



**UNITED STATES**  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BLVD.  
KING OF PRUSSIA, PA 19406-2713

August 4, 2016

EA-16-025

Mr. Michael Perito  
Vice President, Oversight  
Entergy Nuclear Operations, Inc.  
1340 Echelon Parkway  
Jackson, MS 39213

SUBJECT: NRC INVESTIGATION REPORT NO. 1-2015-007

Dear Mr. Perito:

This letter refers to the subject investigation by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) involving the Vermont Yankee Nuclear Power Station (VY), owned by Entergy Nuclear Operations, Inc. (Entergy). The investigation, which was completed on February 11, 2016, was conducted to determine whether an Entergy manager caused the licensee to violate NRC requirements related to access authorization. As described below, the NRC determined that the circumstances of the case did not result in a violation of NRC requirements.

Title 10 of the Code of Federal Regulations, Section 73.56(l), requires licensees to implement procedures for the review of a denial of access authorization, at the request of the affected individual, to allow the individual an opportunity to provide additional relevant information and an opportunity for an objective review of the information upon which the denial was based. Entergy procedure EN-NS-101, "Unescorted Access Authorization Program," described the process Entergy used to conduct such reviews. Specifically, the procedure stated that an independent manager would be assigned to review the denial, along with any additional information, and that the determination from this independent review was final and the exclusive means by which access authorization decisions could be reviewed, and could not be overturned by a third party.

In May 2014, Entergy denied an employee's access authorization to VY after site security staff found unopened bottles of alcohol in the employee's personal vehicle, parked in the VY Owner Controlled Area. The employee appealed the access denial, and an independent manager upheld the denial, based on a determination that Entergy had appropriately followed its process. An Entergy corporate manager, after hearing about this issue, determined that the appeal review process would be improved by expanding the review to involve a panel of three independent managers. The corporate manager directed a revision to the Entergy procedure to reflect this new process and, as a test case, directed that the new process be used to re-evaluate the appeal from the employee at VY. The three-member board voted to overturn the employee's access denial. However, after further consideration, Entergy reinstated the original appeal decision, conducted by one independent manager in accordance with the original Entergy procedure EN-NS-101 "Unescorted Access Authorization Program," and retained the original access denial decision.

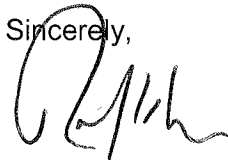
Based on the evidence gathered during the OI investigation, the NRC concluded that the circumstances of the case did not result in a violation of NRC requirements.

You are not required to respond to this letter. However, should you choose to respond, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Regional Administrator, Region I, 2100 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406, and marked "Open by Addressee Only," within 30 days of the date of this letter. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be available electronically for public inspection in the NRC Public Document Room and from the NRC's Agency-wide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Please note that final NRC investigation 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." Additional information is available on the NRC website at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

Should you have any questions regarding this letter, please contact Mr. Ray McKinley at 610-337-5150.

Sincerely,



Raymond K. Lorson, Director  
Division of Reactor Safety

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