

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

EXEMPTION FROM SCHEDULAR REQUIREMENTS OF
10 CFR 50.49(g)

I

The Nebraska Public Power District (NPPD/the licensee) is the holder of Facility Operating License No. DPR-46 which authorizes NPPD to operate the Cooper Nuclear Station (CNS) 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 22, 1983, the environmental qualification rule for electrical equipment important to safety for nuclear power plants, 10 CFR 50.49, became effective. Subsection (g) of 50.49 requires that each holder of an operating license issued prior to February 22, 1983, shall by May 20, 1983, identify the electrical equipment important to safety within the scope of the rule already qualified and submit a schedule for either the qualification or the replacement of remaining electrical equipment subject to the rule. This schedule must establish a goal of final environmental qualification of the electrical equipment by the end of the second refueling outage after

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March 31, 1982, or by March 31, 1985, whichever is earlier. The rule also provides that the Director of the Office of Nuclear Reactor Regulation may grant requests for extensions of this deadline to a date no later than November 30, 1985, for specific pieces of equipment if these requests are filed on a timely basis and demonstrate good cause for such an extension, such as procurement lead time, task complications, and installation problems.

III

On June 24, 1983, the licensee requested an extension from the dates specified in 10 CFR 50.49(g). The Cooper plant is on a one-year refueling cycle, and went into an outage shortly after the March 1982 date. Therefore, the end of the second refueling outage will occur in early September 1983. The licensee stated that additional time was needed because the rule expanded the scope of electrical equipment required to be qualified to a harsh environment, and the need to identify and qualify this additional equipment will require more time and another outage. The licensee specifically requested extension until the end of its 1985 outage but no later than November 30, 1985.

We have reviewed the licensee submittal and agree that good cause for a schedular extension of the rule exists for the following reasons: the close proximity of the plant's first refueling outage to the effective date of the rule; the plant is on a one-year refueling cycle; and the expanded scope of the rule to include non-safety-related equipment [10 CFR 50.49(b)(2)] and post-accident monitoring equipment [10 CFR 50.49(b)(3)]. However, since the licensee has not been able to complete identification of the specific equipment for which a schedular exemption is needed, we are unable to grant

the full extent of the licensee's request. Because we find, however, that the licensee is working in good faith to meet the rule, an extension to the end of the third refueling outage after March 31, 1982, can be granted. This would place the licensee on approximately equal footing with plants operating on an 18-month refueling cycle. The licensee must complete qualification of all equipment by the end of the third outage but in any event no later than March 31, 1985. Requests for extension beyond that date must meet the specific criteria stated in 10 CFR 50.49(g).

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby approves the following exemption:

Exemption is granted from the schedular requirement of Section 50.49(g) to extend the required date of final environmental qualification of electrical equipment from "the end of the second refueling outage after March 31, 1982, or by March 31, 1985, whichever is earlier" to "the end of the third refueling outage after March 31, 1982 or by March 31, 1985, whichever is earlier."

The Commission has determined that the granting of this exemption will not result in any significant environmental impact and that, pursuant

to 10 CFR 51.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

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

Dated at Bethesda, Maryland
this 3rd day of October, 1983.

REACTOR FACILITY FEE DETERMINATION

PRELIMINARY
 FINAL
 AMENDED

INSTRUCTIONS: Fill-in items 1 through 14, as applicable, and send the original copy to the License Fee Management Branch.

2. DOCKET NUMBER(S):

50-298

3. ACCESSION NUMBER

4. LICENSEE

Nebraska Public Power District

5. PLANT NAME AND UNIT(S)

Cooper

6. DATE OF APPLICATION

6/24/83

7. FEE REMITTED

YES
 NO

8. LICENSEE FEE DETERMINATION

CLASS I	CLASS II	CLASS III	CLASS IV	CLASS V	CLASS VI	EXEMPT	NONE
							<input checked="" type="checkbox"/>

9. SUBJECT

Schedular exemption to 10 CFR 50.49(g) requirements for compliance with the date for final environmental qualification of electrical equipment

10. TAC NUMBER ASSIGNED (if available)

11. APPROVAL

DATE OF ISSUANCE

LETTER ORDER

AMENDMENT NUMBER(S)

Ltr and EX

10-3-83

12. NRC FEE DETERMINATION

The above application has been reviewed in accordance with Section 170.22 of Part 170 and is properly categorized.

The above application has been reviewed in accordance with Section 170.22 of Part 170 and is incorrectly classified.

Fee should be classes:

JUSTIFICATION FOR CLASSIFICATION OR RECLASSIFICATION

This application is a Class III type of action and is exempt from fees because it is:

Filed by a nonprofit educational institution.

Filed by a Government agency and is not for a power reactor.

For a Class I, II, or III amendment which results from an NRC request dated _____ for the application and the amendment is to simplify or clarify License or Technical Specifications; has only minor safety significance; and is being issued for the convenience of NRC (must meet all of the criteria).

Other (State reason therefor): Issued pursuant to 50.12

13. SIGNATURE (Branch Chief)

DATE

14. FINAL CERTIFICATION: The preliminary fee determination has been reassessed and is hereby affirmed.

SIGNATURE (Project Manager or Branch Chief)

DATE

Byron L. Seigel

10-21-83

FOR LICENSE FEE MANAGEMENT BRANCH USE ONLY (All others do not write below this line)

The above exemption request has been reviewed and is hereby accepted as being exempt.

SIGNATURE (Chief, LFMB)

DATE

W. D. Miller

10/25/83

DISTRIBUTION BY LFMB

Records Services Branch

DL Branch Chief

LFMB Exemption File

LFMB Reactor File



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

October 3, 1983.

Docket No. 50-298

Mr. L. G. Kunc1
Assistant General Manager - Nuclear
Nebraska Public Power District
Post Office Box 499
Columbus, Nebraska 68601

Dear Mr. Kunc1:

SUBJECT: INTERIM EXEMPTION FROM SCHEDULAR REQUIREMENTS
OF 10 CFR 50.49(g)

Re: Cooper Nuclear Station

By letter dated June 24, 1983, you requested a schedular exemption to the 10 CFR 50.49(g) requirements for compliance with the dates for final environmental qualification of electrical equipment within the scope of the rule. The staff has evaluated your request and has granted an exemption from the aforementioned schedular requirement as described in the enclosed Exemption.

A copy of the Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,

Domenic B. Vassallo, Chief
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Exemption

cc w/enclosure:
See next page

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M. Geotenhuis

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RECEIVED
OCT 17 1983
EXEMPT (50.12) 1/24/84

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