APPENDIX A

NOTICE OF VIOLATION

Nebraska Public Power District
Brownville, Nebraska

Docket: 50-298
License: DPR-46

During an NRC inspection conducted March 28 through April 1, and April 11-15, 1994, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

A. 10 CFR 50.71(e) states in part that each person licensed to operate a nuclear power reactor shall update periodically the final safety analysis report to assure that the information included in the final safety analysis report contains the latest material developed. The updated final safety analysis report (USAR) shall be revised to include the effects of all changes made in the facility or procedures as described in the final safety analysis report and all safety evaluations performed by the licensee in support of conclusions that changes did not involve an unreviewed safety question.

USAR Appendix G Figure G-6-1 shows the residual heat removal service water system as an essential safety system auxiliary to shutdown cooling. USAR Section 8.2.5 describes the residual heat removal service water booster system as maintaining the service water side of the residual heat removal heat exchangers at a higher pressure than the residual heat removal system side to prevent out-leakage of radioactive water into the service water system. USAR Section 8.2.6 describes that when the residual heat removal system is in the shutdown cooling mode, that the service water booster pumps are started.

Contrary to the above, Nebraska Public Power District, the licensee for Cooper Nuclear Station, failed to revise the USAR to include the effects of:

1. A safety evaluation performed by the licensee on June 6, 1990 in support of conclusions that the change in the design basis temperature from 85°F to 90°F did not involve an unreviewed safety question. Although USAR Section 5.3 mentioned that additional evaluation had shown that adequate net positive suction head existed with 90°F service water temperature, the USAR continued to present analysis results based on 85°F, including: (1) USAR Figure VI-5-15 which presented the minimum containment pressure to assure adequate net positive suction head for the core spray cooling pumps; (2) the maximum suppression pool temperature of 192°F; and, (3) USAR Drawings IV-8-1, VI-4-2, VI-4-3, and X-8-2.

2. A safety evaluation performed by the licensee on April 7, 1984 in support of conclusions that the change to not operate the service water booster pumps in shutdown cooling, and consequently not

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maintain service water system pressure higher that residual heat removal system pressure, did not involve an unreviewed safety question.

This is a Severity Level IV violation (298/9404-01) (Supplement I).

B. 10 CFR 50, Appendix B, Criterion III, requires that measures shall be established to assure that applicable regulatory requirements and the design basis, as defined in Section 50.2 and as specified in the license application, for those structures, systems, and components to which this appendix applies are correctly translated into specifications, drawings, procedures, and instructions.

Contrary to the above:

1. Established measures did not assure that the change in service water design basis temperature from 85°F to 90°F was correctly translated into Calculation 91-256, dated September 16, 1991; Isometric Drawing 2852-3, Revision 5; Procedure 13.15.1, "Reactor Equipment Cooling Heat Exchanger Performance Analysis;" Procedure 13.17, "Residual Heat Removal Heat Exchanger Performance Evaluation;" and Procedure 13.18, "DG Jacket Water and Lube Oil Heat Exchanger Performance Evaluation."

2. Established measures did not assure that the design basis, as specified in the general design criteria document for internal flooding, to qualify fire protection system piping in the service water system pump room to Class I (seismic) standards, was correctly translated into specifications and drawings.

This is a Severity Level IV violation (298/9404-02) (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Nebraska Public Power District is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or

revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas
this 6th day of June 1994