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John C. Brons
Executive Vice President
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March 1, 1991
IPN-91-005
JPN-91-009

U.S. Nuclear Regulatory Commission
Mail Station P1-137
Washington, D.C. 20555

Attn: Document Control Desk

Subject: Indian Point 3 Nuclear Power Plant
Docket No. 50-286
James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Fitness-For-Duty Program Performance Report
July through December 1990

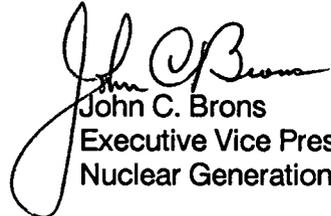
Dear Sir:

This letter transmits the Indian Point 3 (IP3) and James A. FitzPatrick (JAF) Fitness-For-Duty Program performance reports, in accordance with 10CFR26.71(d), for the period July 1, 1990 through December 31, 1990. The IP3 report is provided as Attachment I to this letter and the JAF report is provided as Attachment II.

The Authority has analyzed the Fitness-For-Duty performance data and has taken actions to correct program weaknesses. The corrective actions are presented in the performance reports.

Should you or your staff have any questions regarding this matter, please contact Mr. P. Kokolakis or Mr. J. A. Gray, Jr.

Very truly yours,


John C. Brons
Executive Vice President
Nuclear Generation

cc: See next page

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Attachment I to IPN-91-005/JPN-91-009

New York Power Authority
Indian Point Three Nuclear Power Plant

**Fitness-For-Duty Program Performance Report
For the Period July through December 1990**

Introduction

10 CFR 26.71(d) requires that the 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 populations tested;
4. Numbers of tests and results by population and type of test (i.e. pre-badging, 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 Authority's Indian Point Three Nuclear Power Plant (IP3) for the period from July through December 1990 is provided below and in the two 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 summarizes significant events related to the IP3 Fitness-For-Duty Program.

Random Testing Rate

The random testing rate for this period was 52 percent.

Summary of Management Actions

The Authority 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.

Employee For Cause Testing

Two employees were drug tested on a for cause basis during this reporting period. One of the individuals was tested for alcohol only. The result of this test was positive. The other individual was tested for all drugs identified by the Fitness-For-Duty Program. The result of this test was negative. The individual who tested positive for alcohol was denied unescorted access and

referred to the Employee Assistance Program (EAP). The appropriate actions were taken in accordance with IP3 Fitness-For-Duty procedures and this individual's access was restored. The individual with the negative test result retained unescorted access.

Employee Random Testing

The random drug test results for two employees were positive. Both employees were denied unescorted access and referred to the EAP. One of the two employees chose to resign. The other employee met all IP3 Fitness-For-Duty procedure requirements. After meeting these requirements unescorted access was restored. This is the incident that is described in the "Events Reported" section below.

Contractor Personnel Random Testing

The random drug test results for three individuals, contracted by the Authority, were positive. The Authority subsequently denied access to these three individuals in accordance with IP3 Fitness-For-Duty procedures.

Events Reported

The Indian Point Three Nuclear Power Plant experienced one 10 CFR 26.73 reportable Fitness-For-Duty event during the reporting period and notification was made to the NRC in accordance with 10 CFR 26.73(b). The event involved an individual licensed under 10 CFR 55. The individual tested positive for marijuana. Following the positive result, the individual's unescorted access was denied and the individual was referred to the EAP. Upon meeting IP3 Fitness-For-Duty procedure requirements the individual's unescorted access was restored. Following completion of the EAP requirements, this licensed reactor operator was returned to routine duties assigned by the senior reactor operator supervisor.

Lessons Learned and Program Events

Audit

In accordance with 10 CFR 26.80, an independent audit of the Fitness-For-Duty Program at Indian Point Three was performed. Fitness-For-Duty administrators addressed all recommendations identified by the auditors.

Cross-training of Personnel

Many of the administrative tasks associated with the Fitness-For-Duty Program are performed by one individual. The program administrator realized the need for staff personnel to be cross-trained in these tasks. Therefore, professionals within the collection facility were trained to perform each function related to the selection and collection segment of the Fitness-For-Duty Program.

Uncharacteristic Temperatures

As a result of a poorly heated satellite collection facility storage area, the containers used for collection were kept unusually cold. This practice led to a number of uncharacteristic temperature readings. Upon identification of the problem, immediate corrective action was taken.

