UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30323

Report No.: 50-400/91-05

Licensee: Carolina Power and Light Company
P. O. Box 1551
Raleigh, NC 27602

Docket No.: 50-400, License No.: NPF-63,

Facility Name: Harris 1

Inspection Conducted: March 26-28, 1991

Inspector: W. W. Lowenberg 4-23-91
For W. J. Tobin, Senior Safeguards Inspector Date Signed

Approved by: William J. Tobin, Jr. 4/23/91
D. R. McGuire Date Signed
Safeguards Section
Nuclear Materials Safety and Safeguards Branch
Division of Radiation Safety and Safeguards

SUMMARY

Scope:

This special, announced inspection was conducted in the area of the licensee's Fitness For Duty Program (FFD). Specifically, the licensee's Policy, Program Administration and Key Program Processes were reviewed using NRC Temporary Instruction 2515/106 "Fitness For Duty - Initial Inspection of Implemented Program" dated July 11, 1990.

Results:

In the areas inspected, violations or deviations were not identified.

Based upon the NRC's selective examination of key elements it has concluded that the licensee is satisfying the general performance objectives of 10 CFR Part 26. Several strengths were noted in the licensee's FFD Program as identified in this report.

One Inspector Followup Item was identified relative to the need for more frequent weekend random testing (91-05-01).

REPORT DETAILS

1. Persons Contacted

*S. Allen, Site Personnel Relations Director(Site FFD Administrator)
D. Bates, Site, Nuclear Licensing
K. Broadwell, Corporate, Medical Review Officer
J. Craft, Corporate, Computer Information Manager
P. Douglass, Site, FFD Coordinator
R. Foy, Site, Security Officer, Burns, Security
C. Goodnight, Corporate, Vice President, Employee Relations
S. Gregory, Site, Technical Clerk
*V. Grose, Brunswick, Personnel Relations Director
O. Hinton, Corporate, Quality Assurance Auditor
D. Knepper, Corporate, Nuclear Engineering Supervisor
J. Levister, Site, Personnel and Safety Representative
A. Moss, Site, Training Specialist
*G. Newsome, Robinson, Personnel Relations Director
S. O'Connor, Site, Registered Nurse
*G. Olive, Site, Assistant Security Manager
D. Owen, Corporate, Occupational Health Director
*M. Pate, Site, Training Manager
M. Pope, Corporate, Personnel Relations Manager
W. Poteat, Corporate, Vendor Quality Manager
M. Richards, Site, Chemical Scientist
*R. Richey, Site, Vice President
*B. Rickenbacker, Corporate, Employee Assistance Program Director
L. Rush, Site, Carpenter, Fluor Daniels
C. Smith, Site, Licensed Operator
*J. Tedrow, Site, Senior NRC Resident Inspector
M. Taylor, Corporate, Personnel Assistant
J. Townsend, Corporate, Electrical Engineer
J. Truchinski, Corporate, Computer Information Director
*F. Underwood, Corporate, FFD Administrator
*J. Walker, Corporate, Nuclear Security Manager
M. Wallace, Site, Regulatory Compliance
B. Wilder, Corporate, Registered Nurse
T. Williams, Site, Training Supervisor

*Attended exit interview

2. Licensee's Written Policy and Procedure

This licensee has had a formal Drug and Alcohol Policy, to include an Employee Assistance Program (EAP), since 1982. Evolving from this Policy have been psychological testing, pre-employment background investigation, pre-employment/pre-access/for cause drug testing, fingerprinting, aberrant

behavior training and "Quality Check" programs. The impact of Part 26 has been random testing, alcohol testing, Medical Review Officer (MRO) review of positive tests, pre-badge testing of contractors and quality assurance audits.

In accordance with Part 26.10 and 26.20, it is the licensee's Policy to provide reasonable assurance that its measures to achieve a drug-free workplace will be successful. Sanctions for violating the Policy are discussed in paragraph 5 of this report.

The licensee's Policy is clearly and thoroughly defined in Procedure FD-003 titled "Drug and Alcohol Abuse Policy" which is supported and implemented by other Fitness For Duty procedures relative to chemical testing, employee assistance, contractor access, appeals, training, corporate and site responsibility, records and audits. A 23 page Reference Manual has been furnished to the work-force which also succinctly defines the licensee's program, worker responsibilities and sanctions. This manual is signed by the Chairman/President of the utility.

3. Program Administration/Management

The licensee has assigned the bulk of Part 26 responsibilities with the Employee Relations Department at its Corporate Offices in Raleigh, NC. This Department is under the Executive Vice President of Finance and Administration who, along with the Executive Vice President of Power Supply, reports to the Chairman/President of the utility. Within the Employee Relations Department there are two offices empowered with various FFD responsibilities; Personnel Relations provides the EAP Director, the three Site Personnel Relations Directors (FFD Site Administrators) and the Corporate FFD Coordinator who satisfies the Rules duties of a FFD Manager; and, Corporate Safety which provides the contract MRO and a staff of Health Specialists (Registered Nurses) as well as the Occupational Health Director who performs the Rules duties with respect to blind samples and the contract laboratories.

Key to this multi-department effort is the Corporate FFD Coordinator who can interact with any level of supervision or management at any Station from his position at the Corporate Personnel Relations office. For purposes of Part 26 implementation, the three Site Personnel Relations Directors receive direction from this Corporate FFD Coordinator, otherwise they and the Corporate FFD Coordinator are on an equal level reporting to the Corporate Personnel Relations Manager.

Assisting the Site Personnel Relations Director in such daily FFD tasks as scheduling random tests is a Project Coordinator who works for Station Management.

The inspector's concern about the direction and focus of this multi-faceted organization was alleviated by the professionalism of the FFD staff, their knowledge of procedural expectations and their clear understanding of duties and responsibilities.

