

December 15, 2005

Mr. Randall K. Edington  
Vice President-Nuclear and CNO  
Nebraska Public Power District  
P. O. Box 98  
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION - ISSUANCE OF AMENDMENT  
RE: UNIT STAFF QUALIFICATIONS (TAC NO. MC7346)

Dear Mr. Edington:

The Commission has issued the enclosed Amendment No. 214 to Facility Operating License No. DPR-46 for the Cooper Nuclear Station. The amendment consists of changes to the Technical Specifications (TSs) in response to your application dated June 20, 2005.

The amendment would revise TS 5.3, Unit Staff Qualifications, to upgrade the qualification standard for the shift manager, senior operator, licensed operator, and shift technical engineer from Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," Revision 2, April 1987, to Regulatory Guide 1.8, Revision 3, May 2000. It also clarifies qualification requirements applicable to the operations manager position.

A copy of our related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

**/RA/**

Brian Benney, Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-298

Enclosures: 1. Amendment No. 214 to DPR-46  
2. Safety Evaluation

cc w/encls: See next page

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**NRR-100**

**ACCESSION NO: ML053200531**

**NRR-058**

OFFICE	NRR/PGCB/PE	NRR/LPLIV/PM	NRR/LPLIV/LA	NRR/ITSB/BC	OGC	NRR/LPLIV/BC
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DATE	11/22/2005	11/22/2005	11/22/2005	09/22/2005*	12/7/2005	12/13/2005

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NEBRASKA PUBLIC POWER DISTRICT

DOCKET NO. 50-298

COOPER NUCLEAR STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 214  
License No. DPR-46

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Nebraska Public Power District (the licensee), dated June 20, 2005, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment and Paragraph 2.C.(2) of Facility Operating License No. DPR-46 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 214, are hereby incorporated in the license. The Nebraska Public Power District shall operate the facility in accordance with the Technical Specifications.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

David Terao, Chief  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: December 15, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 214

FACILITY OPERATING LICENSE NO. DPR-46

DOCKET NO. 50-298

Replace the following page of the Appendix A Technical Specifications with the enclosed revised page. The revised page is identified by an amendment number and contains marginal lines indicating the areas of change.

REMOVE

5.0-4

INSERT

5.0-4

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 214 TO

FACILITY OPERATING LICENSE NO. DPR-46

NEBRASKA PUBLIC POWER DISTRICT

COOPER NUCLEAR STATION

DOCKET NO. 50-298

1.0 INTRODUCTION

By application dated June 20, 2005 (Agencywide Documents and Access Management System Accession No. ML051740472), Nebraska Public Power District (the licensee) requested changes to the Technical Specifications (TSs) for the Cooper Nuclear Station (CNS). The proposed changes would revise TS 5.3, Unit Staff Qualifications, to upgrade the qualification standard for the shift manager, senior operator, licensed operator, and shift technical engineer from Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," Revision 2, April 1987, to Regulatory Guide 1.8, Revision 3, May 2000. It also clarifies qualification requirements applicable to the operations manager position.

2.0 REGULATORY EVALUATION

On March 20, 1985, the U.S. Nuclear Regulatory Commission (NRC or the Commission) issued the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel which endorsed the training accreditation process and the National Academy for Nuclear Training (NANT). In Generic Letter 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing - 10 CFR [Part] 55 And Conforming Amendments," dated March 19, 1987, and in NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, *Code of Federal Regulations* (10 CFR), Part 55 on Operators' Licenses," published November 1987, the NRC indicated it would accept a facility's licensed operator training program if the facility certified in writing that the program was accredited and based on a systems approach to training (SAT). This certification would supersede the requirements of American National Standards Institute (ANSI) N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel," and ANSI/American Nuclear Society (ANS) 3.1-1978, "Selection, Qualification and Training of Personnel for Nuclear Power Plants." Facility licensees were advised to submit a request to the NRC for a change to their TSs to revise or delete, as appropriate, the requirements that had been superseded.

In 1992 the NRC published its proposed rule 10 CFR 50.120, "Training and qualification of nuclear power plant personnel." The proposed rule stated that, if adopted, the rule would supersede the policy statement on training and qualification of nuclear power plant personnel and would not result in any change to accredited programs. The Commission concluded that accredited programs,

implemented consistent with industry objectives and criteria, would be in compliance with this regulation. In April 1993, the NRC published its final rule on training and qualification of nuclear power plant personnel. The rule requires nuclear power plant licensees to establish, implement, and maintain SAT-based training programs for nine non-licensed positions. Accreditation of these nine training programs is an acceptable means of meeting the requirements of 10 CFR 50.120.

On January 18, 2001, the NRC published NRC Regulatory Issue Summary (RIS) 2001-01, "Eligibility of Operator License Applicants," to familiarize licensees with the NRC's current guidelines for the qualification and training of reactor operator (RO) and senior reactor operator (SRO) applicants. RIS 2001-01 acknowledged that 10 CFR 55.31(a)(4) allows the NRC to accept an application for an operator's license if the facility licensee certifies that the applicant has successfully completed a Commission-approved training program that is based on an SAT. In addition, RIS 2001-01 stated that: (1) a training program would be considered approved by the NRC when it receives or renews accreditation from the National Nuclear Accrediting Board (NNAB); (2) accreditation of operator training programs suggests that facilities are implementing the education and experience guidelines endorsed by the NNAB; (3) NANT guidelines for education and experience (those in effect in 1987 or those issued in January 2000) outline acceptable methods for implementing the Commission's regulations; and (4) the staff encourages all facility licensees to review their requirements and commitments related to licensed RO and SRO education and experience and to update their documentation (e.g., Final Safety Analysis Report, TSs, and training program descriptions) to "enhance consistency and minimize confusion."

### 3.0 TECHNICAL EVALUATION

The proposed TS change would revise CNS TS 5.3, "Unit Staff Qualifications." The requested revision would update requirements that had been outdated based on licensed operator training programs being accredited by the Institute of Nuclear Power Operations and promulgation of the revised 10 CFR Part 55, "Operators' Licenses." TS Section 5.3 describes the requirements for unit staff qualifications. These changes conform to the current requirements of 10 CFR Part 55. The TS requirements for all other unit staff qualifications remain unchanged.

CNS TS 5.2.2.e currently requires the operations supervisor to hold an SRO license. The operations supervisor at CNS is directly in the reporting hierarchy between the operations manager and the shift managers and is the primary individual responsible for directing the activities of the operating crews. The operations manager does not directly supervise ROs, but provides a higher level managerial oversight of the Operations Department. The proposed requirement to hold or have previously held an SRO license provides adequate assurance that the operations manager has an appropriate level of operations knowledge. This approach is consistent with that currently contained in ANSI/ANS 3.1-1993. The operations manager will be required to meet or exceed the remaining qualifications of the generic operations manager position described in ANSI N18.1-1971.

The NRC staff concludes that the revised qualification requirements in TS 5.3 are adequate because they conform with the RO and SRO license eligibility criteria and standards acceptable to the NRC. In addition, the changes will not affect the 10 CFR 50.36(c)(5) requirement to ensure the licensee maintains administrative controls that assure the operation of the facility in a safe manner.

Based on the above discussion, the proposed revision to CNS TS Section 5.3 is consistent with 10 CFR Part 55 and does not adversely affect nuclear safety or plant operations.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Nebraska State official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (70 FR 59085; published October 11, 2005). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

#### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Q. Nguyen

Date: Decembmemr 15, 2005



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October 2005