Random Testing Rate

10 CFR 26.24(2) requires the random testing rate to be at least 100% of the workforce. The Authority attempts to achieve this annual rate by targeting a random testing rate of at least 50% of the workforce for each semiannual period. The first semiannual period report submitted to the Commission indicated that when determining the random testing rate, the program administrator had counted the number of personnel selected for testing as opposed to counting the actual number of personnel that were tested. This resulted in a semiannual testing rate of only 38%, as indicated in our first semiannual Fitness-For-Duty report to the NRC. Because of the low testing rate for the first semiannual period, the Authority was unable to achieve the 100% annual testing rate. The changes that were made by the program administrator will ensure a minimum annual testing rate of 100%, as was demonstrated by the 52% achieved in the second semiannual period.

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

New York Power Authority	December 31, 1990
Company	6 Months Ending
Indian Point Unit 3 (Docket No. 50-286)	
Location	
Joe Dube	(914) 736-8191
Contact Name	Phone (include area code)
Cutoffs: Screen/Confirmation (ng/ml) <input checked="" type="checkbox"/> Appendix A to 10CFR 26	
Marijuana /	Amphetamines / _____ /
Cocaine /	Phencyclidine / _____ /
Opiates /	Alcohol (% BAC) / _____ /

Testing Results	Licensee Employees				Long Term Contractor Personnel		Short Term Contractor Personnel	
	# Tested	# Positive	# Referred to EAP	# Access Restored	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access	728				N/A		795	
Pre-employment	40	0			N/A	N/A	1303	29
Pre-badging	N/A	N/A			N/A	N/A	N/A	N/A
Periodic	0	N/A			N/A	N/A	0	N/A
For cause	2	1	1	1	N/A	N/A	0	N/A
Post accident	0	N/A			N/A	N/A	0	N/A
Random	409	2	2	1	N/A	N/A	383	3
Follow-up	0	N/A			N/A	N/A	0	N/A
Other	0	N/A			N/A	N/A	0	N/A
Total	451	3	3	2	N/A	N/A	1686	32

Random Testing Program Results

Individuals Tested	1989		1990		1991		1992		1993	
# Positive			3	5						
# Tested			444	792						
% Positive			.68	.63						
Graph of % Positive	5									
	4									
	3									
	2									
	1									

Confirmed Positive Tests for Specific Substances

(Total Random, Pre-employment, and For Cause)

Marijuana			5 (1)	14 (1)						
Cocaine			12 (1)	20 (1)						
Opiates			1	1						
Amphetamines										
Phencyclidine										
Alcohol			1	1						
(1)	One individual tested positive for each of the identified substances.									

Attachment II to IPN-91-005/JPN-91-009

New York Power Authority
James A. FitzPatrick Nuclear Power Plant

**Fitness-For-Duty Program Performance Report
For the Period July through December 1990**

Introduction

10 CFR 26.71(d) requires that the 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 populations tested;
4. Numbers of tests and results by population and type of test (i.e. pre-badging, 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 Authority's James A. FitzPatrick Nuclear Power Plant for the period from July through December 1990 is provided below and in the two 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 summarizes events related to the FitzPatrick Fitness-For-Duty program and lessons learned.

Random Testing Rate

The random testing rate for this period was 51 percent.

Summary of Management Actions

The Authority 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.

Licensed Operator Tests Positive

A licensed senior nuclear operator (SNO) was selected for random testing on October 9, 1990. The specimen was below the minimum acceptable temperature. Because the individual's oral temperature was normal, there was reason to believe that the individual may have altered or substituted the specimen. The SNO refused to provide a second specimen under direct

observation as required by Section 2.4 of Appendix A to 10 CFR 26. As a result, a confirmed positive was declared.

The operator was denied unescorted access and was referred to the Employee Assistance Program.

In accordance with the requirements of 10 CFR 26.73(b), notification was made to the NRC Operations Center on October 9, 1990 using the Emergency Notification System (ENS) telephone system.

Temporary Employee Confirmed Positive for Alcohol

A New York Power Authority temporary employee was selected for random testing. Test results were positive (confirmed) for alcohol.

The temporary employee was denied unescorted access and was subsequently terminated.

Events Reported

The James A. FitzPatrick Nuclear Power Plant had one 10 CFR 26.73 reportable Fitness-For-Duty event during the reporting period. In accordance with the requirements of 10 CFR 26.73(b), notification was made to the NRC Operations Center on October 9, 1990 using the Emergency Notification System (ENS) telephone system.

