

**Nebraska Public Power District**

GENERAL OFFICE
P.O. BOX 499, COLUMBUS, NEBRASKA 68601-0499
TELEPHONE (402) 564-8561

March 16, 1983

Mr. Richard C. DeYoung
Director
Office of Inspection and Enforcement
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

50-298

Dear Mr. DeYoung:

Enclosed please find NPPD check #03-N649 in the amount of one hundred twelve thousand dollars (\$112,000). This check responds to your letter of February 18, 1983, and the accompanying Order (Docket #50-298, License #DPR-46, EA #82-46) Imposing Civil Monetary Penalty, and serves as payment in full.

As you know, the District has maintained that it was not in violation of NRC regulations regarding the facts giving rise to the civil penalty and that no material false statement was made. The District continues to be of that view. Considering the facts of this case, the District is of the opinion the fine of \$112,000 is excessive and unwarranted. However, the District recognizes that to pursue the matter further would entail significant costs which would be borne by the rate payers. Accordingly, with this factor in mind and with a view to putting this matter behind us, the District has determined to make payment in full.

The District appreciates the time and consideration extended by you and your Staff in this matter. We feel the dialogue conducted has been most helpful, particularly in broadening lines of communication between your Staff and the District. Such communication should result in a fuller appreciation of the efforts of both the NRC and the District and can only work to enhance public health and safety.

As a final point, in discussions that you have had with industry, which we have participated in, you have encouraged suggestions which would assist your office in carrying out its responsibilities. The instant proceeding has pointed up to the District the confusion that surrounds material false statements. In view of the position taken by one of the Commissioners and the General Counsel of the agency regarding material false statements, we feel our position on this matter is a responsible one. Given the fact that I&E appears to be focusing more on material false statements, we suggest

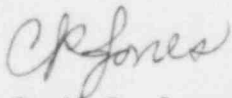
Richard C. DeYoung
Page #2
March 16, 1983

that a rulemaking be conducted that would make clear to industry what circumstances constitute a material false statement. We would be glad to assist you in this effort.

Again, thank you for your attention in this matter.

Sincerely,

NEBRASKA PUBLIC POWER DISTRICT



Cecil R. Jones
Assistant General Manager

CRJ/bms

Enclosure

cc: J. T. Collins
D. E. Schaufelberger
G. D. Watson
J. M. McGarry (Debevoise & Liberman)

DCS

BILL FOR COLLECTION

Bill No. _____

U. S. Nuclear Regulatory Commission

Date March 21, 1983

(Department or Establishment and Bureau or Office)

Washington, DC 20555

(Address)

PAYER:

Nebraska Public Power District
P.O. Box 499
Columbus, Nebraska 68601

*This bill should be returned by the
payer with his remittance.*

SEE INSTRUCTIONS BELOW.

Date	DESCRIPTION	Quantity	Unit Price		Amount	
			Cost	Per		
3/21/83	Full payment for EA 82-46, Docket No. 50-296 for Order imposed 2/18/83.				\$112,000.00	
AMOUNT DUE THIS BILL.					\$112,000.00	

This is not a receipt

INSTRUCTIONS

Tender of payment of the above bill may be made in cash, United States postal money order, express money order, bank draft, or check, to the office indicated. Such tender, when in any other form than cash, should be drawn to the order of the Department or Establishment and Bureau or Office indicated above.

Receipts will be issued in all cases where "cash" is received, and only upon request when remittance is in any other form. If tender of payment of this bill is other than cash or United States postal money order, the receipt shall not become an acquittance until such tender has been cleared and the amount received by the Department or Establishment and Bureau or Office indicated above.

Failure to receive a receipt for a cash payment should be promptly reported by the payer to the chief administrative officer of the bureau or agency mentioned above.

IE-14

VOUCHER NO
= 03-N649



March 16 - 1983

03-N649

NATIONAL BANK OF COMMERCE
TRUST & SAVINGS ASSN
LINCOLN, NEBRASKA

PAY TO THE ORDER OF PAYEE AS INDICATED BELOW

\$ 112,000.00

APPROPRIATELY DOLLARS

NAME AND ADDRESS

U.S. Nuclear Regulatory Commission
c/o Mr. Richard DeYoung, Director
Washington, D.C. 20555

AUTHORIZED SIGNATURE
mjos poaw i!
ASSISTANT TREASURER

47040-0004: 090-999-653

DETACH **VOUCHER CHECK** ISSUED BY **NEBRASKA PUBLIC POWER DISTRICT**
COLUMBUS, NEBR. NUCLEAR FACILITY OPERATING FUND

DATE	NUMBER	DESCRIPTION	AMOUNT	DEDUCTIONS	NET AMOUNT
3/15/83		Payment of the fine assessed by the Nuclear Regulatory Commission regarding the operability and installation of the prompt public notification system at Cooper Nuclear Station near Brownville	12,000.00		
	Mead Safety	80	85		Mead Safety
Ck to	Gecil R. Jones	6530	1		
Loc					

7536 0776