

February 26, 2002  
EN 02-007

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Nebraska Public Power District (SDP/EA-01-231)  
Cooper Nuclear Station  
(Docket No. 50-298)

Subject: ISSUANCE OF THE FINAL SIGNIFICANCE DETERMINATION FOR TWO WHITE FINDINGS AND NOTICE OF VIOLATION

This is to inform the Commission that a Notice of Violation associated with two White Significance Determination Process (SDP) findings will be issued on or about March 1, 2002, to the Nebraska Public Power District. These White findings were the result of the staff's assessment of two performance deficiencies that occurred during an Alert on June 25, 2001. Specifically, the licensee's failure to: (1) implement planning standard 10 CFR 50.47(b)(5), resulting in an untimely notification to state and local response organizations following declaration of an Alert, as stated in the Cooper Nuclear Station Emergency Plan and required by 10 CFR 50.54(q); and (2) meet planning standard 10 CFR 50.47(b)(2), resulting in untimely activation of the emergency response facilities on June 25, 2001; constituted White findings that were also violations of NRC requirements.

An additional issue was documented as an NCV associated with a Green finding for a violation of 10 CFR 50.54(q) that resulted from a change that decreased the effectiveness of the emergency response plan when backup power was restricted to the emergency response facility during modes 1, 2, and 3. This issue was preliminarily characterized as a White finding but was downgraded when the staff concluded that the licensee continued to meet planning standard 10 CFR 50.47(b)(8).

It should be noted that the licensee has not yet been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	March 1, 2002
Telephone Notification of licensee	March 1, 2002

The State of Nebraska will be notified.

Contacts: Chris Nolan, OE, 301-415-2249; James Luehman, OE, 301-415-2741

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**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

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