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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 10, 1994

EA 94-177

Nebraska Public Power District (NPPD)
ATTN: Mr. Guy R. Horn, Vice President - Nuclear
Post Office Box 499
Columbus, Nebraska 68602-0499

SUBJECT: DEMAND FOR INFORMATION

Dear Mr. Horn:

The NRC's Office of Investigations (OI) recently issued a final report, which is summarized in the enclosed synopsis, that pertains to an investigation of a March 1993 issue at the Cooper Nuclear Station (CNS) involving the movement of heavy loads over irradiated fuel prior to establishing secondary containment integrity. As a result of a review of this report, the enclosed Demand for Information is being issued to obtain information related to apparent violations of 10 CFR 50.9 and Technical Specification 3.7.C.1.d. The information that NPPD provides in response will be used to determine whether enforcement action or other regulatory action is necessary to assure compliance with NRC requirements at CNS, including whether enforcement action should be taken relative to the former CNS Site Manager's and the Station Operations Review Committee (SORC) members' (who are identified by title in the enclosed Demand for Information) involvement in this matter. These individuals have been sent separate copies of this letter and its enclosures and may submit individual responses to this Demand for Information.

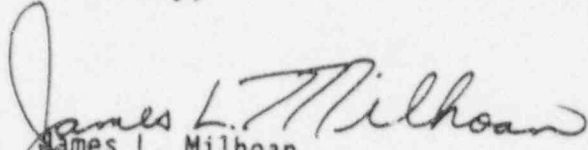
An August 25, 1994, letter from the Regional Administrator, NRC Region IV, to NPPD also discussed NRC concerns stemming from a review of the same OI report. Specifically, Region IV expressed serious concern about the functioning of the SORC and requested that NPPD conduct a review of the functioning of the SORC. Because of the vital role of the SORC in providing oversight of safety-related activities, NPPD was informed that NRC believes the SORC assessment and implementation of needed corrective actions must be completed before the restart of CNS. This August 25, 1994, letter addressed NRC's assessment of the short-term safety implications stemming from a review of the OI report. Therefore, NPPD's actions and response to the August 25, 1994, letter do not eliminate the need for this Demand for Information. NPPD's response should fully address the items in Section III of this Demand for Information regardless of what information may be provided in response to the August 25, 1994, letter.

Questions concerning this Demand for Information should be addressed to Mr. James Lieberman, Director, Office of Enforcement, who can be reached at (301) 504-2741.

The NRC will delay placing a copy of the enclosed Demand for Information and NPPD's response in the NRC's Public Document Room until NPPD has responded as

required and the NRC has reviewed the required responses and made a judgment on any necessary enforcement action. However, since the response eventually will be placed in the NRC's Public Document Room (PDR), the NRC requests that the Licensee provide a response in a form that can be placed in the PDR (e.g., the Licensee should highlight for redaction, names and other identifying information that it believes would constitute an unwarranted invasion of personal privacy). The NRC will make the final decision as to whether any information in the response should be withheld from public disclosure.

Sincerely,


James L. Milhoan
Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Docket No. 50-298
License No. DPR-46
EA 94-177

Enclosures: As Stated

SYNOPSIS

On June 17, 1993, an investigation was initiated to determine whether Nebraska Public Power District's (NPPD) Cooper Nuclear Station (CNS) technical specifications (tech specs) had been deliberately violated on March 9 and 10, 1993, when during the Reactor Pressure Vessel (RPV) disassembly, the RPV head, dryer, and separator were moved over irradiated fuel without secondary containment.

CNS tech specs prohibit the movement of any load over irradiated fuel that, if dropped, would hit and damage the fuel, unless secondary containment is operable. Additionally, CNS procedures specifically prohibited the movement of the RPV head, dryer, and separator, respectively, without first establishing secondary containment.

During the March 1993 refueling outage, secondary containment could not be established. The testimonial and documentary evidence developed by this investigation reflects that CNS issued new procedures that deleted the secondary containment requirements without regard to the requirements set forth in the tech specs. CNS then moved the head, dryer, and separator over irradiated fuel, without secondary containment. The evidence reflects that the tech spec was violated through the careless disregard by the senior management of CNS.