



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

March 2, 2009

10 CFR 26.71(d)

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

In the Matter of)
Tennessee Valley Authority)

Docket Nos. 50-259 50-327
50-260 50-328
50-296 50-390
50-391

TENNESSEE VALLEY AUTHORITY (TVA) - FITNESS FOR DUTY (FFD) PROGRAM
PERFORMANCE DATA: JULY - DECEMBER 2008

In accordance with 10 CFR 26.71(d), enclosed is TVA's FFD Program Performance Data for the six-month period of July 1 - December 31, 2008. Enclosure 1 summarizes the testing results under TVA's FFD Program that occurred during this reporting period. Enclosures 2 - 4 contain the performance data and summary of TVA management actions for TVA's nuclear plant sites (Browns Ferry, Sequoyah, and Watts Bar, respectively). Enclosure 5 consolidates the data for TVA's nuclear corporate organization (primarily Chattanooga and Knoxville Corporate offices). Enclosure 6 includes three FFD events reported to the NRC pursuant to 10 CFR 26.73 during the six-month period.

The random testing rate of drug and alcohol use is in accordance with the requirements prescribed in 10 CFR 26.24(a)(2).

There are no regulatory commitments associated with this submittal.

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If you have any questions concerning this information, please contact
Fred Mashburn at (423) 751-8817.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred C. Mashburn", with a long horizontal flourish extending to the right.

Fred C. Mashburn
Acting Manager, Corporate Nuclear Licensing
and Industry Affairs

cc : See page 3

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FCM:RPS
Enclosures

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NRC Senior Resident Inspector
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NRC Senior Resident Inspector
Watts Bar Nuclear Plant
1260 Nuclear Plant Road
Spring City, Tennessee 37381-4696

ENCLOSURE 1

TENNESSEE VALLEY AUTHORITY (TVA) FITNESS FOR DUTY (FFD) PERFORMANCE DATA JULY 1 – DECEMBER 31, 2008

The following summarizes testing results under TVA's FFD Program that occurred during this reporting period:

I. TVA's "Re-screening of Specimens"

Reference: TVA's policy to re-screen specimens with a creatinine level less than 20 mg/dl, which was addressed in the February 28, 1997, FFD Performance Report.

Summary

During this reporting period, TVA Nuclear Power Group (NPG) screened 121 specimens at the lower cutoff for marijuana. Three positive tests were identified from this group.

II. Trends

The confirmed positive test rate for all categories (pre-employment, pre-access, for-cause, post-accident, random, follow-up, and other) for this reporting period was 0.32 percent (14 positive tests) which is 0.05 percent lower than the last reporting period. The rate of random confirmed positives was 0.25 percent (5 positive tests) which is 0.01 percent higher than the last reporting period.

ENCLOSURE 2

SUMMARY OF MANAGEMENT ACTIONS FOR BROWNS FERRY NUCLEAR PLANT

In the **pre-access** test category, four contract employees (CEs) tested positive. The CEs were denied access, removed from site, returned to the contract company, and restricted from TVA NPG work for three years. Two CEs requested that split specimen testing be performed. The split specimen tests reconfirmed the positive test results.

In the **for-cause (observed behavior/reasonable suspicion)** test category, one CE tested positive and was also detected attempting to subvert the Fitness for Duty testing process. The CE initially presented an out-of-temperature pre-access specimen that tested negative and a subsequent for-cause observed specimen that tested positive. The CE was denied access, removed from site, returned to the contract company, and permanently restricted from TVA NPG work. The CE requested that split specimen testing be performed. The split specimen test reconfirmed the positive test results.

Also in the **for-cause (observed behavior/reasonable suspicion)** test category, two CEs refused to be tested. The CEs initially presented out-of-temperature pre-access specimens, then subsequently refused to provide the required for-cause observed specimens. The CEs were denied access, removed from site, returned to the contract company, and permanently restricted from TVA NPG work.

In the **random** test category, one CE tested positive. The CE's unescorted access was revoked. The CE was removed from site, returned to the contract company, and restricted from TVA NPG work for three years. The CE requested that a confirmatory blood alcohol test be performed. The blood alcohol test reconfirmed the positive test results. Review of the CE's work did not identify any deficiencies.

