



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

511 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

MAR 17 1993

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50-368
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Entergy Operations, Inc.
ATTN: J. W. Yelverton, Vice President
Operations, Arkansas Nuclear One
Route 3, Box 137G
Russellville, Arkansas 72801

SUBJECT: NRC INSPECTION REPORT 50-313/93-12; 50-368/93-12 (NOTICE OF VIOLATION)

This refers to the inspection conducted by Mr A. B. Earnest of this office on February 15-19, 1993. The inspection included a review of the physical security and fitness-for-duty programs authorized for your Arkansas Nuclear One facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed report.

The areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examination of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, one of your activities appeared to be in violation of NRC requirements as specified in the enclosed Notice of Violation (Notice). This violation is of concern because it involved the failure to submit a fitness-for-duty report within the required time frame.

It was identified that contraband was introduced into the protected area which is in violation of your Industrial Security Plan (Physical Security Plan). This violation is not being cited because the criteria in paragraph VII.B.2 of Appendix C to 10 CFR Part 2 of the NRC's "Rules of Practice," were satisfied. The violation was an isolated occurrence, and your staff took prompt and effective actions to correct the problem.

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It is our understanding that, during the exit meeting conducted February 19, 1993, Mr. M. Cooper, Licensing Specialist, committed to issue a memorandum to all supervisors instructing them to notify all employees to report all arrests. This issue is discussed in Section 3.4 of the enclosed inspection report. If your understanding of this commitment differs from ours, please contact me immediately.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

The material enclosed herewith contains Safeguards Information as defined by 10 CFR Part 73.21 and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended. Therefore, the material will not be placed in the Public Document Room.

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,



C. J. Callan, Director
Division of Radiation Safety
and Safeguards

Enclosures:

1. Appendix A - Notice of Violation
2. Appendix B - NRC Inspection Report
50-313/93-12; 50-368/93-12

cc w/Notice of Violation and summary page only:
Entergy Operations, Inc.
ATTN: Donald C. Hintz, President &
Chief Operating Officer
P.O. Box 31995
Jackson, Mississippi 39286

Entergy Operations, Inc.

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Entergy Operations, Inc.
ATTN: John R. McGaha, Vice President
Operations Support
P.O. Box 31995
Jackson, Mississippi 39286

Wise, Carter, Child & Caraway
ATTN: Robert B. McGehee, Esq.
P.O. Box 651
Jackson, Mississippi 39205

Entergy Operations, Inc.
ATTN: James J. Fisicaro
Director, Licensing
Route 3, Box 137G
Russellville, Arkansas 72801

Honorable Joe W. Phillips
County Judge of Pope County
Pope County Courthouse
Russellville, Arkansas 72801

Winston & Strawn
ATTN: Nicholas S. Reynolds, Esq.
1400 L Street, N.W.
Washington, D.C. 20005-3502

Arkansas Department of Health
ATTN: Ms. Greta Dicus, Director
Division of Radiation Control and
Emergency Management
4815 West Markham Street
Little Rock, Arkansas 72201-3867

B&W Nuclear Technologies
ATTN: Robert B. Borsum
Licensing Representative
1700 Rockville Pike, Suite 525
Rockville, Maryland 20852

Admiral Kinnaird R. McKee, USN (Ret)
214 South Morris Street
Oxford, Maryland 21654

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ABB Combustion Engineering
Nuclear Power
ATTN: Charles B. Brinkman
Manager, Washington
Nuclear Operations
12300 Twinbrook Parkway, Suite 330
Rockville, Maryland 20852

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bcc copy of entire report:

- RIV Security File
- Elaine Koup, RSGB/NRR (MS 9 D24)
- J. L. Milhoan, RA
- ANO Resident Inspector
- Security File
- G. F. Sanborn, EO
- M. Virgilo, NRR (MS 13 E4)

bcc copy of letter, NOV, and inspection summary only:

- DMB IE-04
- DRP
- DRS
- Lisa Shea, RM/ALF (MS 4503)
- Section Chief, DRP/A
- RIV File
- MIS
- Project Engineer, DRP/A
- T. Alexion, NRR Project Manager (MS 13 H3)
- R. Blevan, NRR Project Manager (MS 13 H3)

RIV:FIPS	C:FIPS	DD:DRSS	AO	EO
ABEamnest:nh	BMurray	DDChamberlain	RWise	GFSanborn
3/14/93	3/14/93	3/14/93	3/16/93	3/16/93

D:DRP	D:DRSS			
ABBeach	LJCallan			
3/16/93	3/16/93			

APPENDIX A

NOTICE OF VIOLATION

Entergy Operations, Inc.
Arkansas Nuclear One

Dockets: 50-313
50-368
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During an NRC inspection conducted on February 15-19, 1993, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

Failure to Report a Positive Test

10 CFR 26.73(a)(2)(ii) requires that licensees inform the Commission of significant fitness-for-duty events including any act by supervisory personnel resulting in confirmed positive tests of such person. 10 CFR 26.73 (b) requires that notification of such an event be made to the Commission within 24 hours.

Contrary to the above, the inspector determined that the licensee was notified of a positive drug test involving a contract supervisor on December 7, 1992, but did not notify NRC until December 31, 1992.

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

Pursuant to the provisions of 10 CFR 2.201, Entergy, Inc. is hereby required to submit a written statement or explanation to the Regional Administrator, Region IV, with a copy to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and 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. If an adequate reply is not received within the time specified in this Notice, the Commission may issue an Order or Demand for Information as to why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas
this 17th day of March 1993

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