



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

APR 21 1994

Docket No. 50-458
License No. NPF-47
IA 94-005

Stephen L. Woody
[home address deleted
pursuant to 10 CFR 2.790]

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT NOS. 50-458/92-15 AND 93-24 AND NRC INVESTIGATION CASE NOS. 4-92-009, 4-92-034, AND 4-93-038R)

This refers to the enforcement conference conducted on January 6, 1994, to discuss apparent violations of NRC physical security requirements identified during the inspections and investigations referenced above. A list of enforcement conference attendees is enclosed (Enclosure 2).

As discussed in our October 27, 1993, letter to you, the investigative synopses that were provided to you at that time, and at the enforcement conference, a total of 10 apparent violations of NRC requirements was identified. These violations, which occurred at River Bend Station (RBS) between December 1991 and March 1993, involved the protection of Safeguards Information documents, the reporting or logging of various incidents, the maintenance of a vital area barrier, and compensatory actions for degraded barriers. In addition, as our letter indicated, many of these violations were determined to have been committed by or caused by you in your position as the Director of Nuclear Station Security (DNSS) at RBS. The investigations conducted by the NRC's Office of Investigations determined that you had willfully degraded a vital area barrier, willfully failed to log events in violation of reporting requirements, and willfully violated Safeguards Information requirements by transporting Safeguards Information from a facility where you had previously worked after your departure from that facility eliminated your "need-to-know".

The NRC has carefully considered the information you provided at the enforcement conference. In particular, we note that you stated that none of your actions were committed with the intent to violate NRC requirements, that some of your actions were taken for the purpose of ensuring personnel safety or improving the station security plan, that you had acted in good faith but had made errors in judgment, that you had learned important lessons and that you would exercise better judgment and display a higher regard for NRC regulations if given the opportunity to hold another job in the licensed industry. We have also considered the relatively low safety significance of the violations for which you were responsible and the disciplinary action taken by your former employer.

260048

9404270225 940421
PDR ADOCK 0500045B
G PDR

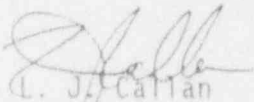
JED 11

Nonetheless, the NRC finds that the circumstances surrounding the violations indicate that you lacked the proper regard for NRC requirements, particularly with respect to incident logging and reporting requirements. Notwithstanding your statements regarding your intentions, we have concluded, consistent with the findings of the NRC's Office of Investigations, that you, as the manager of a nuclear security organization with approximately 15 years experience in this field, were aware of, or should have been aware of, NRC regulatory requirements and you acted in spite of such awareness. Furthermore, your actions and judgments were not consistent with the NRC's expectations of a manager of a nuclear security organization and did not set the proper tone for your subordinates. Your deliberate violations are wholly unacceptable.

After giving careful consideration to all of the information in this case, and in particular to the information you provided to us prior to and during the enforcement conference, we have decided to issue the enclosed Notice of Violation based on those violations that were found to have been deliberately committed by you to emphasize that deliberate misconduct will not be tolerated. Should you obtain another position in nuclear security, we trust that you will apply the lessons that you have learned from this experience.

Based on your having already provided us a response to each of the violations in the enclosed Notice of Violation, we require no response from you. In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter and the enclosures, as well as your previous responses to the violations, will be placed in the NRC's Public Document Room. In addition, as we indicated to you in our October 27, 1993 letter, we are placing copies of our previous correspondence with you into the NRC Public Document Room at this time.

Sincerely,


L. J. Cattin
Regional Administrator

Enclosures:

1. Notice of Violation
2. Enforcement conference attendance list

cc:

ATTN: John R. McGaha, Vice President -
Operations, River Bend Station
P.O. Box 220
St. Francisville, Louisiana 70775

HQ DISTRIBUTION:

PDR
 LPDR
 SECY
 CA
 JTaylor, EDO
 JMilhoan, DEDR
 WRussell, NRR
 LReyes, NRR/ADP
 RSchaaf, NRR/PDIV-2
 JLieberman, OE (4)(1-single sided)
 LChandler, OGC
 JGoldberg, OGC
 Enforcement Officers
 RI, RII, RIII, WCFO
 FIngram, PA
 DWilliams, OIG
 EJordan, AEOD
 BHayes, OI

DCS Yes No
 PDR Yes No

RIV DISTRIBUTION:

LJCallan
 JMontgomery
 ABBeach
 TPGwynn ▶ JMitchell
 SCollins
 DChamberlain
 JGagliardo
 BMurray ▶ BEarnest
 WSmith, SRI
 JGilliland
 CHackney
 WBrown
 GSanborn ▶ RWiseman ▶ EAFile
 LWilliamson
 RIV Files
 MIS Coordinator