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March 27, 1990

Dr. Ronald Bellamy  
Chief of Facilities Radiological  
Safety & Safeguards Branch  
US Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1498

Subject: Fitness For Duty

Dear Dr. Bellamy:

As we discussed with you in a telephone call on January 29, 1990, we are sending you this letter to provide clarification of certain actions we have taken as part of our Fitness for Duty Program.

On January 3, 1990, we submitted to NRC a certification stating that Con Edison has implemented a Fitness for Duty Program in accordance with 10 CFR Part 26. Our certification is based, among other things, upon our understanding of what constitutes an acceptable implementation of the rule, as discussed below. Our understandings are based upon the text of the rule itself, NRC guidance documents, as well as an implementation workshop conducted by the NRC July 30 through August 2, 1989.

Random drug testing is being implemented such that the number of tests administered per year will be no less than an amount equal to the annualized number of company and contractor personnel granted authorization for unescorted access to the protected area (100% testing). The selection is being accomplished by a computer based random number generating system. The Security Computer prevents access to, or tampering with the selection process. When a selected individual subsequently next attempts entry to the Protected Area, the badge activates a rejection alarm and he/she is directed to the site facility for testing. A selected individual's badge will remain on access hold until the individual satisfactorily completes testing.

At least every 31 days, all active badges are reviewed by sponsor groups for the need to continue authorized access. On a 60 day basis, all badges not used during that period will be reviewed to determine if active status should be continued. Any individual requesting access after previous badged authorization is suspended due to lack of use will be subjected to initial drug testing unless they have had a scheduled test within the 60 days.

Access authorization for a selected group of designated emergency support personnel and Nuclear Facilities Safety Committee (NFSC) members and alternates (approximately 75 people) will continue despite lack of use. These people will be tracked and when one of their badges is selected as part of random drug testing, they will be located and directed to an approved testing facility, which may be at an off-site location.

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March 27, 1990

In summary:

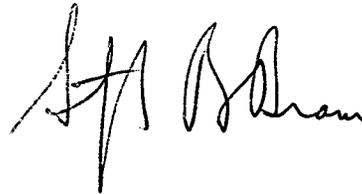
1. Personnel selected for random drug testing will be tested at their next attempted entry to the plant.
2. After 60 consecutive days of non-use, badges will be considered for removal from active status. If removed, initial drug testing will be required prior to granting unescorted access unless they have had a scheduled test within the 60 days.
3. Selected designated emergency support and NFSC personnel are administratively exempted from the 60 day lack of use requirement and are directed to report to an approved testing facility, which may be at an offsite location upon random selection.

No exceptions may be granted to the process described above without concurrence of the Vice President, Nuclear Power, or Manager, Site Protection or their designees, although there is a provision in our plan for the easing of access requirements upon the consent of Senior Watch Supervisor (SWS) under emergency circumstances.

We believe that the above described practices comply with the requirements of the fitness for duty rule and are consistent with associated NRC guidance, in that there are no populations or groups enjoying unescorted access who are not covered by a random, unannounced selection process for drug testing.

Should you or your staff have any questions regarding this letter, please contact Charles W. Jackson, Manager, Nuclear Safety & Licensing.

Very truly yours,



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