

~~EXEMPT FROM PUBLIC DISCLOSURE~~

Nebraska Public Power District  
Cooper Nuclear Station  
P.O. Box 98  
Brownville, NE 68321

December 9, 1994

Mr. James Lieberman  
Director, Office of Enforcement  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Lieberman:

The purpose of this letter is to respond to the letter I received from Mr. Joseph R. Gray of your office dated November 10, 1994, which contained a copy of the Demand for Information (DFI) transmitted to the Nebraska Public Power District (NPPD) by letter dated November 10, 1994.

In connection with this matter, I was interviewed by a representative of the NRC's Office of Investigations. Since that time I have had the opportunity to review in greater detail the events during the March 1993 refueling outage, particularly the approval by the Station Operations Review Committee (SORC) on March 9, 1993 of changes to procedures governing reactor pressure vessel (RPV) disassembly. This letter provides the NRC with information that is in addition to the information I provided during my previous interview. To the best of my recollection and belief, the information provided herein is in all material respects consistent with my previous interview.

Explanation of SORC's Action

I recall that during the March 9, 1993 SORC meeting the proposed RPV disassembly procedure revisions were discussed in connection with the Technical Specifications. At ~~Jim~~ ~~Flaherty's~~ request, I had done some research in preparation for the meeting. I reviewed NUREG-0612's guidance concerning movement of heavy loads and for certain design controls on cranes, hoists, etc. for transport of loads. The basic rationale of NUREG-0612 was that heavy objects could be safely moved if design assurance against single failures was established.

I recall that the GE PRC-88-11 guidance addressed loads weighing not over 750 lbs. The PRC-88-11 isn't very explicit with respect to weights of typical loads, but GE had acknowledged that

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PRC-88-11 applied to smaller loads compared to NUREG-0612. I remember that we obtained the clarification from GE. I also remember information in the District's response to NUREG-0612 being discussed by SORC. I recall having met with Guy Horn, Jim Flaherty and Rick Gardner to discuss the results of my research on NUREG-0612 and related issues. NUREG-0612 focussed on the credibility of dropping certain loads and the resulting possibility of damage to fuel.

The purpose of the procedure changes considered by SORC during the March 9th meeting was to delete the steps that prohibited movement of the RPV head, separator and dryer absent prior verification of secondary containment integrity. Wind conditions at the plant, prior to the March 9th meeting, prevented the performance of successful secondary containment testing. My impression is that we could have used a little more time to address technical issues more thoroughly prior to the SORC meeting, but if SORC had been unsatisfied with the information it needed for a decision it would not have made one.

As a voting member of SORC, I agreed with the proposed changes to the RPV disassembly procedures. It appeared to me then that the changes made in 1991 to the RPV disassembly procedures, subsequent to PRC-88-11, were in excess of the existing Technical Specifications requirements. The procedure revisions considered by SORC on March 9, 1993 were permissible and consistent with TS 3.7.C, in my view, because there was no potential for damage to fuel in the RPV from movement of the RPV head, dryer and separator. In my experience, SORC was objective in evaluating the issues. SORC members were not reluctant to ask questions or challenge differing viewpoints.

I don't recall John Meacham at the meeting, but it would not have been unusual for him to attend. I do not remember any strong challenges to conclusions reached by SORC during the meeting. I felt that SORC had made a reasonable decision based on the information it had before it. I would not have been reluctant to express technical concerns that I may have had at the time.

I remember that someone obtained a copy of a memorandum by the NRC that supported SORC's interpretation of TS 3.7.C's requirements for secondary containment integrity (i.e., verification not a prerequisite to RPV disassembly). I recall also that Rick Gardner and John Meacham were aware of the NRC memorandum. Also, I remember discussion at the SORC meeting that there were other procedures addressing movement of loads, and that

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changes to those procedures similar to the proposed changes to RPV disassembly procedures would not be justified.

Explanation Why NRC Sanctions Are Inappropriate

As explained above, I believe that SORC's decision on March 9, 1993 to approve the changes to the RPV disassembly procedures was appropriate based on all the factors it considered. Perhaps SORC's rationale and conclusions from the meeting could have been better documented, but at the time I agreed with the changes. Accordingly, I do not believe that any sanctions against me personally are justified in connection with the November 10, 1994 Demand for Information issued to the Nebraska Public Power District.

Any sanctions would impair my pursuit of a career in the nuclear power field, in which I have accrued 18 years of experience in positions of increasing responsibility. Fourteen years of this experience have included engineering and supervisory experience at Cooper Nuclear Station, including positions as: mechanical engineer; reactor engineer; lead reactor engineer and reactor engineering supervisor, and operation engineering supervisor.

Since 1986, I have been assigned as Operations Engineering Supervisor. In that capacity, I am Supervisor of Reactor Engineering, Operations Engineering and Performance Engineering, reporting to the Engineering Manager. I am responsible for all reactor engineering functions at the plant, including: planning of reactivity manipulations, control of fuel movement; performance engineering, including system responsibilities; and operating engineering, including systems responsibilities. I am a member of SORC and also was qualified as a Shift Technical Advisor.

I affirm that this letter is true and correct to the best of my knowledge and belief. I hereby request that this letter be

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withheld from placement in the NRC Public Document Room and from disclosure pursuant to 10 C.F.R. § 2.790.

Sincerely,

~~Paul L. Ballinger~~  
~~Paul L. Ballinger~~

Sworn to and subscribed  
before me this 12<sup>th</sup> day of  
December, 1994.

Mary Frances Armstrong  
Notary Public

My Commission Expires:

Jan. 11, 1998

