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May 14, 1987

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U. S. Nuclear Regulatory Commission
Division of Inspection Programs
Office of Inspection and Enforcement
Washington, D.C. 20555

Attention: Mr. James G. Partlow, Director

Gentlemen:

Subject: Docket Nos. 50-206, 50-361, and 50-362
Inspection Report 86-47, 86-36, and 86-35 respectively
San Onofre Nuclear Generating Station
Units 1, 2, and 3

Reference: Letter, Mr. James G. Partlow (NRC) to Mr. Kenneth P. Baskin (SCE),
dated March 4, 1987.

The referenced letter forwarded the subject report on an inspection conducted by members of your staff into Southern California Edison's Fitness for Duty (FFD) Program. The Inspection Report documented observations concerning the development and implementation of this program and requested that SCE comment on these observations (if appropriate), with special attention given to those observations identified in the Inspection Summary as Items 1, 2 and 3, within 60 days. As requested, enclosed are SCE comments on the NRC observations.

We appreciate your critical evaluation of our program. As noted in the enclosure, the issues involved are complex and interwoven with the rights of the individual. The resolution of such issues by SCE has been, by necessity, a long and arduous process, requiring full, careful consideration of the legal ramifications of each action. We appreciate the opportunity to provide additional information on the enclosed aspects of our program and its development.

If there are any questions regarding the enclosed, please advise.

Sincerely,

Kenneth P. Baskin

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Enclosure

cc: R. F. Dudley, NRR Project Manager, San Onofre Unit 1
H. Rood, NRR Senior Project Manager, San Onofre Units 2 and 3
J. B. Martin, NRC Region V Regional Administrator,
F. R. Huey, NRC Senior Resident Inspector, San Onofre Units 1, 2 and 3

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SOUTHERN CALIFORNIA EDISON COMPANY
COMMENTS ON NRC EVALUATION
OF
SAN ONOFRE NUCLEAR GENERATING STATION
FITNESS FOR DUTY PROGRAM

During the period November 17 - 20, 1986, an NRC Inspection Team evaluated the San Onofre Fitness for Duty (FFD) Program and chemical testing aspects of our Protected Area (PA) badging program. Their observations are documented in an Inspection Report forwarded to Southern California Edison by letter from Mr. J. G. Partlow dated March 4, 1987. In response to the request for SCE to comment on observations contained in the NRC evaluation, with special attention given to the first three observations addressed in the Inspection Summary, the following is provided:

INSPECTION REPORT OBSERVATION (SUMMARY ITEM 1)

1. "Chemical testing of body fluids is used for pre-employment, for cause, and other purposes. Separate testing programs have been established to determine impairment (blood) and trustworthiness (urinalysis). The trustworthiness testing consists of several types of tests, primarily an unannounced annual test. The process of determining impairment appears to omit cases of marginal impairment developed under the trustworthiness evaluation process.
 - "a. It takes three urinalysis test failures before management concludes that an employee may not be trustworthy and should be terminated.
 - "b. Although SCE's cut off levels for chemical testing are suitably conservative, the higher levels used by the confirmatory testing laboratory create a situation where corrective action may not be taken for employees identified by SCE's laboratory as a probable drug abuser. The higher cutoff level used for confirmatory tests in conjunction with the program permitting many repeat failures indicate that the program is permissive."

SCE COMMENT

Several comments are offered relative to the NRC observation.

Unannounced Annual Testing

As a result of a recent federal court injunction against SCE, we have had to return to annual scheduled drug testing of individuals with unescorted access to the PA, to verify no illegal use of drugs. This is in lieu of the unannounced annual test in place at the time of the inspection and as noted in the Inspection Report. Unannounced drug testing continues to be a part of SCE's investigatory and Periodic Drug Monitoring (PDM) tests as set forth in the Site Directive and as indicated in the following paragraphs. "For cause" testing is unaffected by the injunction. SCE is appealing this injunction.

Prescreening

Under our program any SCE employee determined to be drug-impaired on the job, (unfit for duty) is terminated on a first offense.

Onsite drug testing by SCE, when impairment is not observed, is intended to be a prescreening step to clearly identify those individuals whose body fluids show no trace of illegal drugs so that badging (or rebadging) can proceed expeditiously. This prescreening step does not confirm that someone is a "probable drug user," but instead, identifies those who are clearly not "probable drug users."

SCE believes that an employee may not be trustworthy following the first detection of offsite illegal use of drugs, whether or not impairment is shown. Therefore, upon notification that a urinalysis reveals illegal use of drugs by a worker with unescorted access to the PA, the individual's unescorted access to the PA is suspended, thereby immediately mitigating any potential threat to the safe operation of the units. If the individual is an SCE employee, he is then assigned work outside the PA; if he is a contract worker, his Site access is revoked.

As specified in the EEI Guide, "The employee may be returned to the designated position only when the company receives satisfactory professional assurance that the employee's presence on the job does not present a hazard to safety or adversely impact the company in any other way. Retention in the designated position will be contingent upon the employee successfully passing tests which verify abstinence from illegal drug use during a reasonable probationary period." To regain unescorted access after a single detection of illegal use of drugs when no impairment was observed, the SCE employee must demonstrate continuing abstinence during an assessment period of at least 10 days and undergo a clinical evaluation and assessment for drug dependency. When SCE receives satisfactory professional assurance that the employee may be safely returned to his assigned duties, his unescorted access to the PA is restored. Concurrently, the employee is placed on a Periodic Drug Monitoring (PDM) Program. The PDM program is intended to act as a deterrent as well as to detect any resumed use of drugs, including use at levels below that which may produce observable impairment.

