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Jeremy G. Browning
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Arkansas Nuclear One

OCAN041301

April 10, 2013

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

SUBJECT: Response to an Apparent Violation in Inspection Report
Nos. 05000313/2013503 and 05000368/2013503; EA-12-275
Arkansas Nuclear One – Units 1 and 2
Docket Nos. 50-313 and 50-368
License Nos. DPR-51 and NPF-6

REFERENCE: NRC letter to Entergy, *NRC Emergency Preparedness Inspection Report*
Nos. 05000313/2013503; 05000368/2013503 and NRC Investigation Report
No. 4-2012-024, dated March 11, 2013 (OCNA031306) (ML13070A478)

Dear Sir or Madam:

By referenced letter dated March 11, 2013, the NRC issued an apparent violation to Entergy Operations, Inc. (Entergy) requiring a response within 30 days. Entergy's response to the apparent violation is attached to this letter.

There are no new commitments contained in this submittal. Should you have any questions concerning this letter or require additional information, please contact Stephenie Pyle at 479.858.4704.

Sincerely,

Original signed by Jeremy G. Browning

JGB/nbm

Attachment: Response to Apparent Violation EA-12-275

cc: Mr. Arthur T. Howell
Regional Administrator
U. S. Nuclear Regulatory Commission, Region IV
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Arlington, TX 76011-4511

NRC Senior Resident Inspector
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U. S. Nuclear Regulatory Commission
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Attachment to

OCAN041301

Response to Apparent Violation EA-12-275

RESPONSE TO APPARENT VIOLATION EA-12-275

I. Apparent Violation:

During an NRC investigation conducted from April 4, 2012, through December 19, 2012, an apparent violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the apparent violation is listed below:

On January 12, 2012, the Arkansas Nuclear One (ANO) Emergency Preparedness (EP) Manager notified the NRC that a senior emergency planner had apparently falsified documents related to EP drills conducted in December 2011. Specifically, the senior emergency planner falsely submitted documents that indicated a post-accident sampling system (PASS) drill and an environmental monitoring drill were conducted in 2011. Further investigation by ANO determined that these two drills were also falsified in December 2010, and several other surveillances were also falsified by the senior emergency planner. The NRC investigation substantiated the above falsifications. These drills are required to be performed annually by the site emergency plan and maintained for inspection by the NRC. The NRC requires records of licensee activities to be complete and accurate in all material aspects in order for the NRC to be able to perform its regulatory function. This information is material to the NRC because it provides assurance that the licensee has performed periodic drills to develop and maintain key emergency response organization skills and has adequately maintained facilities to support an emergency response.

II. Reason for the Apparent Violation:

Entergy Operations, Inc. (Entergy) acknowledges the violation. The violation was self-identified as a result of an employee's questioning attitude and referring the issue to the EP Manager. During a review of the December 2011 Miscellaneous drill, the supporting documentation could not be located. The responsible department was contacted regarding the technicians assigned to participate in the drill; however, no technicians could be located who participated in the drill. In addition, a review of the access information revealed that the individual did not enter the radiological controlled access area that would have been necessary had the drill actually been conducted.

On January 12, 2012, the ANO EP Manager initiated a condition report (CR-ANO-C-2012-98) and notified the NRC that a senior emergency planner had apparently falsified documents related to EP drills conducted in December 2011. Entergy promptly initiated an internal investigation utilizing independent outside counsel from Balch & Bingham and took immediate actions to require additional documentation to support the drill packages with appropriate management review and signatures. Based on interviews and review of documentation, the investigation confirmed that the senior emergency planner had falsified drill documentation. The senior emergency planner admitted being knowledgeable of the regulations and requirements to conduct drills and surveillances. The individual also stated that false information was generated as a result of lack of time management. The investigation concluded that documentation of required drills and surveillances had been willfully falsified as discussed in the apparent violation.

III. Corrective Steps that have been Taken and Results Achieved:

As stated above, prompt and extensive corrective actions were immediately taken upon notification of the potential falsification concern. These actions included but were not limited to:

- Entergy promptly placed the senior emergency planner on administrative leave pending investigation. The individual is no longer employed by Entergy.
- Entergy conducted and documented make-up PASS and environmental monitoring drills.
- Entergy revised the drill manual, EP-006 *Drill/Exercise Manual Addendum*, to require a drill participation roster to be included in miscellaneous drill documentation packages and the EP Manager's review signature on the drill report. Additionally, EP-006 was revised to reinforce the requirements that the EP Manager shall review all completed drill/exercise reports prior to records submittal.
- Entergy conducted an extent-of-condition review for the senior emergency planner's other duties in the EP department and another department the individual supported during outages. The senior emergency planner falsified other documents in addition to the 2010 and 2011 miscellaneous drills. These actions were determined to have been without any assistance from fellow co-workers.
- An EP subject matter expert, independent from ANO, was engaged to assist in the document review efforts. The EP subject matter expert conducted an on-site review and prepared the extent-of-condition review discussed above.
- Entergy performed an extent-of-condition review for other individuals in the EP department and determined that the record falsification activities were limited to the actions of a single individual.
- Entergy assessed the culture of the EP department and concluded that the EP department has a culture of compliance that does not promote the acceptance of record falsification activities. Record falsification is not accepted within the EP department and the appropriate questioning attitudes (such as those needed to nourish a strong culture of compliance) are in place.
- Entergy added an annual surveillance requirement performed by the EP Manager that requires site security to run access records for EP tasks which are performed without oversight (e.g., control room surveillance, communications testing, etc.), make a determination on a sampling basis if the security records support the activities claimed to have been performed, and document the determination.

- Entergy conducted six site-wide employee meetings at ANO during June and July 2012, to present the events (documentation falsification) pertaining to an NRC Confirmatory Order for Fitzpatrick (ML120260627). In addition, Entergy conducted a review of the general employee training material with respect to lessons learned from the events pertaining to this Confirmatory Order and developed several enhancements intended to reinforce the importance of following procedures and maintaining complete and accurate records (CNRO-2013-00001).
- Entergy provided fleet-wide training intended to improve human performance and personal accountability in 2010 in response to an NRC Confirmatory Order for Palisades (ML0093160253). As a central focus, the course highlighted NRC regulatory requirements 10 CFR 50.9 (completeness and accuracy of information) and 10 CFR 50.5 (deliberate misconduct), but also addressed regulatory policy and penalties for noncompliance, Entergy requirements, best practices, fleet and industry operating experience, and Entergy's Four Platforms (RBG-47205). Entergy believes that this training promoted a positive environment conducive for employees to maintain a questioning attitude and played a role in personnel being comfortable with presenting the documentation falsification concern to the EP Manager.

IV. Corrective Actions that will be Taken to Avoid Further Violations:

As outlined above, corrective actions have been taken to preclude further violations. Entergy believes that compliance with the requirements for ensuring that complete and accurate information is documented has been achieved.

V. Date when Full Compliance will be Achieved:

Full compliance has been achieved.