



Nebraska Public Power District
Nebraska's Energy Leader

NLS2000003
January 31, 2000

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

Gentlemen:

Subject: Revision of Commitment Date Concerning Submittal of Proposed Technical Specification Change in Response to NRC Generic Letter 99-02
Cooper Nuclear Station, NRC Docket 50-298, DPR-46

- References:**
1. NRC Generic Letter 99-02, "Laboratory Testing of Nuclear-Grade Activated Charcoal," dated June 3, 1999.
 2. NRC Generic Letter 99-02 (ERRATA): "Laboratory Testing of Nuclear-Grade Activated Charcoal," dated August 23, 1999.
 3. Letter NLS990117 to U.S. Nuclear Regulatory Commission from John H. Swailes dated December 2, 1999, "Response to Generic Letter 99-02, Laboratory Testing of Nuclear-Grade Charcoal."
 4. Letter NLS990119 to U.S. Nuclear Regulatory Commission from John H. Swailes dated December 8, 1999, "Supplemental Response to Generic Letter 99-02, Laboratory Testing of Nuclear-Grade Activated Charcoal."
 5. Letter NLS990122 to U.S. Nuclear Regulatory Commission from John H. Swailes dated December 22, 1999, "Design Basis Accident Radiological Assessment Calculational Methodology Revision."

Generic Letter 99-02, Reference 1, as supplemented by Reference 2, addressed issues associated with laboratory testing of Engineered Safety Feature (ESF) ventilation system charcoal samples. The Nebraska Public Power District's (District's) response to Generic Letter 99-02 (References 3 and 4) indicated that the District planned to submit a proposed Technical Specification revision which incorporates the laboratory testing protocol of American Society for Testing and Materials (ASTM) D3803-1989 for ESF ventilation system charcoal samples by December 23, 1999.

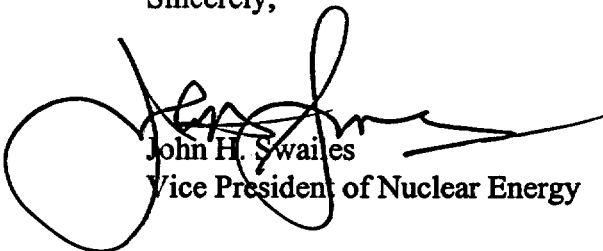
In order to support the proposed Technical Specification revision, a revision to the Cooper Nuclear Station (CNS) Design Basis Accident (DBA) radiological dose consequence analysis was required such that the charcoal filter efficiency safety factors described in Generic Letter 99-02 could be credited. A license amendment request revising the CNS DBA radiological assessment calculational methodology was submitted to the NRC via Reference 5 and provides the basis for the 97.5% methyl iodide removal rate acceptance criteria used when testing per the ASTM D3803-1989 test protocol. As a revision to our commitment contained in Reference 3, the acceptance criteria of 97.5% methyl iodide removal rate will be used in laboratory testing of ESF ventilation system charcoal samples after August 2, 1999 and for testing of any replacement charcoal after the same date.

The revised radiological assessment calculational methodology submittal also incorporated various other radiological assessment changes, including consideration of high burnup fuel design parameters. Incorporation of the high burnup fuel parameters into the radiological assessment calculations required several calculation iterations, which resulted in a delay of the radiological assessment methodology submittal until December 22, 1999. This, in turn, delayed the schedule for submitting the proposed Generic Letter 99-02 Technical Specification revision.

The District requested in its response to Generic Letter 99-02 that the NRC exercise enforcement discretion, consistent with Section VII.B.6 of the Enforcement Policy, as described in Generic Letter 99-02, to allow the District time to conduct laboratory testing of ESF ventilation system charcoal samples per ASTM D3803-1989 vice the current Technical Specification requirement to test per ASTM D3803-1979. The District now anticipates that the proposed Technical Specification revision associated with Generic Letter 99-02 will be submitted to the NRC by February 21, 2000. While the District recognizes that the enforcement discretion discussed in the Generic Letter was contingent upon submitting a Technical Specification amendment request within 180 days of the issuance of Generic Letter 99-02, the District concludes that it satisfied the spirit of that condition with the submittal of Reference 5. The District will complete the required licensing action of Generic Letter 99-02 within a reasonable time frame with the February 21, 2000, submittal. These actions, although arguably untimely, were performed in a logical manner given that Reference 5 had to be submitted in order to support the proposed Generic Letter 99-02 Technical Specification revision. In light of the basis for the delayed submittal, the District respectfully requests that the enforcement discretion discussed in Generic Letter 99-02 continue to be applied to CNS.

Should you have any questions concerning this matter, please contact Sharon Mahler at (402) 825-5236.

Sincerely,



John H. Swailes
Vice President of Nuclear Energy

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**cc: Regional Administrator
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