

March 14, 2011

Mr. Tom Kirwin
Vice-President, Operations (Acting)
Entergy Nuclear Operations, Inc.
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043-9530

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2010-012

Dear Mr. Kirwin:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine whether a manager at the Palisades Nuclear Plant willfully failed to provide complete and accurate information to the NRC, verbally during the Notice of Enforcement Discretion (NOED) teleconference on October 1, 2009, and in writing in the NOED letter to the NRC dated October 5, 2009. Based on the evidence developed during the investigation, we did not substantiate the allegation. The synopsis from the OI report of investigation is enclosed. A Severity Level IV Non-Cited Violation of Title 10 of the Code of Federal Regulations (10 CFR 50.9) was documented in Palisades Inspection Report No. 05000255/2010005 dated February 8, 2011.

If you have any questions or comments regarding this matter, please contact an NRC Region III Office Allegation Coordinator by calling (800) 522-3025. The NRC Region III Office Allegation Coordinators are Jim Heller, Paul Pelke, Magdalena Gryglak, and Sarah Bakhsh.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

You should note that final NRC documents, including the final OI reports, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information pursuant to the FOIA. Requests under the FOIA should be made in accordance

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with 10 CFR 9.23, Request for Records. The instructions for making a request for information under the FOIA are accessible at <http://www.nrc.gov/reading-rm/foia/foia-request.html>.

Sincerely,

/RA/

Steven West, Director
Division of Reactor Projects

Docket No. 50-255
License No. DPR-20

Enclosure:
Synopsis of OI Report No. 3-2010-012

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Sincerely,

/RA/

Steven West, Director
Division of Reactor Projects

Docket No. 50-255
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Enclosure:
Synopsis of OI Report No. 3-2010-012

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OFFICE	RIII	N	RIII	N	RIII	N	RIII	N	RIII	N
NAME	Pelke		Giessner		Langan*		Orth**		West	
DATE	03/10/11		03/10/11		03/10/11		03/11/11		03/14/11	

OFFICIAL RECORD COPY

**For permission to release OI synopsis.

**The 3-week email has expired.

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations, Region III, on January 15, 2010, to determine whether a manager at the Palisades Nuclear Plant willfully failed to provide complete and accurate information to the NRC, verbally during the October 1, 2009, Notice of Enforcement Discretion (NOED) teleconference, and in writing in the October 5, 2009, NOED letter to the NRC.

Based upon the evidence developed, this investigation did not substantiate the allegation that the manager willfully failed to provide complete and accurate information, either verbally or in writing, to the NRC regarding the NOED.

Case No. 3-2010-012

ENCLOSURE