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SUBJECT: Forwards semi-annual Fitness For Duty Performance Data Rept covering period 940101-940630.

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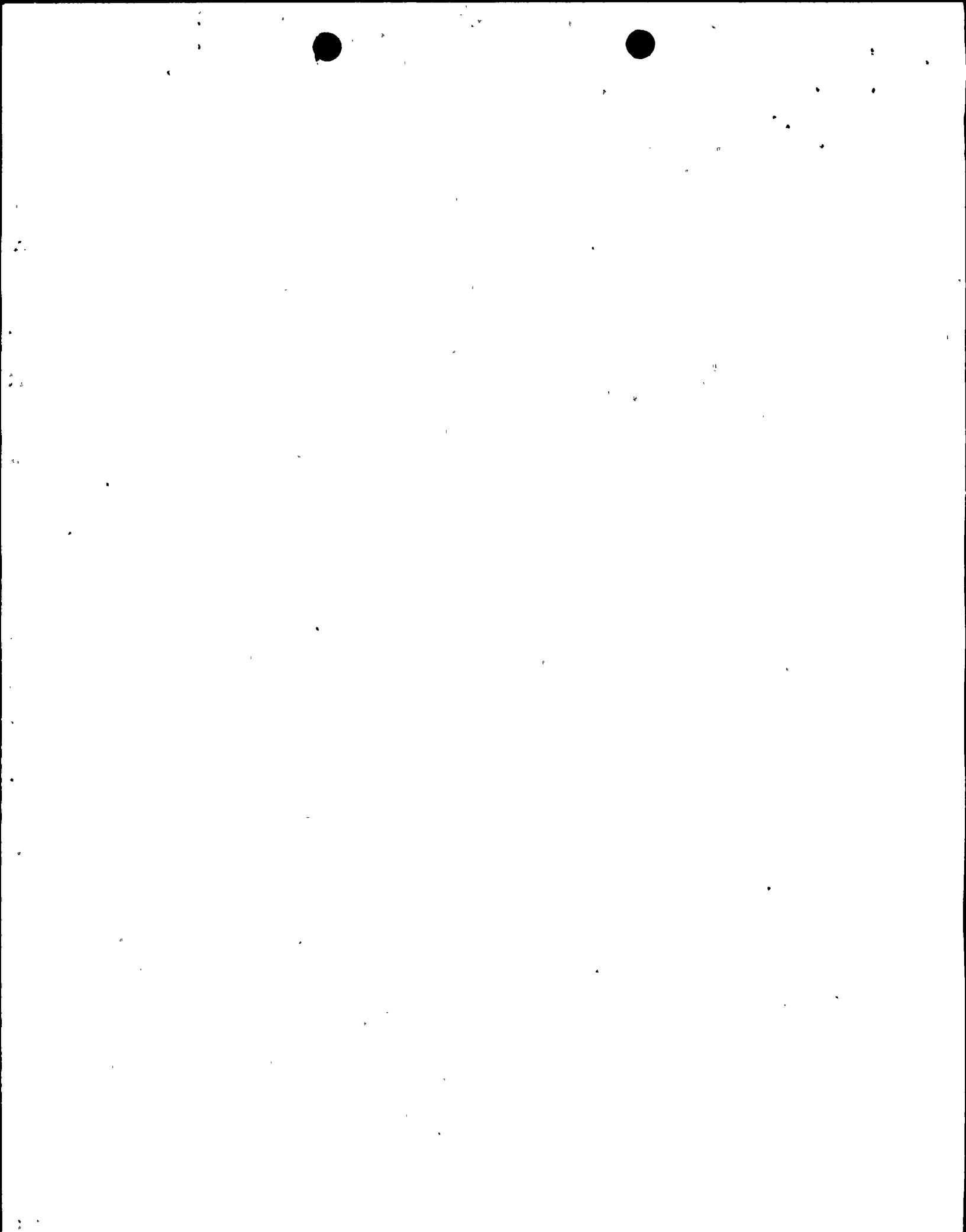
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B. Ralph Sylvia
Executive Vice President
Nuclear

August 29, 1994
NMP1L 0854

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

RE: Nine Mile Point Unit 1
Docket 50-220
DPR-63

Nine Mile Point Unit 2
Docket 50-410
NPF-69

Subject: Fitness For Duty Program Performance Data Report

Gentlemen:

In accordance with the requirements set forth in 10CFR26.71(d), Niagara Mohawk Power Corporation has compiled and is submitting the enclosed semi-annual Fitness For Duty Performance Data Report covering the period January 1, 1994 through June 30, 1994.

