

- Original sent to R. I on 1/26/84
- Copy received by S. Collins on
0825, 1/27/84.

1528 Elderberry Circle
Walworth, New York 14568
26 January 1984

Regional Administrator
Region 1
U. S. Nuclear Regulatory Commission
King of Prussia, Pennsylvania

Dear Sir:

I am writing this letter, under advice of legal counsel, in regards to the recent Region 1 (USNRC) audit of the R. E. Ginna training department. During this audit I was a participant in both an oral and written examination.

I understand that this audit was conducted under the guise of NuReg 1021, Section ES-601 (9/1/83). My contention is that this NuReg does not have the force and effect of Law, therefore I feel that having to take the exam was pure harrassment. Furthermore, I feel that I was intimidated by the NRC into taking the exam and did so only under duress.

Although I was informed by the examiner that the proceedings were in no way a reflection upon my license, I realize that if I should fail the exam, the NRC is bound by their mandate to take some type of action. A failure to do so would mean that the NRC is failing to carry out those duties relatged to them by Congress. As such, my livelihood is placed in jeopardy by the unlawful actions of your examiners.

I further contend that this examination of me as a license holder is unconstitutional under the Fourth Ammendment, "Unlawful Search and Seizure".

At this time I am also requesting that I receive a copy of the written examination which I took on 27 January 1984, along with any other documents bearing my name which were used during the auditing process. I believe that I have this right under the Freedom of Information Act and/or the Privacy Act.

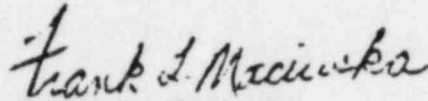
I also reserve, despite the outcome of my written results, the right to pursue this matter in any legal avenue that might be available to me in the future.

DESIGNATED ORIGINAL

Certified By J. Martin

Finally, the thoughts, feelings and opinions expressed in this letter are my own, and do not in any way represent the thoughts, feelings and opinions of the Rochester Gas and Electric Company.

Respectfully,



Frank L. Maciuska
License No. OP-6261
Docket No. 55-9058
Effective Date, 16 February 1983

FLM:mpm

cc: Honorable Frank Horton, 29th Congressional District
Mr. L. Whitaker, Region 1 Examiner
Mr. J. Maier, Vice President, RG&E
Mr. B. Snow, Ginna Plant Superintendent
Mr. G. Larizza, Ginna Operations Manager
Mr. R. Hurley, Ginna Shift Supervisor
Mr. R. Zimmerman, USNRC Resident Inspector

U.S. NUCLEAR REGULATORY COMMISSION
REGION I
NOTICE OF SIGNIFICANT LICENSEE MEETING

No. 84-13

ATTACHMENT 3
Page 1 of 1

Name of Licensee: Rochester Gas and Electric Company
Name of Facility: R. E. Ginna Nuclear Power Plant
Docket No.: 50-244
Time and Date: 2:00 p.m., February 3, 1984
Location: Region I Office, King of Prussia, Pennsylvania
Purpose: Discuss NRC Review of Operator Requalification Program
NRC Attendees: R. W. Starostecki, Director, Division of Project and Resident Programs (DPRP)
H. B. Kister, Chief, Projects Branch No. 2, DPRP
S. J. Collins, Chief, Reactor Projects Section 2C, DPRP
R. P. Zimmerman, Senior Resident Inspector, Ginna
E. G. Greenman, Chief, Projects Branch No. 2, DPRP
R. Keller, Chief, Operator Licensing Section 1C, DPRP
G. Dick, NRR, ORB 5

Licensee Attendees: J. E. Maier, Senior Vice President - Operations and Engineering
R. W. Kober, Vice President, Electric and Steam Production
B. Snow, Plant Superintendent
P. Gorski, Operations Department

Note: Attendance by other NRC personnel at this meeting should be made known by 4:00 p.m., February 2, 1984 to S. J. Collins, Region I, at FTS 8-488-1126.

Prepared by *S. J. Collins*
S. J. Collins, Chief
Reactor Projects Section 2C

Distribution:
W. Dircks, Executive Director for Operations
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D. Crutchfield, Chief, Operating Reactors Branch No. 5, DOL, NRR
C. Heltemes, Director, Office of Analysis and Evaluation of Operational Data
J. Axelrad, Acting Director, Enforcement Staff, IE
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