

NRR-PMDAPEm Resource

From: Rankin, Jennivine
Sent: Thursday, August 21, 2014 10:59 AM
To: bpgarde@cliffordgarde.com
Cc: Mensah, Tanya
Subject: 10 CFR 2.206 Request for Enforcement Action - Entergy Nuclear Operations, Inc. (Palisades) - TAC No. MF4647

Ms. Garde,

I have been assigned as the Petition Manager for the 10 CFR 2.206 petition you submitted to the U.S. Nuclear Regulatory Commission (NRC) on August 11, 2014, regarding the safety culture within the Security Department at the Palisades Nuclear Plant (PNP). Based on a recent event at PNP involving derogatory comments made by the Entergy Director of Security, compounded with the ongoing chilled work environment within the Security Department, you assert that the licensee is not capable of solving their safety conscious work environment (SCWE) issues without regulatory intervention.

Section 2.206 of Title 10 of the Code of Federal Regulations describes the petition process – the primary mechanism for the public to request enforcement action by the NRC in a public process. This process permits anyone to petition NRC to take enforcement-type action related to NRC licensees or licensed activities. Depending on the results of its evaluation, NRC could modify, suspend or revoke an NRC-issued license or take any other appropriate enforcement action to resolve a problem. The NRC staff’s guidance for the disposition of 2.206 petition requests is in Management Directive 8.11, which is publicly available.

The 2.206 process provides a mechanism for any member of the public to request enforcement action against NRC licensees. The 2.206 process is separate from the allegations process which affords individuals who raise safety concerns a degree of protection of their identity. In the 2.206 process, all of the information in your letter will be made public, including your identity. You specifically requested in your letter that the NRC take immediate action to perform the following:

1. Require Entergy to outsource the Security Department at PNP to a competent and proven contractor capable of managing security organizations at nuclear power plants;

OR

2. Require Entergy to appoint an independent third-party monitor to develop, implement, and/or monitor actions to improve the work environment and safety culture within the security department. The third-party monitor would be required to report publically the plan, progress, successes, and failures, of improvement efforts in the Security Department as it relates to SCWE issues.
3. Require immediate and significant management changes at the site and/or at the Corporate Entergy security management level.

On August 19, 2014, your request for immediate action was reviewed by members of the Petition Review Board (PRB), which includes staff from the NRC’s Office of Nuclear Reactor Regulation (NRR), the Office of the General Counsel, the Office of Enforcement, the Office of Investigation, the Office of Nuclear Security and Incident Response, Region III, and the NRC resident inspectors at PNP. After thorough review and discussion, the PRB determined that there were no immediate safety significant concerns which would adversely impact the public’s health and safety; therefore, the PRB denied your request for immediate action. The NRC staff, in the aforementioned offices, has been closely monitoring the issues related to a chilled work environment. This has been documented in recent inspection reports and is the subject of future follow-up SCWE inspections.

In accordance with NRC Management Directive 8.11 (which I have attached for your reference), you have the opportunity to address the PRB, either in person at the NRC Headquarters in Rockville, MD, or by telephone conference. The purpose of this interaction is so that the petitioner can discuss the petition. During the meeting, the PRB is in listening mode and will not make any decisions regarding your petition.

I would appreciate if you could advise me by August 26, 2014, if you agree to the NRC's processing your request under the 2.206 process. In addition, please advise me if you would like to address the PRB. If you would like to meet in person, I will need to schedule a formal public meeting at the NRC Headquarters. Currently, the PRB has availability on September 9, 2014, from 1-2 pm ET. Of this time, you would have approximately 35-40 minutes to make your presentation to the PRB. If I do not hear from you by August 26, 2014, the PRB will meet internally to make an initial recommendation, after which we will offer you a second opportunity to address the PRB prior to our issuing a letter accepting or rejecting the petition.

Thank you,
Jennie

Jennie Rankin, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
(301) 415-1530

Hearing Identifier: NRR_PMDA
Email Number: 1583

Mail Envelope Properties (AC21FFBDBC21F440BE9AEB05A61AF383A382DD96C7)

Subject: 10 CFR 2.206 Request for Enforcement Action - Entergy Nuclear Operations, Inc. (Palisades) - TAC No. MF4647
Sent Date: 8/21/2014 10:58:39 AM
Received Date: 8/21/2014 10:58:00 AM
From: Rankin, Jennivine

Created By: Jennivine.Rankin@nrc.gov

Recipients:
"Mensah, Tanya" <Tanya.Mensah@nrc.gov>
Tracking Status: None
"bpgarde@cliffordgarde.com" <bpgarde@cliffordgarde.com>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

Files	Size	Date & Time
MESSAGE	4717	8/21/2014 10:58:00 AM

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received: