



Nebraska Public Power District

GENERAL OFFICE
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NLS8900388
October 12, 1989

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555

Subject: NPPD Response to NRC Inspection Report 50-298/89-24
Cooper Nuclear Station
Docket No. 50-298, DPR-46

Gentlemen:

This letter is written in response to your letter dated September 12, 1989, transmitting Inspection Report 50-298/89-24. Therein you indicated that one of our activities appeared to deviate from commitments made to the NRC.

Following is a statement of the deviation and our response.

STATEMENT OF DEVIATION

Failure to Implement the Approved Water Suppression Systems and Notify the NRC of Changed Commitment.

In letters dated June 28, 1982 and March 18, 1983, the licensee committed to provide a fully automatic water suppression system in the service water intake structure. This commitment was accepted by the NRC in the Safety Evaluation Report dated September 21, 1983.

Contrary to the above, during this inspection from July 31 through August 4, 1989, the inspector noted that the licensee had changed the commitment by providing a Halon system instead of a water suppression system in the service water intake structure and had failed to inform the NRC of this change to the commitment. (298/8924-01)

Reason for the Deviation

A brief chronology of the events which led the NRC Inspectors to cite the alleged deviation from the District's commitment to install a wet pipe sprinkler system in the service water pump room is provided below.

June 28, 1982 - Letter from J. M. Pilant (NPPD) to D. B. Vassallo (NRC). Committed to wet pipe sprinkler and requested exemption from 20 foot separation in SW Pump Room.

September 21, 1983 - Letter from D. B. Vassallo (NRC) to L. G. Kuncil (NPPD). Grants exemption from 10 CFR 50, Appendix R, Section III.G.2, based on installation of an "automatic suppression and detection" system.

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Note this SER does not state a wet pipe sprinkler system.

- September 4, 1984 - Record of Telephone Conversation between J. D. Weaver and R. Eberly (NRC). NRC verbally agreed that sprinklers, CO₂, or halon automatic suppression is acceptable.
- March 19, 1985 - Design Change 85-01 approved to install halon in SW Pump Room.
- April 3, 1985 - Record of Telephone Conversation between J. D. Weaver (NPPD) and T. Wambach (NRC). NRC verbally agreed that installing halon instead of sprinklers met the SER commitment and it was acceptable to install the halon system prior to NRC approval of the technical specifications.
- May 31, 1985 - Letter from J. M. Pilant to D. B. Vassallo. Submitted proposed Technical Specification Change No. 22 which included LCOs and Surveillance Requirements for the Service Water Pump Room Halon System.
- April 10, 1986 - Letter from W. O. Long (NRC) to J. M. Pilant. Approved License Amendment No. 98 which included an NRC Safety Evaluation Report on the SW Pump Room Halon System Technical Specifications.

The District clearly realized the need to discuss with the NRC the decision to change from a wet pipe sprinkler to a halon system, prior to installation. The District first discussed this change in a documented telephone conversation September 4, 1984 (Attachment 1). The lead Appendix R reviewer for Cooper Nuclear Station stated during the 9/4/84 conversation that halon, CO₂, or wet pipe sprinklers would be acceptable. The District stated that a letter would be forwarded to notify the NRC of the District's final decision.

The Design Change (DC) that installed the halon system in the SW Pump Room located in the intake structure (DC 85-01) was approved on March 19, 1985. This DC references the 9/4/84 conversation between NPPD and the NRC and states that a Technical Specification change would be submitted. DC 85-01 also references the 9/21/83 SER that approves installation of an "automatic suppression system", noting that the SER did not specify sprinklers and that the NRC had verbally agreed that halon was acceptable.

The District again contacted the NRC on April 3, 1985, prior to installation of the halon system, to verify that installation prior to approval of the proposed Technical Specification Change was acceptable. During this documented telephone conversation (Attachment 2), the NRC pointed out that changing from wet pipe sprinklers to halon may be unacceptable if the NRC SER specifies sprinklers. Excerpts from the SER were reviewed and it was noted that the SER stated "automatic suppression

and detection" will be added and did not specifically state that sprinklers are required. The NRC agreed, verbally, that installation of a halon system would not violate the SER commitment. The NRC also pointed out that prior approval under 10 CFR 50.59 was not required since this change was being done under 50.48, and the NRC had previously agreed, again verbally, that the halon system met the Appendix R and SER requirements to install an automatic suppression system. The District, prior to this call, clearly considered the proposed technical specification change submittal to be formal notification of the commitment change, and the District was clearly concerned that formal approval of the change was required. However, the NRC verbally agreed that the SER did not specify sprinklers (see Attachment 3), and therefore, both Appendix R and the SER commitment would be met by the halon system.

The District submitted Proposed Change No. 22 to the CNS Technical Specifications on May 31, 1985. This proposed change contained LCOs and Surveillance Requirements for the Service Water Pump Room Halon System. The District, based on previous discussions with the NRC, considered this to be formal written notification of the change in commitment. The purpose of the April 3, 1985, documented telephone conversation discussed above, was to ensure that it was acceptable to install the halon system instead of sprinklers, prior to NRC approval of the Technical Specification (TS) change.