In the **follow-up** test category, one Licensee Employee (LE) tested positive. The LE retired prior to the positive test results being confirmed by the TVA NPG Medical Review Officer and was therefore denied access and restricted from TVA NPG work for three years. A review of the LE's work was deemed unnecessary because the LE's unescorted access had already been suspended due to a separate issue and the LE had not performed any work during the time frame in question.

Fitness for Duty Program Performance Data Personnel Subject to 10 CFR 26

TENNESSEE VALLEY AUTHORITY		DECEMBER 31, 2008	
Company		6 Months Ending	
BROWNS FERRY NUCLEAR PLANT			
Location			
REBECCA A. CHRISTNER		(423) 751-8822	
Contact Name		Phone (include area code)	
Cut-offs: Screen/Confirmation		<input checked="" type="checkbox"/> Appendix A to 10 CFR 26 * 50 ng/ml initial cut-off	
Marijuana*	/	Amphetamines	/
Cocaine	/	Phencyclidine	/
Opiates	/	Alcohol(%BAC)	/

*Specimens with a creatinine level less than 20 mg/dl are evaluated using a 20 ng/ml cutoff on the initial marijuana screen and the limit of quantitation as a cutoff on the GC/MS for marijuana metabolite.

Testing Results		Licensee Employees		Long-Term *** Contractor Personnel		Short-Term Contractor Personnel	
		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		1,324				980	
Pre-Access		100	0	N/A	N/A	1,014	4
For Cause	Post-accident	2	0	N/A	N/A	12	0
	Observed behavior	8	0	N/A	N/A	6	1
Random		379	0	N/A	N/A	340	1
Follow-up		41	1	N/A	N/A	17	0
Other **		0	0	N/A	N/A	0	0
Total		530	1	N/A	N/A	1,389	6

**No tests were conducted under the "Other" test category.

***Both long-term and short-term contractors are included in the "Short-Term Contractor Personnel" category.

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to test	1	2	3	4	
Licensee Employees	0	0	0	0	0	0	0	1	0	0	0	
Long-Term Contractors	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Short-Term Contractors	3	0	0	1	0	2	2	0	0	0	0	
Total	3*	0	0	1	0	2	2	1	0	0	0	9

* One specimen from this category tested negative at the 50 ng/ml cutoff limit; but positive using the 20 ng/ml cutoff limit.

Cutoff Levels of Additional Drugs

DRUG NUMBER	SUBSTANCE	Cut-off Level (ng/ml)	
		Screen	Confirmation
1	Barbiturates	300	300
2	Benzodiazepines	300	300
3	Methadone	300	300
4	Propoxyphene	300	300

ENCLOSURE 3

SUMMARY OF MANAGEMENT ACTIONS FOR SEQUOYAH NUCLEAR PLANT

In the **random** test category, one LE tested positive. The LE's unescorted access was revoked. The LE was removed from site, suspended for a minimum of 14 days, and referred to the Employee Assistance Program (EAP). The LE requested that split specimen testing be performed. The split specimen test reconfirmed the positive test results. A review of the LE's work did not identify any deficiencies. The LE did not return to work during this reporting period.

Fitness for Duty Program Performance Data Personnel Subject to 10 CFR 26

TENNESSEE VALLEY AUTHORITY		DECEMBER 31, 2008	
Company		6 Months Ending	
SEQUOYAH NUCLEAR PLANT			
Location			
REBECCA A. CHRISTNER		(423) 751-8822	
Contact Name		Phone (include area code)	
Cut-offs: Screen/Confirmation		<input checked="" type="checkbox"/> Appendix A to 10 CFR 26 * 50 ng/ml initial cut-off	
Marijuana*	/	Amphetamines	/
Cocaine	/	Phencyclidine	/
Opiates	/	Alcohol(%BAC)	/

*Specimens with a creatinine level less than 20 mg/dl are evaluated using a 20 ng/ml cutoff on the initial marijuana screen and the limit of quantitation as a cutoff on the GC/MS for marijuana metabolite.

