

November 3, 2003

Mr. Clay C. Warren
Chief Nuclear Officer
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION - USE OF PROTECTED
TELECOMMUNICATIONS FOR TRANSMISSION OF SAFEGUARDS
INFORMATION (TAC No. MC0966)

Dear Mr. Warren:

By letter dated November 6, 2002, you requested approval for the use of protected telecommunications for the transmission of Safeguards Information for Cooper Nuclear Station. Specifically, you requested approval for the use of the L3 Communications, Privatel™ encryption system for unclassified Safeguards Information.

The regulation at Section 73.21(g)(3) of Title 10 of the *Code of Federal Regulations* (10 CFR) states that "... Safeguards Information shall be transmitted only by protected telecommunication circuits (including facsimile) approved by the NRC." The NRC considers as acceptable those encryption systems that the National Institute of Standards and Technology (NIST) has determined conform to the Security Requirements for Cryptographic Modules in Federal Information Processing Standard (FIPS) 140-2. In addition, although NIST no longer validates new encryption systems to FIPS 140-1, the NRC considers as acceptable those products that NIST has previously validated as conforming to FIPS 140-1. The Secretary of Commerce has made use of these products mandatory and binding for U.S. Federal agencies when a Federal agency determines that cryptography is necessary for protecting sensitive information.

NIST has validated the Privatel™ Model 960v device to FIPS 140-1, and it is Number 108 on the Cryptographic Modules Validation List. Therefore, the use of this product is an acceptable method for protecting the telecommunication of U.S. Government sensitive unclassified information such as unclassified Safeguards Information. Approval of the Privatel™ Model 960v encryption system is contingent upon continued NIST approval.

C. Warren

-2-

In accordance with 10 CFR 73.21(a), you are required to establish and maintain an information protection system that satisfies 10 CFR 73.21(b) through (i). Compliance with the provisions of 10 CFR 73.21 is inspectable.

If you have any questions, please contact me at 301-415-1774.

Sincerely,

/RA/

Michelle C. Honcharik, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-298

cc: See next page

C. Warren

-2-

In accordance with 10 CFR 73.21(a), you are required to establish and maintain an information protection system that satisfies 10 CFR 73.21(b) through (i). Compliance with the provisions of 10 CFR 73.21 is inspectable.

If you have any questions, please contact me at 301-415-1774.

Sincerely,

/RA/

Michelle C. Honcharik, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-298
cc: See next page

DISTRIBUTION:

PUBLIC

PDIV-1 r/f

RidsNrrDlpmLpdiv (H. Berkow)

RidsNrrDlpmLpdiv-1 (R. Gramm)

RidsNrrPMMHoncharik

RidsNrrLAMMcAllister

RidsAcrsAcnwMailCenter

RidsOgcRp

RidsRgn4MailCenter (K. Kennedy)

ALSilvious

NRFontaine

LHGrossman

ACCESSION NO: ML033090413

OFFICE	PDIV-1/PM	PDIV-1/LA	OGC	PDIV-1/SC
NAME	MHoncharik	MMcAllister	CMarco	RGramm
DATE	10/29/03	10/29/03	10/30/03	10/29/03
OFFICE	NSIR/DNS/SC	OCIO/PMAS		
NAME	ALSilvious	LHGrossman		
DATE	10/30/2003	10/30/2003		

OFFICIAL RECORD COPY

Cooper Nuclear Station

cc:

Mr. William J. Fehrman
President and Chief Executive Officer
Nebraska Public Power District
1414 15th Street
Columbus, NE 68601

Mr. Thomas J. Palmisano
Site Vice President
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

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

Mr. Paul V. Fleming, Licensing Manager
Nebraska Public Power District
P.O. Box 98
Brownville, NE 68321

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 and Asbestos
Control Section
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 7th Street
Suite D
Des Moines, IA 50309

Mr. Scott Clardy, Director
Section for Environmental Public Health
P.O. Box 570
Jefferson City, MO 65102-0570

August 2003