



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005**

May 15, 2006

IA-06-007

Mr. Stephen W. Humphries  
[HOME ADDRESS DELETED  
UNDER 10 CFR 2.390]

SUBJECT: NOTICE OF VIOLATION AND EXPIRATION OF LICENSE

Dear Mr. Humphries:

The Nuclear Regulatory Commission (NRC) received Event Report 42128 on November 8, 2005, from Entergy Operations, Inc., Grand Gulf Nuclear Station, informing us of your refusal to take a random fitness-for-duty drug test. We also received a letter dated December 6, 2005, informing us that Entergy Operations no longer had a need to maintain your operating license for the Grand Gulf Nuclear Station, effective November 8, 2005 (copies of the event report and letter are enclosed). We will place both the event report and letter from Entergy Operations in your 10 CFR Part 55 docket file.

In accordance with 10 CFR 55.55(a), the determination by the facility licensee that you no longer need to maintain a license has caused your license (SOP-20383-3) to expire as of November 8, 2005.

Your refusal to participate in Grand Gulf's fitness-for-duty program on November 8, 2005, was a violation of 10 CFR 55.53(k), and is cited in the enclosed Notice of Violation. The purpose of the NRC's fitness-for-duty requirements is to provide reasonable assurance that, in this case, nuclear power plant personnel work in an environment that is free of drugs and alcohol and the effects of the use of these substances. Refusing to participate in the facility's fitness-for-duty program is a serious matter that undermines the special trust and confidence placed in you as a licensed senior operator. Thus, the violation is categorized as a Severity Level III violation in accordance with the NRC Enforcement Policy. This violation is described in the enclosed Notice of Violation. Since your NRC license has expired and you are no longer employed at Grand Gulf Nuclear Station, you are not required to respond to the Notice of Violation unless you contest the violation. Should you contest the Notice of Violation, a response is required within 30 days of the date of this letter addressing the specific basis for disputing the violation. This response should be sent to the Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011, and marked "Open by Addressee Only - Response to a Notice of Violation; IA-06-007."

The purpose of this letter is to make clear to you the consequences of your violation of NRC requirements governing fitness-for-duty as a licensed operator, in accordance with 10 CFR Part 55. If you reapply for an operating license, you will need to satisfy not only the requirements of 10 CFR 55.31, but also those of 10 CFR 2.201, by addressing the reasons for the violation and the actions you have taken to prevent recurrence in order to ensure your ability

and willingness to carry out the special trust and confidence placed in you as a licensed senior operator and to abide by all fitness-for-duty and other license requirements and conditions.

In accordance with Section 2.390 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, enforcement actions are made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>. A copy of this letter (without Enclosures 2 and 3) and the enclosed Notice of Violation with your address removed will be made available to the Public after 45 days unless you provide a sufficient basis to withdraw this violation.

On May 10, 2006, we attempted to notify you of our conclusion, but we were unable to reach you at the telephone number provided by the Grand Gulf Nuclear Station. Should you have any questions concerning this action, please contact Anthony T. Gody, Chief, Operations Branch, at (817) 860-8159.

Sincerely,

*/RA/*

Bruce S. Mallett  
Regional Administrator

Docket No. 55-08970  
License No. SOP-20383-3

Enclosures:

1. Notice of Violation
2. Grand Gulf Event Report 42128
3. Entergy Operations Letter dated  
December 6, 2005

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BSMallett

WAMaier

ATHowell

DAPowers

DRStarkey

RKPascarelli

BTLarson

George A. Williams, Site Vice President

Grand Gulf Nuclear Station

Entergy Operations, Inc.

P.O. Box 756

Port Gibson, MS 39150

SUNSI Review Completed: gmADAMS: : Yes ☐ No Initials: gm

X Publicly Available Non-Publicly Available Sensitive X Non-Sensitive

DOCUMENT NAME:E:\Filenet\ML061910069.wpd

ACES	C:OB	D:DRS	C:RPBC	RC;D:ACES
M Vasquez	T Gody	D Chamberlain	K Kennedy	K Fuller
/RA/	/RA/	/RA/	/RA WCWalker for/	/RA/
04/06/06	04/13/06	4/18/06	04/13/06	04/13/06
OE	NRR/OLB	NSIR	DRA	RA
MJohnson	N. O'Keefe	TMcCune	P Gwynn	B Mallett
/RA/ - E	/RA/ - E	/RA/ - E	/RA/	/RA/
05/02/06	04/25/06	04/25/06	4/20/06	5/15/06

OFFICIAL RECORD

T=Telephone

E=E-mail

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## Enclosure 1

### NOTICE OF VIOLATION

Stephen Humphries  
[HOME ADDRESS DELETED]  
UNDER 10 CFR 2.390(a)]

Docket No. 55-08970  
License No. SOP-20383-3  
IA-06-007

As a result of a notification from Entergy Operations, Inc., Grand Gulf Nuclear Station, on November 8, 2005, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 55.53(k) requires that licensed operators participate in the drug and alcohol testing programs established (by the Part 50 licensee) pursuant to 10 CFR Part 26.

Contrary to the above, on November 8, 2005, Stephen W. Humphries, an individual licensed operator, did not participate in the Part 50 licensee drug and alcohol testing program in that he refused to provide a specimen for testing when randomly selected to do so.

This is a Severity Level III violation (Supplement I).

No response to the Notice of Violation is required at this time. However, pursuant to the provisions of 10 CFR 2.201, Stephen Humphries (former licensee) is hereby provided notice that, should he reapply for an operating license, he will need to satisfy not only the requirements of 10 CFR 55.31, but also those of 10 CFR 2.201, by addressing the reasons for the violation and the actions that have been taken to prevent recurrence in order to ensure the ability and willingness to carry out the special trust and confidence placed in licensed operators and to abide by all fitness-for-duty and other license requirements and conditions. Also pursuant to the provisions of 10 CFR 2.201, should the former licensee wish to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission regarding this Notice of Violation, it should be sent within 30 days of the date of this Notice to ATTN: Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011, and be marked "Open by Addressee Only - Response to a Notice of Violation; IA-06-007." The reply should include for each violation: (1) the reason for the violation, 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. Where good cause is shown, consideration will be given to extending the response time.

If the former licensee contests this enforcement action, a copy of the response should be provided, with the basis for the denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because the response will be made 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), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of the response that identifies the information that should be protected and a redacted copy of the response that deletes such information. If the former

licensee requests withholding of such material, it must specifically identify the portions of the response that it seeks to have withheld and provide in detail the bases for the 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). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated this 15<sup>th</sup> day of April 2006