If illegal drug use is detected a second time in an employee's career, this is presumed to be indicative of possible drug dependency and, provided there is no onsite impairment shown, mandatory rehabilitation is imposed. The employee is also suspended from work without pay for up to thirty days in addition to repeating the counseling and monitoring actions taken for the first detection of the illegal use of drugs when no impairment is shown. In order for the individual to return to work and once again be granted unescorted access, the following must be accomplished:

1. The employee must have satisfactorily completed a Company approved, in-patient drug rehabilitation program;
2. The employee must demonstrate that he has abstained from drugs through a post-suspension drug test;
3. The employee must undergo an updated Security background investigation;

4. An update of the employee's psychological assessment must be completed satisfactorily, including an MMPI written test and clinical interview with a licensed psychologist;
5. The employee may be required to undergo an evaluation by a drug dependency assessment professional;
6. The employee is informed he will be periodically monitored and advised of the consequences of a third detection of drugs.

The issue of permitting one repeat failure is consistent with the philosophy of encouraging rehabilitation for those with demonstrated drug dependency, as discussed above. Failure to cooperate in the above reinstatement requirements, or detection of resumed involvement with illegal drugs throughout the remainder of the employee's career, is cause for immediate termination, whether or not impairment has been observed.

Impairment

Consistent with the EEI Guide, employees who are impaired on the job (unfit for duty) are required to submit to a "for cause" chemical test. If the impairment is determined to be due to drugs or alcohol, termination is the usual disciplinary action taken. In contrast to this, the urinalysis, administered prior to initial PA badging, and annually thereafter, to all personnel with unescorted access to the PA, is administered routinely when no impairment is shown. The EEI Guide characterizes this as "random or regular periodic chemical testing" indicating such methods have been successfully used to achieve a safe and drug free work environment. Thus, the action taken when an employee is detected with drugs in his system by this test (and the employee has no observable signs of impairment), is typically less severe than when impairment has been shown.

Differing Cutoff Levels

For one drug (THC), SCE uses a different cutoff level in the onsite prescreening than that used in the outside laboratory screening. All other drugs have the same prescreening and outside screening cutoffs. The lower level utilized onsite by SCE is, as previously stated, a prescreen to identify those who clearly are not using the drug. The use of the conservative cutoff level for onsite prescreening was determined by the Company to be advisable because it allows for use of a sensitive reagent without the need to perform a dilution operation prior to its use. A positive test at the outside laboratory's higher cutoff level indicates use of the illegal drug and eliminates possible claims that the failure could have been due to passive inhalation.

Summary

In summary, SCE believes its program and the measures described in the preceding are an aggressive and effective response to concerns with the potential effects of offsite use of illegal drugs, as well as drug use which renders an individual unfit for duty. It provides for special monitoring of those who have shown no signs of impairment and who have been returned to duty after initial detection of drugs in their body fluids. When the entire program is considered, including SCE's annual testing of all personnel with unescorted access to the PA, we believe the San Onofre program actions meet those recommended by the EEI Guide.

INSPECTION REPORT OBSERVATION (SUMMARY ITEM 2)

2. "SCE supervisors appear to be well trained and highly motivated. However, most contractor supervisors had not been trained."

SCE COMMENT

Contractor supervisors who provide long-term site services on a continuing basis and who require unescorted access to the PA have now completed this training. New contractor supervisors, as defined above, will undergo this training subsequent to arriving onsite. Receipt of such training will be periodically verified.

INSPECTION REPORT OBSERVATION (SUMMARY ITEM 3)

3. "There are some differences between the written policy and that recommended by the EEI Guide, for example, manner of testing and off duty sale of drugs."

SCE COMMENT

The written policy on SCE's FFD Program clearly meets the recommendations of the EEI Guide regarding the reasons for conducting chemical testing of body fluids as well as the type and manner of testing suggested in the Guide. The EEI Guide, under Key Program Element Number 9 - "Chemical Testing of Body Fluids", lists three general categories in which chemical testing of body fluids should be used;

1) Pre-Employment Screening, 2) Testing for Cause and 3) Random or Regular Periodic Chemical Testing.

The written SCE program includes testing in all three categories and requires that everyone having unescorted access to the PA undergo drug testing annually. Regarding the methods of testing SCE has chosen to use in each category, the Guide states, "Urine testing is the most common method used to detect drug use. Blood testing may also be used to detect the presence of drugs and/or alcohol." The SCE program typically utilizes analysis of blood samples for testing when impairment has been observed and specifically for quantification of alcohol levels. Urinalysis is used for pre-employment screening, investigatory drug testing, and periodic (annual) testing as a condition of obtaining and renewing the badge permitting unescorted access to the PA when no impairment is shown.

Based on the preceding, we believe that the documented manner and extent of SCE drug testing complies with all aspects of the Guide.

The Site Directive describing the FFD Program specifically covers offsite use and onsite possession or use of illegal substances. However, the Directive was not intended to address in detail prescribed discipline for drug-related criminal actions or other off-premises drug-related misconduct affecting employment. Corporate Policy Statement 19.98.1 entitled, "Disciplinary Action" addresses action to be taken in such instances. This Corporate Policy Statement is distributed to all employees and contractors attending the 8 hour training class entitled "The Supervisor's Responsibility - Substance Abuse/Fitness for Duty - Recognition and Intervention". Duplication of this Corporate Policy in the Site Directive is not contemplated at this time.