

August 18, 2006

Mr. Fred Dacimo  
Site Vice President  
Entergy Nuclear Operations, Inc.  
Indian Point Energy Center  
295 Broadway, Suite 1  
P.O. Box 249  
Buchanan, NY 10511-0249

RI-2005-A-0018

Subject: NRC Office of Investigations Case Number 1-2005-021

Dear Mr. Dacimo:

The NRC Region I Field Office, Office of Investigations (OI), initiated an investigation on May 2, 2005, to determine if a former security officer for Entergy at the Indian Point Energy Center (IPEC) was terminated on January 14, 2005, as a result of raising security concerns. Specifically, the former security officer had provided information to his management about his impressions about needed improvements in the IPEC security program in November 2004 and was terminated in January 2005.

Testimonial and documentary evidence collected by OI did not substantiate that the security officer was terminated for raising security concerns, but rather for failing to report to work as scheduled and taking unauthorized leave. Specifically, OI found that the security officer was terminated because he/she did not report to work as scheduled, and instead, called in sick from December 13 through 21, 2004. In addition, OI noted that the basis for his/her termination, a denial for leave without pay prior to calling in sick, predated the former security officer raising concerns about the security program by several days.

OI determined that Entergy's action was consistent with company policy and with three other cases involving former security officers who were terminated under similar circumstances. A fourth case, in which a security officer received less discipline for an unauthorized absence, involved sharply different circumstances.

Please note that final NRC investigation documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

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Also, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Should you have any questions regarding this letter, please contact Mr. E. Cobey of my staff at (610) 337-5171.

Sincerely,

Lew for **/RA/**

Brian E. Holian, Director  
Division of Reactor Projects

Enclosure:  
10 CFR 9.23, Request for Records

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SUNSI Review completed      EWC (reviewer's initials)

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