

March 22, 2002

David L. Wilson  
Vice President of Nuclear  
Cooper Nuclear Station  
Nebraska Public Power District  
2 Miles South of Brownsville  
Brownsville, NE 68321

Dear Mr. Wilson:

As a result of the recent terrorist threats, the U.S. Nuclear Regulatory Commission (NRC) is taking steps to enhance its licensees' ability to respond to the continuing heightened security environment. Currently, the NRC is authorized to disseminate classified information to uncleared persons only under special circumstances when timeliness is critical to mitigating an emergency situation. However, the NRC has decided to process security clearances for licensees so that they may have access to classified information under more routine circumstances.

Under this program, those licensees who desire to participate may be granted up to five personnel security clearances for access to classified information to key licensee staff at each nuclear power reactor site. Two-unit and three-unit sites should be treated as one location for these purposes. The Facility Security Officer for each site must be included as one of the five persons cleared. Classified information will eventually be disseminated to these licensee contacts through the NRC resident inspector office, which will be provided the ability to receive and store classified national security information.

Each individual to be cleared will be required to complete Form SF 86, "Questionnaire for National Security Positions" (enclosed), as part of the clearance process. Individuals must agree to execute the SF-312, "Classified Information Nondisclosure Agreement" (enclosed), before the clearance is granted. Individual clearances must be updated every 10 years. Licensees will be expected to cover the initial and recurring costs of the individual clearances, which will be \$145.00 each. In order for the NRC to make a Facility Security Clearance determination, participating licensees will also be required to develop a security plan as a user of classified information (Standard Practice Procedures Plan enclosed) and be subject to Foreign Ownership Control or Influence (FOCI) determinations made by the NRC. An overview of these requirements can be found in Title 10, Code of Federal Regulations (10 CFR) Part 95. A sample FOCI package including Form SF 328, "Certificate Pertaining To Foreign Interests," is also enclosed. Please note that your organization will be asked to certify annually to the NRC whether significant changes have occurred in the extent and nature of FOCI that would affect your responses to the SF 328 form. You will also be required to submit a new SF 328 every 5 years as part of a FOCI redetermination. Lastly, the President, Chairman of the Board of Directors, or other key management officials for each licensee may also need to be cleared, which may or may not include the original five personnel you select to receive a clearance.

D. Wilson

- 2 -

The NRC will identify these individuals as necessary. Licensees will not be required to pay for the NRC's costs related to the FOCI determinations conducted in FY 2002.

Please respond within 30 days of receiving this letter indicating whether you desire to participate in this effort and, if appropriate, naming a point of contact (name, title, telephone number, and e-mail address) for your site. Each person nominated for a security clearance should return the form SF-86 and entire security package when complete in the envelope provided along with a check made out to the U.S. Nuclear Regulatory Commission for \$145 for each clearance. One check can be provided for the total number of clearances requested.

Your response to this letter, the FOCI package along with the SF-328, and a Standard Practice Procedures Plan should be sent separately as they are completed to the following address:

ATTN: LICENSEE CLEARANCES, MAIL STOP O2-D15  
DIVISION OF FACILITIES AND SECURITY  
OFFICE OF ADMINISTRATION  
U.S. NUCLEAR REGULATORY COMMISSION  
11555 ROCKVILLE PIKE  
ROCKVILLE, MARYLAND 20852

Questions regarding FOCI or the Standard Practice Procedures Plan should be referred to J. Keith Everly at 301-415-7048 or jke@nrc.gov. Questions regarding the SF-86 or the security clearances should be referred to Cheryl Stone at 301-415-7404 or cms2@nrc.gov.

Sincerely,  
**/RA/**  
Michael L. Springer, Director  
Office of Administration

Docket No. 50-298

Enclosures: As stated

cc without enclosures (see next page):

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Sincerely,

Michael L. Springer, Director  
Office of Administration

Docket No. 50-298

Enclosures: As stated

cc without enclosures: See next page

Cooper Nuclear Station

cc:

Mr. G. R. Horn  
Sr. Vice President of Nuclear and  
Enterprise Effectiveness  
Nebraska Public Power District  
1414 15th Street  
Columbus, NE 68601

Mr. John R. McPhail, General Counsel  
Nebraska Public Power District  
P. O. Box 499  
Columbus, NE 68602-0499

D. F. Kunsemiller, Risk and  
Regulatory Affairs Manager  
Nebraska Public Power District  
P. O. Box 98  
Brownville, NE 68321

Dr. William D. Leech  
Manager-Nuclear  
MidAmerican Energy  
907 Walnut Street  
P. O. Box 657  
Des Moines, IA 50303-0657

Mr. Ron Stoddard  
Lincoln Electric System  
1040 O Street  
P. O. Box 80869  
Lincoln, NE 68501-0869

Mr. Michael J. Linder, Director  
Nebraska Department of Environmental  
Quality  
P. O. Box 98922  
Lincoln, NE 68509-8922

Chairman  
Nemaha County Board of Commissioners  
Nemaha County Courthouse  
1824 N Street  
Auburn, NE 68305

Ms. Cheryl K. Rogers, Program Manager  
Nebraska Health & Human Services System  
Division of Public Health Assurance  
Consumer Services Section  
301 Centennial Mall, South  
P. O. Box 95007  
Lincoln, NE 68509-5007

Mr. Ronald A. Kucera, Director  
of Intergovernmental Cooperation  
Department of Natural Resources  
P.O. Box 176  
Jefferson City, MO 65102

Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
P. O. Box 218  
Brownville, NE 68321

Regional Administrator, Region IV  
U.S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 1000  
Arlington, TX 76011

Jerry Uhlmann, Director  
State Emergency Management Agency  
P. O. Box 116  
Jefferson City, MO 65101

Chief, Radiation Control Program, RCP  
Kansas Department of Health  
and Environment  
Bureau of Air and Radiation  
1000 SW Jackson  
Suite 310  
Topeka, KS 66612-1366

Mr. Daniel K. McGhee  
Bureau of Radiological Health  
Iowa Department of Public Health  
401 SW 7<sup>th</sup> Street  
Suite D  
Des Moines, IA 50309