

December 30, 2011
EN-11-045

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Entergy Operations, Inc. (EA-11-159)
River Bend Station
Docket Number 50-458

and

Multiple River Bend Station Reactor Operators

Subject: ISSUANCE OF NOTICE OF VIOLATION AND PROPOSED CIVIL PENALTY IN THE AMOUNT OF \$140,000 TO ENTERGY OPERATIONS, INC. AND ISSUANCE OF NOTICE OF VIOLATION TO SEVERAL RIVER BEND REACTOR OPERATORS

This is to inform the Commission that a Notice of Violation and Proposed Civil Penalty of \$140,000 will be issued on or about January 5, 2012, to Entergy Operations, Inc. (licensee). This action is based on a Severity Level III violation involving multiple reactor operators who willfully failed to follow an Entergy procedure which prohibited internet access in the "At-the-Controls" area of the control room, except as specifically authorized by the Operations Manager. An investigation conducted by the NRC Office of Investigations determined that multiple reactor operators willfully failed to follow this procedure, some on numerous occasions. These reactor operators put the licensee in violation of Technical Specifications when they accessed the internet, in some cases hundreds of times, from the "At-the-Controls" computer, while on watch.

In the civil penalty assessment process, credit was given for *Identification* because the violation was identified and reported by a shift manager. However, the credit for *Corrective Action* is not given because the NRC did not consider the licensee's actions as "prompt and comprehensive," this resulted in a Proposed Civil Penalty of \$70,000. Also, due to River Bend Station's particularly poor performance in responding to this issue and the significant NRC interaction that was required before the negative safety culture aspects were recognized and a safety culture root cause evaluation was performed, the NRC is exercising discretion to increase the Proposed Civil Penalty from \$70,000 to \$140,000.

In addition, due to the varying degree of significance in the terms of duration and frequency, three River Bend reactor operators are receiving a Severity Level III Notice of Violation and six reactor operators are receiving a Severity Level IV Notice of Violation. The operators were in violation of 10 CFR 50.5 "deliberate misconduct" and their operating license when they accessed the internet without authorization while standing watch as the reactor operator "At-the-Controls." In addition to the nine aforementioned operators, there were five additional reactor operators that accessed the internet, however, their actions were found not to be willful and are receiving close-out letters.

It should be noted that neither the licensee nor the operators have not been specifically informed of the enforcement action. The schedule for the issuance for all actions is:

Mailing the letter and Notice of Violation to the licensee	January 5, 2012
Mailing the letter and Notice of Violation to the reactor operators	January 5, 2012
Telephone notification to the licensee and reactor operators	January 5, 2012

The State of Louisiana will be notified.

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