Entergy

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John F. McCann
Vice President - Nuclear Safety,
Emergency Planning and Licensing

ENOC-09-00044
December 16, 2009

Mr. Mark A. Satorius
Regional Administrator, Region III
U. S. Nuclear Regulatory Commission
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

SUBJECT: **Completion of Corrective Action 1 for Confirmatory Order EA-09-060**

Palisades Nuclear Plant
Docket No. 50-255
License No. DPR-20

Reference: NRC letter dated November 10, 2009; Mark A. Satorius to Entergy Nuclear Operations, Inc; regarding Confirmatory Order EA-09-060.

Dear Sir:

Entergy Nuclear Operations, Inc (Entergy) is providing this notification as required by Corrective Action 1 of the referenced Confirmatory Order, which states:

> "Entergy will publish the corrective actions set forth in this Confirmatory Order to the Entergy fleet nuclear workforce via **Inside Entergy**, within one month of the issuance of the Confirmatory Order. Entergy will provide a copy of the publication to the Regional Administrator, Region III, within one month of publication of the article"

Entergy published the article for the Entergy fleet nuclear workforce on November 18, 2009 via the Nuclear Edition of **Inside Entergy** which is an Entergy intranet-based communication tool. A copy of the article is provided in Attachment I. This completes the actions required in Corrective Action 1.

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There are no regulatory commitments identified in this letter. If you have questions regarding this matter please contact Charlene Faison, Manager, Licensing Programs at 914-272-3378.

Sincerely,

JFM / krk

Attachment: Inside Entergy Article dated November 18, 2009: "NRC Issues Confirmatory Order to Entergy Nuclear Operations, Palisades".

cc:

Document Control Desk, USNRC
Project Manager, Palisades, USNRC
Resident Inspector, Palisades, USNRC
Site Vice President, Palisades, Entergy
NSA Director, Palisades, Entergy
Licensing Manager, Palisades, Entergy

insideENTERGY Nuclear

NRC Issues Confirmatory Order to Entergy Nuclear Operations, Palisades

11/18/2009

The U.S. Nuclear Regulatory Commission has issued a Confirmatory Order to Entergy Nuclear Operations as part of a settlement agreement concerning an apparent violation of NRC requirements to provide complete and accurate information. The issue involved inaccurate information that was provided during a Security inspection at Palisades. The settlement agreement was reached on Sept. 15, through the agency's Alternate Dispute Resolution process. Because the Notice of Violation contains security-related information, it is not available for public inspection. The problems associated with it have been resolved.

On May 22, 2008, the NRC completed a Security baseline inspection at Palisades. Based on the evidence developed during the inspection and investigation by the Office of Investigations, the NRC identified a violation of 10CFR 50.9 for inaccurate and incomplete information provided to the agency by Entergy personnel. The inspection results were sent to Entergy in a letter on July 14, 2009, offering Entergy the opportunity to either participate in mediation or attend a Pre-decisional Enforcement Conference. On July 28, the NRC and Entergy agreed to mediate. On Sept. 15, a preliminary agreement was reached.

As a result of the Alternate Dispute Resolution process, corrective actions were agreed upon. The actions are:

- Entergy will publish the corrective actions set forth in the Confirmatory Order to the Entergy fleet nuclear workforce (via ***Inside Entergy***) within one month of the issuance of the Confirmatory Order. Entergy will provide a copy of the publication to the Regional Administrator, Region III, within one month of the article's publication.

- Entergy agrees to develop and implement a formal process within the current Corrective Action Program that ensures that Safeguards and Security-related information is processed in an auditable manner, consistent with Entergy's existing CAP program.

- Training will be provided to Entergy's nuclear workforce on the sensitivity and importance of providing complete and accurate information to the NRC. The training is to be completed within one year of the Confirmatory Order's issuance.

- Entergy will assess its succession planning process to address unanticipated, short-term personnel losses in key positions. The assessment will be completed and corrective actions developed, as appropriate, within six months of the Confirmatory Order's issuance. Results of the assessment will be provided to the Regional Administrator, Region III within one month of its completion.

- An Entergy executive shall meet with the three NRC Regional Administrators for the regions in which Entergy owns and operates plants, to share and discuss the results of the safety culture workplace survey conducted at each Entergy nuclear plant in 2009.

- Entergy will provide a lessons-learned presentation to the Regional Utility Groups for the NRC Regions in which Entergy operates nuclear facilities within one year of the Confirmatory Order's issuance. The presentation will address the events which gave rise to the Confirmatory Order and corrective actions taken. A copy of the proposed presentation shall be provided to the Regional Administrator, Region III, for review prior to the presentation.

The Regional Administrator, NRC Region III, may, in writing, relax or rescind any of the above conditions upon demonstration by Entergy of good cause.

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