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AEP-NRC-2010-17
10 CFR 26.717
10 CFR 26.203

Docket Nos.: 50-315
50-316

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Donald C. Cook Nuclear Plant Units 1 and 2
10 CFR PART 26, FITNESS FOR DUTY PROGRAMS

In accordance with 10 CFR 26.717, Indiana Michigan Power Company (I&M) hereby submits Fitness for Duty Program annual performance data for the period of January 1, 2009, to December 31, 2009. Attachment 1 to this letter provides the drug and alcohol testing program data as required by 10 CFR 26.717, except for the information required by Paragraph 26.717(b)(9). Attachment 2 to this letter provides the fatigue management program data as required by 10 CFR 26.717(b)(9).

On March 31, 2008, the Nuclear Regulatory Commission issued, by Notice in the Federal Register, 10 CFR Part 26, Fitness for Duty Programs, Final Rule, which required licensees to implement the new rule requirements, except for Subpart I; by March 31, 2009, and to implement the new rule requirements of Subpart I, Fatigue Management, by October 1, 2009. On March 1, 2009, I&M implemented the new rule requirements, except for Subpart I, which was implemented on October 1, 2009. The drug and alcohol testing program data provided in Attachment 1 is sub-divided by the time periods of January 1, 2009, through February 28, 2009, and March 1, 2009, through December 31, 2009. The fatigue management program data in Attachment 2 is for the time period of October 1, 2009, through December 31, 2009.

This letter contains no new or revised commitments. Should you have any questions, please contact Mr. James M. Petro, Jr., Regulatory Affairs Manager, at (269) 466-2489.

Sincerely,

Lawrence J. Weber
Site Vice President

HLE/rdw

Attachments

A021
NRR

c: T. A. Beltz, NRC Washington, DC
J. T. King, MPSC
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MDNRE – WHMD/RPS
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FITNESS FOR DUTY DRUG AND ALCOHOL TESTING PROGRAM
PERFORMANCE DATA

DRUG AND ALCOHOL TESTING CUTOFF LEVELS

January 1, 2009, through February 28, 2009

Drug Tested	Screen / Confirmation (ng / ml) Levels
Marijuana	100 / 15
Marijuana – administrative level	50 / 15
Marijuana – suspect level	20 / 10
Cocaine	300 / 150
Opiates	300 / 300
Amphetamine	1000 / 500
Phencyclidine	25 / 25
Alcohol (%BAC)	0.04%
Alcohol (%BAC) in Follow-up Program	0.009%

March 1, 2009, through December 31, 2009

Drug Tested	Screen / Confirmation (ng / ml) Levels
Marijuana	50 / 15*
Cocaine	300 / 150**
Phencyclidine	25 / 25
Alcohol (%BAC)	0.04%
Alcohol (%BAC) in Follow-up Program	0.020%
Opiates - Morphine	2000 / 2000
Opiates - Codeine	2000 / 2000
Opiates – 6-AM***	2000 / 10
Amphetamine	1000 / 500
Amphetamine – Methamphetamine****	1000 / 500

* - As delta-9-tetrahydrocannabinol-9-carboxylic acid

** - As benzoylecgonine

*** - When confirmatory test shows concentration of 2,000 ng/ml for morphine

**** - Specimen must also contain amphetamine at a concentration ≥ 200 ng/ml

**BREAKDOWN OF POPULATIONS TESTED AND NUMBER OF TESTS ADMINISTERED
INCLUDING RESULTS SORTED BY POPULATION TESTED**

Testing Results	Permanent Licensee Employees		Contractor / Vendor Personnel		Personnel in Applicant Status	
Average Number with Unescorted Access	1288		1334			
Categories	Total Tested	Total Positive	Total Tested	Total Positive	Total Tested	Total Positive
Pre-Access	N/A	N/A	N/A	N/A	2564	36
Post Event	3	0	45	0	1	1
For-Cause	3	1	12	2	1	0
Random	662	2	698	6	23	0
Follow-Up	83	0	267	5	0	0
Other	0	0	0	0	0	0
Total	751	3	1022	13	2589	37

Random Testing Rate: 52.7%

BREAKDOWN OF CONFIRMED POSITIVE TESTS FOR SPECIFIC SUBSTANCES

	Marijuana		Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol
	50 / 100 ng/ml	20 ng/ml					
Licensee Employee	1 / 0	0	0	0	0	0	2
Contractors / Vendors	4 / 0	0	3	1	2	0	3
Pre-Access	19 / 4	5	2	0	1	0	2
Total	24 / 4	5	5	1	3	0	7

Note: Breakdown of positive marijuana includes positives at cutoff levels both before and after March 1, 2009, levels were implemented.