Very truly yours,



B. Ralph Sylvia
Executive Vice President - Nuclear

Enclosure

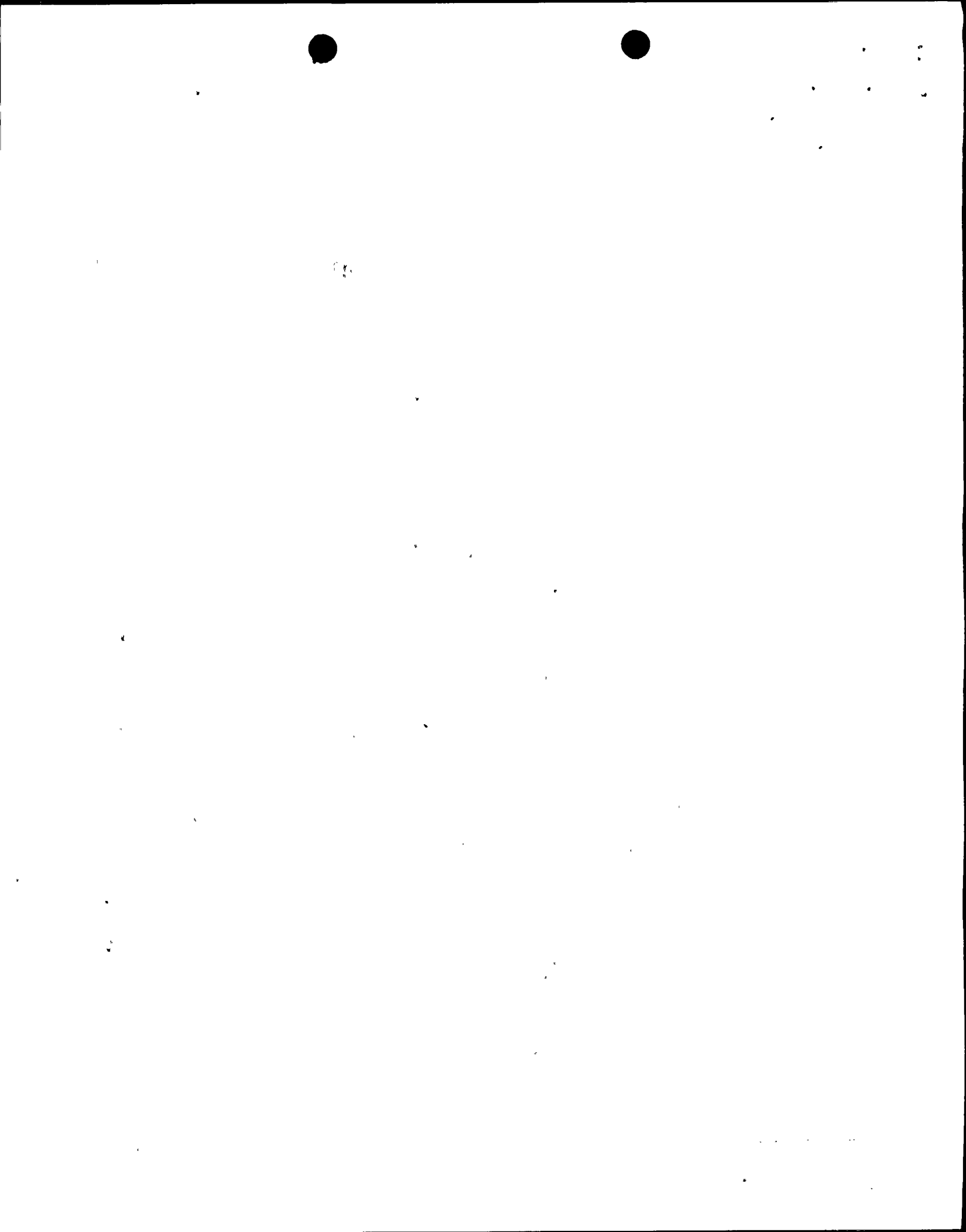
xc: Mr. Thomas T. Martin, Regional Administrator, Region I
Mr. Barry S. Norris, NRC Senior Resident Inspector
Records Management

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**FITNESS FOR DUTY PROGRAM
PERFORMANCE DATA
PERSONNEL SUBJECT TO 10CFR 26**

Niagara Mohawk Power Corporation
Company

June 30, 1994
6 Months Ending

Nine Mile Point Nuclear Facility
Location

Beth Menikheim
Contact Person

315-349-4410
Phone

Random Test Rate = 50% (as of Feb., '94)

Cutoffs: Screen/Confirmation (ng/ml) Appendix A to 10CFR26

Marijuana	100 / 15	Amphetamines	1000 / 500
Cocaine	300 / 150	Phencyclidine	25 / 25
Opiates	300 / 300	Alcohol (% BAC)	.04%

