



Nebraska Public Power District

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NLS960090
May 13, 1996

Director, Office of Enforcement
U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

Gentlemen:

Subject: Reply to a Notice of Violation;
NRC Inspection Report No. 50-298/96-05;
Cooper Nuclear Station, NRC Docket 50-298, DPR-46

Reference: Letter from Mr. T. P. Gwynn (USNRC) to Mr. G. R. Horn (NPPD), dated
April 11, 1996, NRC Inspection Report 50-298/96-05 and Notice of
Violation.

This letter, including Attachment 1, constitutes Nebraska Public Power District's (the District) reply to the referenced Notice of Violation (NOV) in accordance with 10 CFR 2.201. Inspection Report 50-298/96-05 documented the results of an NRC inspection conducted from February 26, 1996 through March 1, 1996, which included a review of the Cooper Nuclear Station (CNS) fire protection program and followup of engineering open items. After careful consideration of the issues discussed in the Inspection Report, the District does not accept that a violation of CNS Technical Specification 6.3.2B occurred. However, actions have been completed which have improved performance in this area of the inspection.

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

Sincerely,

J. H. Mueller
Site Manager

Attachment 9605170315 960513
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Q PDR

cc: Regional Administrator
USNRC Region IV

Senior Project Manager
USNRC - NRR Project Directorate IV-1

NRC Resident Inspector
USNRC - Cooper Nuclear Station

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REPLY TO APRIL 11, 1996, NOTICE OF VIOLATION
COOPER NUCLEAR STATION
NRC DOCKET NO. 50-298, LICENSE DPR-46

During NRC inspection activities conducted from February 26 through March 1, 1996, a violation of NRC requirements was identified. The particular violation and the District's reply are set forth below:

The violation contained in the referenced inspection report cites the following:

Technical Specification 6.3.2 (B) states, in part, that written procedures shall be established and implemented for actions to be taken to correct potential malfunctions of safety-related systems and components.

Administrative Procedure 0.5, "Condition Reporting," Section 8.3.4.3, states that an operability assessment is required for conditions that could possibly affect the operability of licensing basis structures, systems, or components.

Contrary to the above, the licensee failed to perform an operability assessment to determine whether 14 safety-related, motor-operated valves in engineered safety features systems were capable of performing their design functions. This failure occurred following the receipt in November 1994 of a contractor study that identified that the valves were susceptible to pressure-locking and thermal-binding conditions.

Admission or Denial to Violation

The District denies the Violation. The following discussion supports the position that a violation did not occur.

I. **Nature of the references that were cited.**

Technical Specification 6.3.2B states the following:

Written procedures and instructions including applicable check off lists shall be established, implemented, and maintained for the following:

- B. *Actions to be taken to correct specific and foreseen potential or actual malfunctions of safety related systems or components including responses to alarms, primary system leaks and abnormal reactivity changes.*

The purpose of this technical specification is for the Station to have detailed written procedures for manipulating the plant during abnormal operating conditions that could affect nuclear safety (e.g., Abnormal Condition Procedures and Annunciator Response Procedures). This position is supported by the initial licensing documentation related to this technical specification. The District believes that it is an overly broad interpretation of the CNS license for this technical specification to

encompass those procedures that evaluate unusual or non-conforming conditions to assess their impact on system operability.

The cited wording of Administrative Procedure 0.5, Section 8.3.4.3 is from Revision 4, which became effective in November 1995. This revision combined the condition reporting and operability assessment processes. At the time of the receipt of the contractor report in November 1994, Revision 3 was in effect. This revision was much less prescriptive in requiring operability assessments.

II. There was no impact on current operability by the November 1994 contractor report.

In November 1994, the plant was in a forced outage which lasted until February 1995. The pressure locking susceptibilities noted in the report did not affect the operability of systems or subsystems required during the shutdown/depressurized conditions the plant was then in. Therefore, since pressure locking did not pose any threat at that particular point to any of the susceptible valves, formal documentation of operability would not have been necessary. Prior to restart, extensive reviews were performed that verified the operability and material readiness of CNS systems for power operation. As part of this restart effort, a global operability disposition was performed for the MOVs that were susceptible to pressure locking which concluded that the valves were expected to perform their safety functions.

III. Lack of new information in the contractor report.

In May 1993, Revision 0 of the contractor report on Pressure Locking/Thermal Binding was received. In the report, the MOVs that were within the scope of the Generic Letter 89-10 Program were screened for their potential susceptibility to pressure locking. The resulting population of MOVs were individually assessed for their actual susceptibility. Conclusions of non-susceptibility from this group were based on the MOV safety function and maintenance and testing history when performed under similar ambient and process conditions. Those MOVs that were determined to be susceptible were individually dispositioned by CNS Engineering based on bonnet pressure decay and engineering judgment. Planned corrective actions were documented for alleviating the susceptibilities, where appropriate. This assessment provided the basis for interim operability of the susceptible MOVs.

The November 1994, Revision 1 draft contractor report was generated in response to the NRC's unease with relying on an MOV's maintenance history when making non-susceptibility assessments. This resulted in the reclassification of some of the MOVs from being non-susceptible to now being susceptible. However, the 1993 evaluation had already provided adequate justification for operability based upon the MOV safety function and maintenance and testing history. Therefore, these new dispositions did not at that point provide additional information that challenged the appropriateness of the actions taken to address the pressure locking issue (additional corrective actions were later determined in 1995 as part of the final closure of the pressure locking issue).

It is also important to note that in November 1994 there was not widespread industry acceptance of the Entergy capability calculation methodology as an analytical means for demonstrating the operability of susceptible MOVs. At the time, operability could have been assessed by: a) bonnet pressure decay, b) maintenance history, and c) engineering judgment. As discussed previously, these mechanisms had already been applied with the May 1993 report, providing an interim operability justification. Thus, there would have been little value in again formally dispositioning the November 1994 report.

IV. The generation of a Condition Report in response to the November 1994 report was not mandatory.

The context of the cited passage from Administrative Procedure 0.5 is that when the Shift Supervisor is processing a Condition Report (CR), an Operability Assessment is to be made, as required. For the reasons discussed in the Inspection Report, a CR was not written (and, hence, an Operability Assessment was not performed). The District acknowledges that the CNS Condition Reporting process would have been an appropriate vehicle to provide positive assurance that the pressure locking issue would be tracked to closure (this would also have assured a more formal operability decision). However, the November 1994 contractor report was transmitted to CNS Engineering as a revision 1 draft for technical review and comment. As such, the information had not yet been validated or formalized through the contractor's Quality Assurance program. These interim results were later incorporated into a more comprehensive report which provided the basis for the District's response to Generic Letter 95-07. Because of the draft nature of the report and the lack of new information contained in it, the District does not believe that a CR was mandatory (i.e., the failure to write a Condition Report was not itself a procedural violation).

Reasons for Violation

As discussed above, the District does not concur that a violation occurred. Nevertheless, actions have been taken (as discussed below) since November 1994 that are responsive to the concerns raised by this violation.

Corrective Steps Taken and the Results Achieved

The Condition Reporting and Operability Assessment processes have been linked. In this way, a CR must be written against a discrepant condition in order to trigger an Operability Assessment. Accordingly, the Condition Reporting process purposefully sets a low discrepancy threshold for when CRs are to be written. Primary reliance is placed on the sensitivity and training of the staff in recognizing when new information should be assessed via the Corrective Action Program. For this reason, as discussed in the District's replies to VIO 9511-01 and VIO 9515-02, continued Management attention is being focused on assuring that Condition Reports are initiated when appropriate. The specific issue of pressure locking in power-operated valves has been resolved as discussed in the District's response to Generic Letter 95-07.

Improvements have also been made within the MOV Program which have increased the ability for a timely response to emerging issues. These improvements have included: a) restaffing with MOV experts with broad industry experience, b) relocating ownership of the program from the General Office to the Station, c) developing a computer database of MOV testing and configurational information, and d) providing a more focused allotment of personnel resources dedicated to the program.

Corrective Steps That Will Be Taken to Avoid Further Violations

No further corrective actions are planned at this time.

Date When Full Compliance Will Be Achieved

The District is in full compliance with the requirements of CNS Technical Specification 6.3.2B, as well as with 10CFR50 Appendix B Criterion V as it applies to the initiation of Condition Reports and the performance of Operability Assessments.

Correspondence No: NLS960090

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.

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