems, while Phase 2 includes modifications to drywell venting systems or implementation of a reliable containment strategy that meets regulatory approval. NPPD is required to submit an overall integrated plan describing how compliance with Phase 1 will be achieved to the NRC by June 30, 2014, and is required to complete full implementation of Phase 1 requirements no later than startup from the second refueling outage that begins after June 30, 2014, or June 30, 2018, whichever is sooner. EA-13-109 also requires NPPD to submit an overall integrated plan

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describing how compliance with Phase 2 will be achieved to the NRC by December 31, 2015, and full implementation of Phase 2 requirements must be complete no later than startup from the first refueling outage that begins after June 30, 2017, or June 30, 2019, whichever is sooner.

The NRC states in the Order that it anticipates issuing implementation guidance for Phase 1 by October 31, 2013, and for Phase 2 by April 30, 2015. Upon issuance of the implementation guidance, NPPD understands that it will have twenty days to assess the impact of the guidance and notify the NRC of any challenges with implementation of the Order in accordance with Paragraph IV.C of the Order.

Pursuant to 10 C.F.R. § 2.202(a)(2), NPPD hereby submits its answer to the Order. NPPD consents to Order EA-13-109 and does not request a hearing. However, because implementing guidance is not expected to be available until October 31, 2013, for Phase 1, and April 30, 2015, for Phase 2, there remain significant uncertainties about the scope of the work that will be required by EA-13-109. As a result, NPPD is unable to state with certainty that it will be able to meet all of the specified compliance deadlines in the Order. As such, NPPD's future responses may include requests for schedule relief as warranted by subsequent NRC requirements or implementing guidance or the results of engineering analyses not yet performed. Any such request would be submitted in accordance with the relaxation provision in Section IV of the Order.

Because EA-12-050 is rescinded by EA-13-109, NPPD understands that all implementation deadlines and submittal requirements for EA-12-050 are no longer in force. As such, NPPD considers the integrated plan that was submitted to the NRC on February 28, 2013, to be withdrawn, and no further action is required by NPPD with respect to that submittal or any other requirement specific to EA-12-050.

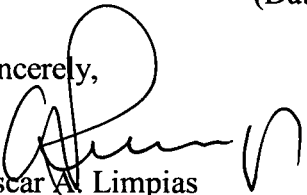
This letter contains no new regulatory commitments.

Should you have any questions regarding this submittal, please contact David Van Der Kamp, Licensing Manager, at (402) 825-2904.

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

Executed On 06/25/13
(Date)

Sincerely,


Oscar A. Lempias
Vice President - Nuclear and
Chief Nuclear Officer

/bk

cc: Regional Administrator
USNRC - Region IV

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