Testing Results	Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
	# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access	1690		N/A		339	
Pre-Access	57	0	0	0	130	4
For Cause	Post Incident	0	0	0	0	0
	Observed Behavior	1	1	0	0	0
Random	536	2	0	0	76	0
Follow-up	18	0	0	0	1	0
Other	25	0	0	0	41	0
Total	637	3	0	0	248	4



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Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphe- tamines	Phency- clidine	Alcohol	Refusal/ Other	1	2	3	4	5	
Licensee Employees	1					2							
Long-Term Contractors													
Short-Term Contractors	4												
Total	5					2							7



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**FITNESS FOR DUTY (FFD) PROGRAM PERFORMANCE
DATA REPORT
January 01 - June 30, 1994**

SECTION I Process Stage Data

Since early in 1991, Niagara Mohawk Power Corporation (NMPC) has conducted on-site drug screening using a SYVA ETS instrument. During this time, all tests found to be "non-negative" have been sent to our HHS-certified laboratory for both screening and confirmatory testing as applicable. In 1992, the NRC modified 10CFR26.24 to allow licensees to take certain administrative action based on "presumptive positive" tests for marijuana and cocaine. After critical review of this change, we have opted to not take administrative action based on screening test results as allowed in 10CFR Part 26.24. Accordingly, we have nothing to report in the way of process stage actions or record keeping.

SECTION II Summary of Management Actions, NRC Reportable Events, and Appeals

1. MANAGEMENT ACTIONS

A. Situation Description

A company employee tested positive for marijuana during a random drug test.

Outcome

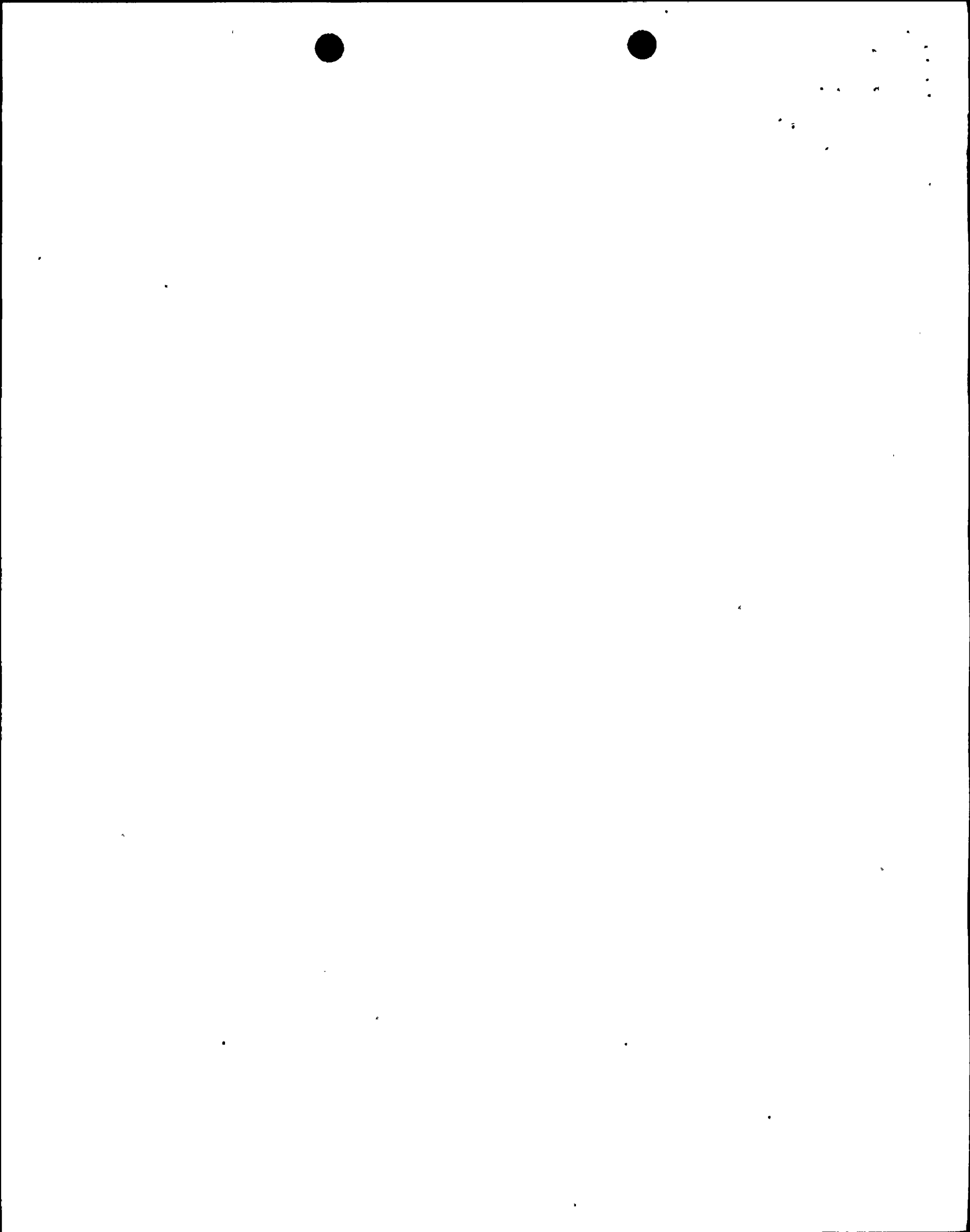
1. Immediate loss of unescorted access for a 14 day period.
2. Referral to Employee Assistance Program for evaluation and treatment.
3. Supervision implemented a review of safety-related work performed by the employee; no remedial action was required.
4. Required to enroll in a follow-up testing process.

