

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION

In the Matter of)	Docket No. 50-298
NEBRASKA PUBLIC POWER DISTRICT)	
(Cooper Nuclear Station))	

EXEMPTION

I.

The Nebraska Public Power District (NPPD/licensee) is the holder of Facility Operating License No. DPR-46 which authorizes NPPD to operate the Cooper Nuclear Station at power levels not in excess of 2381 megawatts thermal. The facility is a boiling water reactor located at the licensee's site in Nemaha County, Nebraska. The license provides, among other things, that it is subject to all rules, regulations and Orders of the Commission now or hereafter in effect.

II.

On February 17, 1981, the fire protection rule for nuclear power plants, 10 CFR 50.48 and Appendix R, became effective. Section 50.48 requires that licensed operating reactors be subject to the requirements of Appendix R to 10 CFR 50. Appendix R contains certain general and specific requirements for fire protection programs. This rule requires all licensees of plants licensed prior to January 1, 1979, to submit:

(1) plans and schedules for meeting the applicable requirements of Appendix R, (2) a design description of any modifications proposed to provide alternative safe shutdown capability pursuant to Paragraph III.G.3 of Appendix R, and (3) exemption requests for which the tolling provision of Section 50.48(c)(6) is to be invoked. Section 50.48(c) establishes the schedules for satisfying the provisions of Appendix R.

The licensee responded to these requirements by letter dated June 28, 1982, as supplemented and amended by letters dated March 18, 1983 and June 2, 1983. In these letters the licensee requested certain exemptions from the requirements of Section III.G. of Appendix R. Section III.G. requires that one train of equipment and cables necessary to achieve and maintain safe shutdown be kept free of fire damage by separating the redundant trains by three-hour fire rated barriers or by distance or one-hour barriers where additional fire suppression and fire detection features are provided. The licensee requested exemption 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.G. to the extent that it requires three-hour fire rated boundaries for the separation of fire areas.

By letter dated September 21, 1983, we granted exemptions from the requirements of Section III.G. of Appendix R for all 11 plant areas where an exemption was requested. For six plant areas, exemptions were granted on the basis that the level of fire protection existing in the areas is

equivalent to the technical requirements of Section III.G. For the other five areas, the exemptions were granted on the basis that the implementation of proposed modifications to the fire protection features would upgrade the level of protection to be equivalent to the technical requirements of Section III.G of Appendix R. In accordance with 10 CFR 50.48(c) and the tolling provisions therein, all modifications upon which the exemptions are based should be completed within nine months of the letter granting the exemption, that is, by June 21, 1984, unless the modifications can only be safely implemented during a plant shutdown.

III.

By letter dated May 23, 1984, the licensee requested an exemption from the schedular requirements of 10 CFR 50.48(c) for the modifications to one of the fire areas discussed above. For this area, the fire suppression system modifications in the cable spreading room, the licensee requested a schedular extension until October 1984. The licensee states that the proposed fire barrier modifications for the cable spreading room will be completed by June 21, 1984. However, the modifications to the cable spreading room fire suppression system cannot be implemented until the fire barrier modifications are complete. Although the fire barrier materials were ordered in early 1984, delivery delays coupled with the need for installation training resulted in a slippage in the fire barrier installation start date. The delay in fire barrier installation resulted

in subsequent delay in the fire suppression system installation. Therefore, the licensee requests an extension until the October 1984 refueling outage for implementation of the cable spreading room fire suppression system modifications.

The licensee has stated that all the other modifications that do not require a plant shutdown to be safely implemented will be completed by June 21, 1984. That is, the fire barrier modifications to the control building basement, cable spreading room, cable expansion room and critical switchgear rooms 1F and 1G will be completed in accordance with the nine month provisions of 10 CFR 50.48(c). The remaining modification required by the previous exemption to Section III.G of Appendix R is the service water pump room fire suppression system. The licensee's safety review of the wet pipe suppression system installation in the service water pump room has revealed a concern for the operability of the service water pumps and the service water pump gland seal pumps in the event of an inadvertent or required suppression system actuation. A design change to eliminate the gland seal pumps must be implemented during the October 1984 refueling outage along with the installation of the service water pump room fire suppression system. Implementation of this modification during the October 1984 refueling outage is in accordance with 10 CFR 50.48(c).

Based on our consideration of the above, we conclude that the licensee made proper application of the available resources in a best effort to implement the required fire protection modifications in a timely manner.

All but one modification required to be completed by June 21, 1984 will be completed. However, the time allowed proved to be insufficient to permit full implementation. Although the cable spreading room fire suppression system modifications will not be implemented by June 21, 1984, the cable spreading room is provided with a fire detection system and an area fire suppression system and the fire barrier modification will be implemented within the allowed time. On this basis the staff has judged that the request for exemption to allow additional time to complete the modifications to the cable spreading room fire suppression system until the October 1984 refueling outage should be granted.

IV.

Accordingly, the Commission has determined that pursuant to 10 CFR 50.12, the exemption requested in the licensee's letter dated May 23, 1984 as discussed in Section III above is authorized by law, will not endanger life or property or the common defense and security, is otherwise in the public interest and is hereby granted. Therefore, the Commission hereby approves the following exemption from the schedular requirements of Section 50.48(c) of 10 CFR Part 50:

Exemption is granted from the requirement to complete the modifications to the cable spreading room fire suppression system by June 21, 1984. The implementation date for these modifications is hereby extended to the end of the refueling outage beginning in October 1984.

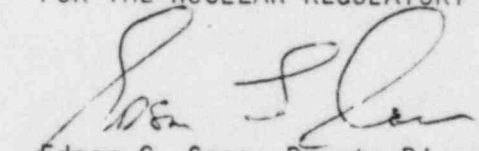
Environmental Assessment

Pursuant to 10 CFR 51.30, the staff concludes as follows regarding the listed factors:

- (1) (i) The need for the proposed action is described above;
- (ii) The alternative to the exemption would be to require literal compliance with Appendix R. Such an action would not enhance the protection of the environment and would be adverse to the public interest generally;
- (iii) The issuance of the exemption, or its denial, would not affect the environmental impact of the facility;
- (2) The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

Based on the above assessment, the NRC staff concludes, pursuant to 10 CFR 51.32, that the issuance of the exemption will have no significant impact on the environment.

FOR THE NUCLEAR REGULATORY COMMISSION


Edson G. Case, Deputy Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland
this 2nd day of July, 1984.