



Constellation Energy

Nine Mile Point Nuclear Station

P.O. Box 63
Lycoming, NY 13093

August 29, 2005
NMP1L 1980

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

SUBJECT: Nine Mile Point Units 1 and 2
Docket Nos. 50-220 and 50-410
Facility Operating 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, 2005, through June 30, 2005.

Very truly yours,

Don L. Shaw

Donis L. Shaw

for James A. Hutton
Director Licensing

JAH/RF/sac
Enclosure

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

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Fitness for Duty Program Performance Data Report

Personnel Subject to 10 CFR Part 26

CONSTELLATION ENERGY		<u>06/30/05</u>				
Company Nine Mile Point Nuclear Station		6 Months Ending				
Brett Boismenu, Program Administrator		<u>(315) 349-7609</u>				
Contact Name		Phone				
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: at least 50% for employees and contractors.						
Testing Results	Licensee Employees		Long-term Contractor Personnel		Short-term Contractor Personnel	
Average Number with Unescorted Access	1250		N/A*		772	
Categories	# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access	26	0	0	0	1343	5
For Cause						
	Post-accident	0	0	0	0	0
	Observed Behavior	3	0	0	2	1
Random	340	0	0	0	389	1
Follow-up	44	0	0	0	40	1
Other**	3	0	0	0	13	3
TOTAL	416	0	0	0	1787	11***

* 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.

*** The Total number of Positive Short-term Contractor Personnel on this page differs from the breakdown on the next page and the Situation Descriptions due to inclusion of one refusal to test and one individual tested positive for two drugs.

Fitness for Duty Program Performance Data Report

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencylidine	Alcohol	Refusal to test	Total
Licensee Employees	0	0	0	0	0	0	0	0
Long-Term Contractors	0	0	0	0	0	0	0	0
Short-Term Contractors	6	4	0	0	0	2	1	13
TOTAL	6	4	0	0	0	2	1	13***

For details see next page.

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

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Situation Descriptions, Management Actions, and NRC Reportable Events

A. Situation Descriptions

1. Three (3) Contractors were confirmed positive for Marijuana as a result of Pre-access drug and alcohol tests.
2. One (1) Contractor was confirmed positive for Cocaine as a result of Pre-access drug and alcohol tests.
3. One (1) Contractor was confirmed positive for Alcohol as a result of a Pre-access drug and alcohol test.
4. One (1) Contractor was confirmed positive for Cocaine as a result of a Random drug and alcohol test.
5. One (1) Contractor was confirmed positive for Marijuana as a result of a Follow-up drug and alcohol test.
6. One (1) Contractor was confirmed positive for Alcohol as a result of a For Cause drug and alcohol test.
7. As a result of two dilute samples and one adulterated sample (temperature out of range: 104 degrees), second samples were collected under direct observation. This resulted in three (3) other samples, which were confirmed positive: one for Marijuana; one for Cocaine; and one for both.
8. One (1) Contractor refused to provide a urine sample and complete the collection process as a result of a pre-access test.
9. One (1) Employee continues to be monitored through follow-up testing as part of an Employee Assistance Program treatment plan. The testing includes the panel required by 10CFR26 at the specified cut-off levels, and additional testing for the presence (limits of quantitation) of anabolic steroids. The steroids are outside the scope of 10CFR26 testing requirements, and therefore are not included in our tested numbers. All testing results have been negative.

B. Management Actions (in Response to Situation Descriptions)

The following actions were taken by management as a result of the above situation descriptions (except for #9, where the individual was monitored by Follow-up testing):

1. Unescorted access was immediately suspended for an indefinite period of time.
2. Review of safety-related work was performed where applicable. No remedial actions were required.

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

There was one reportable event during this performance data period. The individual from situation description #7 was a supervisor. The NRC was notified within 24 hours of this event per 10 CFR 26.73.