



Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY
10601

John F. McCann
Director
Nuclear Safety and Licensing

February 23, 2009
ENOC-09-00005

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

SUBJECT: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Indian Point Nuclear Generating Units No. 1, 2 and 3
Docket Nos. 50-003, 50-247, and 50-286
Pilgrim Nuclear Power Station
Docket No. 50-293
Vermont Yankee Nuclear Power Station
Docket No. 50-271
**Fitness-for-Duty Program Performance Report
For the Period July 2008 – December 2008**

Dear Sir or Madam:

This letter transmits the James A. FitzPatrick, Indian Point 1, Indian Point 2, Indian Point 3, Pilgrim, and Vermont Yankee Fitness-for-Duty Program performance reports for the period from July 2008 through December 2008 in accordance with the requirements of 10 CFR 26.71(d). The FitzPatrick report is Attachment I; the combined Indian Point 1, 2, and 3 report is Attachment II; the Pilgrim report is Attachment III, and the Vermont Yankee report is Attachment IV.

A021
NRR

There are no new commitments made in this letter. If you have any questions, please contact Ms. Charlene Faison at 914-272-3378.

Very truly yours,



John McCann
Director, Nuclear Safety and Licensing
Entergy Nuclear Operations, Inc.

Attachments: As stated

cc:

Mr. Samuel J. Collins
Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Resident Inspector's Office
Indian Point Unit 3
U.S. Nuclear Regulatory Commission
P.O. Box 59
Buchanan, NY 10511-0059

Mr. John Boska, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O-8-C2
Washington, DC 20555-0001

Resident Inspector's Office
Indian Point Unit 2
U.S. Nuclear Regulatory Commission
P.O. Box 59
Buchanan, NY 10511-0059

Mr. James S. Kim, Project Manager
Plant Licensing Branch I-1
Division of Operator Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
M/S O-8C2
Washington, DC 20555-0001

Resident Inspector's Office
James A. FitzPatrick Nuclear Power Plant
U.S. Nuclear Regulatory Commission
P.O. Box 136
Lycoming, NY 13093-0136

Mr. Ted Smith, Project Manager
Division of Waste Management and
Environmental Protection
Office of Federal and State Materials and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
Mail Stop T-7-E18
Washington, DC 20555-0001

Resident Inspector's Office
Pilgrim Nuclear Power Station
U.S. Nuclear Regulatory Commission
600 Rocky Hill Road
Mail Stop 66
Plymouth, MA 02360

Resident Inspector's Office
Vermont Yankee Nuclear Power Station
U.S. Nuclear Regulatory Commission
320 Governor Hunt Road
P.O. Box 157
Vernon, VT 05354

Mr. Paul Eddy
NYS Department of Public Service
3 Empire State Plaza
Albany, NY 12223

Mr. Robert Callender
Vice President
NYSERDA
17 Columbia Circle
Albany, NY 12203

Mr. David O'Brien
Commissioner
Department of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601

ATTACHMENT I TO ENOC-09-00005

**JAMES A. FITZPATRICK NUCLEAR POWER PLANT
FITNESS FOR DUTY PROGRAM
PERFORMANCE REPORT FOR
JULY 2008 THROUGH DECEMBER 2008**

(5 pages)

ENTERGY NUCLEAR OPERATIONS, INC.
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
DOCKET NO. 50-333
DPR-59

Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
Fitness-for-Duty Program Performance Report
For the Period July through December 2008

INTRODUCTION

10 CFR 26.71(d) requires that nuclear power plant licensees periodically collect, compile and submit Fitness-for-Duty performance data. Specifically, this performance data must include:

1. Random testing rate;
2. Drugs tested for and cutoff levels, including results of tests using lower cutoff levels;
3. Workforce population tested;
4. Numbers of tests and results by population and type of test (i.e., pre-access, random, for-cause, etc.);
5. Substances identified;
6. Summary of management actions; and
7. A list of events reported.

Fitness-for-Duty performance data for Entergy's James A. FitzPatrick Nuclear Power Plant for the period July through December 2008 are provided below and in the attached tables. Data on random testing rate, a summary of management actions, and a list of events reported (items 1, 6 and 7) are given below. Data for the remaining items (2, 3, 4 and 5) are given in the attached tables.

An additional section not required by 10 CFR 26 is included in this report. The additional section summarizes events related to the FitzPatrick Fitness-for-Duty Program and lessons learned.

At JAF, Entergy considers all contractors to be short-term contractors for the purposes of the Fitness-for-Duty Program. For this reason, the attached tables show "zeros" for data associated with long-term contractors.

RANDOM TESTING RATE

For this period, 25.24% of employees were tested randomly. For this year 53.55% of employees were tested randomly.

SUMMARY OF MANAGEMENT ACTIONS

Entergy used the definition of "Management Actions" implicit in 10 CFR 26.27 ("Management actions and sanctions to be imposed") to determine the content of this section.

Pre-Access Testing

A total of 1117 pre-access tests (23-employees, 1094-contractors) were administered. All employee pre-access tests were negative.

There were 8 positive contractor pre-access tests (two-cocaine, five-marijuana, and one-alcohol). Individuals who tested positive for cocaine or marijuana were denied access for 3 years, with the exception that one of the contractor positive tests for marijuana was his second confirmed positive test, which resulted in a permanent access denial from the Entergy Fleet.

All other contractor tests were negative.

Further details of some of the contractor tests are as follows:

- Two Contractor tests were reported as fatal flaws due to the individuals not completing step 5 on the chain of custody form. One of these contractor individuals was retested and the test results were negative. The other contractor re-test was positive for marijuana. This contractor was denied access for a minimum of 3 years.
- One contractor pre-access test was reported as a cancelled test due to the lab detecting a difference in the color of the original and split specimens due to not mixing the 2 urine samples prior to splitting them. The individual was retested, resulting in negative test results.
- One Contractor who tested positive for alcohol, requested a blood alcohol level test that confirmed his positive test. His access was denied for 1 year.
- One contractor had a pre-access specimen that was out of the temperature range and was notified that he needed to provide a repeat observed specimen. Individual left without providing the specimen and was deemed a refusal to test. This individual was sent a denial letter indicating that a refusal to test was considered a positive and his access would be denied for a minimum of 3 years.

Random Testing

A total of 267 random tests (196-employees, 71-contractors) were administered. All test results were negative.

For Cause Testing

One employee was for cause tested after reporting a DWI. Test results were negative. Individual was placed in the follow up program.

Two contractors were for-cause tested. One contractor was for cause tested after receiving credible information that the individual was using drugs. This contractor tested positive for cocaine. His access was denied for a minimum of 3 years. Another contractor was for cause tested after the odor of alcohol was detected. His test results were positive. He was denied access for a minimum of 1 year.

Follow Up Testing

There were 68 follow up tests (14-employees and 54-contractors) administered during this reporting period. All test results were negative.

Other

This category includes tests repeated because the results of the specimen were negative but the specimen was determined by the laboratory to have either a low specific gravity or a low concentration of creatinine. There were 35 atypical tests (7 employees and 28 contractors). All repeat observed test results were negative. There were 5 Department of Transportation (DOT) tests performed for employees (which had a lower alcohol cutoff level at 0.02% BAC). The test results were negative.

Events Reported

None

Lessons Learned and Program Events

There were no lessons learned or program events during this period.

Attachment I TO ENOC-09-00005

Fitness For Duty Program

Semi-Annual Performance Data Report - Personnel Subject to 10CFR26

Section I - Company Data

Company: Entergy - JAF	Six-Month Period: 07/01/2008 to 12/31/2008
Location: James A. FitzPatrick Nuclear Power Plant PO Box 110 Lycoming, NY 13093	Drugs Tested For
Contact: Debra J. Caltabiano Coordinator, Access/FFD	Screen/Confirmation (ng/ml)
Phone: (315) 349-6412	Marijuana 100/15
	Marijuana 50/15 (N/A for JAF)
	Cocaine 300/150
	Opiates 300/300
	Amphetamines 1000/500
	Phencyclidine 25/25
	Alcohol (%BAC) 0.04% BAC
	Random Testing Rate: NLT 50% per annum.

Section II - Testing Results

Avg. Workforce	Licensee Employee			Long-Term Contractor			Short-Term Contractor			Total		
	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused
	733.26			0			324.41			1057.67		
Category	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused
Follow-Up	14	0	0	0	0	0	54	0	0	68	0	0
Observed Behavior	1	0	0	0	0	0	2	2	0	3	2	0
Post Accident	0	0	0	0	0	0	0	0	0	0	0	0
Other	12	0	0	0	0	0	28	0	0	40	0	0
Pre-Access	23	0	0	0	0	0	1094	8	1	1117	8	1
Random	196	0	0	0	0	0	71	0	0	267	0	0
Total	246	0	0	0	0	0	1249	10	1	1495	10	1

Section III - Breakdown of Confirmed Positive Tests for Specific Substances

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencycli- dine	FFD Violation	Refused	Total
Licensee Employee	0	0	0	0	0	0	0	0	0	0
Short-Term Contractor	2	0	3	0	5	0	0	0	1	11
Total	2	0	3	0	5	0	0	0	1	11

Note: Any discrepancies in the totals in this section versus Section II indicate that one or more tests detected multiple drugs. Refer to Section IV for the declaration of these tests and their corresponding drugs.

Attachment I TO ENOC-09-00005

Section IV - Breakdown of Tests With Multiple Detected Drugs

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencycli- dine	FFD Violation	Refused
None									

Section V - Blind Testing Results

Q3	12.10 %
Q4	11.56 %
Period	12.04 %

Section VI - Random Testing Results

For Period	25.24 %
For Year	53.55 %

ATTACHMENT II TO ENOC-09-00005

INDIAN POINT NUCLEAR GENERATING UNITS NO. 1, 2, and 3

**FITNESS FOR DUTY PROGRAM
PERFORMANCE REPORT FOR
JULY 2008 THROUGH DECEMBER 2008**

(5 pages)

ENTERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NO. 1
DOCKET NO. 50-003
DPR-5
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2
DOCKET NO. 50-247
DPR-26
INDIAN POINT NUCLEAR GENERATING UNIT NO. 3
DOCKET NO. 50-286
DPR-64

ATTACHMENT II TO ENOC-09-00005

Entergy Nuclear Operations, Inc.
Indian Point Energy Center Units No. 1, 2, 3
Fitness-For-Duty Program Performance Report
For the Period of July through December 2008

INTRODUCTION

10 CFR 26.71 (d) requires that nuclear power plant licensees periodically collect, compile and submit Fitness-For-Duty performance data. Specifically, this performance data must include:

1. Random testing rate;
2. Drugs tested for and cutoff levels, including results of tests using lower cutoff levels and tests for other drugs;
3. Workforce population tested;
4. Numbers of tests and results by population and type of test (i.e., pre-access, random, for-cause, etc.);
5. Substances identified;
6. Summary of management actions; and
7. A list of events reported.

Fitness-For-Duty performance data for the Entergy's Indian Point Energy Center for the period from July through December 2008 are provided below and in the attached tables. The random testing rate, a summary of management actions, and a list of events reported (items 1, 6, and 7) are given below. Data for the remaining items (2, 3, 4 and 5) are given in the attached tables.

An additional section not required by 10 CFR 26 is included in this report. The additional section summarizes events related to the Indian Point Energy Center Fitness-For-Duty program and lessons learned.

At IPEC, Entergy considers all contractors to be short-term for the purposes of the Fitness-For-Duty program. For this reason, the attached tables show "zeros" for data associated with long-term contractors.

RANDOM TESTING RATE

For this period, 26.25% of the workforce was tested randomly. The annual testing rate was 51.37% for 2008

SUMMARY OF MANAGEMENT ACTIONS

Entergy used the definition of "Management Actions" implicit in 10 CFR 26.27 ("Management actions and sanctions to be imposed") to determine the content of this section.

Pre-Access Testing

A total of two hundred and twenty (220) pre-access tests were performed (104 employees and 116 contractors).

All pre-access tests were negative.

Random Testing

A total of three hundred and seventy-four (374) random tests were performed (321-employees and 53-contractors).

One employee tested positive for cocaine. Mandatory EAP referral and a fourteen-day suspension were initiated. Employee was placed in follow-up testing program for 3 years upon returning to work.

All contractor random tests were negative.

For-Cause Testing

A total of eight (8) for-cause tests were performed. Six tests were for observed behavior (All six tests were for employees). Two tests were for post accident (1 employee and 1 contractor).

Seven for-cause tests were negative.

One employee tested positive for alcohol on an observed behavior test. Employee was terminated by company after violation of a return to work agreement with his department and human resources.

Follow-Up Testing

A total of twenty-six (26) follow-up (22-employee and 4-contractor) tests were performed.

All follow-up tests for employees and contractors were negative.

Other

This category includes tests repeated because the results of the specimen were negative but the specimen was determined by the laboratory to have either a low specific gravity or a low concentration of creatinine. A total of six (6) tests were performed (5 employees and 1 contractor).

All test results in this category were negative.

Events Reported

There were no events reported during this period at IPEC.

Lessons Learned and Program Events.

There were no program events identified during this period at IPEC.

Attachment II TO ENOC-09-00005

Fitness For Duty Program

Semi-Annual Performance Data Report - Personnel Subject to 10CFR26

Section I - Company Data

Company: IPEC – Indian Point Energy Center	Six-Month Period: 07/01/2008 to 12/31/2008																
Location: Indian Point Energy Center 450 Broadway, Suite 3 Buchanan, NY 10511	<table border="1"> <thead> <tr> <th>Drugs Tested For</th> <th>Screen/Confirmation (ng/ml)</th> </tr> </thead> <tbody> <tr> <td>Marijuana</td> <td>100/15</td> </tr> <tr> <td>Marijuana</td> <td>50/15</td> </tr> <tr> <td>Cocaine</td> <td>300/150</td> </tr> <tr> <td>Opiates</td> <td>300/300</td> </tr> <tr> <td>Amphetamines</td> <td>1000/500</td> </tr> <tr> <td>Phencyclidine</td> <td>25/25</td> </tr> <tr> <td>Alcohol (%BAC)</td> <td>0.04% BAC</td> </tr> </tbody> </table>	Drugs Tested For	Screen/Confirmation (ng/ml)	Marijuana	100/15	Marijuana	50/15	Cocaine	300/150	Opiates	300/300	Amphetamines	1000/500	Phencyclidine	25/25	Alcohol (%BAC)	0.04% BAC
Drugs Tested For	Screen/Confirmation (ng/ml)																
Marijuana	100/15																
Marijuana	50/15																
Cocaine	300/150																
Opiates	300/300																
Amphetamines	1000/500																
Phencyclidine	25/25																
Alcohol (%BAC)	0.04% BAC																
Contact: Sharon Quinn Supervisor, Access Auth / FFD																	
Phone: (914) 788-2193																	
	Random Testing Rate: NLT 50% per annum.																

Section II - Testing Results

	Licensee Employee			Long-Term Contractor			Short-Term Contractor			Total		
Avg. Workforce	1167.58			0			257.35			1424.92		
Category	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused
Follow-Up	22	0	0	0	0	0	4	0	0	26	0	0
Observed Behavior	6	1	0	0	0	0	0	0	0	6	1	0
Post Accident	1	0	0	0	0	0	1	0	0	2	0	0
Other	5	0	0	0	0	0	1	0	0	6	0	0
Pre-Access	104	0	0	0	0	0	116	0	0	220	0	0
Random	321	1	0	0	0	0	53	0	0	374	1	0
Total	459	2	0	0	0	0	175	0	0	634	2	0

Section III - Breakdown of Confirmed Positive Tests for Specific Substances

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencycli- dine	FFD Violation	Refused	Total
Licensee Employee	1	0	1	0	0	0	0	0	0	2
Short-Term Contractor	0	0	0	0	0	0	0	0	0	0
Total	1	0	1	0	0	0	0	0	0	2

Note: Any discrepancies in the totals in this section versus Section II indicate that one or more tests detected multiple drugs. Refer to Section IV for the declaration of these tests and their corresponding drugs.

Attachment II TO ENOC-09-00005

Section IV - Breakdown of Tests With Multiple Detected Drugs

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencycli- dine	FFD Violation	Refused
None									

Section V - Blind Testing Results

Q3	12.24 %
Q4	11.57 %
<hr/>	
Period	11.83 %

Section VI - Random Testing Results

For Period	26.25 %
For Year	51.37 %

ATTACHMENT III TO ENOC-09-00005

PILGRIM NUCLEAR POWER STATION
FITNESS FOR DUTY PROGRAM
PERFORMANCE REPORT FOR
JULY 2008 THROUGH DECEMBER 2008

(4 pages)

ENTERGY NUCLEAR OPERATIONS, INC.
PILGRIM NUCLEAR POWER STATION
DOCKET NO. 50-293
DPR-35

ATTACHMENT III TO ENOC-09-00005

Entergy Nuclear Operations, Inc. Pilgrim Nuclear Power Station Fitness-For-Duty Program Performance Report For the Period July through December 2008

INTRODUCTION

10 CFR 26.71(d) requires that nuclear power plant licensees periodically collect, compile, and submit Fitness-For-Duty performance data. Specifically, this performance data must include:

1. Random testing rate;
2. Drugs tested for and cutoff levels, including results of tests using lower cutoff levels and tests for other drugs;
3. Workforce population tested;
4. Numbers of tests and results by population and type of test (i.e. pre-access, random, for cause, etc.);
5. Substances Identified;
6. Summary of management actions; and
7. A list of events reported.

Fitness-For-Duty performance data for the Entergy's Pilgrim Nuclear Power Plant for the period from July through December 2008 are provided below and in the attached tables. The random testing rate, a summary of management actions, and a list of events reported (items 1, 6, and 7) are given below. Data for the remaining Items (2, 3, 4 and 5) are given in the attached tables.

An additional section not required by 10CFR26 is included in this report. The additional section summarizes events related to Pilgrim Station's Fitness-For-Duty program and lessons learned.

RANDOM TEST RATE

During this period, 24.66% of the total workforce was tested. For the entire year of 2008, a total of 52.61% of the workforce was tested.

SUMMARY OF MANAGEMENT ACTIONS

Entergy used the definition of "Management Actions" implicit in 10 CFR 26.27 ("Management actions and sanctions to be imposed") to determine the content of this section.

Pre-Access Testing

During this period, a total of 105 pre-access tests were administered. The breakdown is 49 licensee employees, 0 (zero) long term contractors and 56 short term contractors. One employee test result was positive for marijuana. His access has been denied to all Entergy plants for a minimum of 3 years.

Random Testing

A total of two hundred-two (202) random tests were performed. One hundred-eighty four (184) were licensee employees and eighteen (18) were short term contractors. All test results were negative.

For Cause Testing

A total of 2 for-cause tests were performed. These were both Entergy employees. One of these tests was for observed behavior. The individual was also evaluated using the Employee Assistance Program and has since returned to regular duty. The other test was post-accident (the incorrect interpretation of a procedure). Both tests were negative.

Follow-up Testing

A total of 8 follow-up tests were performed during this period. Six were for Entergy employees and two were short term contractors. One of the licensee employees tested positive for cocaine and was immediately terminated. His access to all Entergy plants has been permanently denied.

Other

This category includes tests repeated because the results of the specimen were negative, but the specimen was determined by the laboratory to have either a low specific gravity or a low concentration of creatinine. A total of one test in this category was performed. The result of this test was negative.

EVENTS REPORTED

There were no events during this time period that required reporting to the NRC. No performance indicators were identified during this period.

LESSONS LEARNED AND PROGRAM EVENTS

There were no notable lessons learned or program events identified during this period.

Attachment III TO ENOC-09-00005

Fitness For Duty Program

Semi-Annual Performance Data Report - Personnel Subject to 10CFR26

Section I - Company Data

<p>Company: Entergy – Pilgrim Station</p> <p>Location: Entergy Pilgrim Station 600 Rocky Hill Road Plymouth, MA 02360</p> <p>Contact: Dave Burke Security Manager</p> <p>Phone: (508) 830-8320</p>	<p align="center">Six-Month Period: 07/01/2008 to 12/31/2008</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Drugs Tested For</th> <th style="text-align: left;">Screen/Confirmation (ng/ml)</th> </tr> </thead> <tbody> <tr><td>Marijuana</td><td>100/15</td></tr> <tr><td>Marijuana</td><td>50/15</td></tr> <tr><td>Cocaine</td><td>300/150</td></tr> <tr><td>Opiates</td><td>300/300</td></tr> <tr><td>Amphetamines</td><td>1000/500</td></tr> <tr><td>Phencyclidine</td><td>25/25</td></tr> <tr><td>Alcohol (%BAC)</td><td>0.04% BAC</td></tr> </tbody> </table> <p align="center">Random Testing Rate: NLT 50% per annum.</p>	Drugs Tested For	Screen/Confirmation (ng/ml)	Marijuana	100/15	Marijuana	50/15	Cocaine	300/150	Opiates	300/300	Amphetamines	1000/500	Phencyclidine	25/25	Alcohol (%BAC)	0.04% BAC
Drugs Tested For	Screen/Confirmation (ng/ml)																
Marijuana	100/15																
Marijuana	50/15																
Cocaine	300/150																
Opiates	300/300																
Amphetamines	1000/500																
Phencyclidine	25/25																
Alcohol (%BAC)	0.04% BAC																

Section II - Testing Results

Category	Licensee Employee			Long-Term Contractor			Short-Term Contractor			Total		
	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused
Avg. Workforce	695.04			0.46*			123.78			819.28		
Follow-Up	6	1	0	0	0	0	2	0	0	8	1	0
Observed Behavior	1	0	0	0	0	0	0	0	0	1	0	0
Post Accident	1	0	0	0	0	0	0	0	0	1	0	0
Other	1	0	0	0	0	0	0	0	0	1	0	0
Pre-Access	49	1	0	0	0	0	56	0	0	105	1	0
Random	184	0	0	0	0	0	18	0	0	202	0	0
Total	242	2	0	0	0	0	76	0	0	318	2	0

* One long term contractor from another Entergy site was on loan to Pilgrim during this period, but remains in his own FFD pool

Section III - Breakdown of Confirmed Positive Tests for Specific Substances

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencycli- dine	FFD Violation	Refused	Total
Licensee Employee	0	0	1	1	0	0	0	0	0	2
Long-Term Contractor	0	0	0	0	0	0	0	0	0	0
Short-Term Contractor	0	0	0	0	0	0	0	0	0	0
Total	0	0	1	1	0	0	0	0	0	2

Note: Discrepancies in the totals in this section versus Section II indicate that one or more tests detected multiple drugs. Refer to Section IV for the declaration of these tests and their corresponding drugs.

