



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

APR 21 1994

Docket: 50-298  
License: DPR-46

Nebraska Public Power District  
ATTN: Guy R. Horn, Vice President - Nuclear  
P.O. Box 98  
Brownville, Nebraska 68321

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR NEBRASKA PUBLIC POWER DISTRICT  
REGARDING COOPER NUCLEAR STATION (94-4-004)

By letter dated April 18, 1994, you requested the U.S. Nuclear Regulatory Commission (NRC) to exercise its discretion not to enforce compliance, for an additional fourteen (14) days, with the required actions in Technical Specification 3.12.A.3, "Control Room Emergency Filter System." You informed the NRC on April 18, 1994, that the Cooper Nuclear Station would not be in compliance with Technical Specification 3.12.a.1 at 1:47 p.m., April 18, 1994, and the plant would have to be shut down pursuant to Technical Specification 3.12.A.3. You stated that the relief from the Technical Specification requirement is needed to avoid an unnecessary shutdown of the plant as work continues to identify and repair the air leaks in the control room pressure envelope that have prevented the achievement of the required positive pressure during surveillance testing of the envelope.

You provided as justification for continued operation that the control room emergency filter system meets all of the Technical Specification requirements, except the maintenance of a positive pressure with adjoining buildings at their normal design pressure. The system successfully passed the pressurization test with a reduced pressure differential in the turbine building. In addition, you identified a compensatory measure which involved the utilization of an extra licensed operator in the control room with an approved procedure to monitor and adjust, as necessary, the turbine building pressure upon the receipt of a high radiation monitor alarm in the control room ventilation system.

On the basis of our review of your justification, the staff has concluded that this course of action involves minimum or no safety impact, and we are satisfied that this exercise of enforcement discretion is warranted from a public health and safety perspective. Therefore, it is our intention to exercise discretion not to enforce compliance with Technical Specification 3.12.A.3, "Control Room Emergency Filter System," for the period 1:47 p.m., April 18, 1994, to 1:47 p.m., May 2, 1994. However, we will

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consider enforcement action, as appropriate, for the conditions that led to the need for this exercise of enforcement discretion.

Sincerely,



L. J. Callan  
Regional Administrator

cc:

Nebraska Public Power District  
ATTN: G. D. Watson, General Counsel  
P.O. Box 499  
Columbus, Nebraska 68602-0499

Nebraska Public Power District  
ATTN: Mr. David A. Whitman  
P.O. Box 499  
Columbus, Nebraska 68602-0499

Nebraska Department of Environmental  
Quality  
ATTN: Randolph Wood, Director  
P.O. Box 98922  
Lincoln, Nebraska 68509-8922

Nemaha County Board of Commissioners  
ATTN: Larry Bohlken, Chairman  
Nemaha County Courthouse  
1824 N Street  
Auburn, Nebraska 68305

Nebraska Department of Health  
ATTN: Harold Borchert, Director  
Division of Radiological Health  
301 Centennial Mall, South  
P.O. Box 95007  
Lincoln, Nebraska 68509-5007

Department of Natural Resources  
ATTN: R. A. Kucera, Department Director  
of Intergovernmental Cooperation  
P.O. Box 176  
Jefferson City, Missouri 65102

Kansas Radiation Control Program Director

APR 21 1994

bcc to DMB (IE51)

bcc distrib. by RIV:

L. J. Callan	Resident Inspector
Branch Chief (DRP/C)	Leah Tremper, OC/LFDCB, MS: MNBB 4503
MIS System	DRSS-FIPB
Branch Chief (DRP/TSS)	Project Engineer (DRP/C)
RIV File	Senior Resident Inspector - River Bend
Senior Resident Inspector - Fort Calhoun	

RIV: C/DRP/C	D: DRP	DRA	RA <i>LA</i>	
JGagTiardo;df	ABBeach	JMMontgomery	LJCallan	
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Resident Inspector

Leah Tremper, OC/LFDCB, MS: MNBB 4503

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