

Detroit Edison



10 CFR 26.71(d)

February 23, 2009
NRC-09-0016

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

Reference: Fermi 2
NRC Docket No. 50-341
NRC License No. NPF-43

Subject: Semi-Annual Fitness for Duty Report

In accordance with 10 CFR 26.71(d), enclosed is the Semi-Annual Fitness for Duty (FFD) Report for Fermi 2 for the report period of July 1, 2008 through December 31, 2008.

Should you have any questions or require additional information, please contact Mr. Mark P. Findlay, Manager - Nuclear Security, at (734) 586-1112.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney W. Johnson".

Rodney W. Johnson
Manager - Nuclear Licensing

Enclosure

cc: NRC Project Manager
Reactor Projects Chief, Branch 4, Region III
NRC Resident Office
Regional Administrator, Region III
K. R. Riemer

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NRR

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

THE DETROIT EDISON COMPANY	December 31, 2008
Company	6 Month Ending
FERMI 2	
Location	
Mark Findlay	(734) 586-1112
Contact Name	Phone (include area code)
Cutoffs: Screen/Confirmation (ng/ml) <input checked="" type="checkbox"/> Appendix A to 10 CFR 26	
<u>Marijuana</u> /	<u>Amphetamines</u> / /
<u>Cocaine</u> /	<u>Phencyclidine</u> / /
<u>Opiates</u> /	<u>Alcohol (% BAC)</u> / /

Testing Results		Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		824		0		449	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		78	0	0	0	211	2
For Cause	Post accident	2	0	0	0	0	0
	Observed behavior	16	0	0	0	17	1
Random		251	0	0	0	133	0
Follow-up		26	0	0	0	9	0
Other		0	0	0	0	0	0
Total		373	0	0	0	370	3

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to Test	1	2	3	4	5	
Licensee Employees	0	0	0	0	0	0	0						
Long-Term Contractors	0	0	0	0	0	0	0						
Short-Term Contractors	1	0	0	0	0	0	2						A
Total	1	0	0	0	0	0	2						3

**SECTION 3
FITNESS FOR DUTY PROGRAM
PERFORMANCE DATA**

- 1) The Fermi 2 annual testing rate in the Random Test Program for 2008 was 56% (765 tested out of an average pool size of 1360). All employees routinely reporting to the Fermi Energy Center are in the Random Testing program.
- 2) Detroit Edison does not have an on-site testing facility but transports specimens to a laboratory certified by the Department of Health and Human Services.

REPORTS MADE UNDER 10 CFR 26.73

There were no reports made under 10 CFR 26.73.

TESTING RESULTS

There were two (2) employees who tested positive for the six-month period ending December 31, 2008. The positive tests were categorized as follows:

Pre-Access Testing

One (1) contract employee tested positive for marijuana during a pre-access test. The employee had been granted a five (5) day reinstated access pending receipt of the pre-access test results. A review of the employee's work activities was performed and no deficient work practices which could impact security or safety related systems/equipment was identified. The employee's unescorted access was revoked.

One (1) contract employee attempted to submit a substitute specimen during a pre-access test. This was discovered when the specimen the employee submitted was found to be outside the acceptable temperature range. When confronted the employee admitted to attempting to submit a substitute sample. The employee was requested to submit to an observed collection. The employee refused to have a specimen obtained under direct observation. The employee's request for unescorted access was denied.

For-Cause Testing

One (1) contract employee attempted to submit a substitute specimen during a pre-access test (reported under pre-access testing). The employee was requested to submit to an observed collection. The employee refused to have a specimen obtained under direct observation. The employee's request for unescorted access was denied.

Random Testing

There were no positive tests in this category during this six-month period.

Follow-Up Testing

There were no positive tests in this category during this six-month period.

SUMMARY OF MANAGEMENT ACTIONS

There were no appeals received during this six-month period.

There was one (1) significant event reported to the Nuclear Regulatory Commission under 10CFR73.71. A contract employee tested positive for marijuana during a pre-access test. The employee had been granted a five (5) day reinstated access pending receipt of the pre-access test results. The pre-access test was reported as positive for marijuana. Upon receipt of the positive results unescorted access was suspended. A review of the employee's work activities was performed and no deficient work practices which could impact security or safety related systems/equipment was identified. A review of the employee's request for unescorted access revealed no disqualifying information or indication of illegal drug use. The employee did not access the protected area during the five (5) day access period. If the employee had disclosed recent illegal drug use the initial request for unescorted access would have been denied. The employee's unescorted access was subsequently revoked.