Attachment III to ENOC-09-00005

Section IV - Breakdown of Tests With Multiple Detected Drugs

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencycli- dine	FFD Violation	Refused
None									

Section V - Blind Testing Results

Q3	13.89 %
Q4	14.49 %
Period	14.15 %

Section VI - Random Testing Results

For Period	24.66 %
For Year	52.61 %

ATTACHMENT IV TO ENOC-09-00005

VERMONT YANKEE NUCLEAR POWER STATION

**FITNESS FOR DUTY PROGRAM
PERFORMANCE REPORT FOR
JULY 2008 THROUGH DECEMBER 2008**

(5 pages)

ENERGY NUCLEAR OPERATIONS, INC.
Vermont Yankee Nuclear Power Station
Docket No. 50-271
DPR-28

Entergy Nuclear Operations, Inc.
Vermont Yankee
Fitness-For-Duty Program Performance Report
For the Period of July through December 2008

INTRODUCTION

10 CFR 26.71 (d) requires that nuclear power plant licensees periodically collect, compile and submit Fitness-For-Duty performance data. Specifically, this performance data must include:

1. Random testing rate;
2. Drugs tested for and cutoff levels, including results of tests using lower cutoff levels and tests for other drugs;
3. Workforce population tested;
4. Numbers of tests and results by population and type of test (i.e., pre-access, random, for-cause, etc.);
5. Substances identified;
6. Summary of management actions; and
7. A list of events reported.

Fitness-For-Duty performance data for Entergy's Vermont Yankee for the period from July through December 2008 are provided below and in the attached tables. The random testing rate, a summary of management actions, and a list of events reported (items 1, 6, and 7) are given below. Data for the remaining items (2, 3, 4 and 5) are given in the attached tables.

An additional section not required by 10CFR26 is included in this report. The additional section summarizes events related to Vermont Yankee's Fitness-For-Duty program and lessons learned.

At Vermont Yankee, Entergy considers Wackenhut Security contractors to be long-term and all other contractors to be short-term for the purposes of the Fitness-For-Duty program.

RANDOM TESTING RATE

For this period, 26.76% of the workforce was tested randomly. The annual testing rate for 2008 was 54.00 %

SUMMARY OF MANAGEMENT ACTIONS

Entergy used the definition of "Management Actions" implicit in 10 CFR 26.27 ("Management actions and sanctions to be imposed") to determine the content of this section.

Pre-Access Testing

A total of four-hundred-sixty-one (461) pre-access tests were performed during this period: Thirty-three (33) employees; seven (7) long-term contractors and four-hundred-twenty-one (421) short-term contractors.

Four short-term contractor test results were positive; two were for marijuana $\geq 100\text{ng/ml}$, one for cocaine $>300\text{ ng/ml}$ and one for alcohol. The two tested positive for marijuana and the one for cocaine were denied for a minimum of three years; the one contractor tested positive for alcohol was denied for a minimum of one year.

The other tests under this category were negative.

Random Testing

A total of two-hundred-sixty-three (263) random tests were performed during this period: One-hundred-sixty-two (162) employees; forty (40) long-term contractors and sixty-one (61) short-term contractors.

All tests under this category were negative.

For-Cause Testing

A total of four (4) for-cause tests were performed during this period.

Two (2) licensee employees, two (2) long-term contractors for observed behavior.

The other tests under this category were negative.

Follow-Up Testing

A total of forty-four (44) follow-up tests were performed during this period: Thirteen (13) tests for employees, two (2) tests for long-term contractors and twenty-nine (29) tests for short-term contractors.

All tests under this category were negative.

Other

This category includes tests repeated because the results of the specimen were negative but the specimen was determined by the laboratory to have either a low specific gravity or a low concentration of creatinine.

