



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DCS
PDR

November 19, 1997

IA 97-087

Finis Scott Bandy
[HOME ADDRESS DELETED
PURSUANT TO 10 CFR 2.790]

SUBJECT: ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES
(EFFECTIVE IMMEDIATELY)
(NRC Investigation 4-96-044)

Dear Mr. Bandy:

The enclosed Order Prohibiting Involvement in NRC-Licensed Activities is being issued to you as a consequence of the findings by the NRC Office of Investigations that concluded you deliberately falsified information which you provided on an application to obtain access authorization at Omaha Public Power District's (licensee) Fort Calhoun Station nuclear power plant, and that you subsequently provided false information relating to the application to the licensee and an NRC inspector. The Order prohibits your involvement in NRC-licensed activities for a period of five years.

The NRC has determined that you: (1) deliberately falsified information during the course of 1993 with respect to your application to obtain unescorted access to Fort Calhoun Station to indicate that you had been convicted in 1991 on a charge of speeding when, in fact, you had been convicted on a charge of theft of personal property; (2) altered copies of court records regarding your conviction to make it appear that you had been convicted of speeding; and (3) made false statements when questioned about your criminal history in 1993 by the licensee and in 1996 by the licensee and an NRC inspector.

The false information that you provided to the licensee and the NRC caused you to be in violation of 10 CFR 50.5, "Deliberate Misconduct." Specifically, Section 50.5(a)(2) provides, in part, that any employee of a licensee may not deliberately submit to a licensee information that the person submitting the information knows to be incomplete or inaccurate in some respect material to the NRC. The false information that you submitted was material because licensees are required to consider criminal history in making a determination as to whether to grant you unescorted access in accordance with 10 CFR 73.56.

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Mr. Finis Scott Bandy

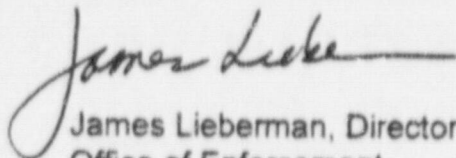
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Pursuant to Section 223 of the Atomic Energy Act of 1954, as amended, any person who willfully violates, attempts to violate, or conspires to violate, any provision of this Order may be subject to criminal prosecution as set forth in that section. Violation of this Order may also subject the person to a civil monetary penalty.

Questions concerning the Order should be addressed to James Lieberman, Director, Office of Enforcement. Mr. Lieberman can be reached at (301) 415-2741.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and the enclosure with your home address removed will be placed in the NRC Public Document Room.

Sincerely,


James Lieberman, Director
Office of Enforcement

Enclosure: As Stated

cc w/Enclosure:
S. K. Gambhir, Division Manager
Production Engineering
Omaha Public Power District
Fort Calhoun Station FC-2-4 Adm.
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