

January 31, 1997

IA 97-007

Mr. James P. Ryan
[HOME ADDRESS DELETED
UNDER 10 CFR 2.790]

Dear Mr. Ryan:

SUBJECT: NOTICE OF VIOLATION

The Nuclear Regulatory Commission received telephone notification from Southern Nuclear Operating Company (SNC) on January 3, 1997 which was followed up with formal correspondence dated January 24, 1997, informing us of your confirmed positive test for marijuana (Enclosure 1). We plan to place this letter in your 10 CFR Part 55 docket file.

This confirmed positive test identified a violation of 10 CFR 55.53(j). The purpose of the Commission's Fitness-for-Duty requirements is to provide reasonable assurance that nuclear power plant personnel work in an environment that is free of drugs and alcohol and the effects of the use of these substances. The use of illegal drugs is a serious matter which undermines the special trust and confidence placed in you as a licensed operator. The violation is categorized as a Severity Level III violation in accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, because the use of illegal drugs by licensed operators is a significant regulatory concern. This violation is described in the enclosed Notice of Violation (Enclosure 2). Please note that, in accordance with 10 CFR 26.27(b), future similar violations will substantially affect your authorization for unescorted access to the protected area of a licensed facility.

The purpose of this letter is to make clear to you the consequences of your violation of NRC requirements governing fitness-for-duty as a licensed operator. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation (Notice) when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence in order to ensure your ability and willingness to carry out the special trust and confidence placed in you as a licensed operator of a nuclear power facility. 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.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, enforcement actions are placed in the NRC Public Document Room (PDR). A copy of this letter (without Enclosure 1) and the enclosed Notice of Violation with your address removed will be placed in the PDR after 45 days unless you provide a sufficient basis to withdraw this violation.

1e15
1/1

9704170237 970131
PDR STPRG ESGGEN
PDR



J. Ryan

2

If you have any questions concerning this action, please contact Mr. Thomas A. Peebles of my staff. Mr. Peebles can be reached at either the address listed above or telephone number (404) 331-5541.

Sincerely,

Original Signed by
J. P. Jaudon

Johns P. Jaudon, Director
Division of Reactor Safety

Docket No. 55-20393
License No. SOP-20194-3

Enclosures: 1. January 24, 1997 Letter
from Facility Licensee
2. Notice of Violation

cc w/encl 2 w/HOME ADDRESS DELETED:
Southern Nuclear Operating Company, Inc.
ATTN: Mr. D. N. Morey
Vice President
P. O. Box 1295
Birmingham, AL 35201

cc w/encl 1 and 2 w/HOME ADDRESS DELETED:
Part 55 Docket File

J. Ryan

3

bcc w/encl 2 w/HOME ADDRESS DELETED:

JLieberman, OE

MSartorius, OE

BSummers, OE:EA File(2 ltrhd)

SRichards, HOLB

AMendiola, HOLB

FGuenther, HOLB

TPeebles, RII

JZimmerman, NRR

HBerkow, NRR

CEvans, RII

BUryc, RII

KClark, RII

RTrojanowski, RII

PSkinner, RII

BMichael, DRS

✓PUBLIC (HOLD 45 DAYS - EICS ACTION)

NRC Senior Resident Inspector
U.S. Nuclear Regulatory Commission
7388 N State Hwy 95
Columbia, AL 36319

SEND TO PUBLIC DOCUMENT ROOM?		YES	NO		
OFFICE	RII:DRS	RII:DRP	RII:EICS	RII:ORA	NRR
Signature	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>NLO</i> <i>[Signature]</i>	<i>[Signature]</i>
NAME	TPeebles	JJohnson	BUryc	CEvans	SRichards
DATE	01/31/97	01/31/97	01/31/97	01/31/97	01/31/97
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY DOCUMENT NAME:H:\97OPEN.ENF\97046FFD.FAR\LTRNOV