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James Knubel
Senior Vice President and
Chief Nuclear Officer

February 13, 1998
JPN-98-006
IPN-98-017

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 July - December 1997

Dear Sir:

This letter transmits the James A. FitzPatrick and Indian Point 3 Fitness-for-Duty Program performance reports for the period from July through December 1997 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 D. Faison.

Very truly yours,


J. Knubel
Senior Vice President and
Chief Nuclear Officer

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cc: See next page
Attachments: As stated

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ATTACHMENT I TO JPN-98-006 / IPN-98-017

**JAMES A. FITZPATRICK FITNESS-FOR-DUTY PROGRAM
PERFORMANCE REPORT FOR
JULY THROUGH DECEMBER 1997**

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 July through December 1997**

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 from July through December 1997 are provided below and in the 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 is included in this report. The additional section summarizes events related to the 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

For this period, 22.5% of employees were tested randomly. The 1997 annual percentage rate for employee random testing is 50.5%. For this period, 81% of contractors were tested randomly. The 1997 annual percentage rate of contractor random testing is 183%.

The relatively high rate for contractors is an artifact of the small number of contractors presently employed and of the procedural safeguards in place to accommodate delayed testing of periodic contractors to the plant.

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

A total of 213 pre-access tests were administered. One contractor test was declared negative with adulteration suspected. (See explanation under 'For Cause' section.)

Employee Random Testing

Of the 266 employee random tests, one was confirmed positive for alcohol this reporting period. Access was denied and the employee was referred to the Employee Assistance Program (EAP) on July 11, 1997. After EAP evaluation, outpatient treatment and negative return to work pre-access drug and alcohol testing, the individual returned to work on August 21, 1997 and was placed on an accelerated follow-up testing program. The individual has been out of work since December 26, 1997 after self referral and admission into an alcohol rehabilitation program.

Contractor Personnel Random Testing

A total of 168 contractors were randomly tested. None of the tests were positive.

For Cause Testing

A total of two for cause tests were administered this reporting period, one employee test and one contractor test. The following are the reasons for the for cause tests.

- 8/27/97 - An employee was tested following an onsite motor vehicle accident with a Security Mobile Vehicle. No personal injury was incurred. Testing was negative.
- 12/5/97 - A contractor pre-access test was suspected of being adulterated with nitrites. After an observed for-cause test was collected, HHS Laboratory reported both specimens adulterated with nitrites. The unobserved specimen was highly adulterated with a non physiological level of nitrites and declared

negative. The Medical Review Officer ordered level of detection testing on the observed sample. The laboratory reported a 52ng THC level for GCMS confirmatory testing. The Authority's marijuana cutoff level is 100ng. As the observed specimen showed nitrite contamination, the specimen was declared negative with evidence of contamination. Access was denied based on subversion of testing.

Follow-up Testing

The test results from nineteen (19) follow-up tests were negative.

EVENTS REPORTED

No events were reported this testing period.

LESSONS LEARNED AND PROGRAM EVENTS

The FitzPatrick practice of checking urine specimens with a Multi Stix 10SG Reagent Strip proved effective in preventing subversion of testing by revealing nitrites in a urine specimen.

Fitness for Duty Program Performance Data Personnel Subject to 10CFR26

New York Power Authority	December 31, 1997
Company	6 Months Ending
James A. FitzPatrick Nuclear Power Plant / Docket No. 50-333	
Location	
Carol A. Soucy, RN, COHN-S	(315) 349-6412
Contact Name	Phone (include area code)
Cutoffs: Screen/Confirmation (ng/ml) [X] Appendix A to 10 CFR 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		1177		N/A		206	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		42	0	N/A	N/A	171	0
For Cause	Post accident	1	0	N/A	N/A	0	N/A
	Observed behavior	N/A	N/A	N/A	N/A	1	0
Random		266	1	N/A	N/A	168	0
Follow-up		15	0	N/A	N/A	4	0
Other		0	N/A	N/A	N/A	0	N/A
Total		324	1	N/A	N/A	344	0

