



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION II  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET, SW, SUITE 23T85  
ATLANTA, GEORGIA 30303-8931

April 19, 2007

Carolina Power & Light Company  
ATTN: Mr. Robert J. Duncan II  
Vice President - Harris Plant  
Shearon Harris Nuclear Power Plant  
P. O. Box 165, Mail Code: Zone 1  
New Hill, NC 27562-0165

SUBJECT: HARRIS NUCLEAR PLANT - LICENSED OPERATOR REFUSAL TO  
PARTICIPATE IN THE FITNESS-FOR-DUTY (FFD) PROGRAM

Dear Mr. Duncan:

On April 9, 2007, the NRC became aware that an NRC-licensed operator at your facility refused to participate in the FFD Program. It is our understanding that on April 7, 2007, the operator was notified he would be subject to "for-cause" testing and he refused to participate in the testing. The NRC was later informed that this operator had terminated his employment at the Harris Nuclear Plant. This letter is a request for information pertaining to this occurrence. Within 30 days from the date of this letter, please provide answers to the questions listed in the enclosure to this letter and other records and information on this operator's past fitness for duty which are relevant to this occurrence. Any other information that you think is pertinent or useful regarding this occurrence also would be appreciated. The information supplied will be subject to the Privacy Act. The NRC will evaluate the information in your reply to this letter to determine if further action is warranted pursuant to 10 CFR Parts 50 or 55.

If you have any questions, please feel free to call me at (404) 562-4607. Your cooperation is appreciated.

Sincerely,

\\RA\\

Robert C. Haag, Chief  
Operator Licensing Branch  
Division of Reactor Safety

Docket No 50-400  
License No NPF-63

Enclosure: Licensed Operator Fitness-  
For-Duty Questionnaire

CP&L

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cc w/encl:

Mr. J. Wayne Gurganious  
Training Manager - Harris Plant  
Harris Energy & Environmental Center  
Progress Energy Carolinas, Inc.  
P. O. Box 327, State Road 1127  
New Hill, NC 27562-0165

55-Docket File

Distribution w/encl:

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PUBLICLY AVAILABLE     
  NON-PUBLICLY AVAILABLE     
  SENSITIVE     
  NON-SENSITIVE

ADAMS: X Yes      ACCESSION NUMBER: \_\_\_\_\_

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|--------------|-----------|-----------|-----------|----------|----------|----------|----------|
| OFFICE       | RII:DRS   | RII:DRS   | RII:DRP   |          |          |          |          |
| SIGNATURE    | RFA       | RCH       | RM        |          |          |          |          |
| NAME         | RAiello   | BHaag     | RMusser   |          |          |          |          |
| DATE         | 4/18/2007 | 4/10/2007 | 4/18/2007 | 4/ /2007 | 4/ /2007 | 4/ /2007 | 4/ /2007 |
| E-MAIL COPY? | YES NO    | YES NO    | YES NO    | YES NO   | YES NO   | YES NO   | YES NO   |

## LICENSED OPERATOR FITNESS-FOR-DUTY QUESTIONNAIRE

Carolina Power & Light is requested to provide the following information concerning the NRC- licensed operator at the Harris Nuclear Plant who refused to participate in the FFD program on April 7, 2007:

1. Name and responsibilities of the operator.
2. A summary of the operator's entire fitness-for-duty testing history. Please include the dates and times the operator was tested, the reasons for the tests (i.e., random, for-cause, or follow-up), the results of the tests, the facility cut-off level for the substance involved, and the dates that any tests were confirmed positive.
3. Whether the operator consumed alcoholic beverages within the protected area. If so, please provide the details of the circumstances surrounding such consumption.
4. Whether the operator was at the controls or supervising licensed activities while under the influence of alcohol. If so, please provide the details of the operator's performance of licensed duties while under the influence of alcohol.
5. Whether the operator was involved in procedural errors related to this occurrence. If so, please provide the details of the procedural errors and the consequences of the errors.
6. Your intentions with regard to the operator's resumption of duties under the 10 CFR Part 50 and Part 55 licenses, including your plans for follow-up testing.
7. Whether the operator was involved with any other fitness-for-duty related events (onsite or offsite) and any followup actions taken by the plant staff.

Enclosure