

123 Main Street  
White Plains, New York  
914 681.6846



**Ralph E. Beedle**  
Executive Vice President  
Nuclear Generation

March 1, 1993  
IPN-93-008  
JPN-93-008

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Mail Station P1-137  
Washington, DC 20555

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**

Dear Sir:

This letter transmits the Indian Point 3 (IP3) and James A. FitzPatrick (JAF) Fitness-for-Duty Program performance reports, in accordance with 10 CFR 26.71(d), for the period July 1, 1992 through December 31, 1992. The IP3 report is provided as Attachment I to this letter and the JAF report is provided as Attachment II.

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

Very truly yours,

Ralph E. Beedle

att: As stated

cc: See next page

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cc: U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Resident Inspector's Office  
Indian Point Unit 3  
U.S. Nuclear Regulatory Commission  
P.O. Box 337  
Buchanan, NY 10511

Mr. Nicola F. Conicella, Project Manager  
Project Directorate I-1  
Division of reactor Projects - I/II  
U.S. Nuclear Regulatory Commission  
Mail Stop 14 B2  
Washington, DC 20555

Office of Resident Inspector  
U.S. Nuclear Regulatory Commission  
P.O. Box 136  
Lycoming, NY 13093

Mr. Brian McCabe  
Project Directorate I-1  
Division of reactor Projects - I/II  
U.S. Nuclear Regulatory Commission  
Mail Stop 14 B2  
Washington, DC 20555

ATTACHMENT I TO IPN-93-008/JPN-93-008

INDIAN POINT THREE FITNESS-FOR-DUTY PROGRAM  
PERFORMANCE REPORT FOR  
JULY THROUGH DECEMBER 1992

NEW YORK POWER AUTHORITY  
INDIAN POINT 3 NUCLEAR POWER PLANT  
DOCKET NO. 50-286  
DPR-64

Attachment I to IPN-93-008/JPN-93-008

New York Power Authority  
Indian Point Three Nuclear Power Plant

**Fitness-for-Duty Program Performance Report  
for the Period July through December 1992**

**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;
3. Workforce population 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 1992 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 summarizes events related to the IP3 Fitness-for-Duty program and lessons learned.

**Random Testing Rate**

The random testing rate for this period was 33.6 percent. This brings the annual testing rate to 110.6 percent.

**Summary of Management Actions**

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

### Pre-Access Testing

There were no pre-access positive test results during this period.

### Employee Random Testing

The random test results for two New York Power Authority employees were confirmed positive. One of the employees was a Licensed Reactor Operator who tested positive for marijuana. This employee was referred to the Employee Assistance Program (EAP), returned to work after 14 days, and was subsequently terminated after a follow-up test resulted in a confirmed positive result for marijuana. The other employee tested positive for alcohol. This individual was counseled by the Safety and Fire Protection Manager, and is currently undergoing follow-up testing.

### Contractor Personnel Random Testing

There were no positive random test results for contractor personnel during this period.

### For Cause Testing

There were no positive for-cause test results during this period.

### Follow-Up Testing

One New York Power Authority employee tested positive for marijuana on a follow-up test. The employee was terminated as a result of this second positive test result.

## **Events Reported**

Two 10 CFR 26.73 reportable fitness-for-duty events occurred during this period. The sample collected from a Licensed Operator, randomly selected on July 8, 1992, was confirmed positive for marijuana. The individual's unescorted access was suspended for 14 days and the individual was referred to the EAP. After returning to work, the individual was subjected to follow-up testing on July 29, 1992. This test was also confirmed positive for marijuana. The individual was terminated. The NRC was notified within 24 hours of each event.

## **Lessons Learned and Program Events**

### Lessons Learned

1. Personal error on the part of the fitness for duty administrative staff resulted in a misinterpretation of the rule which allowed an employee, who was suspended for 14 days following a positive test, unescorted access prior to receiving a negative test result. Procedures were revised to stipulate that prior to reinstating unescorted access the individual will be tested and a negative test result will be received.

2. Personal error on the part of the fitness for duty administrative staff resulted in a procedure deficiency regarding follow-up testing after a "first" positive drug test. Procedures were revised to clearly identify a follow-up testing schedule.
3. In order to strengthen the return to work clearance program, procedures were revised to include input from the Medical Review Officer when determining an individuals fitness to return to work.
4. In response to an NRC recommendation, procedures were revised to require individuals to empty their pockets prior to specimen collection.
5. As a result of an NRC recommendation, procedures were revised to require individuals selected for testing to report to the collection facility immediately after being informed that they have been selected. The previous requirement stated that the individual was to report within two (2) hours of being informed that they were selected.

