



10 CFR 26.717

Bruce Hamilton
Vice President, Nuclear Operations
Nuclear Generation

Duke Energy Corporation
526 South Church Street
Charlotte, NC 28202

Mailing Address:
P. O. Box 1006
EC07H
Charlotte, NC 28201-1006

704-382-3877

Bruce.Hamilton@duke-energy.com

February 24, 2010

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-001

Subject: Duke Energy Carolinas, LLC (Duke)
Oconee Nuclear Station Units 1, 2, and 3
Docket Nos. 50-269/270/287
McGuire Nuclear Station Units 1 and 2
Docket Nos. 50-369/370
Catawba Nuclear Station Units 1 and 2
Docket Nos. 50-413/414
Fitness-For- Duty Program Performance Data Reports

Pursuant to 10 CFR 26.717 Duke hereby submits the consolidated Fitness-For-Duty Program Performance Data Reports for Oconee, McGuire, and Catawba Nuclear Stations and the Nuclear General Office. The reporting period covered by this submittal is January 1, 2009 through December 31, 2009.

Based on quantitative analysis accumulated from the drug and alcohol screening results which are recorded and maintained in Duke's Fitness for Duty database, this data is considered to be complete, accurate and consistent with industry and Duke program expectations.

This correspondence contains no regulatory commitments. Questions regarding these reports should be directed to P.R. Fowler at 704-382-6188 or T. J. Wadsworth at (704) 382-5836.

Sincerely,

Bruce H. Hamilton

Attachments

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xc:

L. A. Reyes, Region II Administrator
U.S. Nuclear Regulatory Commission
Sam Nunn Atlanta Federal Center
61 Forsyth St., SW Suite 23T85
Atlanta, GA 30303-8931

J. F. Stang, Jr., Senior Project Manager (ONS)
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Mail Stop 0-8 G9A
Rockville, MD 20852-2738

J. H. Thompson, Project Manager (CNS & MNS)
U. S. Nuclear Regulatory Commission
11555 Rockville Pike
Mail Stop 0-8 G9A
Rockville, MD 20852-2738

A. T. Sabisch
NRC Senior Resident Inspector
Oconee Nuclear Station

J. B. Brady
NRC Senior Resident Inspector
McGuire Nuclear Station

G. A. Hutto, III
NRC Senior Resident Inspector
Catawba Nuclear Station

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

Duke Energy Carolinas, LLC (Duke)		01/01/09 – 12/31/09	
Company		Period	
Catawba Nuclear Station			
Location			
Anita Barnette		(704) 382-4904	
Contact Name		Phone (Include area code)	

Cutoffs: Screen/Confirmation (ng/ml) ☒ Appendix A to 10 CFR 26

Marijuana _____ / Cocaine _____ / Opiates _____ /	Amphetamines _____ / Phencyclidine _____ / Alcohol (%BAC) _____ /	
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Testing Results	Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
Average Number with Unescorted Access	1285				792	
Categories	# Tested	# Positive	# Tested	# Positive *	# Tested	# Positive
Pre-Access	144	0			1584	11
For Cause – Post Accident	8	0			10	0
For Cause – Observed Behavior	3	0			6	0
Random	714	1			463	2
Follow-up	29	0			15	0
Other	3	1			3	0
Total	901	2			2081	13

Breakdown of Confirmed Positive Tests for Specific Substances – Catawba Nuclear Station
(for reporting period 01/01/09 – 12/31/09)

	Marijuana	Cocaine	Opiates	Amphetamine	Phencyclidine	Alcohol	Refusal To Test*	1	2	3	4	5	
Licensee Employees	1	0	0	0	0	1	0						
Long-Term Contractors													
Short-Term Contractors	7	3	0	1	0	2	0						
Total	8	3	0	1	0	3	0						15

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* Refusals to Test numbers are included in the “Breakdown of Confirmed Positive Tests” therefore, there may be a difference between the Total Positive tests on the first page of this report and this page.

**Fitness for Duty Program
Performance Data
Personnel Subject to 10CFR 26
(for Catawba Nuclear Station)
for period 01/01/09 – 12/31/09**

Summary of Management Actions:

(Include initiatives taken, lessons learned, effectiveness evaluation, etc. as appropriate.)

General Note:

Duke randomly tests at a rate of at least 50% of the pool population.

Summary Listing of Events Reported Under 10 CFR 26.719(b):

Date of Event	Position of Individual Involved	How Discovered	Substance Detected	Management Actions Taken
None during this reporting period				

WORKER FATIGUE SUMMARY

Duke Energy – Catawba Nuclear Station

Period: 10/01/09 – 12/31/09

Duke Energy-Catawba Nuclear Station had no Fatigue Waivers created in 2009. All Fatigue Assessments that were performed were based on either “Post Event” or “For Cause” issues. Fatigue was not found to be a contributing event in any of the assessments performed.

Category	# of assessments
Post Event	4
For Cause	<u>1</u>
Total	5

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

Duke Energy Carolinas, LLC (Duke)	01/01/09 – 12/31/09
Company	Period
McGuire Nuclear Station	
Location	
Anita Barnette	(704) 382-4904
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	1401				547	
Categories	# Tested	# Positive	# Tested	# Positive *	# Tested	# Positive
Pre-Access	174	0			1376	10
For Cause – Post Accident	2	0			7	0
For Cause – Observed Behavior	1	0			10	5
Random	735	1			357	1
Follow-up	32	0			9	0
Other	2	0			1	0
Total	946	1			1760	17

Breakdown of Confirmed Positive Tests for Specific Substances – McGuire Nuclear Station
 (for reporting period 01/01/09 – 12/31/09)

	Marijuana	Cocaine	Opiates	Amphe- tamines	Phency- clidine	Alcohol	Refusal To Test*	Mor- phine	2	3	4	5	
Licensee Employees	1	0	0	0	0	0	0	0					
Long-Term Contractors													
Short-Term Contractors	10	4	0	0	0	2	1	1					
Total	11	4	0	0	0	2	1	1					19*

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* Refusals to Test numbers are included in the “Breakdown of Confirmed Positive Tests”; therefore, there may be a difference between the Total Positive tests on the first page of this report and this page.

**Fitness for Duty Program
Performance Data
Personnel Subject to 10CFR 26
(for McGuire Nuclear Station)
for period 01/01/09 – 12/31/09**

Summary of Management Actions:

(Include initiatives taken, lessons learned, effectiveness evaluation, etc. as appropriate.)

General Note:

Duke randomly tests at a rate of at least 50% of the pool population.

Summary Listing of Events Reported Under 10 CFR 26.719(b):

Date of Event	Position of Individual Involved	How Discovered	Substance Detected	Management Actions Taken
None during this reporting period				

WORKER FATIGUE SUMMARY

Duke Energy – McGuire Nuclear Station

Period: 10/01/09 – 12/31/09

Duke Energy-McGuire Nuclear Station had no Fatigue Waivers created in 2009. All Fatigue Assessments that were performed were based on either “Post Event” or “For Cause” issues. Fatigue was not found to be a contributing event in any of the assessments performed.

Category	# of assessments
Post Event	2
For Cause	<u>2</u>
Total	4

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

Duke Energy Carolinas, LLC (Duke)		01/01/09 – 12/31/09	
Company		Period	
Oconee Nuclear Station			
Location			
Anita Barnette		(704) 382-4904	
Contact Name		Phone (Include area code)	

Cutoffs: Screen/Confirmation (ng/ml) ☒ 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	1433				1605	
Categories	# Tested	# Positive	# Tested	# Positive *	# Tested	# Positive
Pre-Access	136	0			1999	12
For Cause – Post Accident	5	0			12	1
For Cause – Observed Behavior	3	0			6	2
Random	724	1			811	5
Follow-up	23	0			23	1
Other	1	0			7	0
Total	892	1			2858	21

Breakdown of Confirmed Positive Tests for Specific Substances – Oconee Nuclear Station
(for reporting period 01/01/09 – 12/31/09)

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal To Test*	1	2	3	4	5	
Licensee Employees	1	0	0	0	0	0	0						
Long-Term Contractors													
Short-Term Contractors	13	3	0	0	0	5	2						
Total	14	3	0	0	0	5	2						24*

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* Refusals to Test numbers are included in the “Breakdown of Confirmed Positive Tests”; therefore, there may be a difference between the Total Positive tests on the first page of this report and this page.

**Fitness for Duty Program
Performance Data
Personnel Subject to 10CFR 26
(for Oconee Nuclear Station)
for period 01/01/09 – 12/31/09**

Summary of Management Actions:

(Include initiatives taken, lessons learned, effectiveness evaluation, etc. as appropriate.)

General Note:

Duke randomly tests at a rate of at least 50% of the pool population.

Summary Listing of Events Reported Under 10 CFR 26.719(b):

Date of Event	Position of Individual Involved	How Discovered	Substance Detected	Management Actions Taken
None during this reporting period				

WORKER FATIGUE SUMMARY

Duke Energy – Oconee Nuclear Station

Period: 10/01/09 – 12/31/09

Duke Energy-Oconee Nuclear Station had no Fatigue Waivers created in 2009. All Fatigue Assessments that were performed were based on either “Post Event” or “For Cause” issues. Fatigue was not found to be a contributing event in any of the assessments performed.

Category	# of assessments
Post Event	3
For Cause	<u>1</u>
Total	4

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

Duke Energy Carolinas, LLC (Duke)	01/01/09 – 12/31/09
Company	Period
Charlotte General Office	
Location	
Anita Barnette	(704) 382-4904
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						
Categories	# Tested	# Positive	# Tested	# Positive *	# Tested	# Positive
Pre-Access	50	0			11 (1)	0
For Cause – Post Accident	0	0			0	0
For Cause – Observed Behavior	0	0			0	0
Random	276	0			0	0
Follow-up	0	0			0	0
Other	0	0			0	0
Total	326	0			11 (1)	0

Breakdown of Confirmed Positive Tests for Specific Substances – Charlotte General Office
 (for reporting period 01/01/09 – 12/31/09)

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal To Test*	1	2	3	4	5	
Licensee Employees	0	0	0	0	0	0	0						
Long-Term Contractors													
Short-Term Contractors	0	0	0	0	0	0	0						
Total	0	0	0	0	0	0	0						0

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* Refusals to Test numbers are included in the “Breakdown of Confirmed Positive Tests”; therefore, there may be a difference between the Total Positive tests on the first page of this report and this page.

**Fitness for Duty Program
Performance Data
Personnel Subject to 10CFR 26
(for Charlotte General Office)
for period 01/01/09 – 12/31/09**

Summary of Management Actions:

(Include initiatives taken, lessons learned, effectiveness evaluation, etc. as appropriate.)

General Note:

Duke randomly tests at a rate of at least 50% of the pool population.

Note (1):

Duke approved the Pre-Access Testing portion of Westinghouse's Fitness for Duty Program effective August 3, 1999. The 11 Pre-Access screens reported under "Short Term Contractor Personnel" are being reported with Duke's performance data as a result of accepting Westinghouse's program.

Summary Listing of Events Reported Under 10 CFR 26.719(b):

Date of Event	Position of Individual Involved	How Discovered	Substance Detected	Management Actions Taken
None during this reporting period				