Lessons Learned and Program Events

Change in Random Selection Method

To improve the randomness of unannounced tests, the method for selecting individuals was changed. Previously, names were selected on a Monday for the seven day period Monday through Sunday.

The new method selects individuals for testing on the day they will be tested. This new method for selecting employees for random drug tests better assures that a person completing a test is immediately eligible for another unannounced test.

In addition to weekday tests, random drug tests are conducted on weekends and holidays.

Random Testing of Support Staff Employees

Offices for FitzPatrick's support staff are located in White Plains, New York. Employees normally assigned to the White Plains offices are sometimes badged for unescorted access at both of the Authority's nuclear power plants (James A. FitzPatrick and Indian Point 3).

If these employees were included in the drug testing program at both plants, they would be twice as likely to be subjected to a random drug test as an employee badged at just one plant. To eliminate unnecessary testing, all White Plains office employees with unescorted access at either plant are only included in the FitzPatrick random testing program. Their names do not appear on the list of employees subject to random drug testing at Indian Point 3.

Support staff personnel are tested in the White Plains office or at the plants depending on their work assignment for that day.

Poppy Seeds Result in False Positive

An Authority employee normally assigned to the White Plains offices was selected for random testing. The gas chromatography/mass spectrometry (GC/MS) confirmation testing was positive for opiates and negative for 6-monoacetylmorphine. The Medical Review Officer conducted the

required clinical examination. The individual had consumed food containing poppy seeds while traveling to the FitzPatrick plant.

Since this incident, White Plains employees have been told that poppy seeds can cause positive drug test results.

FITNESS FOR DUTY PROGRAM

Performance Data Personnel Subject to 10CFR 26

New York Power Authority

COMPANY

James A. FitzPatrick Nuclear Power Plant (Docket No. 50-333)

LOCATION

Carol A. Soucy

CONTACT NAME

December 31, 1990

6 MONTHS ENDING

(315) 349-6412

PHONE (INCLUDE AREA CODE)

CUTOFFS: SCREEN/CONFIRMATION (ng/ml) APPENDIX A TO 10CFR 26

MARIJUANA	/	AMPHETAMINES	/	_____	/
COCAINE	/	PHENCYCLIDINE	/	_____	/
OPIATES	/	ALCOHOL (% BAC)	/	_____	/

TESTING RESULTS	LICENSEE EMPLOYEES				LONG-TERM CONTRACTOR PERSONNEL		SHORT-TERM CONTRACTOR PERSONNEL	
	790				(1) N/A		(1) 274	
CATEGORIES	# TESTED	# POSITIVE	# REFERRED TO EAP	# ACCESS RESTORED	# TESTED	# POSITIVE	# TESTED	# POSITIVE
PRE-EMPLOYMENT	61	0			3	0	148	2
PRE-BADGING	7	0			0	N/A	8	0
PERIODIC	0	N/A			0	N/A	0	N/A
FOR CAUSE	0	N/A			0	N/A	0	N/A
POST ACCIDENT	0	N/A			0	N/A	0	N/A
RANDOM	421	2			56	0	70	0
FOLLOW-UP	8	0			3	0	4	0
OTHER	0	0			1	0	1	0
TOTAL	497	2	1	1	63	0	231	2

James A. FitzPatrick Nuclear Power Plant

RANDOM TESTING PROGRAM RESULTS

INDIVIDUALS TESTED	1989		1990		1991		1992		1993	
# POSITIVE			3	2						
# TESTED			636	547						
% POSITIVE			0.47	0.36						
GRAPH OF % POSITIVE										

(2)

CONFIRMED POSITIVE TESTS FOR SPECIFIC SUBSTANCES

Total Random, Pre-employment (Etc.)

MARIJUANA			7	2						
COCAINE			4	0						
OPIATES			0	0						
AMPHETAMINES			0	0						
PHENCYCLIDINE			0	0						
ALCOHOL			3	1						

NOTES: (1) There is one contractor testing pool which contains the names of both long and short term contractors. Therefore, the average number of all contractors with unescorted access for this reporting period is 274. The distinction between long and short term contractors is made during the testing process.

(2) One of the confirmed positive results was declared after an individual's sample was declared invalid (outside temperature range) and the individual refused to submit to observed testing. See narrative.