Testing Results		Licensee Employees		Long-Term *** Contractor Personnel		Short-Term Contractor Personnel	
Average Number with Unescorted Access		1,035		N/A		397	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		85	0	N/A	N/A	191	0
For Cause	Post-accident	0	0	N/A	N/A	2	0
	Observed behavior	2	0	N/A	N/A	1	0
Random		278	1	N/A	N/A	119	0
Follow-up		6	0	N/A	N/A	2	0
Other **		0	0	N/A	N/A	0	0
Total		371	1	N/A	N/A	315	0

**No tests were conducted under the "Other" test category.

***Both long-term and short-term contractors are included in the "Short-Term Contractor Personnel" category.

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to test	1	2	3	4	
Licensee Employees	1	0	0	0	0	0	0	0	0	0	0	
Long-Term Contractors	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Short-Term Contractors	0	0	0	0	0	0	0	0	0	0	0	
Total	1*	0	0	0	0	0	0	0	0	0	0	1

* The specimen from this category tested negative at the 50 ng/ml cutoff limit; but positive using the 20 ng/ml cutoff limit.

Cutoff Levels of Additional Drugs

DRUG NUMBER	SUBSTANCE	Cut-off Level (ng/ml)	
		Screen	Confirmation
1	Barbiturates	300	300
2	Benzodiazepines	300	300
3	Methadone	300	300
4	Propoxyphene	300	300

ENCLOSURE 4

SUMMARY OF MANAGEMENT ACTIONS FOR WATTS BAR NUCLEAR PLANT

In the **pre-access** test category, two CEs tested positive. The CEs were denied access, removed from site, returned to the contract company, and restricted from TVA NPG work for three years. The CEs requested that split specimen testing be performed. The split specimen test reconfirmed the positive test results.

In the **random** test category, one LE and two CEs tested positive. The LE's and CEs' unescorted access was revoked. The LE was removed from site, suspended for a minimum of 14 days, and referred to the EAP. The CEs were removed from site, returned to the contract company, and restricted from TVA NPG work for three years. The LE and one CE requested that split specimen testing be performed. The split specimen tests reconfirmed the positive test results. The LE did not return to work during this reporting period. Reviews of the LE's and CEs' work did not identify any deficiencies.

In the **follow-up** test category, one CE tested positive. The CE's unescorted access was revoked. The CE was removed from site, returned to the contract company, and restricted from TVA NPG work for three years. A review of the CE's work did not identify any deficiencies.

Fitness for Duty Program Performance Data Personnel Subject to 10 CFR 26

TENNESSEE VALLEY AUTHORITY		DECEMBER 31, 2008	
Company		6 Months Ending	
WATTS BAR NUCLEAR PLANT			
Location			
REBECCA A. CHRISTNER		(423) 751-8822	
Contact Name		Phone (include area code)	
Cut-offs: Screen/Confirmation		<input checked="" type="checkbox"/> Appendix A to 10 CFR 26 * 50 ng/ml initial cut-off	
Marijuana*	/	Amphetamines	/
Cocaine	/	Phencyclidine	/
Opiates	/	Alcohol(%BAC)	/

*Specimens with a creatinine level less than 20 mg/dl are evaluated using a 20 ng/ml cutoff on the initial marijuana screen and the limit of quantitation as a cutoff on the GC/MS for marijuana metabolite.

Testing Results		Licensee Employees		Long-Term *** Contractor Personnel		Short-Term Contractor Personnel	
Average Number with Unescorted Access		955		N/A		1,510	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		118	0	N/A	N/A	700	2
For Cause	Post-accident	2	0	N/A	N/A	9	0
	Observed behavior	0	0	N/A	N/A	4	0
Random		245	1	N/A	N/A	418	2
Follow-up		7	0	N/A	N/A	23	1
Other**		0	0	N/A	N/A	1	0
Total		372	1	N/A	N/A	1,155	5

** The other test category includes: Program Integrity Clearance (FFD Program Administration).

*** Both long-term and short-term contractors are included in the "Short-Term Contractor Personnel" category.

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to test	1	2	3	4	
Licensee Employees	0	1	0	0	0	0	0	0	0	0	0	
Long-Term Contractors	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Short-Term Contractors	3	0	0	0	0	2	0	0	0	0	0	
Total	3*	1	0	0	0	2	0	0	0	0	0	6

* One specimen from this category tested negative at the 50 ng/ml cutoff limit; but positive using the 20 ng/ml cutoff limit.

