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United States Nuclear Regulatory Commission
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Perry Nuclear Power Plant
Docket No. 50-440
Subject: Semiannual Fitness-For-Duty Report

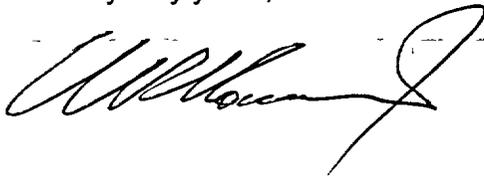
Ladies and Gentlemen:

In accordance with the requirements of 10CFR26.71(d), "Recordkeeping Requirements," the Semiannual Fitness for Duty Report is being submitted for the Perry Nuclear Power Plant. This report covers the time period of July 1, 2002 to December 31, 2002

Attachment 1 provides the Fitness for Duty Program performance data regarding testing results. Attachment 2 provides additional information regarding reported events and management actions taken in response to positive results. The provisions of the Fitness for Duty Program apply to persons granted unescorted access to the Protected Area of the plant, as well as to licensee, vendor, and contractor personnel required to physically report to the Technical Support Center or the Emergency Operations Facility in accordance with the Emergency Plan and associated implementing procedures.

If you have questions or required additional information, please contact Mr. Vernon K. Higaki, Manager – Regulatory Affairs at (440) 280-5294.

Very truly yours,



Attachments

cc: NRC Project Manager
NRC Resident Inspector Office
NRC Region III

A021

Fitness for Duty Program Performance Data Personnel Subject to 10CFR26

PNPP No. 8808 Rev. 6/92

SAI-0010

<u>FirstEnergy Corporation (FirstEnergy Nuclear Operating Company)</u> <i>Company</i>	<u>December 31, 2002</u> <i>6 Months Ending</i>
<u>Perry Nuclear Power Plant - 10 Center Road - Perry, Ohio 44081</u> <i>Location</i>	
<u>Joseph F. Slike, Access Authorization Supervisor</u> <i>Contact Name</i>	<u>(440) 280-5850</u> <i>Phone (include area code)</i>
Cutoffs: Screen/Confirmation (ng/ml) <input type="checkbox"/> Appendix A to 10CFR26	
Marijuana 50/15	Amphetamines 1,000/500
Cocaine 300/150	Phencyclidine 25/25
Opiates 300/300	Alcohol (%BAC) .04%

Testing Results		Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		923		N/A		153	
Pre-Access		45	0			91	0
For Cause	Post accident	1	0			0	0
	Observed behavior	2	1			2	0
Random		261	1			21	0
Follow-up		27	1			0	0
Other-		0	0			0	0
Total		336	3			114	0

Breakdown of Confirmed Positive Tests for Specific Substances

	Manjuana	Cocaine	Opiates	Amphetamine	Phencyclidine	Alcohol	Refusal to Test	1	2	3	4	5	
Licensee Employees	0	0	0	0	0	2	1						
Long-Term Contractors	0	0	0	0	0	0	0						
Short-Term Contractors	0	0	0	0	0	0	0						
Total	0	0	0	0	0	2	1						3

NOTE: The above table lists positive results only, three (3) positive results for this reporting period. This data does not match with the four (4) incidents that are discussed in the "Management Actions Taken" section. The discrepancy concerns one individual who did not test positive, therefore would not be listed on the above table, but was found to be in violation of the FENOC Fitness for Duty Program.

Management Actions Taken

Drug and alcohol testing results for the reporting period are described in Attachment 1.

Three (3) incidents involving licensee employees testing for alcohol, and one (1) incident involving a licensee employee testing for illegal drugs during this reporting period. Details for each incident are provided below.

One licensee employee tested positive for alcohol during follow-up testing and was denied access to the Protected Area. Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements, the individual and/or their company representative were informed of the right to appeal, and of the procedural requirements in order to re-instate unescorted access to the Protected Area. Management review determined that based on this incident and historical fitness for duty issues the employee was terminated.

One licensee employee, a Licensed Reactor Operator, tested positive for alcohol during for cause testing and was denied access to the Protected Area. Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements, the individual and/or their company representative were informed of the right to appeal, and of the procedural requirements in order to re-instate unescorted access to the Protected Area. In accordance with 10 CFR 26.73 this was considered a significant fitness for duty event and notification was made to the NRC Operations Center within 24 hours of the discovery of the event.

The Medical Review Officer (MRO) evaluation resulted in not allowing the individual to assume 10 CFR 55 licensing duties. Subsequently, the individual was terminated. Reports concerning this incident were provided to the NRC in response to a NRC Request for Information concerning this incident.

One licensee employee, a Licensed Reactor Operator, was found to be in violation of the FENOC Fitness for Duty Program and was denied access to the Protected Area. This determination was based on the following:

- Licensed Reactor Operator, responsible for the safe operation of the plant, with a detectable alcohol level, fitness for duty suitability could not be established. There wasn't reasonable assurance that the individual could perform their scheduled duties in a safe, reliable, and trustworthy manner.
- Licensed Reactor Operator was on-call for Emergency Response duties for the 8-hour period prior to the individual's scheduled work tour. The individual's emergency response duties are captured within the FENOC Fitness for Duty Program requiring personnel to remain fit-for-duty in accordance with 10 CFR 26.2. Again, fitness for duty as an on-call responder could not be established.

Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements, the individual and/or their company representative were informed of the right to appeal, and of the procedural requirements in order to re-instate unescorted access to the Protected Area. To date, this individual has completed all procedural requirements and unescorted access has been reinstated. In accordance with 10 CFR 26.73 this was considered a significant fitness for duty event and notification was made to the NRC Operations Center within 24 hours of the discovery of the event. This individual has not yet been authorized to assume 10 CFR 55 licensing duties.

One licensee employee was determined to have tested positive for illegal drugs in accordance with the FENOC Fitness for Duty Program. The Medical Review Officer reported that the drug testing laboratory results verified that the specimen provided by this individual was adulterated. This deliberate action by the individual is considered a refusal to cooperate with the testing process, which is treated as testing positive for illegal drugs in accordance with FENOC Fitness for Duty Program. The individual was denied access to the Protected Area for the following reasons:

- Failure to cooperate with the testing process, which is treated as testing positive for illegal drugs.
- Trustworthiness and reliability as it relates to unescorted access could no longer be established based on the individual's intentional actions to adulterate the specimen.
- Willful omission and falsification of information provided by the individual on the chain of custody. The individual attested that the specimen provided was not adulterated via his signature.

Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements, the individual and/or their company representative were informed of the right to appeal, and of the procedural requirements in order to re-instate unescorted access to the Protected Area. Management review determined that based on this incident and associated circumstances the employee was terminated. This incident was documented in the Safeguards Log due to the willful omission and falsification of information

Nine (9) individuals were subjected to unannounced follow-up testing during this reporting period, as a result of a Fitness for Duty Program concern. As reported above, one FENOC employee did test positive for alcohol during follow-up testing.

Initiatives Taken

Focus this reporting period was on providing Fitness for Duty Supervisory training to site supervisory personnel. Continuing to evaluate and improve the Overtime Guidelines Program, which is part of Perry's Fitness for Duty Program. Further focusing on worker fatigue and fitness that can result from working extended hours as it relates to the safe operation of the plant.

Reported Events

As stated above, two Licensed Reactor Operators were in violation of FENOC's Fitness for Duty Program. In accordance with 10 CFR 26.73, both incidents were considered significant fitness for duty events and notifications were made to the NRC Operations Center within 24 hours of the discovery of the events.