

CATEGORY 2

REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR:9709030428 DOC.DATE: 97/08/26 NOTARIZED: NO DOCKET #
 FACIL:50-244 Robert Emmet Ginna Nuclear Plant, Unit 1, Rochester G 05000244
 AUTH.NAME AUTHOR AFFILIATION
 WIGGINS,J.T. Region 1 (Post 820201)
 RECIP.NAME RECIPIENT AFFILIATION
 SENSENBACH,B. Affiliation Not Assigned

SUBJECT: Discusses 970815 ltr from Rochester Gas & Electric Corp
 informing of confirmed positive test for marijuana &
 forwards notice of violation.

DISTRIBUTION CODE: IE01D COPIES RECEIVED: LTR 1 ENCL 1 SIZE: 3+1
 TITLE: General (50 Dkt)-Insp Rept/Notice of Violation Response

NOTES: License Exp date in accordance with 10CFR2,2.109(9/19/72). 05000244

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August 26, 1997

IA 97-069

Mr. Bruce Sensenbach
[HOME ADDRESS DELETED
UNDER 10 CFR 2.790]

SUBJECT: NOTICE OF VIOLATION

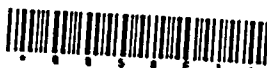
Dear Mr. Sensenbach

The Nuclear Regulatory Commission (NRC) has received a letter dated August 15, 1997 from the Rochester Gas & Electric Corporation informing us of your confirmed positive test for marijuana (copy enclosed). We plan to place this letter in your 10 CFR Part 55 docket file.

This confirmed positive test constitutes evidence of 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 Procedure 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. 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.

9709030428 970826
PDR ADDCK 05000244
G PDR



IED 1



Mr. Bruce Sensenbach

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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 and the enclosed Notice of Violation (except for Enclosure 1 which is being withheld for personal privacy considerations) with your address removed will be placed in the PDR after 45 days unless you provide a sufficient basis to withdraw this violation.

Should you have any questions concerning this action, please contact Glenn Meyer of my staff. Mr. Meyer can be reached at either the address listed above or telephone number (610) 337-5211.

Sincerely,

James T. Wiggins, Director
Division of Reactor Safety

Docket No. 55-60055
License No. SOP-10948-1

Enclosures:

1. RG&E Letter of August 15, 1997
2. Notice of Violation

cc w/encl 2 only:

R. Smith, Senior Vice President, Customer Operations
Central Records (7 copies)

P. Eddy, Director, Electric Division, Department of Public Service, State
of New York

State of New York, Department of Law

N. Reynolds, Esquire

F. William Valentino, President, New York State Energy Research
and Development Authority

J. Spath, Program Director, New York State Energy Research
and Development Authority

Mr. Bruce Sensenbach

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Distribution w/encl:

Region I Docket Room (with concurrences)

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F. Talbot, NRR

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DRS File

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