



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

May 04, 2023

John Dent
Vice President and Chief Nuclear Officer
Nebraska Public Power District
72676 648A Avenue
Brownville, NE 68321

SUBJECT: COOPER NUCLEAR STATION – SECURITY BASELINE INSPECTION REPORT
05000298/2023403

Dear John Dent:

On April 27, 2023, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at Cooper Nuclear Station and discussed the results of this inspection with you and other members of your staff. The results of this inspection are documented in the enclosed report.

No NRC-identified or self-revealing findings were identified during this inspection.

A licensee-identified violation which was determined to be of very low security significance is documented in this report. We are treating this violation as a non-cited violation (NCV) consistent with Section 2.3.2 of the Enforcement Policy.

If you contest the violation or the significance or severity of the violation documented in this inspection report, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region IV; the Director, Office of Enforcement; the Director, Office of Nuclear Security and Incident Response; and the NRC Resident Inspector at Cooper Nuclear Station.

This letter, its enclosure, and your response (if any) will be made available for public inspection and copying at <http://www.nrc.gov/reading-rm/adams.html> and at the NRC Public Document Room in accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public Inspections, Exemptions, Requests for Withholding."

Sincerely,

A handwritten signature in cursive script that reads "Ray Kellar".

Signed by Kellar, Ray
on 05/04/23

Ray L. Kellar, P.E., Chief
Physical Security Branch
Division of Radiological Safety & Security

J. Dent

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Docket No. 05000298
License No. DPR-46

Enclosure:
As stated

cc w/ encl: Distribution via LISTSERV

COOPER NUCLEAR STATION – SECURITY BASELINE INSPECTION REPORT
05000298/2023403 DATED MAY 04, 2023.

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DOCUMENT NAME: COOPER NUCLEAR STATION – SECURITY BASELINE INSPECTION REPORT
05000298/2023403

Non-Public Designation Category: MD 3.4 Non-Public _____ (A.3 - A.7 or B.1)

ADAMS ACCESSION NUMBER: **ML23123A443**

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**U.S. NUCLEAR REGULATORY COMMISSION
Inspection Report**

Docket Number: 05000298

License Number: DPR-46

Report Number: 05000298/2023403

Enterprise Identifier: I-2023-403-0004

Licensee: Nebraska Public Power District

Facility: Cooper Nuclear Station

Location: Brownville, NE

Inspection Dates: April 24, 2023 to April 27, 2023

Inspectors: C. Jewett, Sr. Physical Security Inspector
T. Weir, Physical Security Inspector

Approved By: Ray L. Kellar, P.E., Chief
Physical Security Branch
Division of Radiological Safety & Security

Enclosure

SUMMARY

The U.S. Nuclear Regulatory Commission (NRC) continued monitoring the licensee's performance by conducting a security baseline inspection at Cooper Nuclear Station, in accordance with the Reactor Oversight Process. The Reactor Oversight Process is the NRC's program for overseeing the safe operation of commercial nuclear power reactors. Refer to <https://www.nrc.gov/reactors/operating/oversight.html> for more information. A licensee-identified non-cited violation is documented in report section: 71130.01.

List of Findings and Violations

No findings or violations of more than minor significance were identified.

Additional Tracking Items

None.

INSPECTION SCOPES

Inspections were conducted using the appropriate portions of the inspection procedures (IPs) in effect at the beginning of the inspection unless otherwise noted. Currently approved IPs with their attached revision histories are located on the public website at <http://www.nrc.gov/reading-rm/doc-collections/insp-manual/inspection-procedure/index.html>. Samples were declared complete when the IP requirements most appropriate to the inspection activity were met consistent with Inspection Manual Chapter (IMC) 2201, "Security Inspection Program for Commercial Nuclear Power Reactors." The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel to assess licensee performance and compliance with Commission rules and regulations, license conditions, site procedures, and standards.

SAFEGUARDS

71130.01 - Access Authorization

The inspectors evaluated the access authorization program. The following elements were evaluated:

Access Authorization (1 Sample)

- (1)
 - Tier I: All requirements
 - Tier II: All requirements
 - Tier III: All requirements

71130.02 - Access Control

The inspectors evaluated the access control program through completion of the following inspection elements:

Access Control (1 Sample)

- (1)
 - Tier I: All requirements
 - Tier II: All requirements
 - Tier III: All requirements

71130.09 - Security Plan Changes

The inspectors evaluated the security plan changes through completion of the following procedure elements:

Security Plan Changes (1 Partial)

- (1) (Partial)

The opportunity to apply this procedure was not available in accordance with IMC 0306. This sample was not available because the licensee did not conduct the activity covered by this IP. Specifically, the licensee has not initiated a physical security plan change in accordance with 10 CFR 50.54(p)(2) since the last performance of this IP and Physical Security Plan dated January 8, 2019.

OTHER ACTIVITIES – BASELINE

71151 - Performance Indicator Verification

The inspectors verified licensee performance indicators submittals listed below:

PP01: Protected Area Security Equipment Performance Index Sample (IP Section 02.17) (1 Sample)

(1) April 30, 2022 through April 27, 2023

INSPECTION RESULTS

Licensee-Identified Non-Cited Violation	71130.01
This violation of very low safety significance was identified by the licensee and has been entered into the licensee corrective action program and is being treated as a non-cited violation, consistent with Section 2.3.2 of the Enforcement Policy.	
Violation: 10 CFR 26.69 (e)(1) states, in part, that if the individual is granted authorization by the same or another licensee, the licensee who grants authorization to the individual shall ensure that any follow-up testing requirements are met and that the individual complies with any treatment plan, with accountability assumed by the granting licensee.	
Contrary to the above, from October 2022 to November 2022, the FFD program failed to ensure that any follow-up testing requirements are met and that the individual complies with any treatment plan, with accountability assumed by the granting licensee. Specifically, during the months of October and November 2022, there were four individuals that were placed into a follow-up program from other sites, and they were not placed into the CNS follow-up program.	
Significance/Severity: Green. The inspectors assessed the significance of the finding using IMC 0609 Appendix E, Part I, "Baseline Security SDP for Power Reactors." (U) The inspector determined that the cumulative total for the finding is one (1) point. This was calculated by factoring the impact area (vital area) against Tier II, Element 71130.01-02.08c. Because the calculated point total did not exceed the range for a Green determination (0 to 6 points), the inspector determined the finding to be of very low security significance.	
Corrective Action References: CR-CNS-2023-02149	

EXIT MEETINGS AND DEBRIEFS

The inspectors verified no proprietary information was retained or documented in this report.

- On April 27, 2023, the inspectors presented the security baseline inspection results to John Dent and other members of the licensee staff.

DOCUMENTS REVIEWED

Inspection Procedure	Type	Designation	Description or Title	Revision or Date
71130.01	Corrective Action Documents	CR-CNS-2023-00150, CR-CNS-2023-01076, CR-CNS-2022-00847, CR-CNS-2022-05519, CR-CNS-2022-05999, CR-CNS-2022-06754	Condition Reports	
71130.01	Corrective Action Documents Resulting from Inspection	CR-CNS-2023-02149, CR-CNS-2023-02097	Condition Reports	
71130.01	Procedures	0-CNS-13	Personnel Access Data System	27
71130.01	Procedures	1.1	Site Services Procedure Station Security	72
71130.01	Procedures	3.0	Access Authorization	21
71130.02	Corrective Action Documents	CR-CNS-2022-03719, CR-CNS-2022-03752, CR-CNS-2022-03911, CR-CNS-2022-05128, CR-CNS-2022-05607, CR-CNS-2022-05999, CR-CNS-2023-01700	Condition Reports	
71130.02	Corrective Action Documents Resulting from Inspection	CR-CNS-2023-02119	Condition Reports	
71130.02	Miscellaneous	LO-2022-0102-002	Security Focused Self-Assessment Report	12/01/2022
71130.02	Miscellaneous	QAD-2021-0008	QA Audit 21-01 "Security Program"	04/07/2021

Inspection Procedure	Type	Designation	Description or Title	Revision or Date
71130.02	Miscellaneous	S-12	Perform Testing of Intrusion Detection Equipment and Special Purpose Detectors	13
71130.02	Miscellaneous	ST S-3	Control Personnel Access to Protected and Vital Areas	NA
71130.02	Procedures	SP 2.10	Local Law Enforcement Agency (LLEA)	17
71130.02	Procedures	SP 2.11.2	Access Equipment Testing	36
71130.02	Procedures	SP 2.11.4	Equipment Testing Doors	27
71130.02	Procedures	SP 2.5	Personnel Access Control	63
71130.02	Procedures	SP 2.6	Vehicle Entry/Exit	68
71130.02	Procedures	SP 2.7	Material Entry/Exit	50
71130.02	Procedures	SP 2.8	Access Control Devices	59
71130.02	Procedures	SP 3.14	Non-Security Emergencies	22
71130.02	Procedures	SP 3.15	Emergency Entry/Exit	15
71130.02	Procedures	SSP 1.1	Station Security	72
71130.02	Procedures	SSP 1.15	Visitor/Tour Station Access	62
71130.02	Procedures	SSP 1.2	Protection of Unclassified Safeguards Information	49
71130.02	Procedures	SSP 3.4	CNS Photo Badge Management	08