



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

MAR - 4 1997

EA 97-018

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

SUBJECT: NRC INSPECTION REPORT 50-298/96-25 EXERCISE OF ENFORCEMENT
DISCRETION AND NOTICE OF VIOLATION

Dear Mr. Horn:

An NRC inspection was conducted November 18-22 and December 9-13, 1996, at your Cooper Nuclear Station reactor facility. The enclosed report presents the scope and results of that inspection. The overall results of the inspection were discussed with Mr. Brad Houston of your staff on March 4, 1997.

The inspection team concluded that your corrective action and self-assessment programs were effective in identifying issues. This was particularly evident in the large number of open items identified. However, we are concerned about your ability to resolve these issues in a timely manner. For example, the team noted a large backlog of open items in the engineering area. While we understand your efforts to address these backlog conditions and have noted a slight reduction in the backlog, we remain concerned about your ability to reduce the open item backlog to a reasonable level. More importantly, your own followup self assessment identified that the engineering organization has not been effective in resolving the problems identified in the original engineering self assessment. Specifically, there is a perceived lack of management commitment, lack of resources, and a lack of authority of the plan owners to implement the action plans effectively. The followup team also concluded that the engineering workload was very high and system engineering performance did not meet your expectations due to the volume of emergent work that prevented the system engineers from performing their primary responsibilities.

The inspection identified two violations of NRC requirements that are being cited. The first violation involved the failure to implement effective corrective actions for the control of combustibles in the reactor building, a problem previously identified during an internal quality assurance audit. The second violation involved the failure of your Station Operations Review Committee to review potential nuclear safety hazards.

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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. Please note that you are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In addition to these cited violations, the inspection identified another violation involving several examples of failing to comply with 10 CFR Part 50, Appendix R. These violations were documented in Licensee Event Report 96-09. As discussed in Section F8 of the inspection report, these were identified by your staff during the performance of corrective actions for a previous escalated enforcement action¹. The circumstances surrounding this violation meet the conditions in Section VII.B.4 of the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG 1600. Therefore, after consultation with the Director, Office of Enforcement, the agency has decided to exercise enforcement discretion in this case and not issue a Notice of Violation for this violation (EA 97-018).

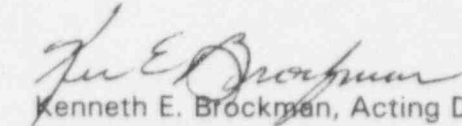
Four unresolved items were identified concerning: (1) the acceptability of the increase in the cylinder exhaust differential temperatures for the emergency diesel generators, (2) the acceptability of using the automatic depressurization and the core spray systems as an alternate safe shutdown method during a fire, (3) the licensing basis of the fire detection system, and (4) the licensing basis of the fire suppression system in the reactor recirculation pump motor generator set area. We will review these issues with the Office of Nuclear Reactor Regulation to determine their acceptability. These items are discussed in Sections E7.6 and F8 of the enclosed inspection report.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response 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.

¹ EA 96-094 involved a failure to electrically isolate Diesel Generator 2 control circuitry from the effects of a fire-induced cable fault created by a postulated fire in the control room or cable spreading room. A Notice of Violation was issued on April 17, 1996, for this Severity Level III violation, but no Civil Penalty was proposed in recognition of the licensee's identification of the violation and its corrective actions.

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

Sincerely,


Kenneth E. Brockman, Acting Director
Division of Reactor Safety

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

Enclosures:

1. Notice of Violation
2. NRC Inspection Report
50-298/96-25

cc w/enclosures:

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Kansas Radiation Control Program Director

E-Mail report to T. Boyce (THB)
 E-Mail report to NRR Event Tracking System (IPAS)
 E-Mail report to Document Control Desk (DOCDESK)

bcc to DMB (IE01)

bcc distrib. by RIV:

Regional Administrator
 DRP Director
 Branch Chief (DRP/C)
 Branch Chief (DRP/TSS)
 Project Engineer (DRP/C)
 G. Sanborn
 OE:EA File
 J. Lieberman, OE

Resident Inspector
 DRS-PSB
 MIS System
 RIV File
 Leah Tremper (OC/LFDCB, MS: TWFN 9E10)

DRS AI 97-G- ~~98~~ 0034

DOCUMENT NAME: R:_CNS\CN625rp.TFS

*Previously concurred

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