

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ACTION

Licenses: Entergy Operations Inc. and Entergy Nuclear Operations Inc. EA-11-096

Subject: CONFIRMATORY ORDER (EFFECTIVE IMMEDIATELY)

This is to inform the Commission that a publically available Confirmatory Order will be issued on or about August 24, 2011, to Entergy Operations Inc. and Entergy Nuclear Operations Inc. (collectively Entergy) confirming commitments reached as part of an alternative dispute resolution (ADR) settlement agreement. Entergy holds operating licenses for 11 nuclear power plants at 9 different sites.

By letter dated May 20, 2011, the NRC identified an apparent violation of 10 CFR 50.7 to Entergy Operations Inc. because an employee at the River Bend Station was rated lower in his 2008 annual performance appraisal. This lower rating occurred, in part, because the employee questioned the qualifications necessary to perform certain work activities in compliance with the applicable plant procedures. As part of the NRC's normal enforcement process, Entergy elected ADR to resolve the matter through mediation.

The mediation session was held on July 18, 2011 in Washington D.C. (Commission was informed in a one-week-look-ahead note). As the result of the mediation, Entergy agreed to take a number of fleet-wide actions, a summary of which is as follows:

- Reorganizing the quality control function's reporting relationship from the Maintenance department to the Quality Assurance organization;
- Reinforcing the company's commitment to a safety conscious work environment through a written communication from a senior Entergy nuclear executive;
- Reviewing and, as necessary, revising the existing general employee training to include insights from the circumstances giving rise to this matter;
- Reviewing and, as necessary, revising training to new supervisors to include insights from the circumstances giving rise to this matter;
- Conducting an effectiveness review of the Employee Concerns Program enhancements and training that were implemented relating to the underlying matter.

Entergy also agreed to conduct a plant wide safety culture survey at the River Bend Station in 2012.

Prior to the issuance of the NRC's May 20, 2011 letter but following a separate NRC inquiry, Entergy had also conducted its own internal investigation of the circumstances giving rise to the apparent violation. The NRC acknowledged that Entergy took numerous actions as result of its own investigation including, but not limited to, providing training for all supervisors and above fleet-wide and its ECP professionals; revising the employee in question's 2008 appraisal and taking related actions; completing an apparent cause evaluation relating to the company's ECP investigation; reviewing all closed ECP retaliation type concerns fleet-wide from 2008 and 2009; completing fleet-wide review of all 2009 appraisals for employees with overall "Improvement

Required" rating; completing benchmarking evaluation of ECP practices and procedures; issuing guidance on preparation and conduct of performance improvement plans; and developing or enhancing certain procedures. In recognition of these actions and the commitment to perform the additional actions, the NRC agreed to forgo taking enforcement action which under traditional enforcement program may have resulted in a violation with a base civil penalty.

The schedule of issuance and notification is:

Mailing of Confirmatory Order	August 24, 2011
Telephone notification of Company	August 24, 2011

The following States will be notified: Arkansas, Louisiana, Michigan, Mississippi, Massachusetts, New York and Vermont will be notified.

CONTACTS: Shahram Ghasemian, OE, (301) 415-3591 Dave Solorio, OE, (301) 415-0149

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