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ENOC-10-00011
March 31, 2010

Mr. Samuel J. Collins
Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

SUBJECT: **Reply to Demand for Information (EA-10-034)**

Vermont Yankee Nuclear Power Station
Docket No. 50-271
License No. DPR-28

Reference: NRC letter; "Demand for Information" (EA-10-034), Mr. Roy Zimmerman to
Mr. John Herron, dated March 1, 2010.

Dear Sir:

On March 1, 2010, the Nuclear Regulatory Commission (NRC) issued a "Demand for Information" (DFI) to Entergy Nuclear Operations, Inc. (Entergy). The DFI referred to personnel and administrative actions taken by Entergy with regards to certain employees as a result of an independent investigation commissioned by Entergy. The investigation addressed information provided by Entergy Nuclear Vermont Yankee to the State of Vermont in a state regulatory proceeding which related to underground piping at the Vermont Yankee Nuclear Power Station.

The NRC acknowledged in the DFI to Entergy that: "To date, the NRC has not identified any instance in which Entergy staff or officials have provided incomplete or inaccurate information to the NRC." However, in light of the information provided to the State of Vermont and the administrative actions taken by Entergy, the NRC requires confirmation that information provided by certain employees to the NRC is complete and accurate. The NRC also requested information about whether the organizational/personnel changes have affected the site's regulatory program performance and its safety culture.

Entergy has reviewed the information set forth in the DFI and conducted the necessary reviews and assessments. Entergy's response to the DFI appears in Attachment I to this letter. Based on the results of the Entergy assessment of the accuracy of prior communications by certain individuals with the NRC during the past five years, Entergy is confident that the information provided to the NRC by the employees referred to in the DFI is complete and accurate.

Accordingly, no corrective actions or compensatory measures are required. Entergy also concludes that the organizational changes implemented on February 23, 2010, have not had an adverse impact on Entergy's ability to implement NRC-regulated programs; nor have those changes had an adverse impact on Vermont Yankee's safety culture. Additional information regarding these conclusions appears in Attachment I, which summarizes the results from the reviews and assessments performed by Entergy. The confidential independent investigation report referred to in DFI Item 5 has previously been reviewed by the NRC, and it remains available for additional NRC review, if requested.

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

I declare under penalty of perjury that the foregoing is true and correct. Executed on 3/31/2010.

Sincerely,

[original signed by J. F. McCann]

JFM / CDF / KRK

Attachment I: Entergy Response to NRC Demand for Information (EA-10-034)

cc:

U.S. NRC Document Control Desk

Director, Office of Enforcement, U.S. NRC

Assistant General Counsel for Materials Litigation and Enforcement, U. S. NRC

Mr. James S. Kim, Project Manager

USNRC Resident Inspector
Vermont Yankee Nuclear Power Station

Mr. David O'Brien, Commissioner
VT Department of Public Service

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ATTACHMENT I TO ENOC-10-00011

ENTERGY RESPONSE
TO
NRC DEMAND FOR INFORMATION
(EA-10-034)

ENTERGY NUCLEAR OPERATIONS, INC.
DOCKET 50-271

INTRODUCTION

A January 14, 2010 letter from the Vermont Department of Public Service (DPS) Commissioner David O'Brien asserted that Entergy Nuclear Vermont Yankee (ENVY) personnel did not provide accurate information regarding underground piping at Vermont Yankee to its contractor, Nuclear Safety Associates (NSA) during its Comprehensive Reliability Assessment (CRA). The CRA was conducted as part of the state regulatory proceeding before the Vermont Public Service Board (VPSB) related to the issuance of a Certificate of Public Good by the VPSB for the continued operation of the Vermont Yankee Nuclear Power Station after 2012.

As a result of the letter from Commissioner O'Brien, Entergy retained the law firm of Morgan, Lewis & Bockius, LLP, to independently investigate statements made by company representatives in testimony, in the written response to a specific discovery request, and by ENVY personnel in their responses to certain State officials or contractors during the course of the CRA regarding the existence of underground piping that carries radionuclides. Entergy specifically requested that the investigation focus on whether ENVY personnel provided complete and accurate information to the State and its contractors, whether any ENVY personnel provided false or misleading information during the above-described regulatory proceeding before the VPSB, and whether any ENVY personnel engaged in any intentional misconduct.

