



Nebraska Public Power District

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NLS2005052

May 26, 2005

Via Overnight Delivery

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852-2738

Subject: Response to NRC Guidance Regarding Mitigation Strategies
Cooper Nuclear Station, NRC Docket 50-298, DPR-46

- References:**
1. Nebraska Public Power District letter from David L. Wilson to U.S. Nuclear Regulatory Commission dated March 18, 2002, "Response to Order for Interim Safeguards and Security Compensatory Measures, Cooper Nuclear Station, NRC Docket 50-298, DPR-46
 2. February 25, 2005 letter from J. E. Dyer to Holders of Licenses for Operating Power Reactors as Listed in Enclosure 1, "NRC Staff Guidance for Use in Achieving Satisfactory Compliance with February 25, 2002, Order Section B.5.b"

The NRC issued an Order For Interim Safeguards and Security Compensatory Measures ("Order EA-02-026" or "ICM Order") dated February 25, 2002, for Cooper Nuclear Station (CNS).

Order EA-02-026 imposed requirements on nuclear power plants licensed pursuant to the Atomic Energy Act of 1954 and Title 10 of the Code of Federal Regulations. Section III.A of the Order required licensees to implement certain changes in physical security and emergency planning on an interim basis until final requirements were established. Among other requirements, Nebraska

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Public Power District (NPPD) was required to complete implementation of the requirements of Section II.B.5.b. of Order EA-02-026 by August 31, 2002.

Subsequently, the NRC issued Orders, dated April 29, 2003, Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors ("Order EA-03-086" or "DBT Order") and other security related Orders (collectively "Orders") for Cooper Nuclear Station. In many ways, Order EA-03-086 complemented or superseded the interim measures imposed by Order EA-02-026.

As required by Order EA-03-086, the plans for the above-mentioned licensed facility have been implemented. Subsequently, NPPD was requested to respond to your letter dated February 25, 2005, NRC Staff Guidance for Use in Achieving Satisfactory Compliance with February 25, 2002, Order Section B.5.b, ("NRC B.5.b. Guidance") by May 31, 2005, and to implement appropriate enhancements to current mitigation strategies by August 31, 2005. Specifically, nuclear power plant licensees were requested by Enclosure 2 of the February 25, 2005 letter, "Developing Mitigating Strategies / Guidance for Nuclear Power Plants to Respond to Loss of Large Areas of the Plant in Accordance with B.5.b" of the February 25, 2002, Order (dated February 24, 2005) ("NRC B.5.b. Guidance"), to review the Areas of Consideration delineated in Attachment A to that Enclosure and evaluate additional considerations for potential inclusion in the licensees' mitigating strategies that licensees deemed appropriate in accordance with the expectations in Attachment B to that Enclosure.

Subsequently, the Nuclear Energy Institute ("NEI"), in conjunction with the NEI Security Working Group, developed and issued guidance for licensee use ("NEI Guidance") to assist licensees in responding to the February 25, 2005, letter.

As requested in the February 25, 2005, letter, NPPD has reviewed the information in Attachments A and B in accordance with the NEI Guidance and is hereby submitting, as a Safeguards Information enclosure to this letter (Enclosure), NPPD's evaluation of the information the NRC provided. The Enclosure reflects the results of our review of the guidance and describes the considerations that NPPD either has already or intends to implement at Cooper Nuclear Station by August 31, 2005.

The primary guiding principles used in the conduct of this evaluation were (1) whether or not equipment and resources were "readily available," and (2) if equipment is readily available, can it be effectively utilized in a licensee's mitigating strategy. NPPD considered "readily available" to mean that the equipment or resources were already licensee owned, under contract, or part of an existing Memorandum of Understanding. Further, even if equipment and resources are readily available, the second criterion is to ensure that the equipment can be used in a mitigating strategy

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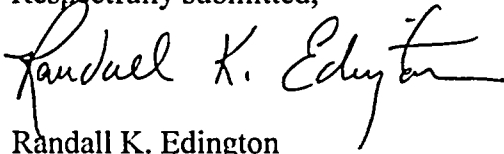
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in an effective manner. Even if the equipment is readily available, it is of no value if it cannot be effective in implementing the mitigating strategy.

In accordance with these principles, mitigative strategies are being implemented to address the NRC B.5.b. Guidance. These strategies are considered to be commitments for that purpose and will be managed in accordance with the CNS commitment management system.

The Attachment to this letter is the schedule that NPPD has developed regarding the implementation of identified commitments resulting from the evaluations documented in the Enclosure.

Respectfully submitted,



Randall K. Edington
Vice President-Nuclear and
Chief Nuclear Officer

/nr

Attachment - Schedule for Completion of Actions (and List of Regulatory Commitments)
Enclosure - Cooper Nuclear Station Evaluation of NRC B.5.b Guidance

cc: Regional Administrator with attachment/without enclosure
USNRC - Region IV

Senior Project Manager with attachment/enclosure
USNRC - NRR Project Directorate IV-1

Senior Resident Inspector with attachment/without enclosure
USNRC

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