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamine	Phencyclidine	Alcohol	Refusal to Test	1	2	3	4	5	
Licensee Employees	0	0	0	0	0	1	0	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	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A	N/A	A
Total	0	0	0	0	0	1	0	N/A	N/A	N/A	N/A	N/A	1

ATTACHMENT II TO JPN-98-006 / IPN-98-017

**INDIAN POINT 3 FITNESS-FOR-DUTY PROGRAM
PERFORMANCE REPORT FOR
JULY THROUGH DECEMBER 1997**

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

New York Power Authority
Indian Point 3 Nuclear Power Plant

**Fitness-for-Duty Program Performance Report
for the Period July through December 1997**

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-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 Indian Point 3 Nuclear Power Plant for the period from July through December 1997 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 is included in this report. The additional section summarizes events related to the Indian Point 3 Fitness-for-Duty program and lessons learned.

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, 24.8% of the personnel in the testing pool were tested randomly. The 1997 annual percentage rate of personnel tested randomly is 51.8%.

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

A total of 192 pre-access tests were administered. One contractor's test was confirmed positive for cocaine. The individual was denied unescorted access.

Employee Random Testing

The results of the 223 employee random tests were negative.

Contractor Personnel Random Testing

A total of 173 contractors were randomly tested. The results for one test were confirmed positive for marijuana. The individual's employment was terminated and the work he performed was reviewed.

For Cause Testing

There were two observed behavior tests conducted during the period. The following are the reasons for the for cause tests.

- 7/21/97 - A contractor was retested after providing a pre-access sample which was determined to be below the acceptable temperature range. The recollected observed sample was confirmed positive for cocaine. The individual's unescorted access was denied.
- 10/6/97 - An employee was tested after admitting to using marijuana. The results of the test were confirmed positive for marijuana. The individual resigned his position with the Authority and his work was reviewed.

Follow-up Testing

The test results from 62 follow-up tests were negative.

Other

The test results for the 53 tests performed were negative. Thirteen (13) tests in this category are tests which were repeated because the results of the specimen were negative but the specimen was determined by the laboratory to have either a low specific gravity or a low concentration of creatinine. The remaining forty (40) tests are explained under the 'Lessons Learned and Program Events' section.

EVENTS REPORTED

In accordance with 10 CFR 26 Appendix A, Section 2.8(e)(4), a report was submitted detailing a false negative report on a blind performance specimen. The reason for the false negative report was determined to be human error which occurred during the transcribing of the results. The lab has taken corrective action to prevent recurrence.

LESSONS LEARNED AND PROGRAM EVENTS

An unconfirmed report of marijuana use in the protected area resulted in the testing of 40 individuals. These tests are reported under the category of others. All test results were negative.

A short term contractor whose badge was on hold as a result of a prior random selection refused to report for testing as ordered. The individual's employment was terminated and his work was reviewed.

Fitness for Duty Program Performance Data Personnel Subject to 10CFR26

New York Power Authority	December 31, 1997
Company	6 Months Ending
Indian Point Unit 3 Nuclear Power Plant	
Location	
Dale Plumer	(914) 788-2195
Contact Name	Phone (include area code)
Cutoffs: Screen/Confirmation (ng/ml) <input checked="" type="checkbox"/> Appendix A to 10 CFR 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		944		N/A		650	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		17	0	N/A	N/A	175	1
For Cause	Post accident	0	0	N/A	N/A	0	0
	Observed behavior	1	1	N/A	N/A	1	1
Random		223	0	N/A	N/A	173	1
Follow-up		12	0	N/A	N/A	50	0
Other		15	0	N/A	N/A	38	0
Total		268	1	N/A	N/A	437	3

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphe- tamines	Phency- clidine	Alcohol	Refusal to Test	1	2	3	4	5	
Licensee Employees	1	0	0	0	0	0	0	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	1	2	0	0	0	0	1	N/A	N/A	N/A	N/A	N/A	A
Total	2	2	0	0	0	0	1	N/A	N/A	N/A	N/A	N/A	5