



## Nebraska Public Power District

COOPER NUCLEAR STATION  
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NLS960159  
August 19, 1996

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555-0001

Gentlemen:

Subject: Reply to a Notice of Violation  
NRC Inspection Report No. 50-298/96-09  
Cooper Nuclear Station, NRC Docket 50-298, DPR-46

Reference: Letter from Mr. J. E. Dyer (USNRC) to Mr. G. R. Horn (NPPD), dated  
July 19, 1996, "NRC Inspection Report 50-298/96-09 and Notice of Violation"

This letter, including Attachment 1, constitutes the Nebraska Public Power District's (District's) reply to the referenced Notice of Violation in accordance with 10 CFR 2.201. Inspection Report 50-298/96-09 documented the results of an NRC inspection conducted from May 5 through June 15, 1996, at the Cooper Nuclear Station (CNS) facility. The District admits to the violation and has completed all corrective actions that are necessary to return CNS to full compliance with 10 CFR 50.59 with respect to the identified violation.

Should you have any questions concerning this matter, please contact my office.

Sincerely,

P. D. Graham  
Site Manager  
Cooper Nuclear Station

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Attachment 960023  
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Powerful Pride in Nebraska

U. S. Nuclear Regulatory Commission  
August 19, 1996  
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cc: Regional Administrator  
USNRC - Region IV

Senior Project Manager  
USNRC - NRR Project Directorate IV-1

Senior Resident Inspector  
USNRC - Cooper Nuclear Station

NPG Distribution

REPLY TO JULY 19, 1996, NOTICE OF VIOLATION  
COOPER NUCLEAR STATION  
NRC DOCKET NO. 50-298, LICENSE DPR-46

During NRC inspection activities conducted from May 5 through June 15, 1996, one violation of NRC requirements was identified. The particular violation and the District's reply are set forth below:

*"10 CFR 50.59 requires the licensee to maintain records of changes in the facility as described in the safety analysis report. These records must include a written safety evaluation which provides the bases for the determination that the change does not involve an unreviewed safety question.*

*Updated Safety Analysis Report Section III-2.4 describes the fuel assembly and lists a fuel channel function to provide a stagnation envelope for in-core fuel sipping. Updated Safety Analysis Report Section III.7.8 describes that, when the reactor is shut down, water level is maintained above the top of the active fuel to ensure adequate core cooling.*

*Contrary to the above, on June 3-5, 1996, the licensee performed in-core fuel sipping activities which involved changes to the facility as described in the Updated Safety Analysis Report without a written safety evaluation providing the bases for the determination that the changes did not involve an unreviewed safety question. The Updated Safety Analysis Report reference to in-core fuel sipping was within the context of a single fuel assembly, while the actual in-core fuel sipping activities involved eight fuel assemblies. The Updated Safety Analysis Report described the need to maintain water level over core fuel to ensure cooling, while the actual in-core fuel sipping activities altered the coolant flowpath by placing the fuel sipping hood on the core top guide and by injecting air into the fuel sipping hood, displacing cooling water from directly above the top of the active fuel."*

Admission or Denial to Violation

The District admits the violation.

Reason for Violation

Cooper Nuclear Station (CNS) chose an in-core sipping method proposed by Siemens to identify a leaking fuel bundle. An individual certified to perform 10 CFR 50.59 unreviewed safety question evaluations was assigned to screen the Siemens fuel sipping procedure for 10 CFR 50.59 applicability. The individual performed the screening process in accordance with CNS Engineering Procedure 3.3, "Station Safety Evaluations." NSAC/125 was used as supplemental guidance to Procedure 3.3. The individual incorrectly assumed that a statement in the CNS

USAR that listed a function of the fuel channel to serve as a stagnation boundary for in-core fuel sipping allowed the performance of fuel sipping in a generic sense.

The reason for this violation is an incorrect interpretation of the scope of 10 CFR 50.59 applicability requirements at CNS.

Corrective Steps Taken and the Results Achieved

The fuel sipping procedure was evaluated in accordance with 10 CFR 50.59. It was determined that the activity did not involve an unreviewed safety question.

Corrective Steps That Will Be Taken to Avoid Further Violations

1. CNS management is briefing appropriate personnel on management expectations and current industry concerns in regard to the 10 CFR 50.59 rule. This brief also reinforces management expectations on conservative decision making regarding 10 CFR 50.59 applicability screening.
2. The 10 CFR 50.59 applicability screening process will be refined to provide clearer procedural guidance.

Date When Full Compliance Will Be Achieved

The District is in full compliance with the requirements of 10 CFR 50.59 with respect to the identified violation.

Correspondence No: NLS960159

The following table identifies those actions committed to by the District in this document. Any other actions discussed in the submittal represent intended or planned actions by the District. They are described to the NRC for the NRC's information and are not regulatory commitments. Please notify the Licensing Manager at Cooper Nuclear Station of any questions regarding this document or any associated regulatory commitments.

COMMITMENT	COMMITTED DATE OR OUTAGE
CNS management is briefing appropriate personnel on management expectations and current industry concerns in regard to the 10 CFR 50.59 rule. This brief also reinforces management expectations on conservative decision making.	
The 10 CFR 50.59 applicability screening process will be refined to provide clearer procedural guidance.	