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William J. Cahill, Jr.
Chief Nuclear Officer

August 24, 1995
JPN-95-041
IPN-95-089

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

SUBJECT: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Indian Point 3 Nuclear Power Plant
Docket No. 50-286
Fitness-for-Duty Program Performance Report
For the Period January - June 1995

Dear Sir:

This letter transmits the James A. FitzPatrick and Indian Point 3 Fitness-for-Duty Program performance reports for the period January through June 1995 in accordance with the requirements of 10 CFR 26.71(d). The FitzPatrick report is Attachment I and the Indian Point 3 report is Attachment II.

No commitments are being made by the Authority in this submittal. If you have any questions, please contact Ms. Charlene Faison.

Very truly yours,

A handwritten signature in black ink, appearing to read 'William J. Cahill, Jr.'.

William J. Cahill, Jr.
Chief Nuclear Officer

cc: See next page
Attachments: As stated

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cc: Regional Administrator
U.S. Nuclear Regulatory Commission
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U.S. Nuclear Regulatory Commission
James A. FitzPatrick Nuclear Power Plant
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Indian Point Unit 3 Nuclear Power Plant
P.O. Box 337
Buchanan, NY 10511

ATTACHMENT I TO JPN-95-041/IPN-95-089

**JAMES A. FITZPATRICK FITNESS-FOR-DUTY PROGRAM
PERFORMANCE REPORT FOR
JANUARY THROUGH JUNE 1995**

NEW YORK POWER AUTHORITY
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
DOCKET NO. 50-333
DPR-59

New York Power Authority
James A. FitzPatrick Nuclear Power Plant

**Fitness-for-Duty Program Performance Report
for the Period January through June 1995**

INTRODUCTION

10 CFR 26.71(d) requires that 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. Number 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 for the period January through June 1995 are provided below and in the attached tables. Data on random testing rate, a summary of management actions, and a list of events report (items 1, 6 and 7) are given below. Data for the remaining items (2, 3, 4 and 5) is given in the attached tables.

An additional section not required by 10 CFR 26 is included in this report. The additional section summarizes events related to the James A. FitzPatrick Fitness-for-Duty program and lessons learned.

The Authority considers all contractors to be short-term contractors for the purposes of the Fitness-for-Duty Program. For this reason, the attached tables show "N/A" for data associated with long-term contractors.

RANDOM TESTING RATE

During this period, 53.0 percent of the personnel in the test pool were tested randomly.

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.

Pre-Access Testing

One contractor's pre-access drug test was confirmed positive for marijuana. Access was denied.

A second contractor's badge was flagged at Security for non-usage for sixty days. When the individual reported for site access, the Security Sergeant informed the individual to report for drug and alcohol testing. The individual refused stating that he was taking cold medication and left the site. The refusal to test was declared positive and access was denied.

Employee Random Testing

One employee was confirmed positive for alcohol this reporting period. Access was denied and the employee was referred to the Employee Assistance Program (EAP) on February 4, 1995. After EAP evaluation and negative pre-access testing, the individual returned to work on February 17, 1995 and was placed on an accelerated follow-up program.

Contractor Personnel Random Testing

Two contractors were confirmed positive for alcohol. Access was denied in both cases.

For Cause Testing

Eleven other tests were repeat observed drug tests due to atypical urine specimens. (10 CFR 26, Appendix A, Section 2.4(f) includes criteria for atypical urine specimens.) All repeat tests were negative.

Follow-up Testing

The test results from all 19 follow-up tests were negative.

Events Reported

A false negative blind quality control test sample occurred this reporting period. DER-95-0803 was initiated. An investigation was conducted by Metpath Laboratory, Bensinger Dupont Associates, and Forensic Control Company, the company which supplied the test samples.

The investigation revealed that the false negative was the result of an interfering factor in the analytical process at the Metpath laboratory. Written notification was submitted to the NRC on May 30, 1995 as JAFP-95-0259.

Lessons Learned and Program Events

James A. FitzPatrick is investigating establishing an onsite laboratory for initial test capability.

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

New York Power Authority		June 30, 1995	
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	
Average Number with Unescorted Access		1047		N/A		426	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		60	N/A	N/A	N/A	106	2
For Cause	Post accident	N/A	N/A	N/A	N/A	N/A	N/A
	Observed behavior	8	N/A	N/A	N/A	3	N/A
Random		485	1	N/A	N/A	295	2
Follow-up		12	0	N/A	N/A	7	0
Other		N/A	N/A	N/A	N/A	N/A	N/A
Total		565	1	N/A	N/A	411	4

REV. 1/92

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	1	0						
Long-Term Contractors	N/A	N/A	N/A	N/A	N/A	N/A	N/A						
Short-Term Contractors	1	0	0	0	0	2	1						A
Total	1	0	0	0	0	3	1						

ATTACHMENT II TO JPN-95-041/IPN-95-089

**INDIAN POINT 3 FITNESS-FOR-DUTY PROGRAM
PERFORMANCE REPORT FOR
JANUARY THROUGH JUNE 1995**

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

New York Power Authority
Indian Point Three Nuclear Power Plant

**Fitness-for-Duty Program Performance Report
for the Period January through June 1995**

INTRODUCTION

10 CFR 26.71(d) requires that 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 January through June 1995 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) is given in the attached tables.

An additional section not required by 10 CFR 26 is typically included in this report. The additional section summarizes events related to the Indian Point 3 Fitness-for-Duty program and lessons learned. However, for this reporting period, there were no significant program events or lessons learned. Therefore, this section is not included in this period's report.

The Authority considers all contractors to be short-term contractors for purposes of the Fitness-for-Duty program. For this reason, the attached tables show "N/A" for data associated with long-term contractors.

RANDOM TESTING RATE

For this period 47.7 percent of the personnel in the testing pool were tested randomly.

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

One Contractor's pre-access test was confirmed positive for cocaine. The individual was denied unescorted access.

Employee Random Testing

The results of all random employee tests conducted this period were negative.

Contractor Personnel Random Testing

One Contractor, randomly selected, tested positive for cocaine. The unescorted access for the individual was terminated and his work was reviewed.

For Cause Testing

There was one observed behavior test conducted during this period. The results of this test were negative.

Follow-up Testing

The results from all 32 follow-up tests were negative.

Events Reported

No 10 CFR 26.73 reportable Fitness-For-Duty events occurred during this reporting period.

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

New York Power Authority		June 30, 1995	
Company		6 Months Ending	
Indian Point Three Nuclear Power Plant			
Location			
Dale Plumer, RN		(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	
Average Number with Unescorted Access		965				487	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		21	0	N/A	N/A	312	1
For Cause	Post accident	0	0	N/A	N/A	0	0
	Observed behavior	0	0	N/A	N/A	1	0
Random		417	0	N/A	N/A	276	1
Follow-up		17	0	N/A	N/A	15	0
Other		14	0	N/A	N/A	33	0
Total		469	0	N/A	N/A	637	2

Breakdown of Confirmed Positive Tests for Specific Substances

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