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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. I have had the opportunity to review the events that occurred 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.

Explanation of SORC's Action

I have been a member of SORC since about 1978. The main issue at the meeting on March 9, 1993, as I recall, was whether secondary containment integrity was required to be verified prior to removal of the RPV head. I recall at the time that the NRC had documented an interpretation that RPV disassembly could proceed prior to verifying secondary containment integrity. SORC was also aware of this when it considered the proposed procedure changes. I recall that this issue first arose in connection with procedure changes in 1991 in response to GE PRC-88-11. I remember PRC-88-11 focussed on loads such as shroud head bolts or control rod blades, but that the 1991 procedure changes went beyond that to include the heavy loads (head, dryer, separator) for conservatism.

At the SORC meeting on March 9, 1993, we looked into whether the RPV disassembly procedure(s) could be changed back to the pre-1991 version, which allowed some RPV disassembly before verifying secondary containment integrity. One of the topics SORC discussed was the reason for TS Amendment 147. I recall that its purpose was to address the spent fuel pool cleanup project concerns. We were concerned typically with the movement of loads (in addition to fuel handling) around the spent fuel pool, rather

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than the movement of heavy loads around the equipment storage pool on the opposite side of the refueling floor. I believe that at the time we were attempting to conform to the Standard Technical Specifications which included spent fuel shipping cask handling, as well as fuel handling. During cleanup projects, we removed blades, fuel channels, etc. from the spent fuel pool and placed them in shipping casks. The requirements added by TS Amendment 147 was based on the need for secondary containment integrity for loads involved in cleanup projects, rather than RPV disassembly loads.

Prior to the SORC meeting, we were having problems meeting the negative pressure and flow rate test of the secondary containment integrity. We were prohibited from moving the head, dryer and separator loads because of PRC-88-11 related procedure revisions made in 1991. SORC members remembered that in the past the disassembly procedure had not been delayed pending verification of secondary containment integrity. We discussed GE PRC-88-11, which focussed on loads around 750 lbs. or less according to a telecon with GE (initiated by GE's on-site representative).

From SORC's perspective, we needed to assure ourselves that the proposed changes did not present a safety issue. I recall my thought process at the time was that (1) the 1991 procedure change to address PRC-88-11 loads (around 750 lbs. or so) must have been overly conservative, (2) the purpose of TS Amendment 147 was addressed loads lifted around the spent fuel pool and (3) our resolution of NUREG-0612 issues had removed the concern for heavy loads such as RPV disassembly lifts. Because of the amount of conservatism in the RPV head removal procedure added in 1991, I felt we could relax the procedural restriction and proceed with RPV disassembly.

Before the SORC meeting convened, there was a lot of hallway discussion and interplay between various SORC members. The actual decision did not get made until the meeting. A package of information was presented at the meeting on the change. I don't recall any dissenting votes or abstentions: SORC approved the change unanimously. I do not believe SORC members would have felt reluctant to express any concerns with the change.

My recollection is that, at the time, the portion of the PCN form indicating whether TS changes are involved was not necessarily filled in before meetings. SORC reviews hundreds of procedure changes each year. A typical SORC meeting on a procedure change might last a few minutes, i.e., less than 15 minutes. The

meeting March 9, 1993 to approve the RPV disassembly procedures changes lasted a couple of hours.

Explanation Why NRC Sanctions Are Inappropriate

I am confident that if SORC had identified safety or compliance issues that could not be resolved appropriately during the meeting on March 9, 1993, the procedure changes would not have been approved. The real issue was whether the proposed change conflicted with requirements to verify secondary containment integrity, and SORC concluded that it did not. I continue to believe that SORC's decision to approve the changes was justified. I do not believe that sanctions against me personally are justified in light of the above explanation. I have had an extensive career of steadily increasing responsibility at the Cooper Nuclear Station since about 1970, when I began as a Chemistry Technician. I earned a B.S. degree in science and industrial technology in 1966 and my post-graduate training includes courses in radiation protection by the U.S. Public Health Service, and supervisor/quality assurance training courses. In 1991, I attended nuclear operators licensing training and I hold a Senior Reactor Operator's certification.

In my present position as Radiological Manager at Cooper Nuclear Station (since 1986), I manage the chemistry, health physics and radiological support groups within the Radiological Department. This includes the Reg. Guide 1.8 Radiation Protection manager responsibilities. My duties and responsibilities also include managing the Chemistry and Radiochemistry programs and the Health Physics and its required support programs, ALARA, Dosimetry, radioactive material shipments. I am also the site representative for the Emergency Medical Technician squad. I serve as a member of the Station Operations Review Committee.

I previously held positions of Acting Technical Staff Manger (1985-1986), Senior Technical/Radiological Advisor (1983-1985), Chemistry and Health Physics Supervisor (1978-1983) and Lead Health Physics Technician (1977-1978) and filled the Plant Chemist, Lead Chemistry Technician and Chemistry Technician positions from 1970 to 1976.

I affirm that this letter is true and correct to the best of my knowledge and belief. I hereby request that this letter be withheld from placement in the NRC Public Document Room and from disclosure pursuant to 10 C.F.R. § 2.790.

Sincerely,

[Jerry V. Sayer]

Sworn to and subscribed
before me this 9th day of
December, 1994.

Mary Frances Armstrong
Notary Public

GENERAL NOTARY-State of Nebraska
MARY FRANCES ARMSTRONG
My Comm. Exp. Jan. 11, 1998

My Commission Expires:

Jan. 11, 1998