

March 25, 1999

IA 99-010

Steven M. Allison
[ADDRESS DELETED
UNDER 10 CFR 2.790]

SUBJECT: NOTICE OF VIOLATION

Dear Mr. Allison:

The Nuclear Regulatory Commission (NRC) has received a letter dated March 11, 1999, from Mr. J. Beasley, Jr., of the Southern Nuclear Operating Company (SNC) informing us of your confirmed positive test for alcohol (copy enclosed). We plan to place this letter 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 alcohol such that the operator exceeds the cutoff limits specified in 10 CFR Part 26, Appendix A, or in the licensee's fitness-for-duty program is a serious matter which undermines the special trust and confidence placed in you as a licensed operator. The violation is categorized as a Severity Level III violation in accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions", NUREG-1600, because the use of alcohol such that the operator exceeds the cutoff limits specified in 10 CFR Part 26, Appendix A, or in the licensee's fitness-for-duty program by licensed operators is a significant regulatory concern. This violation is described in the enclosed Notice of Violation. 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 of Violation (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, enforcement actions are placed in the NRC Public Document Room (PDR). A copy of this letter (without Enclosure 2), the enclosed Notice of Violation, and your

CERTIFIED MAIL NO. P 282 390 412
RETURN RECEIPT REQUESTED

S. Allison

2

response with your address removed will be placed in the PDR after 45 days unless you provide a sufficient basis to withdraw this violation.

Should you have any questions concerning this action, please contact Harold O. Christensen at (404) 562-4638.

Sincerely,

Original signed by V.M. McCree

Victor M. McCree, Deputy Director
Division of Reactor Safety

Docket No. 55-21219
License No. SRO-21219-1

Enclosures: 1. Notice of Violation
2. Letter from Facility Licensee

cc w/encls:
J. D. Woodard
Executive Vice President
Southern Nuclear Operating Company, Inc.
P. O. Box 1295
Birmingham, AL 35201-1295

NOTICE OF VIOLATION

Steven M. Allison
[ADDRESS DELETED]
PER 10 CFR 2.790]

Docket No. 55-21219
License No. SRO-21219-1
IA 99-010

As a result of a notification from the Souther Nuclear Operating Company dated March 11, 1999, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, 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 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 as a Unit Shift Supervisor on February 10, 1999, immediately before the submission to tests which indicated that the licensee was under the influence of alcohol.

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

Pursuant to the provisions of 10 CFR 2.201, Steven M. Allison 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 II, and a copy to the NRC Resident Inspector at Vogtle Electric Generating Plant 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: (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.

Because your response may be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated this 25th day of March 1999

Enclosure 1

Distribution [HOME ADDRESS DELETED] w/o encl 2:

A. Boland, RII

J. Lieberman, OE

Part 55 Docket File

PUBLIC (HOLD DISTRIBUTION FOR 45 DAYS - EICS ACTION)

NRC Senior Resident Inspector

U.S. Nuclear Regulatory Commission

8805 River Road

Waynesboro, GA 30830

Distribution [WITH HOME ADDRESS] w/ encls:

A. Boland, RII

Part 55 Docket File

SEND TO PUBLIC DOCUMENT ROOM?		45 DAY HOLD - EICS ACTION							
OFFICE	RII:ETOS	RII:DRP	RII:DRS	RII:ORA	RII:ORA				
Signature	<i>[Signature]</i>	<i>[Signature]</i>		<i>[Signature]</i>	<i>[Signature]</i>				
NAME	ABOLAND	LPLISCO	BMALLETT	CEVANS	LREYES				
DATE	3/25/99	/ /99	/ /99	/ /99	/ /99	/ /99			
COPY?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO

OFFICIAL RECORD COPY DOCUMENT NAME:H:\1990PEN.ENF\99065VOG.DIR\LTRTOIND.WPD

** See Previous correspondence*

PUBLIC