



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

February 05, 2026

EAF-RIV-2026-0013

Khalil Dia, Site Vice President
Nebraska Public Power District
Cooper Nuclear Station
72676 648A Avenue
P.O. Box 98
Brownville, NE 68321

**SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR COOPER NUCLEAR
STATION (EPID L-2026-LLD-0001)**

Dear Khalil Dia:

By letter (Agencywide Documents Access and Management System [ADAMS] Accession No. ML26035A350) dated February 4, 2026, Nebraska Public Power District (NPPD) requested that the U.S. Nuclear Regulatory Commission (NRC) exercise discretion to not enforce compliance with the actions required in Cooper Nuclear Station (CNS) Technical Specification (TS) Limiting Condition for Operation (LCO) 3.8.1, "AC Sources – Operating," Condition B, for one diesel generator (DG) being inoperable. The letter documented information previously discussed with the NRC in a telephone conference on February 2, 2026, at 3:00 p.m. Central Standard Time (CST). The principal NRC staff members who participated in that telephone conference are listed in the Enclosure.

NPPD stated that on February 3, 2026, at 10:30 a.m. CST that CNS would not be in compliance with TS LCO 3.8.1, "AC Sources – Operating," Condition B, "One DG inoperable," which requires restoring the inoperable diesel within 7 days and within 14 days from discovery of failure to meet the LCO. Without enforcement discretion or restoration of the inoperable DG, CNS would have been required to enter Condition F, which requires entry into Mode 3 within 12 hours and Mode 4 within 36 hours. NPPD requested that a Notice of Enforcement Discretion (NOED) be granted pursuant to the NRC's policy regarding exercise of discretion for an operating power reactor, set out in Section 3.8 of the NRC Enforcement Policy and the NRC Enforcement Manual, Appendix F, "Notices of Enforcement Discretion," and be effective for 10 days past the LCO 3.8.1 Condition B expiration date or until 10:30 a.m. CST on February 13, 2026. The NRC orally granted this request at 4:09 p.m. on February 2, 2026. The NRC staff determined that the information contained in your letter requesting the NOED was consistent with your oral request.

The NRC first became aware of the potential for this NOED request on February 1, 2026, at approximately 11:20 a.m. CST through communication with the NRC senior resident inspector stationed at CNS and Branch Chief. On January 27, 2026, CNS declared one emergency DG inoperable due to planned maintenance. TS LCO 3.8.1 Condition B was entered, which permits operation for 7 days with one DG inoperable. On January 30, 2026, CNS discovered a jacket water leak on DG cylinder 7R that needed repair prior to restoring the DG to an operable status. CNS determined that the required repair activities would exceed the remaining time available, that there was insufficient time to pursue a license amendment before the end of the allowed outage time, and that a plan to repair the cylinder could be implemented by February 13. Therefore, NPPD requested enforcement discretion to extend the completion time for Condition B to allow sufficient time to restore the DG to operable status without performing a shutdown.

The NRC reviewed the information provided during the conference call on February 2, 2026, and the letter dated February 4, 2026, following the guidance in the NRC Enforcement Manual, Appendix F. The NRC staff evaluated the information against the criteria contained in Section 2.5 of that appendix and concluded that NPPD had adequately addressed the criteria.

Based on the NRC staff's evaluation of the licensee's request, we determined that granting this NOED was consistent with the NRC's Enforcement Policy and staff guidance. The NOED request met the criteria specified in NRC's Enforcement Manual, Appendix F, "Notices of Enforcement Discretion," Sections 2.2 and 2.5. The NRC determined that it was appropriate to exercise discretion to avoid an unnecessary shutdown of a reactor without a corresponding health and safety benefit. Therefore, it is our intention to exercise discretion to not enforce compliance with the actions required in TS LCO 3.8.1, "AC Sources – Operating," Condition B, for the period from 10:30 a.m. on February 3, 2026, until 10:30 a.m. on February 13, 2026.

As stated in the NRC Enforcement Policy, enforcement action may be taken to the extent that violations were involved for the root cause that led to the noncompliance for which this NOED was necessary.

This letter and its enclosure 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,



Signed by Vossmar, Patricia
on 02/05/26

Patricia Vossmar, Acting Director
Division of Operating Reactor Safety

Docket No. 05000298
License No. DPR-46

Enclosure:
As stated

cc w/ encl: GovDelivery Subscriber

NOTICE OF ENFORCEMENT DISCRETION FOR COOPER NUCLEAR STATION
(EPID L-2026-LLD-0001) – DATED FEBRUARY 05, 2026

DISTRIBUTION:

JMonninger, ORA
 PVossmar, DORS
 JJosey, DORS
 DCylkowski, RC
 RClagg, RIV/OEDO
 TSmith, ORA
 AGomez, ORA
 LWilkins, OCA
 TByrd, NRR
 AMoreno, RIV/OCA
 Ralexander, RSLO
 ARivera-Varona, NRR
 HGonzalez, NRR
 MMahoney, NRR
 EMiller, NRR
 BPham, OE
 DSolorio, OE
 DBradley, OE
 RAlexander, RSLO
 DDodson, DORS
 RKumana, DORS
 GKolcum, DORS
 GBirkemeier, DORS
 AElam, DORS
 R4-DORS-IPAT
 R4Enforcement
 OE Resource
 OPA Resource

DOCUMENT NAME: NOTICE OF ENFORCEMENT DISCRETION FOR NEBRASKA PUBLIC POWER DISTRICT
 REGARDING COOPER NUCLEAR STATION (EPID L-2026-LLD-0001)

ADAMS ACCESSION NUMBER: **ML26036A149**

<input checked="" type="checkbox"/> SUNSI Review By: RJK		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
OFFICE	RIV:DORS/PBC	RIV:DORS/PBC	NRR:D/DORL	D:DORS	
NAME	RKumana	DDodson	ARivera-Varona	PVossmar	
SIGNATURE	<i>/RA/</i>	<i>/RA/</i>	<i>/RA/</i>	<i>/RA/</i>	
DATE	02/05/26	02/05/26	02/05/26	02/05/26	

OFFICIAL RECORD COPY

LIST OF KEY NRC PERSONNEL

NRC Region IV

Patricia Vossmar, Acting Director, Division of Operating Reactor Safety
Doug Dodson, Branch Chief, Reactor Projects Branch C
Rick Deese, Senior Reactor Analyst
Greg Kolcum, Senior Resident Inspector
Geoff Birkmeier, Resident Inspector
Rayo Kumana, Senior Project Engineer
Wes Cullum, Acting Branch Chief, Engineering Branch
Jim Drake, Senior Reactor Inspector, Engineering Branch

NRC Office of Nuclear Reactor Regulation

Hipo Gonzales, Acting Deputy Director, Division of Operating Reactor Licensing (DORL)
Ed Miller, Senior Project Manager, DORL NOED Process Owner
Michael Mahoney, Acting Branch Chief, DORL Plant Licensing Branch 4 (LPL4)
Thomas Byrd, Project Manager, DORL LPL4
Lundy Pressley, Reliability and Risk Analyst, Division of Risk Assessment
Khoi Nguyen, Electrical Engineer, Electrical Engineering Branch (EEEEB)
Sheila Ray, Senior Electrical Engineer, EEEB
Wendell Morton, Branch Chief, EEEB
Nicholas Hansing, Mechanical Engineer, Mechanical Engineering and Inservice Testing Branch (EMIB)
Thomas Scarbrough, Acting Branch Chief, EMIB