Cutoff Levels of Additional Drugs

DRUG NUMBER	SUBSTANCE	Cut-off Level (ng/ml)	
		Screen	Confirmation
1	Barbiturates	300	300
2	Benzodiazepines	300	300
3	Methadone	300	300
4	Propoxyphene	300	300

ENCLOSURE 5

SUMMARY OF MANAGEMENT ACTIONS FOR
CORPORATE TVA NUCLEAR POWER GROUP (NPG) OFFICES

There were no positive tests in the Corporate TVA NPG offices during this reporting period.

Fitness for Duty Program Performance Data Personnel Subject to 10 CFR 26

TENNESSEE VALLEY AUTHORITY		DECEMBER 31, 2008	
Company		6 Months Ending	
CORPORATE OFFICES (CHATTANOOGA, KNOXVILLE, AND OTHER)			
Location			
REBECCA A. CHRISTNER		(423) 751-8822	
Contact Name		Phone (include area code)	
Cut-offs: Screen/Confirmation		<input checked="" type="checkbox"/> Appendix A to 10 CFR 26 * 50 ng/ml initial cut-off	
Marijuana*	/	Amphetamines	/
Cocaine	/	Phencyclidine	/
Opiates	/	Alcohol(%BAC)	/

*Specimens with a creatinine level less than 20 mg/dl are evaluated using a 20 ng/ml cutoff on the initial marijuana screen and the limit of quantitation as a cutoff on the GC/MS for marijuana metabolite.

Testing Results		Licensee Employees		Long-Term *** Contractor Personnel		Short-Term Contractor Personnel	
		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		N/A		N/A		N/A	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access**		N/A	N/A	N/A	N/A	N/A	N/A
For Cause	Post-accident	0	0	N/A	N/A	0	0
	Observed behavior	0	0	N/A	N/A	0	0
Random		151	0	N/A	N/A	106	0
Follow-up		2	0	N/A	N/A	0	0
Other ****		4	0	N/A	N/A	3	0
Total		157	0	N/A	N/A	109	0

** Persons assigned to corporate locations, but with unescorted access at a TVA nuclear power plant site, are included in the average for the site or sites where they hold the unescorted access authorization.

*** Both long-term and short-term contractors are included in the "Short-Term Contractor Personnel" category.

****The other test category includes: assignment to emergency response duties - (2) TVA; program integrity clearance (FFD Program Administration)- (2) TVA, (3) contract.

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to test	1	2	3	4
Licensee Employees	0	0	0	0	0	0	0	0	0	0	0
Long-Term Contractors	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Short-Term Contractors	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0

Cutoff Levels of Additional Drugs

DRUG NUMBER	SUBSTANCE	Cut-off Level (ng/ml)	
		Screen	Confirmation
1	Barbiturates	300	300
2	Benzodiazepines	300	300
3	Methadone	300	300
4	Propoxyphene	300	300

ENCLOSURE 6

SUMMARY OF FITNESS FOR DUTY EVENTS
 REPORTED TO THE NUCLEAR REGULATORY COMMISSION OPERATIONS CENTER

EVENTS	DATE OF NOTIFICATION	JOB TITLE	SUBSTANCE	METHOD DISCOVERED	ACTION TAKEN
08-001	August 4, 2008	Contract Supervisor	Alcohol	Random testing at Browns Ferry Nuclear Plant	The individual's unescorted access was revoked. The individual was removed from site, returned to the contract company, and restricted from TVA Nuclear work for three years. An associated message/alert was posted in the Personnel Access Data System (PADS). A review of the individual's work was performed with no deficiencies identified.
08-002	November 7, 2008	Licensee Licensed Supervisor	Marijuana	Random testing at Sequoyah Nuclear Plant	The individual's unescorted access was revoked. The individual was removed from site, suspended for a minimum of 14 days, and referred to the EAP. An associated message/alert was posted in the PADS. A review of the individual's work was performed with no deficiencies identified. The individual did not return to work and resigned during this reporting period.

08-003	December 15, 2008	Licensee Manager & Supervisor	Cocaine	Random Testing at Watts Bar Nuclear Plant	The individual's unescorted access was revoked. The individual was removed from site, suspended for a minimum of 14 days, and referred to the EAP. An associated message/alert was posted in the PADS. A review of the individual's work was performed with no deficiencies identified. The individual did not return to work during this reporting period.
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