



**Constellation  
Generation Group**

Nine Mile Point  
Nuclear Station

August 26, 2002  
NMP1L 1686

U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555

RE:           Nine Mile Point Unit 1  
              Docket No. 50-220  
              DPR-63

Nine Mile Point Unit 2  
Docket No. 50-410  
NPF-69

***Subject :       Fitness for Duty Program Performance Data Report***

Gentlemen:

In accordance with the requirements set forth in 10CFR26.71(d), Nine Mile Point Nuclear Station, LLC (NMPNS) has compiled and is submitting the attached semiannual Fitness for Duty (FFD) Program Performance Data Report covering the period January 1, 2002, through June 30, 2002.

Very truly yours,

A handwritten signature in black ink that reads "John T. Conway".

John T. Conway  
Site Vice President

JTC/IAA/jm  
Attachments

xc:   Mr. H. J. Miller, Regional Administrator, Region I  
      Mr. G. K. Hunegs, Senior Resident Inspector  
      Mr. P. S. Tam, Senior Project Manager, NRR (2 copies)

A021

**FITNESS FOR DUTY PROGRAM  
PERFORMANCE DATA  
PERSONNEL SUBJECT TO 10CFR26**

Nine Mile Point Nuclear Station, LLC  
Company

June 30, 2002  
6 Months Ending

Nine Mile Point Nuclear Station  
Location

Beth Menikheim  
Contact Person

(315) 349-7003  
Phone

Annual (Jan-Dec) Random testing rates: At least 50% for employees and approximately 100% for contractors.

Cutoffs: Screen/Confirmation (ng/ml)

Appendix A to 10CFR26

Marijuana	100 / 15	Amphetamines	1000 / 500
Cocaine	300 / 150	Phencyclidine	25 / 25
Opiates	300 / 300	Alcohol ( % BAC )	.04%

Testing Results		Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
		1343		N/A*		633	
Average Number with Unescorted Access							
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		213	0	0	0	1141	18
For Cause	Post Incident	1	0	0	0	0	0
	Observed Behavior	4	0	0	0	18	6
Random		393	0	0	0	336	2
Follow-up		18	0	0	0	15	0
Other**		5	0	0	0	19	3
Total		634	0	0	0	1529	29

\* NMPNS does not differentiate between long-term and short-term contractors. All contractors who have obtained unescorted access are considered short-term.

\*\* Primarily refers to tests conducted for samples that were hydrated (diluted). A second (observed) sample is conducted following results indicating low specific gravity or creatinine.

### Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusals/Other						
Licensee Employees													
Long-Term Contractors													
Short-Term Contractors	15	8				5	1						
<b>Total</b>	<b>15</b>	<b>8</b>				<b>5</b>	<b>1</b>						<b>29</b>

For details see Section II (A), Situation Descriptions.

# **FITNESS FOR DUTY (FFD) PROGRAM PERFORMANCE DATA REPORT January 01 – June 30, 2002**

## **SECTION I. Process Stage Data**

Nine Mile Point Nuclear Station, LLC (NMPNS) conducts on-site drug screening using a Syva ETS instrument. Procedures require that tests found to be "non-negative" shall be sent to a contracted Health and Human Services (HHS)-certified laboratory for both screening and confirmatory testing as applicable. To monitor our accuracy and increase the integrity of our laboratory, NMPNS participates in proficiency testing provided by the College of American Pathologists (CAP).

## **SECTION II. Situation Descriptions, Management Actions, NRC Reportable Events, and Appeals**

### **A. Situation Descriptions**

- 1. Twelve Contractors tested positive for Marijuana and Six Contractors tested positive for Cocaine following Pre-access tests for drugs and alcohol.**
- 2. One Contractor tested positive for Alcohol and one Contractor tested positive for Marijuana following Random tests for drugs and alcohol.**
- 3. Four Contractors tested positive for Alcohol and One Contractor tested positive for Cocaine following For Cause Tests for drugs and alcohol. One Contractor's unescorted access was revoked following a For Cause drug and alcohol test which resulted in a 5 hr. Rule Violation.**
- 4. Two Contractors tested positive for Marijuana and One Contractor tested positive for Cocaine following a second sample requested due to the first sample being hydrated.**

### **B. Management Actions (in Response to Situation Descriptions 1-4)**

The following list describes the actions taken by management as a result of the above situations:

- 1. Unescorted access was immediately denied or revoked and the opportunity to appeal was explained to all individuals.**

2. The FFD Staff recommended the Contractors seek a substance abuse evaluation to determine proper treatment and rehabilitation.
3. Supervision implemented a review of safety-related work performed by the individuals (if unescorted access was granted prior to the violation). No remedial actions were required.

**C. NRC REPORTABLE EVENTS (PER 10CFR PART 26.73)**

There were no reportable events during this reporting period.

**D. APPEALS (PER 10CFR26.28)**

During this reporting period, three of the contractors in Section II, Situation Descriptions, who tested positive for marijuana, alcohol and cocaine respectively, appealed their positive drug/alcohol tests. The Appeals Officer denied the appeals due to all procedures being followed correctly and there was no evidence to overrule the Medical Review Officer's decisions.

**SECTION III. FFD Program Modifications and Lessons Learned**

During this reporting period, NMPNS's FFD Department self-assessed their on-site laboratory procedure, which resulted in a modification to eliminate procedural inefficiencies. Elimination of an unnecessary and redundant step of documentation allowed for quicker entry of results and more efficient processing of samples. Additional alternate collectors were trained to facilitate the collection of samples for our outage workforce.

**SECTION IV. Data Assessment and Program Evaluation**

NMPNS's FFD/Personnel Reliability Program Performance Indicator for this reporting period indicated zero reportable failures. Additionally, the statistical data in this report shows that the NMPNS employee overall positive test rate for this reporting period was 0%. The rate for contractors was 1.90%. The combined positive test rate for contractors and NMPNS employees is approximately 1.34% for this time period (0.71% since the inception of this program). This performance, combined with the FFD Personnel Reliability Program Performance Indicator, demonstrates that NMPNS's FFD Program is working as intended.