



**Constellation Energy**

Nine Mile Point Nuclear Station

P.O. Box 63  
Lycoming, NY 13093

March 1, 2006

U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

**ATTENTION:** Document Control Desk

**SUBJECT:** Nine Mile Point Nuclear Station  
Unit Nos. 1 & 2; Docket Nos. 50-220 and 50-410

Fitness for Duty Program Performance Data Report

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 July 1, 2005, through December 31, 2005.

Should you have any questions regarding the information in this submittal, please contact me at (315) 349-1510.

Very truly yours,

  
Mary H. Miller  
Licensing Director

MHM/RF  
Enclosure

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

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bcc: ~~M. D. Flaherty~~ L. Lamagoite  
C. W. Fleming, Esquire  
T. J. O'Connor  
J. A. Hutton  
M. H. Miller/T. F. Syrell  
J. L. Lyon

NMP1L 2030

**COMMITMENTS IDENTIFIED IN THIS CORRESPONDENCE:**

NONE

**Responsible Person/Organization:**

**Due Date:**

**SAR/TSB Revision Required? If yes, No**

**Type:**

**Initiation Date:**

**NCTS No.:**

**Posting Requirements for Responses -- NOV/Order**

# Fitness for Duty Program Performance Data Report

## Personnel Subject to 10 CFR Part 26

<b>CONSTELLATION ENERGY</b>				<b>12/31/05</b>			
Company <b>Nine Mile Point Nuclear Station</b>				6 Months Ending			
<b>Brett Boismenu, Program Administrator</b>				<b>(315) 349-7313</b>			
Contact Name				Phone			
<b>CUTOFFS: Screen/Confirmation (ng/ml)</b>				<input checked="" type="checkbox"/> Appendix A to 10 CFR Part 26			
Marijuana		Amphetamines		_____			
Cocaine		Phencyclidine		_____			
Opiates		Alcohol (% BAC)		_____			
<b>Annual (Jan-Dec) Random testing rates: at least 50% for employees and contractors.</b>							
<b>Testing Results</b>		<b>Licensee Employees</b>		<b>Long-term Contractor Personnel</b>		<b>Short-term Contractor Personnel</b>	
<b>Average Number with Unescorted Access</b>		1211		N/A*		332	
<b>Categories</b>		<b># Tested</b>	<b># Positive</b>	<b># Tested</b>	<b># Positive</b>	<b># Tested</b>	<b># Positive</b>
<b>Pre-Access</b>		26	0	0	0	275	2
<b>For Cause</b>	Post-accident	4	0	0	0	0	0
	Observed Behavior	1	0	0	0	0	0
<b>Random</b>		296	1	0	0	83	1
<b>Follow-up</b>		65	0	0	0	27	0
<b>Other**</b>		2	0	0	0	4	0
<b>TOTAL</b>		394	1	0	0	389	3***

- \* 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 tests on this page differs from the breakdown on the next page and the Situation Descriptions due to the inclusion of one refusal to test.

## 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	1	0	0	0	0	0	0	1
Long-Term Contractors	0	0	0	0	0	0	0	0
Short-Term Contractors	1	0	1	0	0	1	1	4
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>5***</b>

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).

\*\*\* The Total number of Positive tests on this page differs from the breakdown on the previous page and the Situation Descriptions (on the next page) due to the inclusion of one refusal to test.

# Fitness for Duty Program Performance Data Report

## Situation Descriptions, Management Actions, and NRC Reportable Events

### A. Situation Descriptions

1. One (1) Employee was confirmed positive for Marijuana as a result of Random drug and alcohol test.
2. One (1) Contractor was confirmed positive for Alcohol as a result of Pre-access drug and alcohol test.
3. One (1) Contractor was confirmed positive for Opiates as a result of a Random drug and alcohol test.
4. One (1) Contractor was confirmed positive for Marijuana as a result of a Pre-access drug and alcohol test.
5. One (1) Contractor refused to test after being notified to report for a Random drug and alcohol test.

### 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 removed.
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 #1 was a Licensed Operator. The NRC was notified within 24 hours of this event per 10 CFR 26.73. In a letter, dated October 25, 2005, "Response to NRC Request for Information Regarding a Licensed Operator Positive Fitness-For-Duty Test," Nine Mile Point Nuclear Station (NMPNS) stated that the individual was no longer an employee of Constellation Energy as of September 27, 2005. At the time of the submittal there were no plans for follow-up testing or rehire of this individual. Subsequently, NMPNS rehired this individual in January 2006 to perform non-licensed operator activities. The individual is subject to Fitness for Duty follow-up testing as part of a prescribed treatment plan per the Employee Assistance Program.