

March 23, 2006

Mr. John Herron
Senior Vice-President and Chief Operating Officer
Entergy Nuclear Operations, Incorporated
440 Hamilton Avenue
White Plains, NY 10601

RI-2004-A-0113

Subject: NRC Office of Investigation Report 1-2004-036

Dear Mr. Herron:

The Region I Field Office of the NRC Office of Investigations (OI) initiated an investigation on August 20, 2004, to determine if a former superintendent of administrative services at Indian Point was given a poor mid-year review, placed on a Performance Improvement Plan (PIP) and subsequently terminated on March 3, 2004, as a result of raising safety issues.

OI found evidence that the individual's performance problems had pre-dated his/her last job function prior to termination. During his/her last job before termination, the individual was placed on an informal PIP. When this course of action was not successful, the individual was placed on a formal PIP. The individual was aware that if his/her performance did not improve, he/she could be terminated. Based on testimonial and documented evidence, the individual's performance did not improve. He/she did the minimum to meet the due dates in the PIP, but he/she did not provide quality products. OI concluded that the totality of evidence showed that Entergy's decision to terminate the individual was based upon past work performance and his/her inability to meet goals or show improvement on the PIP.

Based upon the evidence developed during the OI investigation, the NRC was unable to substantiate that the former superintendent of administrative services at Indian Point was terminated for raising safety concerns. No response to this letter is necessary.

Please note that final NRC documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

Also, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

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Should you have any questions or concerns regarding this letter, please feel free to contact Mr. Eugene Cobey of my staff at (610) 337-5171.

Sincerely,

/RA/

Brian E. Holian, Director
Division of Reactor Projects

Enclosure:
10 CFR 9.23, Requests for Records

Mr. John Herron

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