

November 2, 2007

Mr. Fred R. 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-2006-A-0156

Subject: NRC Office of Investigations Case 1-2007-003

Dear Mr. Dacimo:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation (Case No. 1-2007-003) on October 6, 2006, to determine whether an Indian Point Energy Center (IPEC) Initial License Operator Training supervisor willfully compromised the integrity of a Unit 3 NRC initial operator license examination that was scheduled to be given on October 23, 2006. Based on the evidence developed during the investigation, OI was unable to substantiate that the training supervisor willfully compromised the initial operator license examination.

While OI concluded that a willful violation did not occur, evidence revealed that the subject license examination was compromised, resulting in a violation of NRC requirements. The subject supervisor compromised the NRC examination in violation of 10 CFR 55.49 when he/she caused candidates to receive additional refuel training on August 22, 2006, after becoming aware that the examination contained refuel questions. A licensee-identified Severity Level IV non-cited violation was discussed in Indian Point Unit 3 NRC Integrated Inspection Report 05000286/2007003, dated August 8, 2007.

OI noted that the training supervisor thought it was acceptable to provide the additional training based on his/her knowledge of the Examiner Standards and his/her personal responsibilities for general oversight of the training program for the license candidates, as well as his/her responsibility to ensure that the candidates completed all training requirements in preparation for the examination. Licensee training managers also testified that the Examiner Standards contained "gray areas" with respect to supervisors and managers and the potential to compromise the examination process. OI also noted that there was a lack of specific instructions or guidance by the licensee regarding the potential for examination compromise, which OI felt contributed to the supervisor's state of mind that he/she believed allowed him/her to cause the additional refuel training to occur after gaining specific knowledge of the examination materials.

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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Sincerely,

/RA/

David C. Lew, Director  
Division of Reactor Projects

Enclosure: 10 CFR 9.23, Request for Records

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