



**NUCLEAR FUEL SERVICES, INC.**

*a subsidiary of The Babcock & Wilcox Company*

■ 1205 banner hill road ■ erwin, tn 37650 ■ phone 423.743.9141  
■ www.nuclearfuelservices.com

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ACF-09-0044  
22G-09-0001

February 17, 2009

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Director  
Office of Nuclear Material Safety and Safeguards  
ATTENTION: Document Control  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Reference: Docket No. 70-143; License SNM-124

Dear Sir:

As required by 10 CFR 26, Section 26.71, enclosed is the Fitness for Duty Program Performance Data Report for the Reporting Period of July 1, 2008 through December 31, 2008.

If you need additional information, please contact me or Gregg A. Tipton, Director, Labor Relations at (423) 743-1721. Please use our unique document identification number 22G-09-0001 in any correspondence concerning this letter.

Sincerely,

NUCLEAR FUEL SERVICES, INC.

B. Marie Moore  
Director, Safety & Regulatory

cc: Regional Administrator  
U. S. Nuclear Regulatory Commission  
Region II  
Atlanta Federal Center  
61 Forsyth Street, SW, Suite 23T85  
Atlanta, GA 30303

Mr. Manual Crespo, Project Inspector  
U. S. Nuclear Regulatory Commission  
Region II  
Atlanta Federal Center  
61 Forsyth Street, SW, Suite 23T85  
Atlanta, GA 30303

NRC Senior Resident Inspector  
U. S. Nuclear Regulatory Commission

A021  
NMSS01

**FITNESS FOR DUTY PROGRAM  
 PERFORMANCE DATA  
 Date: January 30, 2009**

<p><b>NUCLEAR FUEL SERVICES, INC.,          1205 BANNER HILL ROAD          ERWIN, TENNESSEE 37650          (423) 743-1738</b></p> <p><b>ATTENTION: Douglas M. Buck          Director of Human Resources</b></p>	<p style="text-align: center;"><u>Reporting Period:</u>  <b>July 1, 2008 thru December 31, 2008</b></p> <p style="text-align: center;"><i>Douglas M. Buck</i> 2/11/09          Approval Date</p>												
<p>Cutoffs: Screen/Confirmation (ng/ml) <span style="float: right;">Re: Appendix A to 10 CFR 26</span></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Marijuana</td> <td style="width: 25%;">50/15</td> <td style="width: 25%;">Amphetamines</td> <td style="width: 25%;">1000/500</td> </tr> <tr> <td>Cocaine</td> <td>300/150</td> <td>Phencyclidine</td> <td>25/25</td> </tr> <tr> <td>Opiates</td> <td>300/300</td> <td>Alcohol (%BAC)</td> <td>.04%</td> </tr> </table>		Marijuana	50/15	Amphetamines	1000/500	Cocaine	300/150	Phencyclidine	25/25	Opiates	300/300	Alcohol (%BAC)	.04%
Marijuana	50/15	Amphetamines	1000/500										
Cocaine	300/150	Phencyclidine	25/25										
Opiates	300/300	Alcohol (%BAC)	.04%										

<b>PRE-ACCESS TESTING RATE = 100% OF ELIGIBLE POPULATION            RANDOM TESTING RATE = 50% OF ELIGIBLE POPULATION            OTHER TESTING RATE = AS REQUIRED</b>						
CATEGORIES	LICENSEE EMPLOYEES		CONTRACTOR PERSONNEL		VENDOR	
	# TESTED	# POSITIVE	# TESTED	# POSITIVE	# TESTED	# POSITIVE
<b>Pre-Access</b>	123	1	75	0	0	0
<b>For Cause</b>	2	0	2	0	0	0
Post Accident	24	0	13	0	0	0
Observed Behavior	0	0	0	0	0	0
<b>Random</b>	210	1	66	1	0	0
<b>Follow-up</b>	3	0	0	0	0	0
<b>Other (Return to Duty)</b>	39	1	35	0	0	0
<b>SUBTOTALS</b>	401	3	191	1	0	0

**TOTAL TESTS 592**

**CONFIRMED POSITIVE TESTS FOR SPECIFIC SUBSTANCES**

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to Test
NFS Employees	2	0	0	0	0	1	0
Contractors	0	0	1	0	0	0	0
Vendors	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>

**BLIND SAMPLING PERFORMANCE**

Month	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Blank
July 2008	0	0	1	0	1	8
August 2008	0	0	0	0	0	11
September 2008	0	0	1	0	0	7
October 2008	1	1	0	1	0	7
November 2008	0	0	0	0	1	8
December 2008	0	1	1	0	0	9
<b>TOTAL</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>50</b>

Total # of Blinds **59**

**SUMMARY OF MANAGEMENT ACTIONS**

	Suspension		EAP Referrals		Follow-up Program		Terminations		Appeals	
	THC	Cocaine	No.	Reason	No.	Reason	No.	Reason	No.	Reason
NFS Pre-Emp	0	0	0		0		1	Positive THC Pre-Emp No further processing	0	
Employee	1 (THC)	0	1	Positive THC Random	Pending Clearance Review *		0		1	
Employee	1 (Alcohol)	0	1	Positive Alcohol RTD	1	Positive Alcohol RTD	0		1	
Contractor	0	0	0		0		1	Positive Opiate Random	0	
Vendor	0	0	0		0		0		0	
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>2</b>		<b>1*</b>		<b>2</b>		<b>2</b>	

**EVENTS REPORTED**

EVENT	DATE OCCURRED (REPORTED)	REMARKS
Supervisor tested positive for THC (Random Testing)	9-30-08	Current suspension and return to work status pending result of clearance review.