



Constellation Energy

Nine Mile Point Nuclear Station

P.O. Box 63
Lycoming, New York 13093

August 30, 2004
NMP1L 1863

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 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 10 CFR 26.71(d), Nine Mile Point Nuclear Station, LLC has compiled and is submitting the enclosed semiannual Fitness for Duty Program Performance Data Report covering the period January 1, 2004, through June 30, 2004.

Very truly yours,

Gary L. Detter
Manager Security & Emergency
Preparedness

GD/RF/jm
Enclosure

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

AOZP

**Fitness for Duty Program
Performance Data
Personnel Subject to 10 CFR Part 26**

CONSTELLATION ENERGY		06/30/04				
Company Nine Mile Point Nuclear Station		6 Months Ending				
Contact Name Brett Boismenu, Program Administrator		Phone) (315) 349-7609				
CUTOFFS: Screen/Confirmation (ng/ml)		<input checked="" type="checkbox"/> Appendix A to 10 CFR Part 26				
Marijuana	Amphetamines	_____				
Cocaine	Phencyclidine	_____				
Opiates	Alcohol (% BAC)	_____				
Annual (Jan-Dec) Random testing rates: 50% for employees and 100% for contractors.						
Testing Results	Licensee Employees		Long-term Contractor Personnel		Short-term Contractor Personnel	
Average Number with Unescorted Access	1302		N/A*		953	
Categories	# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access	99	2	0	0	1493	8
For Cause	Post-accident	3	0	0	0	0
	Observed Behavior	3	1	0	0	32
Random	328	1	0	0	436	4
Follow-up	24	0	0	0	43	1
Other**	3	0	0	0	19	0
TOTAL	460	4	0	0	2023	23

* Nine Mile Point Nuclear Station 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 and/or creatinine.

BREAKDOWN OF CONFIRMED POSITIVE TESTS FOR SPECIFIC SUBSTANCES

	Marijuana	Cocaine	Opiates	Amphetamines	Phencylidine	Alcohol	Refusal to test	Total
Licensee Employees	1	0	0	0	0	3	0	4
Long-Term Contractors	0	0	0	0	0	0	0	0
Short-Term Contractors	6	3	0	0	1	11	3	24
TOTAL	7	3	0	0	1	14	3	28*

For details see next page.

Note: Nine Mile Point Nuclear Station, LLC (NMPNS) conducts on-site drug screening using a Syva ETS instrument. To monitor our accuracy and integrity, NMPNS participates in proficiency testing provided by the College of American Pathologists (CAP).

*The difference between the table totals on the previous page and that of this page is due to the fact that one individual tested positive for more than one substance.

FITNESS FOR DUTY (FFD) PROGRAM PERFORMANCE DATA REPORT

January 01 – June 30, 2004

Situation Descriptions, Management Actions, and NRC Reportable Events

A. Situation Descriptions

1. One (1) Employee (outage support) was confirmed positive for Marijuana as a result of a Pre-access drug and alcohol test.
2. One (1) Employee (potential new hire) was confirmed positive for Alcohol as a result of a Pre-access drug and alcohol test.
3. Two (2) Employees were confirmed positive for Alcohol. One as a result of a Random and another as a result of a For Cause drug and alcohol test.
4. One (1) Contractor was confirmed positive for Alcohol as a result of Pre-access drug and alcohol tests.
5. Two (2) Contractors were confirmed positive for Alcohol as a result of Random drug and alcohol tests.
6. Three (3) Contractors were considered to have Refused to Test as a result of a For Cause, a Follow-up and a Random drug and alcohol test. Of the three, One refused to complete the process and the two others attempted to adulterate the samples they presented.
7. Three (3) Contractors were confirmed positive for Cocaine. Two as a result of Pre-access test and one as a result of a For Cause drug and alcohol test.
8. Six (6) Contractors were confirmed positive for Marijuana. Four as a result of a Pre-access, One for Random and One as a result of a For Cause drug and alcohol test.
9. One (1) Contractor was confirmed positive for Phencyclidine as a result of pre-access drug and alcohol test.
10. Eight (8) Contractors were confirmed positive for Alcohol (as well, one was also confirmed for Marijuana) as a result of For Cause drug and alcohol tests.

Note 1: Additionally, one (1) Escorted Contractor, not included on the previous tables because of not meeting 10 CFR 26 scope requirements, was confirmed positive for Alcohol as a result of a drug and alcohol test performed on a Volunteer basis.

Note 2: The difference between the table totals on the previous page and that of this page is due to the fact that one individual tested positive for more than one substance.

B. Management Actions (in Response to Situation Descriptions)

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

1. Unescorted access was immediately suspended, for a minimum of 14 day for employees and for an indefinite period of time for contractors.
2. Substance Abuse Referrals:
Employees were referred to the Employee Assistance Program for evaluation and treatment determination.
Contractors were encouraged to obtain a substance abuse evaluation to determine proper treatment and rehabilitation.
3. Review of safety-related work was performed where applicable. No remedial actions were required.
4. The escorted individual who offered to submit to a test due to the suspicion of Alcohol was denied escorted access.

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

There were no reportable events during this performance data period.