

NOTICE OF VIOLATION

Dennis J. Heath, Jr.
[HOME ADDRESS DELETED
UNDER 10 CFR 2.790]

Docket No. 55-31755
License No. OP-30971
EA 95-131

As a result of a notification from Northern States Power Company dated June 16, 1995, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 50 FR 34381, June 30, 1995, the violation is listed below:

10 CFR 55.53(j) prohibits the licensee from performing activities authorized by a license issued under 10 CFR Part 55 while under the influence of alcohol. "Under the influence" is defined in 10 CFR 55.53(j) to mean that the "licensee exceeded, as evidenced by a confirmed positive test, the lower of the cutoff levels for drugs or alcohol contained in 10 CFR Part 26, Appendix A, of this chapter, or as established by the facility licensee."

Contrary to the above, the licensee performed licensed duties on May 16, 1995, immediately before the submission of a urine sample which indicated the licensee was under the influence of alcohol.

This is a Severity Level III violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Dennis J. Heath, Jr. (Licensee) is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Regional Administrator, Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351, and marked "Open by Addressee Only" and a copy to the NRC Resident Inspector at the Monticello Nuclear Generating Plant, with a similar marking within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a demand for information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Lisle, Illinois
this 12th day of July 1995