

February 10, 2017
EN-17-003

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Individual: Casey Pooler (IA-16-075)

Subject: ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES

This is to inform the Commission that an Order prohibiting involvement in NRC-licensed activities will be issued on or about February 15, 2017, to Casey Pooler for engaging in deliberate misconduct, in violation of 10 CFR 50.5(a)(1). Mr. Pooler (former contract security officer) caused his former employer, NextEra Energy Seabrook, LLC., Seabrook Station, to be in violation of 10 CFR 73.55(k)(2), which requires licensees to ensure that all firearms, ammunition, and equipment necessary to implement the site security plans and protective strategy are in sufficient supply, are in working condition, and are readily available for use. During the OI investigation, Mr. Pooler initially testified that he had not placed the materials in the weapon and that he had no information about how the materials got inside of it. Mr. Pooler made several comments to other security officers indicating that he may have been involved in tampering with the rifle. Mr. Pooler asked a coworker to contact the OI agents and ask them to meet him at an off-site location. Although OI agents contacted Mr. Pooler, he declined to meet with them at that time. On multiple occasions OI attempted to re-interview Mr. Pooler, but he declined each request. Mr. Pooler finally agreed to meet with OI and stated that he believed he placed the materials in the weapon. He told OI that he did not know why he did it, and adamantly stated that he was not trying to hurt anyone or to assist anyone with gaining access to the site. He acknowledged that it was reasonable to assume that he didn't come forward about what he had done because he was afraid of being fired. Mr. Pooler also affirmed that he was not aware of adverse issues with any other weapons or equipment at the site. Mr. Pooler will be prohibited from any involvement in NRC-licensed activities for a period of three years and will be required to notify the NRC, for one year after the three year prohibition has expired, within 20 days following acceptance of his first employment offer involving NRC licensed activities.

In a letter dated December 1, 2016, the NRC described the apparent violation (AV) and informed Mr. Pooler that the NRC was considering escalated enforcement action against him. In the letter, the NRC also offered Mr. Pooler the opportunity to discuss the AV during a pre-decisional enforcement conference (PEC) or to engage the NRC in an alternative dispute resolution (ADR) mediation session or to provide a written response before the NRC made an enforcement decision. In a telephone call with NRC Region I Enforcement staff, Mr. Pooler's attorney informed the NRC that he neither required a PEC or an ADR mediation session, nor intended to submit a written response, but that Mr. Pooler was willing to cooperate with the NRC's intended enforcement action.

It should be noted that the individual has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice
Telephone Notification of Individual

February 15, 2017
February 15, 2017

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