#### Program Events

Two New York Power Authority employees were drug tested after a supervisor observed them fighting. The results of both tests were negative. Because of this incident, one of the employees was referred to the EAP and was cleared to return to duty. The other employee was determined not to be the aggressor in the incident and was allowed to return to work after the incident.

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

NEW YORK POWER AUTHORITY	12/31/92
Company	6 Months Ending
INDIAN POINT THREE	
Location	
DALE PLUMER	914 736-8195
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	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		629		N/A		460	
Pre-Access		33	0	N/A	N/A	190	0
For Cause	Post accident	0	0	N/A	N/A	0	0
	Observed behavior	2	0	N/A	N/A	0	0
Random		230	2	N/A	N/A	136	0
Follow-up		17	1	N/A	N/A	0	0
Other		0	0	N/A	N/A	0	0
Total		282	3	N/A	N/A	326	0

# Breakdown of Confirmed Positive Tests for Specific Substances

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

ATTACHMENT II TO IPN-93-008/JPN-93-008

JAMES A. FITZPATRICK FITNESS-FOR-DUTY PROGRAM  
PERFORMANCE REPORT FOR  
JULY THROUGH DECEMBER 1992

NEW YORK POWER AUTHORITY  
INDIAN POINT 3 NUCLEAR POWER PLANT  
DOCKET NO. 50-286  
DPR-64

Attachment II to IPN-93-008/JPN-93-008

New York Power Authority  
James A. FitzPatrick Nuclear Power Plant

**Fitness-for-Duty Program Performance Report  
for the Period July through December 1992**

**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;
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 Authority's James A. FitzPatrick Nuclear Power Plant (JAF) for the period from July through December 1992 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, summarizes events related to the JAF Fitness-for-Duty program and lessons learned.

**Random Testing Rate**

The random testing rate for this period was 55 percent. This brings the annual testing rate to 105.66 percent.

**Summary of Management Actions**

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

### **Pre-Employment Testing**

Two contractors seeking unescorted access tested positive, one confirmed positive for drugs; one confirmed positive for alcohol. Access was denied in both cases.

### **Employee Random Testing**

A total of five employees selected for random testing were confirmed positive during this reporting period, two for drugs and three for alcohol. Three were temporary employees where access was denied and job termination resulted.

The two full time New York Power Authority employees were confirmed positive for alcohol. Access was denied and they were referred to the EAP. After initial treatment and continuing out-patient assistance, one individual has returned to work on the accelerated follow up testing program. The second individual is continuing EAP treatment and counseling at this time.

### **Contractor Personnel Random Testing**

Two contractor employees selected for random testing were confirmed positive, one for drugs, and one for alcohol. Access was denied in each incident.

### **For Cause Testing**

For Cause testing was administered to one full time New York Power Authority employee and two temporary employees.

The post accident testing followed a motor vehicle accident with a company vehicle the employee was driving. Testing proved negative.

One NYPA temporary firewatch employee was tested after the individual was found sleeping on the job. The drug and alcohol testing was negative.

Another NYPA temporary firewatch employee was tested after the supervisor suspected alcohol use. The testing was negative.

### **Other Testing**

Four NYPA employees and five contractors were retested due to atypical (low creatinine and specific gravity) samples.

### **Follow-Up Testing**

One New York Power Authority employee on an accelerated follow-up testing program following rehabilitation and treatment for drug abuse was confirmed positive for drugs. This was the second confirmed positive test and, therefore, the individual was terminated.

### **Events Reported**

No 10 CFR 26.73 reportable fitness-for-duty events occurred during this reporting period.

**Lessons Learned and Program Events**

There were no significant lessons learned or program events.

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

New York Power Authority		December 31, 1992	
Company		6 Months Ending	
James A. FitzPatrick Nuclear Power Plant (Docket No. 50-333)			
Location			
Carol A. Soucy		315/349-6412	
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	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		1257		N/A		899	
Pre-Access		98	0	N/A	N/A	298	2
For Cause	Post accident	1	0	N/A	N/A	0	0
	Observed behavior	2	0	N/A	N/A	0	0
Random		685	5	N/A	N/A	510	2
Follow-up		23	1	N/A	N/A	2	0
Other		4	0	N/A	N/A	5	0
Total		813	6	N/A	N/A	815	4

## Breakdown of Confirmed Positive Tests for Specific Substances

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