

Richard Anderson
Vice President-Nuclear

440-280-5579
Fax: 440-280-8029

February 15, 2005
PY-CEI/NRR-2862L

United States Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555

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

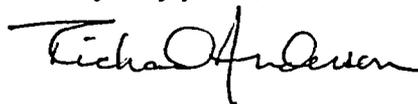
Ladies and Gentlemen:

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, 2004 through December 31, 2004.

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 require additional information, please contact Mr. Jeffery Lausberg, Manager – Regulatory Compliance, at (440) 280-5940.

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
 0010

SAI-

<u>FirstEnergy Corporation (FirstEnergy Nuclear Operating Company)</u> <i>Company</i>	<u>December 31, 2004</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 100/15	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		919		N/A		211	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		80	0			219	3
For Cause	Post accident	3	0			1	0
	Observed behavior	1	0			1	1
Random		235	1			62	0
Follow-up		32	0			11	0
Other-		0	0			0	0
Total		351	1			294	4

Breakdown of Confirmed Positive Tests for Specific Substances

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

Management Actions Taken

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

One (1) licensee employee holding unescorted access was randomly selected for testing, which resulted in a positive test for alcohol during this reporting period. This individual was denied unescorted access to the Protected Area. Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty" requirements, this individual was informed of the right to appeal, and of the procedural requirements in order to re-establish unescorted access to the Protected Area. The individual did pursue his right to appeal, which resulted in upholding the original denial determination. The individual was subsequently terminated from the company. Additionally, one (1) licensee employee, who was licensed under 10 CFR 55 and held unescorted access was subjected to for cause testing, which resulted in an alcohol level that was not positive, but the individual was deemed not fit for duty during this reporting period. This individual was mandated to the Employee Assistance Program (EAP), access authorization suitability was re-established, the individual was placed in the follow-up program, and unescorted access was reinstated.

Two (2) contractor employees tested positive for illegal drugs and one (1) contractor employee tested positive for alcohol during preaccess testing for this reporting period. One (1) contractor employee, who did not hold unescorted access, was subjected to for cause testing, which resulted in a positive test for alcohol during this reporting period. All contractors were denied unescorted access to the Protected Area. Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements, the individuals were informed of their right to appeal, and of the procedural requirements in order to re-establish unescorted access to the Protected Area. To date, one (1) contractor employee, testing positive for alcohol did exercise their right to appeal; however, the additional blood draw re-confirmed the positive breath alcohol content. The other contractor employees did not exercise their right to appeal and have not initiated steps to restore unescorted access.

As a result of a Fitness for Duty Program concern, eleven (11) individuals were subject to unannounced follow-up testing during this reporting period. All follow-up test results were negative.

Initiatives Taken

Focus during this reporting period was on revision of the Fitness for Duty Program to ensure compliance with NEI 03-01, Revision 1, Nuclear Power Plant Access Authorization Program requirements. These changes were completed and implemented on 10/26/04. FENOC's Working Hour Guidelines is part of the Fitness for Duty Program. Efficiencies were made to the electronic database, which is utilized for initiating and approving working hour deviation requests.

Reported Events

On 8/13/04, a licensee employee was subjected to for cause testing, which resulted in an alcohol level that was not positive, but the individual was deemed not fit for duty. The licensee employee was licensed under 10 CFR 55, which made this event a significant FFD event in accordance with 10 CFR 26 (a)(2)(iv) and the NRC notification and the ENF notification (#40949) was made on 8/13/04 at 1256 hrs.

On 8/30/04 it was discovered that the semi-annual Fitness for Duty Performance (FFD) Data Report was not submitted to the NRC in accordance with 10 CFR 26.71 (d). On 8/30/04, at approximately 1310 hrs., it was identified that the semi-annual FFD Performance Data Report, which was completed on 8/2/04, was not submitted to FENOC Regulatory Affairs Section (RAS) for handling and submittal to the NRC. Immediate action taken was to electronically submit the FFD Performance Data Report to the applicable RAS representative. The semi-annual FFD Performance Data