A total of four (4) tests were performed during this period. Zero (0) licensee employees, one (1) long-term contractor, three (3) short-term contractor

One short-term contractor test results were positive for marijuana $\geq 100\text{ng/ml}$. The short-term contractor was denied for a minimum of three years.

All other tests under this category were negative.

Events Reported

There were no reportable events during this period. No performance indicators were identified during this period.

Lessons Learned and Program Events.

There were no notable lessons learned or program events identified during this period.

Attachment IV TO ENOC-09-00005

Fitness For Duty Program

Semi-Annual Performance Data Report - Personnel Subject to 10CFR26

Section I - Company Data

Company: Entergy – Vermont Yankee	Six-Month Period: 07/01/2008 to 12/31/2008																
Location: Governor Hunt Road PO Box 157 Vernon, VT 05354	<table border="1"> <thead> <tr> <th><u>Drugs Tested For</u></th> <th><u>Screen/Confirmation (ng/ml)</u></th> </tr> </thead> <tbody> <tr> <td>Marijuana</td> <td>100/15</td> </tr> <tr> <td>Marijuana</td> <td>50/15</td> </tr> <tr> <td>Cocaine</td> <td>300/150</td> </tr> <tr> <td>Opiates</td> <td>300/300</td> </tr> <tr> <td>Amphetamines</td> <td>1000/500</td> </tr> <tr> <td>Phencyclidine</td> <td>25/25</td> </tr> <tr> <td>Alcohol (%BAC)</td> <td>0.04% BAC</td> </tr> </tbody> </table>	<u>Drugs Tested For</u>	<u>Screen/Confirmation (ng/ml)</u>	Marijuana	100/15	Marijuana	50/15	Cocaine	300/150	Opiates	300/300	Amphetamines	1000/500	Phencyclidine	25/25	Alcohol (%BAC)	0.04% BAC
<u>Drugs Tested For</u>		<u>Screen/Confirmation (ng/ml)</u>															
Marijuana	100/15																
Marijuana	50/15																
Cocaine	300/150																
Opiates	300/300																
Amphetamines	1000/500																
Phencyclidine	25/25																
Alcohol (%BAC)	0.04% BAC																
Contact: Tina Emery-Howe Senior Security Coordinator																	
Phone: (802) 258-5804	Random Testing Rate: NLT 50% per annum.																

Section II - Testing Results

Avg. Workforce	Licensee Employee			Long-Term Contractor			Short-Term Contractor			Total		
	565.45			111.21			306.18			982.84		
Category	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused	Tested	Positive	Refused
Follow-Up	13	0	0	2	0	0	29	0	0	44	0	0
Observed Behavior	2	0	0	2	0	0	0	0	0	4	0	0
Post Accident	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	1	0	0	3	1	0	4	1	0
Pre-Access	33	0	0	7	0	0	421	4	0	461	4	0
Random	162	0	0	40	0	0	61	0	0	263	0	0
Total	210	0	0	52	0	0	514	5	0	776	5	0

Section III - Breakdown of Confirmed Positive Tests for Specific Substances

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencycli- dine	FFD Violation	Refused	Total
Licensee Employee	0	0	0	0	0	0	0	0	0	0
Long-Term Contractor	0	0	0	0	0	0	0	0	0	0
Short-Term Contractor	1	0	1	0	3	0	0	0	0	5
Total	1	0	1	0	3	0	0	0	0	5

Note: Discrepancies in the totals in this section versus Section II indicate that one or more tests detected multiple drugs. Refer to Section IV for the declaration of these tests and their corresponding drugs.

Attachment IV to ENOC-09-00005

Section IV - Breakdown of Tests With Multiple Detected Drugs

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates	Phencyli- dine	FFD Violation	Refused
None									

Section V - Blind Testing Results

Q3	12.12 %
Q4	11.43 %
<hr/>	
Period	11.73 %

Section VI - Random Testing Results

For Period	26.76 %
For Year	54.00 %