License Amendment No. 98 approved the District's Proposed Change No. 22. Therein, the NRC referenced the original June 28, 1982, exemption request in Section 2.0 of the Safety Evaluation. The June 28, 1982, exemption request clearly stated that a wet pipe sprinkler system would be installed in the Service Water Pump Room. Since the NRC referenced the 6/28/82 exemption request that committed to sprinklers, but approved the use of the halon system, the NRC clearly acknowledged the change in commitment. Therefore, the District believes that no further correspondence is required to notify the NRC of the change in commitment.

While the September 21, 1983, SER by the NRC was issued based upon the District's June 28, 1982, submittal committing to sprinklers, the SER accompanying Amendment No. 98 acknowledges and approves the change to the halon system. Also, the 9/21/83 SER states that "automatic suppression" is required and does not specify sprinklers. Since the latest SER accurately reflects the change to halon and the previous SER (9/21/83) is not specific, the District believes that the current licensing basis is accurate. Therefore, we believe no further correspondence from the District is required and no revisions to the existing SERs are necessary.

Based on the above discussion, the District believes that the documented telephone conversations and the follow-up Technical Specification Change constituted adequate notification to the NRC that the District changed its commitment from sprinklers to halon for automatic suppression in the Service Water Pump Room. The District, therefore, does not believe that a deviation from a commitment existed.

Corrective Steps Taken and Result Achieved

The District does not believe that a deviation existed, and therefore, no corrective action is required.

Corrective Steps That Will Be Taken to Avoid Further Deviations

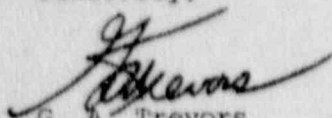
The District believes that this deviation was cited by the NRC due to a difference of opinion as to what constitutes notification of a change in commitment. In 1984, the District relied upon two (2) documented telephone conversations, with formal written follow-up in the form of proposed Technical Specifications. The District does not believe that this was indicative of any generic programmatic problems that require long term corrective steps. Therefore, no further action is planned.

Date When Full Compliance Will Be Achieved

NPPD is presently in full compliance.

Please contact me if you have any questions or require any additional information.

Sincerely,



G. A. Trevors
Division Manager
Nuclear Support

/jw

cc: U.S. Nuclear Regulatory Commission
Region IV
Arlington, TX

NRC Resident Inspector Office
Cooper Nuclear Station

NEBRASKA PUBLIC POWER DISTRICT
RECORD OF TELEPHONE CONVERSATION

Sheet 1 of 1
Date 9/6/84
Time 8:30 AM

FROM: Name <u>J. D. Weaver</u> Company <u>NPPD</u>	TO: Name <u>Randy Eberly</u> Company <u>NRC</u>
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DOCUMENT
(SET) START

SUBJECT: Automatic Suppression System for Service Water Intake Structure

TOPICS OF CONVERSATION:

I called Randy Eberly (NRC Chemical Engineering Branch) to inquire as to whether a Balon or CO₂ automatic suppression system would be acceptable to the staff in lieu of the sprinkler system in the service water pump room.

Mr. Eberly was our main reviewer for Appendix B. Mr. Eberly read the SIE the staff gave us and informed us that either of the systems would be acceptable since Appendix B only specifies "automatic suppression". It would be acceptable to have a CO₂ system which is manually deactivated whenever personnel are in the room. The District will decide on which type of system best fits the plant, and write a letter informing the staff of our course of action when finalized.


J. D. Weaver

Nuclear Licensing & Safety Manager

DISTRIBUTION: G. S. McClure E. C. Walden T. E. Boeman

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NEBRASKA PUBLIC POWER DISTRICT
RECORD OF TELEPHONE CONVERSATION

Sheet 1 of 3
Date April 2, 1985
Time 1:00

FROM: Name <u>Jeff Weaver</u> Company <u>EPPO</u>	TO: Name <u>Tom Wambach</u> Company <u>NRC</u>
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SUBJECT: Halon Suppression System for Service Water Intake Structure

TOPICS OF CONVERSATION:

I had recently received the subject Design Change 85-01. Since the District is completing this modification before the Tech Specs can be approved by NRC, I called Tom as a final check that we are doing the process correctly. Tom is the Division of Licensing contact who has been at all NRC workshops on this subject.

1. Tom cautioned the District that adding halon could be the wrong approach if the SER specifies sprinklers. I read him the SER excerpts from the the NRC which state "automatic suppression and detection" will be added. Tom agreed that halon is acceptable. A plant recently got in trouble when they changed from a sprinkler system to a local CO₂ system on their own ignoring their SER.

2. I expressed our concern with the words in 10CFR50.59 that imply we might need prior NRC approval in the form of a Tech Spec change before adding the system. Tom pointed out an interesting twist which is that we are doing this under 50.48, and 50.59 does not apply. 50.59 addresses "changes as described in the PSAR" and our fire protection program is not described in the PSAR as yet.

