



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRFORDVILLE ROAD
JASLE, ILLINOIS 60532-4351

RECEIVED

1998 FEB -3 PM 12:30

November 7, 1997

PUBLIC DOCUMENT ROOM

IA 97-086

Mr. Stephen M. Jozwiak
[HOME ADDRESS DELETED
UNDER 10 CFR 2.790]

SUBJECT: NOTICE OF VIOLATION

Dear Mr. Jozwiak:

The Nuclear Regulatory Commission (NRC) has received letters from the Commonwealth Edison Company (ComEd) dated October 10 and 20, 1997, informing us of your confirmed positive test for marijuana (copies enclosed). We plan to place both letters in your 10 CFR Part 55 docket file.

This confirmed positive test identified 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 at Severity Level III 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 (Notice). 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 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.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, documents compiled for enforcement purposes are placed in the NRC's Public Document Room (PDR). However, we will delay placing a copy of this letter and the Notice (with your home address removed) in the PDR for 45 days, to allow you an opportunity to challenge the NRC's basis for issuing the enclosed Notice. If you do not provide an adequate basis for the NRC to withdraw the violation, the NRC will consider this matter closed and will place copies of this letter, the Notice, and your response in the PDR.

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PDR ADOCK 05000373
G PDR

L-4-1 PT55
L-4-1 PT 26
FITNESS
FOR DUTY

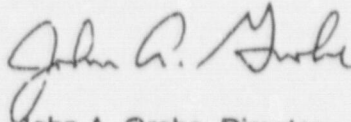


Mr. S. M. Jozwiak

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Should you have any questions concerning this action, please contact Melvyn N. Leach of my staff. Mr. Leach can be reached at either the address listed above or telephone number (630) 829-9705.

Sincerely,



John A. Grobe, Director
Division of Reactor Safety

Docket No. 55-30843
License No. OP-30372-2

Enclosures:

1. Notice of Violation
2. 10/10/97 Letter from ComEd
3. 10/20/97 Letter from ComEd

cc: W. T. Subalusky, LaSalle Site Vice President
(WITH HOME ADDRESS DELETED)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED