

NOTICE OF VIOLATION

Stephen L. Woody
River Bend Station

IA 94-005

During NRC inspections and investigations conducted between April 1992 and August 1993, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below.

10 CFR 50.5 states, in part, that any employee of a licensee may not engage in deliberate misconduct that causes a licensee to be in violation of any rule, regulation, condition, or limitation of any license issued by the Commission.

10 CFR 73.71(c)(1) requires, in part, that the licensee log and record safeguards events described in paragraphs II (a) and (b) of Appendix G, Part 73, within 24 hours of discovery by a licensee employee or member of the licensee's contract security organization. Appendix G, paragraph II (b) lists, in part, any act with the potential for reducing the effectiveness of the safeguards system below that committed to in a licensed physical security or contingency plan, or the actual condition of such reduction in effectiveness as matter that must be logged and recorded.

Condition 2.D of the River Bend Station Operating License requires that the licensee maintain in effect and fully implement all provisions of the Commission-approved Physical Security Plan (PSP). Paragraph 5.3 of the PSP, "Building Walls and Doors Used as Barriers," states, in part, that personnel and equipment doors in buildings housing vital islands are designed and constructed to ensure a level of integrity equivalent to adjacent walls. Paragraph 5.3 also states, in part, that door construction and locking mechanisms are such that the use of several breaching tools or high explosives would be required to obtain a successful breach.

10 CFR 73.21(c) states, in part, that except as the Commission may otherwise authorize, no person may have access to Safeguards Information unless the person has an established "need to know" the information.

Contrary to the above, Stephen L. Woody, the then-Director of Nuclear Station Security at Entergy Operations, Inc. (licensee), River Bend Station engaged in deliberate misconduct that caused the licensee to be in violation of NRC requirements and/or the requirements of the River Bend Station Physical Security Plan. Specifically, Mr. Woody's actions caused the licensee to be in violation of the following requirements:

1. On March 24, 1993, Mr. Woody caused the licensee to fail to notify the NRC within one hour of the discovery of a vulnerability in a safeguard system that could allow unauthorized or undetected access to a protected area or vital area for which compensatory measures had not been employed. Specifically, he did not report the discovery of significant Safeguards Information in an unlocked safe in an unsecured building outside the protected area until approximately four hours following discovery.

2. On December 6, 1991, Mr. Woody ordered a thumblatch installed on a door to a vital area, degrading the vital area barrier which would have allowed opening of the door from the protected area side without the use of several breaching tools or high explosives. The thumblatch remained in place until December 10, 1991. Furthermore, although Mr. Woody was aware of the fact that the vital area barrier was degraded by installation of this thumblatch, a condition which reduced the effectiveness of a safeguards system below that committed to in the Physical Security Plan, he caused the licensee to fail to record the discovery of the event, in the safeguards event log until December 13, 1991, a period in excess of 24 hours.
3. In February 1993, Mr. Woody admitted that he had possessed security procedures containing Safeguards Information from another nuclear power facility and that he had shared this information with individuals at River Bend Station who did not have an established "need to know."
(01013)

This is a Severity Level III violation.

Dated at Arlington, Texas
this 21st day of April 1994

ATTENDANCE LIST
ENFORCEMENT CONFERENCE
WITH STEPHEN L. WOODY

January 6, 1994

Nuclear Regulatory Commission

J. Milhoan, Regional Administrator, RIV
G. Sanborn, Enforcement Officer, RIV
W. Brown, Regional Counsel, RIV
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Others

S. Woody, Former Director of Nuclear Station Security, RBS
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