

**FORM 32: Letter With Notice of Violation and Expiration of License to Licensed Operator Who Has a Positive Drug or Alcohol Test**

**[NOTE: This letter and its enclosures should not be made available in ADAMS (PARS) when they are originally issued. This letter and the NOV should be made available in ADAMS (PARS) if the licensed operator has not replied within 30 days or if the staff review of the licensed operator's response concludes that the licensed operator did not provide a sufficient basis to withdraw the violation.]**

IA-YY-XXX

(Name of licensed operator)

[NOTE: HOME ADDRESS DELETED  
UNDER 10 CFR 2.390]

SUBJECT: NOTICE OF VIOLATION AND EXPIRATION OF LICENSE

Dear (Name of licensed operator):

The Nuclear Regulatory Commission (NRC) has received a letter dated (date) from (name of facility licensee), informing us that (name of facility licensee) no longer has a need to maintain your operating license for the (plant name) facility. We also received a letter dated (date) from (name of facility licensee) containing information about your confirmed positive test for alcohol (or name of illegal drug). We plan to place both of the letters from (name of facility licensee) in your 10 CFR Part 55 docket file.

In accordance with 10 CFR 55.55(a), the determination by your facility licensee that you no longer need to maintain a license has caused your license (license number) to expire as of (the date of the facility licensee's letter). In addition, the following violation is being issued on your docket:

[State the requirement that was violated.]

Contrary to the above, (date and description of precisely how the requirement was violated.)

This is a Severity Level \_\_\_ violation (Supplement I).

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 (use of alcohol such that the operator exceeds the cutoff limits specified in 10 CFR Part 26, Appendix A, or in the licensee's fitness-for-duty program) is a serious matter which undermines the special trust and confidence placed in you as a licensed operator. This violation is categorized as a Severity Level III violation in accordance with the NRC Enforcement Policy because the use of illegal drugs (use of alcohol such that the operator exceeds the cutoff limits specified in 10 CFR Part

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

26, Appendix A, or in the licensee's fitness-for-duty program) by licensed operators is a significant regulatory concern. Because your license has expired, you are not required to respond to the Notice of Violation at this time **unless you contest the violation**. Should you contest the Notice of Violation, a response is required within 30 days of the date of this letter addressing the specific basis for disputing the violation. This response should be sent to the Regional Administrator, NRC Region \_\_, (regional address) and marked, "Open by Addressee Only - Response to a Notice of Violation; IA-YY-XXX."

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, in accordance with 10 CFR Part 55. If you reapply for an operating license, you will need to satisfy not only the requirements of 10 CFR 55.31, but also those of 10 CFR 2.201, by addressing the reasons for the violation and the actions you have taken 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 and to abide by all fitness-for-duty and other license requirements and conditions.

In accordance with Section 2.390 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, enforcement actions are made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. A copy of this letter without its enclosures and with your address removed will be made available to the Public unless you provide a sufficient basis to withdraw this violation within the 30 days specified above for a response to this Notice of Violation. The NRC also includes significant enforcement actions on its Web site at [www.nrc.gov](http://www.nrc.gov); select **What We Do, Enforcement**, then **Significant Enforcement Actions**. In addition, this letter will be maintained by the Office of Enforcement in an NRC Privacy Act system of records, NRC-3, "Enforcement Actions Against Individuals." The NRC-3 system notice, which provides detailed information about this system of records, can be accessed from the NRC Web site at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

Should you have any questions concerning this action, please contact \_\_\_\_\_ of my staff. (Name of regional contact) can be reached at either the address listed above or (phone number).

Sincerely,

Division Director  
Region \_\_\_\_

Docket No. 55-\_\_\_\_\_  
License No. \_\_\_\_\_

cc: (name of facility licensee)