

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of  
NEBRASKA PUBLIC POWER DISTRICT  
(Cooper Nuclear Station)

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Docket No. 50-298

EXEMPTION

I.

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

II.

Pursuant to 10 CFR 55.59(a)(1), each licensed operator is required to successfully complete a requalification program developed by the licensee that has been approved by the Commission. This program is to be conducted for a continuous period not to exceed 24 months in duration and upon its conclusion must be promptly followed by a successive requalification program.

In addition, pursuant to 10 CFR 55.59(a)(2), each licensed operator must also pass a comprehensive requalification written examination and an annual operating test.

### III.

By letter dated October 16, 1995, NPPD requested an exemption under 10 CFR 55.11 from the requirements of 10 CFR 55.59(a)(2). The schedular exemption requested would extend the completion date for the administration of licensed operator examinations for the CNS requalification program from December 22, 1995, to March 15, 1996, because the scheduled examination time coincides with the plant refueling outage. The requested exemption would constitute a one-time extension of the requalification program duration.

In support of its request for exemption, NPPD indicated that the licensed operators at CNS will continue to participate in the ongoing requalification training program. NPPD further indicated that the assignment of licensed operators to refueling outage organization positions represents a shutdown risk benefit with regard to plant safety.

The Code of Federal Regulations at 10 CFR 55.11 states that, "The Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property and are otherwise in the public interest."

### IV.

The Commission has determined that pursuant to 10 CFR 55.11, granting an exemption to NPPD from the requirements in 10 CFR 55.59(a)(1) and (a)(2) is authorized by law and will not endanger life or property and is otherwise in

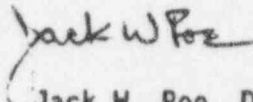
the public interest. This one-time exemption will allow additional licensed operator support during the current refueling outage, which will provide a safety enhancement during plant shutdown operations and post-maintenance testing. The affected licensed operators will continue to demonstrate and possess the required levels of knowledge, skills, and abilities needed to safely operate the plant throughout the extension period via continuation of the current satisfactory licensed operator requalification program. In meeting the requirement for the administration of examinations during the 24 month requalification cycle, the current plant refueling outage could be prolonged without a net benefit to safety, and would otherwise have a detrimental effect on the public interest. Accordingly, the Commission hereby grants Nebraska Public Power District an exemption on a one-time only basis from the schedular requirements of 10 CFR 55.59(a)(1) and (2), to allow the current Cooper Nuclear Station requalification program to be extended beyond 24 months, until March 15, 1996.

Pursuant to 10 CFR 51.32, the Commission has also determined that the issuance of the exemption will have no significant impact on the environment. An Environmental Assessment and Finding of No Significant Impact was noticed in the Federal Register on November 16, 1995 (60 FR 57603).

This exemption is effective upon issuance and expires on March 15, 1996.

Dated at Rockville, Maryland this 16th day of November 1995.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink that reads "Jack W. Roe". The signature is written in a cursive style with a large initial "J".

Jack W. Roe, Director  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation