



FirstEnergy Nuclear Operating Company

5501 North State Route 2  
Oak Harbor, Ohio 43449

Barry S. Allen  
Vice President - Nuclear

419-321-7676  
Fax: 419-321-7582

March 1, 2010  
L-10-043

10 CFR 26.717 (e)

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555-0001

**SUBJECT:**

Davis-Besse Nuclear Power Station, Unit 1  
Docket Number 50-346, License Number NPF-3  
Annual Fitness-For-Duty Report, 2009

In accordance with 10 CFR 26.717(e), FirstEnergy Nuclear Operating Company (FENOC) hereby submits the Fitness-For-Duty (FFD) Annual Performance Data for the period of January 1, 2009 through December 31, 2009 for the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS).

There are no regulatory commitments contained in this letter. If there are any questions or if additional information is required, please contact Mr. Dale R. Wuokko, Manager, Site Regulatory Compliance, at (419) 321-7120.

Sincerely,

Barry S. Allen

Enclosure: Fitness for Duty Program Annual Performance Data

cc: NRC Region III Administrator  
NRC Resident Inspector  
NRR Project Manager  
Utility Radiological Safety Board

AD21  
NRR

Enclosure  
L-10-043

Page 1 of 6

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

<u>FirstEnergy Nuclear Operating Company</u> <i>Company</i>	<u>December 31, 2009</u> <i>12 Months Ending</i>
<u>Davis-Besse Nuclear Power Station, Unit 1</u> <i>Location</i>	
<u>Mark A. Hoffman, Supervisor, Nuclear Access</u> <i>Contact Name</i>	<u>(419) 321-7338</u> <i>Phone (include area code)</i>
Cutoffs: Screen/Confirmation (ng/ml)	
Marijuana 50 / 15	Amphetamines 1000 / 500
Cocaine 300 / 150	Phencyclidine 25 / 25
Opiates 2000 / 2000 6-AM/ 10	Alcohol (%BAC) - After 1 hour 0.03 - After 2 hours 0.02

Testing Results	Licensee Employees		Contractor Personnel	
	# Tested	# Positive	# Tested	# Positive
Average Number subject to Part 26 throughout the period	822		97	
Pre-Access	108	1	189	1
Post accident	3	0	1	0
For Cause	2	0	0	0
Random (53.9% of population)	448	0	48	0
Follow-up	54	0	10	1
Other	3	0	0	0
<b>Total</b>	<b>618</b>	<b>1</b>	<b>248</b>	<b>2</b>

### Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to Test
Licensee Employees	0	0	0	0	0	1	0
Contractors	0	1	0	0	0	0	1
Total	0	1	0	0	0	1	1

Summary of Management Actions Taken  
and  
List of Fitness For Duty Event Reports

From January 1, 2009, through December 31, 2009, the Davis-Besse Nuclear Power Station (DBNPS) Fitness for Duty (FFD) records indicate the following results:

**Licensee Employees**

For licensee employees, one licensee candidate tested positive for alcohol in the pre-access category. The individual was denied unescorted access. All other categories for Licensee employees resulted in no other confirmed positives.

**Pre-Access**

The individual tested positive for alcohol during the pre-access test and was denied unescorted access. The individual was not offered employment for the position of Nuclear Security Officer and did not exercise the right to an appeal process.

**Contractors**

For contractors, one individual was confirmed positive for a single substance and was denied unescorted access for a minimum five years. A second contractor did not provide a pre-access drug screen within a three hour timeframe and was permanently denied unescorted access for refusal to test.

**Follow-up Category**

Individual's first unacceptable drug screen result was in 1990. The individual returned to the nuclear industry in 2004. The individual's pre-access test was returned favorably and the individual was added back into the Follow-up Program. However, the individual was never tested in follow-up program due to the short timeframe at the facility (two weeks). When the individual returned to nuclear industry again in 2009, the pre-access was returned favorably and the individual was added back into the Follow-up program. Prior to providing the individual a protected area badge, the individual was collected for the first follow-up test which was confirmed positive for cocaine. This individual was denied unescorted access for a minimum five years. The individual is currently in the appeal process.

Enclosure  
L-10-043  
Page 4 of 6

Pre-Access

Individual attempted three times to provide urine specimen and was unsuccessful. The individual was informed of the "shy bladder" process in accordance with 10 CFR 26.119 which was initiated. To date FENOC has not heard from the subject regarding any evaluation. Individual is permanently denied unescorted access for refusal to test.

**List of Events Reported**

No Fitness for Duty events were reported under the provisions of 10 CFR 26.417 (b) (2) by the DBNPS during the reporting period of January 1, 2009, through December 31, 2009.



**NRC FFD Program Performance Data Reporting System**  
**10 CFR Part 26, Subpart I - Managing Fatigue**  
**Annual Fatigue Reporting Form**

[Online Help](#)

Select Facility

Period of report

*Note:*  
 Use Adobe Reader 9.3 for this form to work properly.

Was this facility in an outage for any part of the reporting period? (Yes / No)

**Summary of Waiver Issuance - 26.203(e)(1)(i-ii)**

Number of Waivers Issued *(Note: Even if no waivers were issued, please enter a value (e.g., 0) in at least one of the cells in this table)*

Work Hour Controls	Operating or on-site directing of the operations of systems, as described in 26.4(a)(1)			Performing health physics or chemistry duties, as described in 26.4(a)(2)			Performing duties of a fire brigade member, as described in 26.4(a)(3)*			Performing maintenance or onsite direction of maintenance, as described in 26.4(a)(4)			Performing security duties, as described in 26.4(a)(5)			Operating Total	Outage Total	Outage Total	Combined Total
	Operating	Outage (days 1-60)	Outage (after day 60)	Operating	Outage (days 1-60)	Outage (after day 60)	Operating	Outage (days 1-60)	Outage (after day 60)	Operating	Outage (days 1-60)	Outage (after day 60)	Operating	Outage (days 1-60)	Outage (after day 60)	(Calculated)	(Calculated)	(Calculated)	(Calculated)
Daily Work Hours 26.205(d)(1)	Exceeded 16 work hrs in any 24 hr period	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
	Exceeded 26 work hrs in any 48 hr period	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
	Exceeded 72 work hrs in any 7 day period	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
Rest Breaks 26.205(d)(2)	Less than 10 hr break b/t successive work periods (or 8 hr break accommodating scheduled transition bit shifts)	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
	Less than 34 hr break in any 9 day period	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
Minimum Days Off Per Shift Cycle 26.205(d)(3)	Average of less than 1 day off per week for 8-hour shifts	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
	Average of less than 2 days off per week for 10-hour shifts	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
	Average of less than 2.5 days off per week for 12-hour shifts	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
	Average of less than 2 days off per week for 12-hour maintenance shifts									<input type="text" value="0"/>						<input type="text" value="0"/>			<input type="text" value="0"/>
Minimum Days Off for Outage Activities (during first 60 days of outage) 26.205(d)(4) and 26.205(d)(5)	Average of less than 3 days off per week for 12-hour security shifts												<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>
	Less than 3 days off per successive 15-day period 26.205(d)(4)																		<input type="text" value="0"/>
	Less than 1 day off per 7-day period for maintenance personnel 26.205(d)(4)																		<input type="text" value="0"/>
	Less than 4 days off per successive 15-day period for security personnel 26.205(d)(5)																		<input type="text" value="0"/>
<b>Total</b>	<input type="text" value="0"/>		<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>			<input type="text" value="0"/>	

\* NOTE: For individuals performing fire brigade duties and other duties, please count them only under the fire brigade column. Do not double count these individuals.

**Distribution of Waivers for Individuals in Each Category - 26.203(e)(1)(iii)**

Number of Employees Issued Waivers <i>[Note: Even if no waivers were issued for a given column, please enter a value (e.g., 0) in at least one of the cells in the column]</i>					
Number of Waivers	Operating or on-site directing of the operations of systems, as described in 26.4(a)(1)	Performing health physics or chemistry duties as described in 26.4(a)(2)	Performing duties of a fire brigade member as described in 26.4(a)(3) *	Performing maintenance or onsite directing of maintenance as described in 26.4(a)(4)	Performing security duties as described in 26.4(a)(5)
1	0	0	0	0	0
2					
3					
4					
5					
6					
7					
8					
9					
10					
11 - 20					
More than 20					
<b>Total Employees Issued Waivers (Calculated)</b>	0	0	0	0	0
<b>Most Waivers Provided to a Single Individual</b>	0	0	0	0	0

\* NOTE: For individuals performing fire brigade duties and other duties, please count them only under the fire brigade column. Do not double count these individuals.

**Summary of Corrective Action - 26.203(e)(2) (as applicable)**

<p><b>Analysis of Waiver Assessment Data:</b> <span style="float: right;">(Limit 10,000 characters)</span></p> <p>Davis Besse did not waive the fatigue requirements for any individual during this reporting period. Review of documentation did produce several deviations from the regulation requirements. These deviations have been captured in the corrective action program.</p>
<p><b>Analysis of Fatigue Assessment Data:</b> <span style="float: right;">(Limit 10,000 characters)</span></p>
<p><b>Conclusions:</b> <span style="float: right;">(Limit 10,000 characters)</span></p>
<p><b>Summary and Status of Corrective Actions:</b> <span style="float: right;">(Limit 10,000 characters)</span></p>