



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

January 23, 2019

EA-18-128

Mr. Brian Sullivan
Site Vice President
Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
600 Rocky Hill Road
Plymouth, MA 02360-5508

**SUBJECT: PILGRIM NUCLEAR POWER STATION – NUCLEAR REGULATORY
COMMISSION INVESTIGATION REPORT NO. 1-2018-001 AND EXERCISE OF
ENFORCEMENT DISCRETION**

Dear Mr. Sullivan:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) at Entergy Nuclear Operations, Inc.'s (Entergy's) Pilgrim Nuclear Power Station (Pilgrim). The investigation, which was completed on August 21, 2018, was conducted to determine whether a former non-licensed operator (NLO) employed by Entergy at Pilgrim violated an Entergy procedure related to inspecting operating plant equipment. The NRC initiated the investigation after receiving notification from Entergy that on October 14, 2017, a control room annunciator alarmed, due to lowering voltage on the 24 Volt DC (VDC) Bus B, as a result of an inadvertent configuration control error that had occurred the previous day. The licensee determined that the lowering voltage should have been identified by the NLO because examining the 24 VDC Bus B voltage was part of a required round assigned to him.

As described more fully in the enclosure, based on the results of the investigation, the NRC concluded that the NLO deliberately did not follow Entergy's procedure for performing the round. Specifically, the NLO admitted to the NRC investigators that he did not check the 24 VDC Bus B voltage reading as required by the procedure, and instead, copied a previous reading when recording the value. As a result, the NLO caused Entergy to be in violation of an NRC requirement pertaining to performing activities affecting quality, such as inspections of plant equipment. As discussed in the enclosure, the NRC characterized this violation at Severity Level IV (SL IV).

Although this SL IV violation would normally be ascribed to Entergy, the NRC is exercising enforcement discretion for this issue, in accordance with an Order the NRC issued Entergy on March 12, 2018 (EA-17-132 & EA-17-153), confirming commitments made as part of a settlement agreement from an alternative dispute resolution (ADR) mediation session between Entergy and the NRC's Region IV office. The ADR pertained to two investigations at Grand Gulf Nuclear Station (Grand Gulf); one of which similarly involved NLOs failing to perform rounds.

The Order required Entergy to implement significant, fleet-wide corrective actions to address occurrences of willful misconduct. In consideration of the activities Entergy would be undertaking at each of its sites, the NRC agreed, in Section III.N of the Order, to consider enforcement discretion for additional violations with similar root causes, such as this Pilgrim case. Therefore, based on the actions being taken by Entergy as a result of the Order, as well as additional corrective actions implemented at Pilgrim in response to this specific issue (as further discussed in the enclosure), I have been authorized, after consulting with the Office of Enforcement and the Regional Administrator, to exercise enforcement discretion and not issue a violation in accordance with Section 3.5 of the Enforcement Policy for violations involving special circumstances.

You are not required to respond to this letter. However, should you choose to respond, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Regional Administrator, Region I, 2100 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406, and marked "Open by Addressee Only," within 30 days of the date of this letter, with a copy to the NRC Senior Resident Inspector at Pilgrim. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room and from the NRC's Agency-wide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Please note that final NRC investigation documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records. Additional information is available on the NRC website at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

Should you have any questions regarding this letter, please contact Ms. Marjorie McLaughlin at 610-337-5240.

Sincerely,

/RA/

Daniel S. Collins, Director
Division of Reactor Projects

Docket No. 50-293
License No. DPR-35

Enclosure: As described

cc: Distribution via ListServ

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 COMMISSION INVESTIGATION REPORT NO. 1-2018-001 AND EXERCISE OF
 ENFORCEMENT DISCRETION DATED JANUARY 23, 2019

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ENCLOSURE

Detailed Results of NRC Investigation No. 1-2018-001, Description of Violation, and Discussion of Corrective Actions

Results of NRC Investigation No. 1-2018-001

The NRC initiated Investigation No. 1-2018-001 after receiving notification from Entergy that, on October 13, 2017, a non-licensed operator (NLO) failed to properly perform a required round. Namely, the licensee identified that on October 13, 2017, a configuration control event had occurred involving the inadvertent opening of breakers controlling temporary battery chargers for the 24 volt DC (VDC) Bus B. Entergy determined that the lowering voltage should have been identified by the NLO during the course of his rounds that evening. However, the NLO had not identified the issue, and had, instead, recorded voltage readings of approximately 26 V (the same values that had been entered from a previous round). The NLO indicated to the licensee that he had likely made an error when recording the value. However, Entergy determined that the NLO had not read the voltage at all and had likely just copied the prior entry. Entergy terminated the NLO's employment. During the NRC OI investigation, the NLO admitted that he had not taken the 24 VDC Bus B readings and had, instead, entered prior values for the component.

Description of Violation

Based on the results of the investigation, the NRC determined that the NLO deliberately did not perform the required round and thereby caused Entergy to be in violation of NRC requirements. Namely, Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Appendix B, Criterion V requires, in part, that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings. The introduction to Appendix B states that such activities, in part, includes inspecting, operating, and maintaining. Entergy Procedure EN-OP-115-01, "Operator Rounds," prescribes the method for performing operator watch standing and equipment monitoring which includes checking operating equipment and recording selected data from local instrumentation. Step 5.2[3] states that the operator assigned to an area is responsible to complete rounds applicable to that area. Step 5.1[8](e) states that operators shall use all applicable senses while on tour to identify abnormal conditions and shall report indications of changing equipment conditions so that degrading performance can be investigated and corrected.

Contrary to the above, on October 13, 2017, Entergy did not properly implement a procedure for an activity affecting quality, related to inspecting operating plant equipment. Specifically, the NLO assigned to the outside and turbine building areas was responsible for completing rounds applicable to those areas, which included inspecting the voltage on the 24 VDC Bus B in the lower switchgear room. However, the NLO did not properly perform the round, in that, the NLO did not check the 24 VDC Bus B voltage value and, as a result, did not identify that the value had decreased since the previous round. The NLO did not report this changing equipment condition so that the degrading performance could be investigated and corrected. Consequently, the 24 VDC Bus B voltage continued to drop, such that, by the following morning, alarms in the Control Room indicated that it was below its lower limit and that there was low power on other components powered by the bus.

The NRC categorized the violation at SL IV, driven by the significance of the degraded voltage issue and the deliberate action of the NLO. Namely, the NRC staff considered that the decreased 24 VDC Bus B voltage did not challenge a technical specification limit, had no impact on safety equipment, and caused no safety consequences. Further, although the NLO acted

deliberately, he was not a licensee official and gained no economic or other advantage from his action. Therefore, in consideration of the factors in Section 2.2.1.d of the NRC Enforcement Policy, the NRC assessed the violation at SL IV categorization.

Corrective Actions

The actions required by the NRC Confirmatory Order issued to Entergy on March 12, 2018, include: conducting an organizational health survey to identify safety culture concerns; performing a causal evaluation informed by individual site evaluations; and developing corrective actions from the evaluations and conducting annual effectiveness reviews to evaluate the results of the corrective actions.

In addition to the actions Entergy is completing as required by the NRC Order, the NRC notes that in response to this specific issue at Pilgrim, Entergy conducted an evaluation of NLO tour performance at the site as a whole and reviewed rounds data against data from security access cards to verify that NLOs were spending the amount of time in tour areas that would be necessary to properly perform the rounds. From this assessment, Entergy identified a number of areas for improved work practice performance by NLOs. Entergy issued communications to its NLO staff to reinforce site expectations.