



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

DEC 20 1996

EA 96-487
EA 96-488

G. R. Horn, Senior Vice President
of Energy Supply
Nebraska Public Power District
1414 15th Street
Columbus, Nebraska 68601

SUBJECT: NRC INSPECTION REPORT 50-298/96-30 AND NOTICE OF VIOLATION

Dear Mr. Horn:

An NRC inspection was conducted November 4-8, and December 4, 1996, at your Cooper Nuclear Station reactor facility. The inspection focused on the regulatory and safety significance of your identification of a design flaw in the reactor core isolation cooling system and of your practice of performing full core offloads during refueling operations.

Based on the results of this inspection, three violations of NRC requirements were identified. These violations are cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding the violations are described in detail in the enclosed report. The first violation, involving failure to meet station blackout requirements, was classified as Severity Level III, indicating a significant regulatory concern (EA 96-488). However, because you independently identified and corrected the concern, as further discussed below, no civil penalty is being assessed. Further, the NRC has concluded that information regarding the reason for the violation, the corrective actions taken to correct the violation and prevent recurrence, is already adequately addressed on the docket in Licensee Event Report 94-018. Therefore, you are not required to respond to this violation unless the description in this report does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice. As discussed with Mr. Brad Houston of your staff on December 4, 1996, the NRC did not believe a predecisional enforcement conference was necessary to address this issue because no additional information was needed to make an enforcement decision. The remaining violations, related to design and operation of your spent fuel pool cooling systems, were classified at Severity Level IV and do require a response (EA 96-487). These violations are of concern because they are examples of not maintaining the licensing basis of the plant and not ensuring the facility is operated in accordance with the licensing basis.

The violation of 10 CFR 50.63, the station blackout rule (Violation A in the enclosed Notice), is a significant regulatory concern not only because the ability of the reactor core isolation cooling (RCIC) system to function in a station blackout was adversely affected,

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but because it was caused, in part, by a failure to understand and maintain plant design configurations. Thus, the fact that an AC motor had been installed on the RCIC trip throttle valve was not recognized when the station blackout rule was addressed in 1991 and plant personnel erroneously assumed that the RCIC system would function independently of AC power. Therefore, this violation has been categorized in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, at Severity Level III.

In accordance with the Enforcement Policy, a civil penalty with a base value of \$50,000 is considered for a Severity Level III violation. Because your facility was the subject of escalated enforcement actions within the last 2 years, as well as during the 2 years that preceded the discovery of this issue, the NRC considered whether credit was warranted for Identification and Corrective Action in accordance with the civil penalty assessment process in Section VI.B.2 of the Enforcement Policy. Because this violation was discovered by your staff as a result of comprehensive surveillance procedure reviews and resulted in prompt and comprehensive corrective action, as described in Licensee Event Report 94-018, the NRC has determined that credit is warranted for both factors.

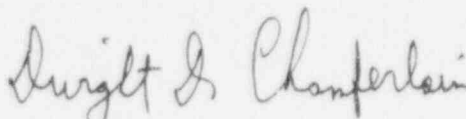
Therefore, to encourage the identification, and prompt and comprehensive correction, of safety concerns and violations, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations of this nature in the future could result in a civil penalty.

In preparing your response to Violations B and C, you should follow the instructions specified in the enclosed Notice. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,



J. E. Dyer, Director
Division of Reactor Projects

Docket No.: 50-298
License No.: DPR-46

Enclosures:

1. Notice of Violation
2. NRC Inspection Report
50-298/96-30

cc w/enclosures:

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DEC 20 1996

E-Mail report to D. Nelson (DJN)

E-Mail report to NRR Event Tracking System (IPAS)

bcc to DMB (IE01)

bcc distrib. by RIV:

L. J. Cullen

DRP Director

Branch Chief (DRP/C)

Branch Chief (DRP/TSS)

Project Engineer (DRP/C)

G. Sanborn, EA File

J. Lieberman, OE, MS: 7-H5

Resident Inspector

DRS-PSB

MIS System

RIV File

Leah Tremper (OC/LFDCB, MS: TWFN 9E10)

W. L. Brown, RC

OE:EA File, MS: 7-H5

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