Entergy understands that the Nuclear Regulatory Commission's (NRC) Demand for Information Letter (DFI) dated March 1, 2010, arises from certain conclusions of this investigation and the subsequent administrative personnel actions taken by Entergy with respect to certain employees on February 23, 2010. The investigation concluded that none of the individuals described in the DFI intentionally misled third parties about the existence of underground piping at Vermont Yankee that carries radionuclides. The investigation also concluded that no one made any intentionally false statements in the state regulatory proceeding. The report found, however, that certain ENVY personnel did not clarify certain understandings and assumptions, which resulted in misunderstandings, when viewed in a context different from the one understood to be relevant to the CRA.

Given this conclusion, Entergy continues to have confidence in the integrity of the affected employees. Their integrity, when combined with the procedural rigor that Entergy uses to validate and verify written information provided to the NRC, provides Entergy with reasonable assurance that these employees have consistently provided complete and accurate information to the NRC during the period in question.

Additionally, all of Entergy's employees are required to read, and acknowledge that they understand, their responsibilities under Entergy's "Code of Entegrity." Section 9D of the "Code of Entegrity" provides that the nuclear workers will comply with all laws, regulations, licensing requirements, commitments and orders related to safe nuclear power plant operations. In addition, Entergy Nuclear Management Manual Policy EN-PL-100, "Nuclear Safety and Management Expectations," Section 2.3 [9] provides that: "All communications are conducted with scrupulous integrity. Inferences, presumptions, and extrapolations are labeled as such. Every individual's word is absolutely reliable. Every individual takes full accountability for every communication." And, as stated earlier, Entergy uses procedural controls to ensure that information provided to the NRC is complete and accurate. Entergy's "NRC Correspondence" procedure (EN-LI-106) includes review, concurrence, and information certification steps designed to ensure the quality and accuracy of each submittal to the NRC. The review and

concurrency process typically engages multiple individuals, depending on the complexity and significance of submittal, and does not rely on a single individual serving all roles in the process.

The reviews conducted in response to the DFI, which are described below, provide reasonable assurance that information material to NRC-regulated activities provided to the NRC by the aforementioned employees (AFEs) during the past five years has been complete and accurate.

NRC Demand for Information Item 1:

Information regarding whether communications over the past five years to the NRC by the aforementioned employees that were material to NRC-regulated activities were complete and accurate, and the basis for that conclusion. The communications shall include, but not be limited to, required reports to the NRC, interactions with NRC inspection staff, and submittals to support NRC licensing decisions, including the license renewal process. The information shall also describe any impacts on safety and security for any communications to the NRC found to be incomplete or inaccurate.

Entergy Response:

Scope of the Review

The assessment performed by Entergy for the response to Item 1 involved a wide range of documents reflecting ENVY correspondence to the NRC and ENVY interactions with NRC staff, during the past five years, when the information was provided by an AFE. The documents reviewed were:

- Regulatory reports required by NRC regulations (e.g., financial and insurance reports, occupational dose and environmental effluent reports)
- Responses to NRC Generic Letters and Bulletins
- Entergy requests for NRC approval of changes to the VY licensing basis (e.g., license amendment requests, relief requests, and exemption requests). This includes submittals pertaining to the license renewal application.
- Submittals related to Operator licenses
- Responses to Requests for Information pertaining to allegations
- Notifications of licensee-initiated updates and changes to documents such as the facility Final Safety Analysis Report, Technical Specification Bases, Emergency Plan, and Security Plan
- NRC inspections activities, including the related NRC and Entergy documentation
- Verbal reports to NRC per 10 CFR 50.72 and similar notification regulations
- Entergy statements before the Advisory Committee on Reactor Safeguards (ACRS) or an Atomic Safety and Licensing Board (ASLB)
- NRC License Renewal Audit Reports and the Audit Question & Answer Database
- eMail exchanges as captured in ADAMS

Review Methodology

The review approach for the correspondence documents began with an assessment of the document to determine AFE involvement. If an AFE was involved in the production of the document or if the AFE provided substantive input to the document, the reviewers then determined whether the information was material to NRC licensing decisions or enforcement actions. If so, the reviewers then determined whether the information was verified complete and accurate through the involvement of other persons who are not AFEs. As appropriate, Entergy obtained technical reviews from subject matter experts (SMEs) to confirm the completeness and accuracy of the information.