NUMBER OF SUBVERSION ATTEMPTS BY TYPE

	Refusal To Test	Adulterated Specimen	Substituted Specimen	Altered Test Process	Other (See Comments)
Licensee Employee	0	0	0	0	0
Contractors / Vendors	0	0	0	0	0
Pre-Access	4	2	3	0	2
Total	4	2	3	0	2

SUMMARY OF MANAGEMENT ACTIONS

Total Confirmed Positive Tests for All Specific Substances, Refusals to Test, and Adulterated Specimens was 53. All 53 individuals that had a confirmed positive test had their access terminated.

Cook Nuclear Plant does not terminate an individual's authorization or take administrative actions on the basis of positive initial drug test results.

Six appeals were received during this reporting period; in these appeals the denials were upheld.

The random testing rate for the year 2009 was 52.7%, based on an average testing pool population of 2,622 individuals.

There were six individuals that requested to have their samples retested after being informed by the MRO that they had a positive test. Four of these individuals were in the applicant status and the other two were in the contractor status. These individuals were placed on administrative hold until the retest results were received. All six retests were re-confirmed positive.

One individual was denied access due to admitting using drugs the weekend prior to their drug test. Their sample did confirm positive.

One sample was invalid due to a valid medical reason for the individual as reported by the MRO. The sample was recollected and reported as negative. This individual was in the applicant status.

One invalid sample was reported by the MRO. The sample was recollected with a negative result. This individual was in the applicant status.

Subversion information - there were a total of 11 incidents of subversion. Of the 11 incidents, 4 of them were refusal to retest after the initial test indicated a subversion attempt.

- Two adulterated – one was due to strange color and the other sample had a foreign object in the sample. Both were retested under an observed collection and the recollect confirmed positive. Both individuals were in the applicant status.
- Three substituted – temperature out of range. All three of these individuals refused to have an observed recollection and all three were in the applicant status.
- Two other –
 - One sample was reported invalid by the MRO. The individual refused to have an observed recollection. This individual was in the applicant status.
 - One sample was recollected based on the individual's behavior and the unusual sound during the time the individual was providing a sample. The observed recollection was reported positive. This individual was in the applicant status.

FITNESS FOR DUTY FATIGUE MANAGEMENT PROGRAM DATA**SUMMARY OF WAIVERS BY CATEGORY OF INDIVIDUALS
AND SPECIFIC WORK HOUR CONTROL**

Category	Work Hour Limit (Non-Outage / Outage)					
	>16 in 24 hours	>26 in 48 hours	>72 hours in 7 days	<10 hour break	<34 hour break in 9 days	< minimum average day off
Maintenance	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
Operations	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
Chemistry	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
Radiation Protection	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
Fire Brigade	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
Security	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
Total	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0

Note: No waivers were issued for the reporting period.

**SUMMARY OF DISTRIBUTION OF WAIVER USE FOR INDIVIDUALS
BY CATEGORY OF INDIVIDUALS**

# of Waivers Issued to an Individual	# of Maintenance Individuals	# of Operations Individuals	# of Chemistry Individuals	# of Radiation Protection Individuals	# of Fire Brigade Individuals	# of Security Individuals
1	0	0	0	0	0	0
2	0	0	0	0	0	0
3	0	0	0	0	0	0
4	0	0	0	0	0	0
5	0	0	0	0	0	0

Note: No waivers were issued for the reporting period.

SUMMARY OF CORRECTIVE ACTIONS

No corrective actions were identified from the analysis of waivers and fatigue assessments.