



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

**REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415**

March 1, 2011

EA-10-237

Mr. Robert G. Smith  
Site Vice President  
Entergy Nuclear Operations, Inc,  
Pilgrim Nuclear Power Station  
600 Rocky Hill Road  
Plymouth, MA 02360-5508

**SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A SECURITY-RELATED  
GREATER THAN GREEN FINDING AND NOTICE OF VIOLATION [NRC  
INSPECTION REPORT NO. 05000293/2011403] – PILGRIM NUCLEAR  
POWER STATION**

Dear Mr. Smith:

The purpose of this letter is to provide you with the final significance determination for a finding preliminarily determined to be of at least low to moderate security significance (greater than Green). The finding was identified during a U.S. Nuclear Regulatory Commission (NRC) special inspection conducted at the Pilgrim Nuclear Power Station (Pilgrim) from October 18 through November 10, 2010, and was presented at an exit meeting held on November 10, 2010. The finding was discussed in detail in NRC Inspection Report No. 05000293/2010403, issued on December 20, 2010. We note that Entergy Nuclear Operations, Inc. (Entergy) took immediate corrective actions to address any security-related vulnerability associated with this finding. The nature of security-related findings, and the corrective actions taken to address such issues, are considered sensitive information and are not included in this letter, but are described in the non-public enclosures.

Our December 20, 2010 letter also offered Entergy the opportunity to attend a Regulatory Conference or reply in writing to provide its position on the facts and assumptions the NRC used to arrive at the finding and its security significance. In a letter dated January 19, 2011, which the NRC received on January 24, 2011, you provided additional information regarding the finding, and you described Entergy's assessment of the significance of the finding and the corrective actions taken to resolve the issue.

When separated from its Enclosure,  
this document is DECONTROLLED.

R. Smith

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After considering the information developed during the inspection, and the information you provided in your January 19, 2011, letter, the NRC has determined that the inspection finding is of at least low to moderate security significance, is appropriately characterized as greater than Green, and will require additional NRC inspections. The NRC has also determined that the condition is a violation of NRC regulations, as cited in the attached Notice of Violation (Notice, Enclosure 1). In accordance with the NRC Enforcement Policy, the Notice is considered an escalated enforcement action because it is associated with a greater than Green finding. Enclosure 2 provides the basis for the NRC's significance determination along with a description of the corrective actions taken by Entergy related to the violation.

You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified greater than Green finding. Such appeals will be considered to have merit only if they meet the criteria given in the IMC 0609, Attachment 2, "Process for Appealing NRC Characterization of Inspection Findings." An appeal must be sent in writing to the Regional Administrator, Region I, 475 Allendale Rd., King of Prussia, PA 19406. You are not required to respond to this letter. However, if you choose to respond, you should follow the instructions specified in the enclosed Notice when preparing your response.

Because plant performance has been determined to be beyond the licensee response column, we will use the NRC's Security Action Matrix to determine the most appropriate NRC response for this event. We will notify you, by separate correspondence, of that determination.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room located at NRC Headquarters in Rockville, MD, and from the NRC's document system, the Agency-wide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If Security Related Information is necessary to provide an acceptable response, please follow the instructions for withholding in 10 CFR 2.390(b)(1).

R. Smith

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In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'W M Dean', with a long horizontal line extending to the right.

William M. Dean  
Regional Administrator

Docket No. 50-293  
License No. DPR-35

Enclosures:

1. Notice of Violation (non-public)
2. Final Significance Determination and Corrective Action (non-public)

cc w/encl; w/OUO-SRI:

D. Burke, Security Manager

J. Giarrusso, SLO, Massachusetts Emergency Management Agency

cc w/o encl; w/o OUO-SRI: Distribution via ListServ

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R. Smith

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Sincerely,

/RA/

William M. Dean  
Regional Administrator

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SUNSI Review Complete: \_\_\_\_\_ (Reviewer's Initials)

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