



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

July 29, 2013

EA-13-064

Mr. Mano Nazar
Executive Vice President
and Chief Nuclear Officer
Florida Power and Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

**SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION OFFICE OF INVESTIGATIONS
REPORT NUMBER 2-2012-035**

Dear Mr. Nazar:

On March 22, 2013, the U.S. Nuclear Regulatory Commission's (NRC) Office of Investigations (OI) completed an investigation involving a contract employee at Florida Power and Light Company's (FPL) Turkey Point nuclear plant. The investigation reviewed the circumstances surrounding the contract employee's attempt to subvert a random fitness for duty (FFD) drug screen test by submitting an adulterated urine sample.

Based on a review of the details of the investigation, the NRC has concluded that FPL's FFD program implementation and response to the incident was appropriate, and we plan no further action regarding this matter. In this case, FPL's FFD program provided reasonable assurance that individuals are not under the influence of any legal or illegal substance, and provided reasonable assurance for early detection of individuals who are not fit to perform their duties, in accordance with applicable regulatory requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26. In addition, FPL conducted a review of the individual's work history at the Turkey Point facility, entered the individual's information into the Personnel Access Data System (PADS) following the event, and promptly terminated the individual's unescorted access to the Turkey Point nuclear plant. The NRC also notes FPL's compliance with 10 CFR Part 26.75(b), which states that any act or attempted act to subvert the testing process, including an attempt to provide a substituted or adulterated specimen, for any test required under 10 CFR 26.31(c), must result in the immediate unfavorable termination of unescorted authorization and permanent denial of authorization thereafter.

As a result of the NRC's review of the investigation, escalated enforcement action was taken against the individual. This action may be found in the NRC Public Document Room, or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access

and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room), accession number ML13204A114.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room, or in ADAMS.

Should you have any questions concerning this letter, please contact us at 404-997-4519.

Sincerely,

/RA/

Binoy Desai, Chief
Plant Support Branch 2
Division of Reactor Safety

Docket Nos. 50-250, 50-251
License Nos. DPR-31, DRP-41

cc: (See page 3)

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ADAMS: Yes ACCESSION NUMBER: ML13210A016 SUNSI REVIEW COMPLETE FORM 665 ATTACHED

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