Reviews performed for the other document types varied somewhat, depending on the structure and content of the document, but in general the review approach consisted of reviewing the document to assess AFE involvement and then perform further review of the information, if needed, to assess whether information material to NRC regulated activities was complete and accurate. As appropriate, SME review was also obtained.

Assessment Team

The core assessment team performing the document reviews consisted of five individuals with extensive experience in the nuclear industry, including substantial experience with NRC licensing matters, and the high standard of expectations associated with correspondence to, and interactions with, NRC staff. Other individuals provided support to the core assessment team in specialized areas when needed, including technical SMEs when needed to perform more detailed document reviews. The current positions of the core assessment team members are:

- Manager, Licensing Programs – Entergy Services, with over 36 years of nuclear power plant experience in emergency planning, chemistry, environmental and health physics, and including 15 years experience in nuclear power plant licensing.
- Manager, Licensing – Entergy Extended Power Uprate Projects (Professional Engineer, P.E.), with 33 years experience in the nuclear industry, including 24 years experience in nuclear power plant licensing.
- Manager, Licensing – Entergy Extended Power Uprate Projects (Former SRO), with almost 30 years experience in the nuclear industry, including 10 years in nuclear power plant licensing.
- Senior Engineer (P.E.) – Entergy Palisades, with 25 years of nuclear industry experience in engineering and licensing positions.
- Consultant to Entergy (Former SRO, P.E.), with extensive nuclear industry experience, including site vice president and plant manager positions, as well as positions managing site operations, engineering, and projects.

Conclusion

Based upon the scope and methods of review described above, the assessment found no evidence of incomplete or inaccurate information material to NRC-regulated activities provided by the AFEs to the NRC during the relevant time period. Accordingly, there was no impact identified on safety or security as a result of these communications.

During interviews of the AFEs as described in Item 4, none indicated that they were aware of any instance in which they provided incomplete or inaccurate information to the NRC over the past five years that was material to NRC-regulated activities.

Basis for the Conclusion

- Correspondence to NRC

For the majority of the documents reviewed, there was either no AFE involvement or AFE involvement was limited to concurrence review, approval or signature of the documents. The development of the technical content of the correspondence was by non-AFEs. For the remainder of the documents which included substantial AFE involvement, the assessment found no evidence of incomplete or inaccurate information material to NRC-regulated activities provided by the AFEs to the NRC. Accordingly, there was no adverse impact on safety or security as a result of these communications.

During the course of the review, one letter associated with a 2005 relief request, was found to contain errors in a table; however, the information in the letter was not attributed to an AFE. Moreover, the evaluation of this error determined that the information did not affect the NRC licensing decision (relief request approval) and the NRC Safety Evaluation did not incorporate this table. Site licensing personnel notified the NRC NRR Project Manager of this discovery.

- NRC Inspection Activities

Entergy reviewed the NRC Inspection Reports (IR), between January 1, 2005 and March 1, 2010. References within the text of the IR to discussions held with VY personnel were evaluated in context to determine the likelihood of AFE involvement. Names were not identified in the text of the IR; therefore, Entergy exercised informed judgment to determine if an AFE provided information to the NRC. When the review concluded that the contact person likely was an AFE, Entergy reviewed the information to assess the material nature of the communications and inspection findings. Relevant Condition Reports (CRs) referenced in the text of the IR were also reviewed for AFE involvement by searching the preparer and approver fields in the (CR) operability determinations, reportability determinations, and corrective actions.

Based on the context of the discussions in the IRs, Entergy found that technical information was provided to the NRC by Entergy SMEs (design engineers, system engineers, operators, etc). Although there was some involvement by AFEs associated with specific technical inspection issues described in the IRs, other, non-AFE personnel prepared and / or reviewed the information.

A keyword search ('Resident Inspector') was performed on the VY corrective action database for the time period January 1, 2005 to March 25, 2010. The CRs arising from this search were

reviewed to identify and evaluate potential involvement by an AFE. The review of these CRs found either no involvement by an AFE or no material involvement by an AFE.

A review of the licensing issue tracking matrix, in place since 2009, was performed. This is an action tracking tool where licensing personnel assign work tracking items to plant staff to address NRC inspector issues. In a few instances where an AFE could have been involved in providing information, the Entergy review determined that other non-AFE persons provided complete and accurate information.

