



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

July 20, 2021

IA-21-043

Ms. Lilly Porter
[NOTE: HOME ADDRESS DELETED
UNDER 10 CFR 2.390]

SUBJECT: NRC INVESTIGATION REPORT 4-2020-027

Dear Ms. Porter:

This letter refers to the investigation completed on April 27, 2021, by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations at Entergy Operations, Inc. (Licensee) Grand Gulf Nuclear Station (Grand Gulf). The investigation was conducted to determine if you, a former security shift supervisor, willfully failed to report a legal action taken by a law enforcement authority while working at Grand Gulf. A factual summary of the investigation, as it pertains to your actions, is provided as Enclosure 1.

Based on the information acquired during the investigation, an apparent violation was identified and is being considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The apparent violation, as documented in Enclosure 2, is a violation of Title 10 of the *Code of Federal Regulations* (10 CFR) 73.56(g)(1), which requires, in part, that any individual who is maintaining unescorted access or unescorted access authorization under 10 CFR 73.56 shall promptly report to the reviewing official, his or her supervisor, or other management personnel designated in site procedures any legal action taken by a law enforcement authority or court of law to which the individual has been subject that could result in incarceration or a court order or that requires a court appearance, including but not limited to an arrest.

Before the NRC makes its enforcement decision, we are providing you an opportunity to: (1) respond in writing to the apparent violation in Enclosure 2 of this letter within 30 days of the date of this letter; or (2) request a predecisional enforcement conference (PEC). If a PEC is held, the PEC will be closed to public observation since information related to an Office of Investigations report will be discussed and the report has not been made public. If you decide to participate in a PEC, please contact Mr. John Kramer at 817-200-1121 within 10 days of the date of this letter. A PEC should be held within 30 days of the date of this letter.

If you choose to provide a written response, it should be clearly marked as a "Response to An Apparent Violation, NRC Investigation Report 4-2020-027; IA-21-043" and should include for the apparent violation: (1) the reason for the apparent violation or, if contested, the basis for disputing the apparent violation; (2) the corrective steps that have been taken and the results achieved; and (3) the corrective steps that will be taken. You may also provide any information that you feel might clarify the characterization of the apparent violation. Your response should

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

be sent to the Director, Division of Reactor Safety, U.S. Nuclear Regulatory Commission, Region IV, 1600 E. Lamar Blvd., Arlington, TX 76011-4511 and emailed to R4Enforcement@nrc.gov within 30 days of the date of this letter. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision.

If you choose to request a PEC, the conference will afford you the opportunity to provide your perspective on these matters and any other information that you believe the NRC should take into consideration before making an enforcement decision. The decision to hold a PEC does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference would be conducted to obtain information to assist the NRC in making an enforcement decision. The topics discussed during the conference may include information to determine whether a violation occurred, information to determine the significance of a violation, information related to the identification of a violation, and information related to any corrective actions taken or planned.

Because this letter references and encloses information addressing NRC's review of an apparent enforcement action against an individual, this letter and its enclosures will be maintained by the Office of Enforcement in an NRC Privacy Act system of records, NRC-3, "Enforcement Actions Against Individuals." This system, which is not publicly accessible, includes all records pertaining to individuals who are being or have been considered for enforcement action, whether such action was taken or not. The NRC-3 system notice, which provides detailed information about this system of records, can be accessed from our web site at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," if the NRC concludes that enforcement action should be issued to you, this letter, and your response, if you choose to submit one, will be made publicly available either electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. However, you should be aware that all final NRC documents, including the final Office of Investigations report, are official agency records and may be made available to the public under the Freedom of Information Act (FOIA), and subject to redaction of certain information in accordance with the FOIA. To the extent possible, any response that you provide should not include any personal privacy or proprietary information so that it can be made available to the public without redaction.

If you have any questions regarding this matter, you may contact Mr. John Kramer, Senior Enforcement Specialist, at 817-200-1121.

Sincerely,

Ryan E. Lantz

Digitally signed by Ryan
E. Lantz
Date: 2021.07.20 11:02:09
-05'00'

Ryan E. Lantz, Director
Division of Reactor Safety

Enclosures:

1. Factual Summary
2. Apparent Violation

NRC INVESTIGATION REPORT 4-2020-027

DISTRIBUTION:

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ADAMS ACCESSION NUMBER: ML21200A200

SUNSI Review: ADAMS: Non-Publicly Available Non-Sensitive Keyword:
 By: PAJ Yes No Publicly Available Sensitive

OFFICE	ES: ACES	TL: ACES	C: DRP/PBC	C: DRS/PSB1	RC	OE
NAME	PJayroe	DDodson	JKozal	RKellar	DCylkowski	JPeralta
SIGNATURE	/RA/	/RA/	/RA/ PJV	/RA/	/RA/	/RA/
DATE	7/1/21	7/2/21	7/7/21	7/7/21	7/8/21	7/13/21
OFFICE	NSIR	OGC	D: DRS			
NAME	TKeene	JMcManus	RLantz			
SIGNATURE	/RA/	/NLO/	/RA/			
DATE	7/12/21	7/15/21	7/15/21			

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FACTUAL SUMMARY
OFFICE OF INVESTIGATIONS REPORT 4-2020-027

On July 28, 2020, the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations Region IV initiated an investigation to determine if you, a former security shift supervisor, employed by Entergy Operations, Inc. (Licensee) at Grand Gulf Nuclear Station (Grand Gulf), willfully failed to promptly report a legal action (arrest for driving under the influence) taken by a law enforcement authority. The investigation was completed on April 27, 2021.

On February 2, 2020, you were arrested by the Mississippi Highway Patrol for driving under the influence of alcohol. On February 4, 2020, you returned to work at Grand Gulf, where you maintained unescorted access authorization, but failed to promptly report the arrest until February 5, 2020, when a Licensee official questioned whether you had been arrested on February 2, 2020. In your statement to the Licensee dated February 7, 2020, you admitted that you did not report the arrest because you were afraid of the termination of your employment.

Based on the evidence developed during the investigation, it appears that you deliberately failed to promptly report an arrest by a law enforcement authority while you were maintaining unescorted access at Grand Gulf. Therefore, it appears you violated 10 CFR 73.56(g)(1).

APPARENT VIOLATION

Based on the results of an NRC investigation completed on April 27, 2021, an apparent violation of NRC requirements was identified. The apparent violation is listed below:

10 CFR 73.56(g)(1) requires, in part, that any individual who is maintaining unescorted access shall promptly report to the reviewing official, his or her supervisor, or other management personnel designated in site procedures any legal action taken by a law enforcement authority or court of law to which the individual has been subject that could result in incarceration or a court order or that requires a court appearance, including but not limited to an arrest.

Contrary to the above, from February 2 to 5, 2020, you, an individual who was maintaining unescorted access, failed to promptly report to the reviewing official, your supervisor, or other management personnel designated in site procedures a legal action taken by a law enforcement authority to which you had been subject that could result in incarceration or a court order or that requires a court appearance, including but not limited to an arrest. Specifically, you deliberately failed to promptly report your February 2, 2020, arrest by the Mississippi Highway Patrol for driving while intoxicated until you were questioned by Grand Gulf Nuclear Station security management on February 5, 2020.