

June 10, 2008
EN-08-036

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Nebraska Public Power District (EA-07-204)
Cooper Nuclear Station
Docket No. 05000298

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a Notice of Violation associated with a White significance determination process finding will be issued on or around June 13, 2008, to Nebraska Public Power District, as a result of inspections at Cooper Nuclear Station. This White finding, an issue of low to moderate safety significance which may require additional U.S. Nuclear Regulatory Commission inspections, involves failure by the licensee to ensure that steps contained in two Emergency Procedures at Cooper Nuclear Station would work as written.

A Notice of Violation is included based on a violation of 10 CFR Part 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," for the failure of the licensee to determine whether steps added to procedures were appropriate to the circumstances and would work as written. Specifically, the licensee failed to properly verify and validate steps in two quality-related Emergency Procedures to ensure that the steps would work to accomplish the necessary actions.

It should be noted that Cooper has committed to adopt National Fire Protection Association (NFPA) Standard 805 (NFPA 805) as allowed by 10 CFR 50.48(c). The Interim Enforcement Discretion Policy provides enforcement discretion for certain violations of the requirements in 10 CFR 50.48, "Fire Protection," (or fire protection license conditions) that are identified as a result of a licensee's transition to a new risk-informed, performance-based fire protection approach included in 10 CFR 50.48(c). However, Cooper failed to meet one of the conditions for receiving this enforcement discretion in that they failed to identify this problem by routine licensee efforts such as normal surveillance or quality assurance activities. Therefore, enforcement discretion will not be exercised and this violation will be cited.

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

Mailing of Final Significance Determination	June 13, 2008
Telephone Notification of Licensee	June 13, 2008

The State of Nebraska will be notified.
Contacts: Doug Starkey, OE, 301-415-3456

Nick Hilton, OE, 301-415-2741

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

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