DISTRIBUTION: G. B. Smith, G. S. McClure, A. P. Heymer, J. H. Moschan

NEBRASKA PUBLIC POWER DISTRICT
RECORD OF TELEPHONE CONVERSATION

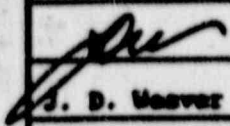
Sheet 2 of 2
Date _____
Time _____

FROM: Name <u>Jeff Weaver</u> Company <u>KPPD</u>	TO: Name <u>Tom Wambach</u> Company <u>NRC</u>
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SUBJECT: _____

TOPICS OF CONVERSATION:

J. Generic Letter 81-12 required that licensees submit Tech Specs before the change is completed. Tom recognizes that this is not always possible under the Appendix B deadlines and that many utilities submit Tech Spec changes after the jobs are completed. He advised the District that although we could submit the Tech Specs after the job is done, it is probably cleaner to get the Tech Spec change to NRC before the job is done. Greg Smith will expeditiously process this as Change 22.


J. D. Weaver

Nuclear Licensing & Safety Manager

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20545

OCT 10 1983
D.A. WESTMAN

September 21, 1983

Packet No. 80-298

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- 1. *cc - Walker*
- 2. *cc - [unclear]*
- 3. *[unclear]*
- 4. *File*

NOTED
SEP 11 1983
P.V.T.

Mr. L. G. Kunc1
Assistant General Manager - Nuclear
Nebraska Public Power District
P. O. Box 499
Columbus, Nebraska 68601

Dear Mr. Kunc1:

SUBJECT: EXEMPTION REQUESTS - 10 CFR 50.42 FIRE PROTECTION
AND APPENDIX R TO 10 CFR PART 50

Re: Cooper Nuclear Station

The Commission has issued the enclosed Exemptions from certain requirements of Section 50.42 and Appendix R to 10 CFR Part 50 for the Cooper Nuclear Station. This action responds to your request dated June 27, 1982, as supplemented with additional information provided on March 18, 1983 and June 2, 1983. In your letter, you requested exemptions from the requirements of Section III.6 of Appendix R for the:

- 1. Service Water Intake Structure
- 2. Cable Spreading Room
- 3. Cable Expansion Room
- 4. Reactor Building, Northeast Corner Room
- 5. Control Building Basement
- 6. Auxiliary Selay Room
- 7. Control Room
- 8. Fire Area Boundaries-Four Areas
 - a. Reactor Building 232' Elevation - Critical Switchgear Rooms 17 and 18.
 - b. Reactor Building 231' Elevation.
 - c. Reactor Building 203' Elevation (excluding northeast corner).
 - d. Reactor Building 209' and 221' Elevations - quadrants and torus area.

Based on our evaluation, we find that the level of protection currently provided in conjunction with the proposed modifications provides a level of fire protection equivalent to the technical requirements of Section III.6 of Appendix R. Therefore the exemptions requested should be granted.

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III

The licensee requests exemptions from Section III.G. of Appendix R within seven plant fire areas and a general exemption for four specific areas from the requirements of Section III.6. to the extent that it requires three-hour fire rated boundaries for the separation of fire areas. In all areas evaluated for exemption, we have assumed a transient fire load typical of these type areas. If the licensee should introduce extraordinary transient fire loads, appropriate supplementary fire protection measures must be taken.

1. Service Water Intake Structure

In the service water intake structure, the licensee proposes to provide automatic suppression and detection, however, the separation of redundant pumps is less than twenty feet as specified by Section III.6. The diesel driven fire pump will be removed from the area and all cables are in conduit. Therefore, the only significant in-site combustibles in the fire area is the pump motor lubricating oil. The licensee has stated that the probability of ignition of the oil is low because the lubricating oil has a high flashpoint (approximately 450°F) and that sufficiently hot surfaces do not exist in this fire area to cause the ignition of the lube oil. We have reviewed the licensee's submittals and agree that the low probability of ignition of the lube oil in conjunction with the existing separation distance provides reasonable assurance that the proposed automatic detection and suppression systems will be activated before the redundant service water components are damaged. Therefore, we conclude that with the proposed modifications, the

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level of safety provided in the service water intake structure or will be equivalent to the technical requirements of Section III.6 of Appendix R and therefore, the licensee's request should be granted.

2. Cable Spreading Room

This area does not meet Section III.6 because twenty feet of separation free of intervening combustibles or one-hour barriers are not provided between redundant trains. Because of the physical configuration of the cables and equipment in the cable spreading room, the installation of a one-hour rated fire barrier may be difficult. Instead, the licensee has proposed the use of fire resisting barriers to enclose vertical cable risers, and additional automatic sprinklers for the protection of horizontal cables, the majority of which are routed in steel conduits and are at the ceiling level. There are also several cable trays in the area. An exposure fire is therefore most likely to involve floor level combustibles.

Based on our review of the licensee's submittals, we have determined that the combination of vertical fire barriers, additional sprinkler head coverage, and complete automatic suppression and detection provide reasonable assurance that one train of power cables in the cable spreading room will be maintained free of fire damage.

Therefore, we conclude that the proposed modifications with the existing fire protection for the cable spreading room provides a level of fire protection equivalent to the technical requirements of Section III.6 of Appendix R and the exemption should be granted.

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