



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

May 19, 2010

Mr. Joseph Pollock
Site Vice President
Entergy Nuclear Operations, Incorporated
Indian Point Energy Center
450 Broadway, GSB
P.O. Box 249
Buchanan, NY 10511-0249

RI-2008-A-0051

Subject: NRC Office of Investigations Case No. 1-2009-016

Dear Mr. Pollock:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation (Case No. 1-2009-016) on December 18, 2008, to determine whether a former Security Manager and the former Site Vice President at the Indian Point Entergy Center intentionally released confidential information in violation of 10 CFR 73, and whether Entergy executives violated procedures and/or regulations that govern the Entergy Access Review Board (EARB) appeals process. The NRC concluded, based on evidence developed during the investigation, that neither the former Security Manager nor the former Site Vice President violated 10 CFR 73, and no Entergy executives violated procedures and/or regulations governing the EARB appeals process.

With respect to the first issue, NRC regulation 10 CFR 73.56(f)(3), states in part, that personal information may be disclosed to licensee representatives who have a need to have access to the information in performing assigned duties, including audits of licensee, vendor, and contractor programs. Based on the conclusions of the OI investigations, the NRC did not find there was a violation. With respect to the second issue, based on the evidence developed by OI, the NRC did not find that Entergy executives violated procedures and/or regulations governing the EARB appeals process.

Please note that final NRC investigation documents, such as the OI Investigation 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.

No response to this letter is required. Should you have any questions regarding this letter, please contact Mr. M. Gray of my staff at (610) 337-5209.

Sincerely,
/RA/

David C. Lew, Director
Division of Reactor Projects

Enclosure: As Stated

Mr. Joseph Pollock

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