- Verbal Reports

The process used at VY for certain event notifications involves preparing a notification worksheet prior to initiating the call to the NRC Operations Center. Typically, these worksheets are attached to the associated CR. In most cases, Entergy was able to obtain copies of the worksheets used for the event notifications within the scope of this review and determine if an AFE was involved with preparing or approving the worksheet. In cases where event worksheets were not available, information regarding personnel involvement was determined using information recorded in the corrective action program database associated with conditions subject to reportability and operability determinations.

The review of the event notifications determined that the majority of these notifications had no AFE involvement. Those notifications that included some level of AFE involvement in the subsequent retraction of each of the event notifications also had persons other than AFEs involved. The assessment found no indication of any incomplete or inaccurate information in these retractions material to NRC-regulated activities.

- ACRS / ASLB Statements

Entergy reviewed the ACRS meeting and ASLB hearing transcripts using a word search of AFE names to identify potentially applicable meetings and portions of meetings. The content of applicable portions of the meeting transcripts was reviewed to determine the level of AFE involvement and whether information provided by an AFE was material. Site personnel, including AFEs and non-AFE SMEs, attended various ACRS full committee and subcommittee meetings involving Entergy's extended power uprate (EPU) and license renewal applications (LRA). Entergy attendance at ASLB hearings was limited, and AFEs did not speak at the hearings.

Participation of AFEs at ACRS meetings varied. For some meetings, AFEs either did not attend or did not speak. At other ACRS meetings, AFEs and SMEs participated in presentations, which included technical information reflective of docketed materials. These presentations were typically reviewed by SMEs prior to the meetings. While an AFE may have functioned as the Entergy facilitator for the presentation and in some cases AFEs assisted in answering questions, the majority of the technical information was provided by SMEs. There was no evidence of inaccurate or incomplete material information provided by the AFEs to the NRC.

- NRC License Renewal Audit Reports and the Audit Question & Answer Database

Entergy began a review of the NRC License Renewal Audit reports and found that the report content was not conducive to identifying AFE involvement. In general, the License Renewal Project team members and site SMEs were responsible for providing information to the NRC for the audit process. Alternatively, Entergy reviewed the License Renewal Audit Question &

Answer (Q&A) Database which was an input to the audit reports, along with docketed correspondence required for the License Renewal Application process. The Q&A database did provide a method to identify potential areas of AFE involvement. Specifically, a search was performed to identify questions answered by AFEs. Members of the License Renewal team and site personnel were then asked to verify the accuracy of the response given by the AFE.

The review of the License Renewal Audit Q&A database identified several questions with potential AFE involvement. There was no evidence of incomplete or inaccurate information identified by these reviews material to NRC-regulatory activities.

- eMail Exchanges as Captured in ADAMS

Entergy screened the emails contained in NRC ADAMS for the time period of interest by performing a word search using AFE names. If an AFE name appeared in the search list results, that email was retrieved from ADAMS for a more detailed review.

The screening identified a number of emails with an AFE name in the search result data. These emails were then reviewed to determine the level of AFE involvement. The majority of these emails were sent from the NRC to VY with the AFE either the recipient or copied on the email. In any event, further review of these emails was not required because the information was not provided by an AFE to the NRC.

For those emails sent from VY to the NRC and for which an AFE was either the author of the email or a recipient, material information contained in the email was typically attached to the email, in the form of a previously approved document, such as a submittal letter. There were no emails identified by this review that contained material information attributed solely to an AFE.

NRC Demand for Information Item 2:

Any corrective actions or compensatory measures taken or planned to address any incomplete or inaccurate communications provided to the NRC by the aforementioned employees identified by your review conducted in response to Item 1.

Entergy Response:

The review conducted in response to Item 1 found no evidence that any of the AFEs provided incomplete or inaccurate information, which was material to NRC-regulated activities, to the NRC during the past five years. Therefore, no corrective actions or compensatory measures are necessary as a result of this review.

NRC Demand for Information Item 3:

A description of how, in light of the organizational changes made in response to the independent internal investigation, Entergy is providing for appropriate implementation of NRC-regulated programs (e.g., Regulatory Licensing, Security, Emergency Preparedness, etc.)

