

NOTICE OF VIOLATION

Mr. David Lee Brown, Sr.

IA 98-037

During an NRC investigation completed February 18, 1998, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 50.5 states, in part, that any employee of a contractor to a licensee may not deliberately submit to the licensee information that the person submitting the information knows to be incomplete or inaccurate in some respect material to the NRC.

Contrary to the above, on July 11, 1997, David Lee Brown, Sr., an employee of a contractor to Entergy Operations, Inc., deliberately submitted information to the licensee that he knew was incomplete and inaccurate, and such information was material to the NRC. Specifically, Mr. Brown deliberately omitted on a security questionnaire information about his recent termination from a job with General Motors based on a positive drug test. This information was material because it was required to be considered by Entergy Operations, Inc. in determining whether Mr. Brown was sufficiently trustworthy and reliable to have been granted unescorted access to River Bend Station. (01014)

This is a Severity Level IV violation (Supplement VII).

Pursuant to the provisions of 10 CFR 2.201, Mr. Brown is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violations, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, D.C. 20555-0001.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must

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specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Arlington, Texas
this 22th day of July 1998

SYNOPSIS

This investigation was initiated by the Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region IV (RIV), on September 17, 1997, to determine if a former contract millwright at Entergy Operations, Inc. (EOI), River Bend Station (RBS), deliberately provided false information on his RBS Security Questionnaire to obtain site access.

Based on the evidence provided by the licensee and NRC staff during the investigation, the allegation that a former contract millwright deliberately provided false information on his RBS Security Questionnaire to obtain site access was substantiated.

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DIRECTOR, OFFICE OF INVESTIGATIONS, REGION IV

Case No. 4-97-051