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March 26, 1991

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

Subject: Reply to a Notice of Violation
NRC Inspection Report No. 50-244/91-04
R. E. Ginna Nuclear Power Plant
NRC Docket No. 50-244

Dear Sir:

This letter is in response to the February 25, 1991 letter from James H. Joyner, Chief, Facilities Radiological Safety and Safeguards Branch, to Robert C. Mecredy, Vice President, Ginna Nuclear Production. This letter provides the reply to the Notice of Violation, pursuant to 10 CFR Part 26, as well as, infrequent unescorted site access (UNR 50-244/91-04-01).

RESTATEMENT OF VIOLATION:

As a result of the inspection conducted on January 23-25, 1991, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy 1990), the following violation was identified:

Appendix A, Subpart B, Paragraph 2.4, "Specimen Collection Procedures," Subparagraph (g)(24) states that the collection site person shall enter in the permanent record book all information identifying the specimens. The collection site person shall sign the permanent record book next to the identifying information. Appendix A, Subpart A, Paragraph 1.2, Definitions, of 10 CFR Part 26 defines the "Permanent Record Book" as a permanently bound book in which identifying data on each specimen collected at a collection site are permanently recorded in the sequence of collection.

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Contrary to the above, on January 24, 1991, the inspector determined that the licensee's collection site staff was not maintaining, in the Permanent Record Book, identifying data on each specimen collected at the collection site, in the sequence of collection. Only contractor personnel specimen collections were being entered in a record book; licensee personnel specimen collections were being maintained in a computer based records system.

This is a Severity Level IV Violation. (Supplement VII)

REPLY TO THE VIOLATION

1. The Reason for the Violation

Rochester Gas and Electric Corporation (RG&E) concurs that the stated violation occurred. Since developing the FFD program, a computerized system for tracking each individual tested, including contractor employees, has been maintained. This computer program could, if necessary, print a list in chronological order. We also retained a copy of each chain-of-custody form to use as a record signed by the employee being tested, which listed all information identifying the specimens. We believed that the combination of the computerized tracking system and a copy of the chain-of-custody form would adequately serve as a permanent record.

2. The Corrective Steps That Have Been Taken and The Results Achieved

RG&E purchased three (3) permanently bound books, one for each collection site. The Site Collection Officer enters the identifying information of the individual tested and specimen collected and the individual signs his/her name.

Results of this action assure that a permanent record book is in place at each collection site to account for all employees, including contractor employees, of the tests performed and specimens collected with identifying information.

3. The Corrective Steps That Will Be Taken To Avoid Further Violations

On March 1, 1991, the RG&E Fitness For Duty Program Procedures were implemented as a controlled document and distributed to key personnel. The process for utilizing the permanent record book is included in procedure number FFD-9 titled, "Collection Process and Chain of Custody."



4. The Date When Full Compliance Will Be Achieved

Full compliance with 10 CFR Part 26, Appendix A, Subpart B, Paragraph 2.4, "Specimen Collection Procedures," Subparagraph (g)(24) was achieved on January 24, 1991. On that date, the permanent record book was purchased and the process for entering the required information was activated.

UNR 50-244/91-04-01. TESTING OF EMPLOYEES WITH INFREQUENT SITE ACCESS

All employees who have infrequent access to the site are covered by the Company's Fitness For Duty testing program and must adhere to all provisions of the corporate Drug and Alcohol Abuse Policy. Therefore, we do not believe any additional policies or procedures are necessary. However, RG&E has developed an interim practice for testing of non-RG&E personnel with infrequent site access. We are currently using this interim practice for a trial period to assist us in determining the best method for reaching these individuals. Based on the results of the interim practice during this trial period, an approved procedure will be implemented and included in the RG&E Fitness For Duty Program.

Very truly yours,


Robert C. Mecredy

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