

AUG 15 1984

Docket: 50-298/84-12
EA 84-76

Nebraska Public Power District
ATTN: J. M. Pilant, Manager, Technical
Staff-Nuclear Power Group
P.O. Box 499
Columbus, Nebraska 68601

Gentlemen:

This refers to the inspection conducted by Dr. J. B. Nicholas of this office during the period of June 4-8, 1984 of the activities authorized by NRC Operating License DPR-46 for Cooper Nuclear Station, and to the discussion of our findings with Mr. P. V. Thomason and other members of your staff at the conclusion of the inspection.

Areas examined during the inspection included transportation and solid radwaste activities, outstanding open items, and nonlicensed training. Within these areas, the inspection consisted of selective examination of procedures and representative records, interviews with personnel and observations by the NRC inspector. The inspection findings are documented in the enclosed inspection report. During this inspection, it was found that certain of your activities were in violation of NRC requirements.

The violation described in the attached Notice of Violation, involving transportation of licensed material, is classified as a Severity Level III violation in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C). Normally, a civil penalty is proposed for Severity Level III violations. However, the violation for which you are cited has already been the subject of enforcement action by the State of Nevada. On May 15, 1984, the State of Nevada imposed the following sanctions: (1) an administrative penalty of \$3,000, and (2) suspension of Radioactive Waste Permit Q401 for a period of 1 year. The State of Nevada has also required the Nebraska Public Power District to submit for review changes in the quality assurance program, the quality control program, and the training program for employees. This corrective action should prevent recurrence of the violation. In view of the circumstances surrounding this matter, we have exercised our discretion under the NRC Enforcement Policy and have decided not to propose a civil penalty.

You are required to respond to this violation, in writing, in accordance with the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation enclosed with this letter. After reviewing your response to this Notice of Violation and your proposed corrective actions, the NRC will determine whether further NRC enforcement action is necessary to to ensure compliance with NRC regulatory requirements.

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

-See Previous Concurrence-

FRPS	FRPS *	EPRPB *	DRS&S *	PSA/1 *	RPB1 *
BNicholas/jj	BMurray	RHall	RBangart	JJaudon	EJohnson
/ /84	/ /84	8/14/84	/ /84	/ /84	/ /84
EO	RA:RTV	IE:ES *	ELD *	ES:D *	IE:DD *
TWesterman	JTCollins	GKlinger	JLieberman	JAxelrad	JTaylor
9/15/84	8/13/84	/ /84	/ /84	/ /84	/ /84

SEE PREVIOUS CONCURRENCE

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PDR ADDCK 05000298
PDR
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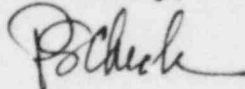
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In accordance with 10 CFR 2.790(a), a copy of this letter and the enclosure will be placed in the NRC Public Document Room unless you notify this office, by telephone, within 10 days of the date of this letter, and submit written application to withhold information contained therein within 30 days of the date of this letter. Such application must be consistent with the requirements of 2.790(b)(1).

The response directed by this letter and accompanying Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,



JTC J. T. Collins
Regional Administrator

Enclosures:

1. Appendix A - Notice of Violation
2. Appendix B - NRC Inspection Report 50-298/84-12

cc w/enclosure:

Paul V. Thomason, Division Manager
of Nuclear Operations
Cooper Nuclear Station
P.O. Box 98
Brownville, Nebraska 68321

bcc to DMB (IE06)

bcc to distrib. by RIV:

RPB1	Resident Inspector	J. Collins, RA
RPB2	Section Chief (RPB1/A)	MIS System
EP&RPB	R. Denise, DRS&P	RIV File
KANSAS STATE DEPT. HEALTH		B. Nicholas
NEBRASKA STATE DEPT. HEALTH		B. Murray
Lic. Fee File		R. Bangart
T. Westerman		R. Hall