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L-08-042

10 CFR 26.71(d)

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555-0001

**SUBJECT:**

Davis-Besse Nuclear Power Station, Unit 1  
Docket Number 50-346, License Number NPF-3  
Semiannual Fitness-For-Duty Report, July – December 2007

Pursuant to 10 CFR 26.71(d), "Recordkeeping Requirements," FirstEnergy Nuclear Operating Company (FENOC) submits the semiannual Fitness-For-Duty (FFD) report for the period of July through December 2007 for the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS).

Attachment 1 provides FENOC's DBNPS FFD Program Performance Data. Attachment 2 provides a summary of management actions taken by FENOC based on positive FFD testing results and presumptive positives, and a list of FFD event reports submitted by FENOC.

There are no regulatory commitments contained in this letter. If there are any questions or if additional information is required, please contact Mr. Raymond A. Hruby, Jr., Manager, Site Regulatory Compliance, at (419) 321-8000.

Sincerely,



Mark B. Bezilla

**Attachments:**

1. Fitness for Duty Program Performance Data
2. Summary of Management Actions Taken and List of FFD Event Reports

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cc: NRC Region III Administrator  
NRC Resident Inspector  
NRR Project Manager  
Utility Radiological Safety Board

**Fitness for Duty Program Performance Data**  
**Personnel Subject to 10 CFR 26**  
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NOP-LP-1002-01 Rev. 00

<u>FirstEnergy Nuclear Operating Company</u> <i>Company</i>	<u>December 31, 2007</u> <i>6 Months Ending</i>
<u>Davis-Besse Nuclear Power Station, Unit 1</u> <i>Location</i>	
<u>Mark A. Hoffman, Supervisor, Nuclear Access</u> <i>Contact Name</i>	<u>(419) 321-7338</u> <i>Phone (include area code)</i>
Cutoffs: Screen/Confirmation (ng/ml) <input checked="" type="checkbox"/> Appendix A to 10 CFR 26	
Marijuana    100 / 15	Amphetamines    1000 / 500
Cocaine    300 / 150	Phencyclidine    25 / 25
Opiates    300 / 300	Alcohol (%BAC)    0.04% 0.03% (work status 1 hour or greater) 0.02% (work status 2 hours or greater)

Testing Results		Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		858		0		241	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		96	0	0	0	850	2
For Cause	Post accident	4	0	0	0	1	0
	Observed behavior	3	0	0	0	5	2
Random		276	1	0	0	67	0
Follow-up		27	1	0	0	21	0
Other		2	0	0	0	1	0
<b>Total</b>		<b>408</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>945</b>	<b>4</b>

### Breakdown of Confirmed Positive Tests for Specific Substances

NOP-LP-1002-01 Rev. 00

	Marijuana	Cocaine	Opiates	Amphetamine	Phencyclidine	Alcohol	Refusal to Test	1	2	3	4	5	
Licensee Employees	0	0	0	0	0	2	0						
Long-Term Contractors	0	0	0	0	0	0	0						
Short-Term Contractors	2	1	0	0	0	1	0						
<b>Total</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>						<b>6</b>

Attachment 2

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Summary of Management Actions Taken  
and  
List of Fitness For Duty Event Reports  
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From July 1, 2007, through December 31, 2007, the Davis-Besse Nuclear Power Station (DBNPS) Fitness for Duty (FFD) records indicate the following results:

**Licensee Employees**

For Licensee Employees, two individuals were confirmed positive for alcohol during this reporting period. Both individuals held unescorted access and were subjected to random drug and alcohol testing.

**Random Category:**

One licensee employee tested positive for alcohol during random testing and was denied unescorted access to the Protected Area. Pursuant to Nuclear Operating procedure NOP-LP-1002, "Fitness for Duty Program" requirements, the individual was informed of his/her right to appeal and of the procedural requirements in order to re-establish unescorted access to the Protected Area. As of the end of this reporting period, this individual had a Supervisory Referral to the Company Employee Assistance Program (EAP) and completed the recommended treatment program. Upon the re-establishment of suitability, the Company Medical Review Officer (MRO) returned this licensee employee to work with participation in the Follow-up Testing Program for three years. This individual did not complete the Follow-up Testing Program due to leaving the licensee on his own accord before the end of the period.

**Follow-up Category:**

The second licensee employee was a participant in the Follow-up Testing Program. An unannounced test resulted in a confirmed positive alcohol level, which also included a blood draw. Since this was this employee's second positive alcohol test, the employee was denied unescorted access to the Protected Area for a period of three years. Pursuant to procedure NOP-LP-1002 requirements, the individual was informed of his/her right to appeal and of the procedural requirements in order to re-establish unescorted access to the Protected Area. Initially this employee exercised the right to appeal the denial decision until the blood draw confirmed the positive alcohol, then the individual withdrew his/her appeal request.

### **Short-Term Contractors**

For Short-term Contractors, four individuals were confirmed positive for a single substance. All individuals were denied access to the facility.

#### **Pre-Access Category:**

Four contractor individuals, who did not hold unescorted access, were subjected to pre-access testing during in-processing, which resulted in one confirmed positive for alcohol, two confirmed positives for marijuana, and one confirmed positive for cocaine. All four contractor individuals were denied unescorted access to the Protected Area. Pursuant to procedure NOP-LP-1002 requirements, the individuals were informed of his/her right to appeal and of the procedural requirements in order to establish unescorted access to the Protected Area. To date, the contractor employees have not exercised their right to appeal.

### **List of Events Reported**

No Fitness-For-Duty events were reported under the provisions of 10 CFR 26.73 by the DBNPS during this reporting period (July – December 2007).