B. Situation Description

A company employee, assigned to a supervisory position, tested positive for alcohol during a for-cause drug test.

Outcome

1. Immediate loss of unescorted access for a 14 day period.
2. Supervision implemented a review of safety-related work performed by the employee; no remedial action was required.
3. Referral to Employee Assistance Program for evaluation and treatment.
4. 24 hr. NRC notification and Deviation Event Report (DER) was initiated.
5. Required to enroll in a follow-up testing process.



C. Situation Description

During this reporting period four contractors were confirmed positive for marijuana as part of a pre-access procedure.

Outcome

1. Unescorted access authorization was denied (for each of the four contractors) for an indefinite period of time.

D. Situation Description

A company employee tested positive for alcohol during a random drug test.

Outcome

1. Immediate loss of unescorted access for a 14 day period.
2. Referral to Employee Assistance Program for evaluation and treatment.
3. Supervision implemented a review of safety-related work performed by the employee; no remedial action was required.
4. Required to enroll in a follow-up testing process.

2. **NRC REPORTABLE EVENTS PER 10CFR PART 26.73**

A company employee, assigned to a supervisory position was found to be unfit for duty following a for-cause drug and alcohol test. The individual tested positive for alcohol. The NRC was notified (see section II, part 1, B of this report).

3. **APPEALS**

Situation Description

A contractor who tested positive for marijuana appealed the Medical Review Officer (MRO) Confirmed Positive drug results. The Appeals Officer denied the appeal due to the fact that all procedures were followed accordingly and evidence to overrule the MRO's decision was not established.

SECTION III FFD Program Modifications and Lessons Learned

NMPC reduced the rate of random testing to 50% as of February, 1994. That decision allowed us to reduce our financial obligations while still maintaining a deterrent against drug use.

The Training Department has enhanced NMPC's present Behavioral Observation Training (BOT) For Supervisors. A Self Study Package has been implemented to accommodate Supervisor's



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availability for training on their BOT responsibilities required by the FFD Program. At the conclusion of the package, supervisors will understand the identification, intervention and referral process for personnel who are not fit to perform their job responsibilities.

The NMPC FFD Program is continually subject to a variety of both internal and external audits and self-reviews. During this reporting period, our FFD Program underwent a formal quality assurance audit conducted by the NMPC Quality Assurance Department. As a part of the audit team, a FFD Auditor from another utility was brought in to review the NMPC FFD Program and to share his expertise. All audit findings were minor and resolved quickly.

To ensure compliance with 10CFR26, NMPC has cross referenced all of our FFD Procedures to the requirements of 10CFR26.

FFD representatives were fortunate to attend a Region 1 bi-annual meeting. The meetings are a good opportunity to explore industry practices and to share problems and experiences. As a result we hope to avoid those problems experienced by other plants.

SECTION IV Data Assessment and Program Evaluation

A review of the data contained in this report shows that our program is effective in controlling the incidence of drug and alcohol use at the Nine Mile Point Nuclear Station. Statistically, the data shows that the overall positive test rate for NMPC employees (for this time period) was .47%, and 1.61% for contractors. Additionally, the combined positive test rate for contractors and NMPC employees is .79%.

In summary, NMPC's Nuclear FFD Program continues to operate effectively as a deterrent to drug and alcohol abuse, and the day to day operations of FFD are in compliance with all of the requirements established in 10CFR26. NMPC is committed to improving our program to ensure our workforce operates in a safe and productive environment.

