



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

October 7, 2021

IA-21-043

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

SUBJECT: NOTICE OF VIOLATION, 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 regarding your activities at the 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 you worked at Grand Gulf.

A factual summary of the investigation, as it pertains to your actions, was issued as an enclosure to our letter dated July 20, 2021, Agencywide Documents Access and Management System (ADAMS) Accession No. ML21200A200. In that letter, we provided you the opportunity to address the apparent violation identified in the letter by attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. Since you have neither requested a predecisional enforcement conference nor replied in writing, the NRC is proceeding with its enforcement action based on the results of the investigation.

Based on the information developed during the investigation, the NRC determined that a violation of NRC requirements occurred. The violation is cited in the enclosed "Notice of Violation" (Notice). Your deliberate actions placed you in violation of Title 10 of the *Code of Federal Regulations* (10 CFR) 73.56(g)(1), which required that you promptly report any legal action by a law enforcement authority, including an arrest, to appropriate licensee personnel designated in site procedures. Your deliberate failure to report your arrest by the Mississippi Highway Patrol is a serious matter that undermines the trust and confidence placed in you as a Security Shift Supervisor. Therefore, given the significance of the underlying issue and the deliberate nature of your actions, your violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. The NRC Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

You should be aware that if you are involved in NRC licensed activities in the future, additional deliberate violations could result in more significant enforcement action or referral to the U.S. Department of Justice for potential criminal prosecution.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

You are not required to respond to this letter since you are no longer employed by the licensee; however, if you are involved in NRC licensed activities in the future, you are required, pursuant to the provisions of 10 CFR 2.201, to submit a written response to the violation. In that case, or if you otherwise choose to respond, you should follow the instructions for sending a response specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy information so that it can be made publicly available without redaction. The NRC will also make our letter describing the apparent violation, dated July 20, 2021, publicly available in ADAMS.

The NRC includes significant enforcement actions on its website at <https://www.nrc.gov/about-nrc/regulatory/enforcement/current.html>. In addition, this letter and its enclosure 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. Detailed information about this system of records, including the NRC-3 system notice, can be accessed from the website at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

If you have any questions concerning this matter, please contact Mr. John Kramer of my staff at 817-200-1121.

Sincerely,



Signed by Morris, Scott
on 10/07/21

Scott A. Morris
Regional Administrator

Enclosure:
Notice of Violation

NOTICE OF VIOLATION, NRC INVESTIGATION REPORT 4-2020-027 - DATED OCTOBER 7, 2021

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ADAMS ACCESSION NUMBER: ML21280A100

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

OFFICE	ES:ACES	TL:ACES	C:DRS/PSB1	C:DRP/PBC	RC	NSIR
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OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Lilly Porter
[HOME ADDRESS DELETED
UNDER 10 CFR 2.390]

IA-21-043

During an NRC investigation conducted from July 28, 2020, through April 27, 2021, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 73.56(g)(1) requires, in part, that any individual who is maintaining unescorted access 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 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 February 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.

This is a Severity Level III violation (NRC Enforcement Policy, Section 2.2.1.d).

The NRC has concluded that since you are no longer employed at the Grand Gulf Nuclear Station, you are not required to respond to the Notice of Violation (Notice) at this time. However, if you are involved in NRC licensed activities in the future, you are required, pursuant to the provisions of 10 CFR 2.201, to submit a written response to the Notice within 30 days of commencing NRC licensed activities. This response should be clearly marked as, "Reply to a Notice of Violation; IA-21-043," and should include: (1) the reason for 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 was/will be achieved. Send the response to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 1600 E. Lamar Blvd., Arlington, TX 76011-4511 and email it to R4Enforcement@nrc.gov.

If you contest this enforcement action, provide your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 1600 E. Lamar Blvd., Arlington, TX 76011-4511, and email it to R4Enforcement@nrc.gov. A response contesting this enforcement action must be submitted to the NRC within 30 days of the date of the letter transmitting this Notice.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room and in the NRC's Agencywide Document Access and Management System (ADAMS), accessible at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy information so

Enclosure

that it can be made available to the public without redaction. If personal privacy 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 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 2.390(b) to support a request for withholding confidential commercial or financial information).

Dated this 7th day of October 2021