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Radford J. Converse
Resident Manager

August 20, 1991
JAFFP-91-0514

Mr. James H. Sniezek
Deputy Executive Director for
Nuclear Reactor Regulation,
Regional Operations and Research
Nuclear Regulatory Commission
Washington, D.C. 20555

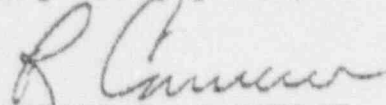
SUBJECT: Matter of New York Power Authority (David M. Manning)
Docket No. 50-333, License No. DPR-59, EA 91-053

Dear Mr. Sniezek:

On May 2, 1991, the NRC issued an Order Modifying License restricting the employment of a specific individual, David M. Manning. A modification was issued to that Order on August 9, permitting Mr. Manning to return to 10 CFR Part 50 activities on condition the Authority complies with drug testing and notification requirements specified by NRC Staff in the August 9th Order Modification.

The Authority intends to return Mr. Manning to 10 CFR Part 50 duties and will comply with the 10 CFR Part 26 testing program specified in the August 9th Order. Compliance by the Authority with these testing requirements is not to be construed as a waiver of the Authority's challenge to the May 2nd Order, as modified. The Authority continues to maintain that both the May 2nd and August 9th Orders should not have been issued, since the Authority has properly exercised its management responsibilities consistent with the provisions of 10 CFR Part 26.

Very truly yours,


RADFORD J. CONVERSE

RJC:kg

cc: R. Beedle, WPO
DCC

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