

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Entergy Operations, Inc.
River Bend Station
Docket No. 05000458

EA-14-009

Subject: ISSUANCE OF A CONFIRMATORY ORDER AND NOTICE OF VIOLATION WITH
PROPOSED IMPOSITION OF CIVIL PENALTY-\$70,000

This is to inform the Commission that a Confirmatory Order (CO) will be issued to Entergy Nuclear Operations, Inc. (Entergy), on or about December 3, 2014. The CO will confirm commitments reached as part of an alternative dispute resolution (ADR) mediation settlement agreement between Entergy and the Nuclear Regulatory Commission (NRC). An investigation was completed by the NRC Office of Investigations on December 31, 2013, to determine whether an apparent violation involved the willful actions of an unidentified security officer which occurred at Entergy's River Bend Station on March 18, 2012. The willful actions of the unidentified security officer caused Entergy to be in violation of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73, "Physical Protection of Plants and Materials."

The NRC and Entergy agree that the actions of an unidentified security officer at River Bend Station constitute a willful violation of 10 CFR Part 73. However, the NRC and Entergy disagree on the specific aspects of the willful characterization of the violation. At the ADR mediation session, held on September 22, 2014, Entergy agreed that a Notice of Violation would be issued. In light of the significant corrective actions the licensee has already taken and the additional actions they committed to take to enhance their security program, the NRC is exercising enforcement discretion to reduce the severity level of the escalated enforcement sanction that was initially proposed in our preliminary letter dated July 16, 2014 (Non-Public). The NRC's rationale behind its decision to exercise enforcement discretion in characterizing the violation is incorporated in an attachment to the CO. The attachment will not be publicly available because it contains security-related information. In addition, Entergy agreed to pay a civil penalty of \$70,000 as part of the settlement. The NRC is satisfied that its concerns were addressed by the licensee making their commitments legally binding through the CO.

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It should be noted Entergy will be informed of the issuance of the Order on or about the following dates:

Mailing of Notice
Telephone Notification of Individual

December 3, 2014
December 3, 2014

The State of Louisiana will be notified.

DISTRIBUTION: EN-14-048, November 25, 2014

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OFFICE	OE:ES	OE:BC (acting)
NAME	DFurst	JWray
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