Entergy Response:

Entergy made organizational changes in response to the independent internal investigation on February 23, 2010, when the Company placed certain individuals on administrative leave. On the morning of February 24, 2010, management briefed the site staff on the changes and also on the reasons for the changes. For those placed on administrative leave, management identified other qualified individuals to serve immediately in an acting capacity. In one instance, the replacement was already serving in an acting capacity. Specifically, because the Director, Nuclear Safety Assurance had been dedicated to the tritium project for several weeks, another manager was already acting for the NSA Director. That replacement manager remains the acting NSA Director.

The following positions are currently staffed by individuals in an acting capacity:

Director, Nuclear Safety Assurance
Manager, Licensing
Manager, Corrective Action & Assessment (now acting Director NSA)
State Regulatory Affairs Engineer

The process for filling these positions permanently is underway.

The Emergency Planning Manager has retained his overall oversight of the Emergency Planning function, and has also assumed the temporary responsibilities of the State Regulatory Affairs Engineer. To assist him in Emergency Planning, an additional experienced individual from the Entergy fleet has been temporarily assigned to the site.

Each individual serving in an acting capacity has substantial experience within the nuclear industry, within his assigned discipline, and is qualified for his temporary assignment. Each person has developed a formal change management plan, in accordance with Entergy's existing policy for implementing change, as described in EN-PL-155, Change Management Policy. This policy provides a systematic approach for ensuring a seamless transition. The policy also provides the requisite forms, tools, and techniques needed to mitigate problems and issues which may arise during a transition.

Consistent with the EN-PL-155 process, checklists are developed based on the impact and complexity of the change. Gaps between the current state and the desired end state are then identified and actions developed to close any gaps. This technique was applied for the transition of employees into their new assignments. These change management plans have been reviewed and approved by the supervisors of the individuals serving in temporary assignments for the affected positions.

The development of these change management plans began shortly after the reassignment of individuals. Senior site management reviewed the plans on March 2, 2010. On March 10 and March 19, 2010, management again reviewed the status of the actions identified in the plans.

In several of the affected organizations, the impact of the personnel changes has been mitigated by the existing organizational structure. Specifically, for Licensing, Security, and Emergency Preparedness, the managers report directly to other managers in Entergy headquarters, not the site. The personnel changes at VY did not affect these fleet reporting relationships, and the senior fleet managers are helping to ensure continuity during the transition period for affected positions. For example, when the organizational changes were made, the Vice President, Nuclear Safety, Emergency Preparedness and Licensing was on site. The Vice President remained on site for several days and helped maintain the stability and the continuity of the functions reporting to him, *i.e.* Licensing and Emergency Preparedness.

NRC Demand for Information Item 4:

A description of how Entergy is identifying and responding to any adverse implications to the Vermont Yankee site safety culture as a result of this investigation, its findings, and the actions taken regarding the aforementioned employees.

Entergy Response:

Entergy retained Morgan Lewis to conduct an independent, non-privileged review to identify any adverse effect that the underlying investigation and resulting personnel actions may have had on the safety culture at Vermont Yankee. Morgan Lewis reviewed relevant documents, conducted numerous employee interviews, and document the review in a report. This portion of Entergy's response summarizes the information contained in that report and describes other management actions to address the site safety culture in the wake of the underlying investigation.

A. Methodology

To determine whether the investigation and subsequent discipline had an adverse effect on the site safety culture, Morgan Lewis, with support from the VY Employee Concerns Coordinator, conducted 95 interviews of VY personnel. The reviewers sought to ensure that they interviewed about 25% of the workforce from those organizations which had a manager replaced (an "affected" organization) and about 15% of the workforce from each identified "unaffected" organization. In over half of the instances, the reviewers identified the personnel interviewed by name to ensure adequate coverage by organization and position and to avoid any potential management bias in the selection of individuals.

The following table identifies the organizations of those interviewed, the number of interviewees from each organization, and the resulting approximate percentage of interviewees from each organization.

Affected Organizations (25% goal)		
Nuc Safety Assurance	22	29%
Engineering	24	27%
Unaffected Organizations (15% goal)		
Maintenance	16	18%
Operations	18	18%
Chemistry	5	26%
Rad Protection	5	14%
PS&O Outage	3	11%
Safety	1	33%
Entergy Continuous Improvement	1	50%
Total Interviews:	95	

The reviewers, with assistance from the Entergy White Plains office, also conducted telephonic interviews with the AFEs.

The reviewers also retrieved and reviewed a number of documents and data to assess the safety culture and work environment and to determine the possible effect of the discipline on the culture and environment. The documents and data reviewed included:

- 2009 Nuclear Safety Cultural Assessment-Vermont Yankee, Rev. 1, Synergy Consulting Services Corporation, December 18, 2009
- Vermont Yankee Leadership & Alignment Meeting Slides for January 18, March 1, and March 8, 2010
- Vermont Yankee Site Executive Protocol Group Meeting Reports for January 2009 to February 2010
- Employee Concerns Database for 2009 and 2010
- Site ECP Report for 2009
- VY ECP Monthly Report for February 2010
- Statistical and Subject Data on Condition Reports from January 1, 2010 to March 18, 2010

B. Findings and Conclusion

Conclusion

The underlying investigation into the alleged inaccurate information provided by Entergy to the parties in a state regulatory proceeding before the Vermont Public Service Board, the findings of that investigation and the resulting personnel action against Entergy employees have not had an adverse effect on the safety culture at Vermont Yankee.

Basis for the Conclusion

Recent data indicates that before Entergy took the administrative personnel actions at issue, the safety culture at VY was strong. For example, the Nuclear Safety Culture Assessment of 2009 (NSC Assessment) results placed the nuclear safety culture at Vermont Yankee in the top quartile of the nuclear industry for all except one area, which was rated in the second highest quartile. The only recommended remedial action in the NSC Assessment focused on the Chemistry organization. In addition, Chemistry and Security personnel provided lower ratings for the Employee Concerns Program than did the other organizations.

Slides from the Leadership & Alignment meetings in 2010 reflect a consistent approach to reinforcing the safety conscious work environment and a focus on the results of the NSC Assessment, with direction to all departments to discuss and address the issues identified in the report. The Site Executive Protocol Group meeting reports for January 2009 through February 2010 do not indicate any change in the types or numbers of issues identified that could impact safety culture or safety conscious work environment. The ECP reports and database do not indicate any change in numbers, types, or sources of concerns raised for the period of January 2009 through March 2010. Finally, in the several weeks before and after the February 24, 2010 announcement of the personnel actions, the number of Condition Reports (CRs) written by the entire site was relatively consistent, and there were no discernable differences in the distribution of CRs by organization. Review of the descriptions of those CRs did not reveal any change in the types of issues submitted to the corrective action process.

The interviews confirm this data and clearly establish that the investigation and personnel actions have not reduced the willingness of the employees to raise concerns. The interviewees were nearly unanimous¹ in expressing their unconditional willingness to report safety concerns to management and/or to record concerns in the corrective action program, even if the concerns brought to light weaknesses in performance, regulatory violations, or potentially embarrassing issues. Without prompting, workers frequently expressed the belief that their responsibility to their co-workers and the public for the safe operation of the plant would necessarily outweigh any other course of action.

Similarly, from the broader perspective of the site's safety culture, the workers interviewed uniformly reported management actions to be consistent with the principle that nuclear safety is the plant's highest priority. Workers frequently noted their confidence in the integrity and

¹ Several individuals mentioned repeated issues being identified about security staffing and shift schedules, and one individual expressed concern about raising such issues, stating that he has repeatedly raised these issues without achieving the desired resolution.

trustworthiness of the site's current senior leadership team and, in particular, the Site Vice President (Site VP) and the General Manager for Plant Operations (GMPO).

Given these findings, it is not surprising that that no one interviewed reported that the investigation and personnel action reduced his or her willingness to raise concerns or degraded the safety culture in any way. In fact, a significant number of interviewees indicated that the discipline had a positive effect on their performance. Specifically, about 14 % reported that the events had caused them to be more likely to raise and document safety issues and about 34% reported that the events had caused them to be more aware of the need for accuracy in their communications, including with state and NRC representatives. Interviewees reported that they now explicitly confirm their understanding of requests for information from regulators, and they double-check the completeness and accuracy of their responses. Additionally, many interviewees stressed their heightened awareness of the need to correct or supplement in a timely manner any inaccurate, incomplete, or questionable information.

That is not to say the workforce is pleased with the actions taken. Most interviewees knew and respected those placed on administrative leave, and they expressed great sympathy for the individuals and their families. But that sympathy has not led to a mistrust of management. Moreover, no one interviewed had the impression or misperception that those who received personnel action did so because they raised safety concerns. In other words, the interviews did not produce any credible evidence that the underlying investigation and related personnel actions created a chilling effect.

