

NOTICE OF VIOLATION

Kenneth D. Thomas  
[HOME ADDRESS DELETED  
UNDER 10 CFR 2.790]

Docket No. 55-30021  
License No. OP-30165-2  
EA 92-023

As a result of a letter received from Iowa Electric's Duane Arnold Energy Center dated January 29, 1992, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

10 CFR 55.53(j) prohibits the use of cocaine and prohibits the licensee from performing activities authorized by a license issued under Part 55 while under the influence of cocaine. "Under the influence" is defined in Section 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 violated 10 CFR 55.53(j) as evidenced by the following examples:

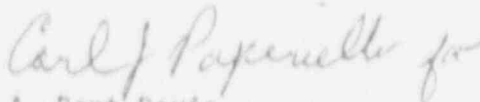
- a. the licensee used cocaine as evidenced by a confirmed positive test for that drug resulting from a urine sample submitted on December 16, 1991;
- b. the licensee assumed licensed duties on December 16, 1991, while under the influence of cocaine following the submission of that urine sample.

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

Pursuant to the provisions of 10 CFR 2.201, Kenneth D. Thomas is hereby required to submit a written statement of explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at Duane Arnold Energy Center 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 to show cause 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.

FOR THE NUCLEAR REGULATORY COMMISSION



A. Bert Davis  
Regional Administrator

Dated at Glen Ellyn, Illinois  
this 2 day of April 1992