



**Constellation
Energy Group**

Nine Mile Point
Nuclear Station

February 27, 2003
NMP1L 1718

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

SUBJECT: Nine Mile Point Units 1 and 2
Docket Nos. 50-220 and 50-410
License Nos. DPR-63 and NPF-69

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 enclosed semiannual Fitness for Duty (FFD) Program Performance Data Report covering the period July 1, 2002, through December 31, 2002.

Very truly yours,

Denise J. Wolniak
General Supervisor Licensing

DJW/IAA/jm
Attachments

xc: Mr. H. J. Miller, Regional Administrator, Region I
Mr. G. K. Hunegs, NRC 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

December 31, 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	
	# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access	1333		N/A*		353	
Pre-Access	46	0			119	0
For Cause	Post Incident	2	0		2	0
	Observed Behavior	0	0		1	0
Random	297	1			170	0
Follow-up	24	0			6	0
Other**	4	0			2	0
Total	373	1			300	0

* 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	Amphet- amines	Phency- clidine	Alcohol	Refusals /Other	Totals
Licensee Employees						1		1
Long-Term Contractors								
Short-Term Contractors								
Total						1		1

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

FITNESS FOR DUTY (FFD) PROGRAM PERFORMANCE DATA REPORT July 01 – December 31, 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. An Employee reporting for duty was confirmed positive for Alcohol during a Random test.

B. Management Actions (in Response to Situation Description 1)

The following actions were taken by management as a result of the above situation:

1. Unescorted access was immediately suspended for a minimum of 14 days.
2. The individual was referred to NMPNS's Employee Assistance Program for a substance abuse evaluation to determine proper treatment and rehabilitation.
3. Supervision implemented a review of safety-related work performed by the individual. No remedial actions were required.

C. NRC Reportable Events (Per 10CFR Part 26.73)

There was one event that was reported during this performance data period. An individual inadvertently brought an unopened can of beer into the Protected Area. Upon discovery, Security was notified. Following the investigation, it

There was one event that was reported during this performance data period. An individual inadvertently brought an unopened can of beer into the Protected Area. Upon discovery, Security was notified. Following the investigation, it was determined that the individual had mistakenly placed a blue can of beer instead of a blue can of soda into their lunch bag.

D. Appeals (Per 10CFR26.28)

There were no appeals during this performance data period.

SECTION III. FFD Program Modifications and Lessons Learned

In response to the NRC's issuance of Regulatory Issue Summary 2002-07, Clarification of NRC Requirements Applicable to Worker Fatigue and Self-Declarations of Fitness-for-Duty, Employee Concerns and Human Resources/FFD sent a reaffirmation to all Supervisors and Managers. This reaffirmation emphasized the importance our employees provide when they raise safety concerns, and their responsibility to report to work fit for duty and inform their Supervisor when fatigue is a consideration. The communication also provided brief guidance on how to handle such situations when reported.

In response to the event from Section II.C, NRC Reportable Events, FFD shared a related Operating Experience – Gift Basket Containing Prohibited Substance Delivered to Site with all site personnel. This e-mail communication stated that alcohol is prohibited on company property and that all personnel need to be cognizant of what they bring on site.

SECTION IV. Data Assessment and Program Evaluation

NMPNS's FFD/Personnel Reliability Program Performance Indicator for this performance data period indicated zero reportable failures. This Performance Data Report shows that the NMPNS employee overall positive test rate for this reporting period was 0.27%. The rate for contractors was 0%. The combined positive test rate for contractors and NMPNS employees was approximately 0.15% for this time period (and 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.