Likewise, those interviewees who know the replacements of those persons who were placed on administrative leave expressed strong support for the integrity, skills, and knowledge of the replacements. The interviewees also expressed their willingness to report concerns to these replacements and their confidence that the replacements would address their concerns.

Finally, neither the underlying report of investigation which led to the discipline, nor the interviews of the AFEs, identified any credible evidence to suggest that any weakness in the work environment or site safety culture contributed to a reluctance by anyone to provide clarifying or supplemental information to the relevant state officials. Indeed, there is no credible evidence that any of the AFEs are -- or were -- reluctant to report safety concerns or any other matter of potential regulatory significance or legal non-compliance.

Current Management Actions

In addition to commissioning the independent review discussed above, Entergy has taken other actions to respond to the potential challenge to the safety culture posed by the underlying investigation and personnel actions. Specifically, site management has executed a timely and thorough communication plan. The plan contained two primary components: (a) the communication of the investigative results and personnel actions; and (b) repeated reminders to the workforce of the need to focus on safety and job performance. A brief description of the key communications follows.

Before the public announcement of the results of the underlying investigation and the personnel action, senior site management met with the workforce on February 24, 2010, to discuss the investigation and actions. Although these discussions could not include information about specific personal performance issues and could not detail the findings within the investigation

report, senior management explained the events and underlying rationale to the extent possible. The interviews conducted by Morgan Lewis confirmed that most employees accurately understood the central message.

One week later, on March 1, 2010, the day the NRC issued its Demand for Information, the GMPO conducted a site Leadership and Alignment meeting with supervisors and above to stress the importance of problem identification and resolution.

On March 4, 2010, the Site Vice President conducted a Station Update meeting to, once again, discuss the personnel changes and to stress the importance of the continued use of the Corrective Action Program. The Site Vice President also stressed the significance of a signature on records and the importance of accuracy in all documents.

On March 8, 2010, at another site Leadership and Alignment meeting, the central safety message emphasized the need for operational focus and, once again, the use of the CAP. The Site VP reinforced that same message in his closing remarks.

On March 10, 2010, the Site VP, the GMPO, and the Engineering Director met with Design Engineering, Systems Engineering, and Engineering Programs personnel in three small group meetings. In these more informal settings, the senior management team discussed the personnel changes, while reinforcing the importance of a strong safety culture. These small meetings permitted open question and answer sessions.

On March 16, 2010, the Site VP, the GMPO, and the Nuclear Safety Assurance Director met with Project Management and Corrective Actions and Assessment department personnel. Like the meetings with the Engineering Department on March 10, 2010, these small meetings also focused on the need for a strong safety culture.

On March 25, the Site VP issued an email to all VY personnel reinforcing the importance of a healthy work environment and a continued strong safety culture. His communication made three points: 1) recent events must not distract workers from their work and their highest priority, the safety of the plant; 2) workers must continue to identify problems and report concerns; and 3) management will be attentive to any issues that are raised, and the Site VP always has an open door.

These personal communications and meetings by key members of the site leadership team have ensured that the workers, particularly those in workgroups affected by the personnel actions, have timely and accurate information and understand the importance of their continued focus on the safe operation of the plant. Equally important, these communications have permitted the workers to have their questions and concerns addressed directly by the senior site leaders. These beneficial actions have not only served to prevent the spread of misinformation, they have enhanced workers' trust in management and the site's safety culture.

Future Management Actions

The review of the safety culture and the management actions described previously in this response constitute the first part of management's assessment of and response to the potential effect of the underlying investigation on the site's safety culture. Management recognizes that a site's safety culture is dynamic in nature and can change over time. So that management continues to have a good understanding of the safety culture, it plans to conduct some follow-up

assessment activity in about three to six months from the submittal of this response. Operational conditions and any intervening events will determine the precise timing and nature of those assessment activities.

NRC Demand for Information Item 5:

Confirmation that Entergy intends to make the independent internal investigation available to the NRC to allow the NRC to independently evaluate Entergy's investigation for any impact on NRC-regulated activities.

Entergy Response:

Entergy made the Report of Investigation, supporting documents, and the investigators available to officials from the NRC Region I over a two-day period in early March 2010. During this period, the Morgan Lewis attorneys who conducted the investigation were available and responded to questions from the NRC officials.