Resource Allocation

At the Harris facility there are two collection trailers; the one exterior to the protected area is used for outages while the interior one is for normal operation. At the Corporate Office the licensee has contracted with a nearby medical clinic to perform specimen collections.

The inspector visited the trailer exterior to the protected area and witnessed several randomly chosen individuals in the process of submitting to the breath and urine collection. The facility is staffed by a Registered Nurse, who performs the specimen collection and storage duties as well as the breathalizer function, and a Technical Clerk, who positively identifies donors and assures various records and chain of custody documents are initiated.

The inspector noted that the licensee fingerprints outage workers in the reception area of the collection facility, however, this activity was not observed to be interfering with the specimen collection or storage.

The two exterior doors to the collection facility are locked during off-hours, and duress alarms are located for the nurse and clerk to summon the onsite security force. Refrigerated storage units were locked and the nurse was in possession of the key.

Based upon observation and interview the inspector determined that the collection facility and the site staff met the criteria for Part 26.

Proactive Measures

Upon receipt of a confirmed positive test it is the licensee's policy to conduct a review of the individuals work assignments starting from the day of the test. This review is conducted by a supervisor to determine if there has been any safety impact.

Whenever the registered nurse detects a quantifiable blood alcohol concentration, even if below the .04% cut off level, it is the licensee's policy that the nurse will counsel the individual.

For those urine specimens which have passed the preliminary drug test but have low creatinine, the licensee has a "special process" which determines the presences of marijuana and cocaine. Positive presence of illegal substances is referred to the MRO for disposition.

Since 1984, a "Quality Check" Program has been in place at the Harris site which allows safety-related issues to be brought to the attention of plant management.

Employee Assistance Program (EAP)

The licensee's EAP is designed and implemented to achieve early intervention through confidential assistance by offering assessment, short

term counseling and referral services. The licensee has established formal correspondence with each provider of outside assistance to insure that the licensee is notified if the provider evaluates the individual as a hazard to self or to the nuclear facility.

A unique feature of the licensee's EAP is the provision that terminated employees will be given the opportunity for EAP referral.

The licensee's EAP Director, two consultants and one psychologist are located in a discreet yet convenient office several blocks away from the licensee's Corporate offices.

During the first six months of 1990 there were eight self-referrals as compared to the last six months when there were 12 self-referrals and two supervisory referrals. The inspector determined that the Site Personnel Relations Directors can also counsel and refer employees.

During the inspectors interview, both at the Site and at the General Office, the employees acknowledgement of EAP was noted. Several employees recalled seeing the EAP Director at recent Safety Meetings onsite. The EAP and the employee's perception of the EAP was considered to be a strength in the licensee's FFD Program.

4. Training/Policy Communication

Prior to the effective date of Part 26 the NRC Resident Inspectors witnessed FFD training for employees/contractors and supervisors. During this inspection specific attention was directed towards course curriculum for the training and retraining of supervisors in such matters as detection of aberrant behavior and the role of the supervisor in referring employees to EAP. A "supervisor" is defined by the licensee as a foreman at least and anyone else who is responsible for the work of others and who evaluates other workers.

Of interest was the licensee's decision early in the implementation of Part 26 to formally train even contract supervisors thus ensuring itself of continuity and completion. A written test is administered after General Employee Training and also after Supervisory FFD Training, and an 80% score is needed to successfully pass the test. In 1990, the licensee trained 7,768 workers and 733 supervisors at all three of its nuclear stations.

It is the licensee's intent to institute a core training medium which will be transferable to all three of its nuclear stations, and supplemented by site specific information. Additionally, the licensee anticipates feedback to the workforce on statistics and data from the first year of FFD testing.

The licensee's training efforts and the employee retention of FFD matters and criteria appears to be a strength in the overall FFD program.

5. Key Program Process

Notification/Identification/Collection

Based upon interviews with random donors and witnessing the collection process, the inspector determined that the licensee notifies candidates for random testing no more than two hours prior to their appointment time. This notification is processed through the candidate's immediate supervisor who can excuse the candidate from testing with a documented excuse: leave, vacation, etc. This documented excuse is furnished to the Site Personnel Relations Director (the Site FFD Administrator) who on a quarterly basis provides a summary of the supervisor/employee excuse to the appropriate department director so that patterns of abuse will be detected by both the department director as well as the by the Site FFD Administrator.

Upon arrival at the facility, positive identification is verified by the Facility's Technical Clerk through the donor's use of a photo-identification card. The employee then furnishes a list of those drugs/prescriptions ingested within the last 30 days which, in effect, initiates the chain-of-custody for the specimen.

A registered nurse invites the donor to leave outer clothing in the foyer and accompany her to one of several offices where the collection process is accomplished. The donor is invited to randomly choose a sealed mouthpiece for the breathtest, a sealed container for the urine specimen, and a sealed bag containing the two vials for the split samples.

The inspector witnessed several donors being processed through the intoxilizer and urine collection process and found the licensee to be in accordance with Part 26. It was suggested that improvements could be made in the areas of having the donor remain within sight of the specimen until the chain-of-custody was complete. With respect to those instances when a donor cannot furnish a full 60 milliliters, it was further suggested that all chain-of-custody records remain with the refrigerated partial specimen until the donor can be retested by the nurse. The licensee was receptive to these minor refinements.

Following the specimen collection, the nurse affixes a temperature adhesive to the outside of the container, checks color and splits the specimen into two vials which are sealed, taped, initialled and stored in a locked refrigerator.

With respect to a "permanent record book" as defined in Part 26 Appendix A, Subpart A, the licensee uses a 3 ring binder of sequentially numbered pages recording each test; following the results of the test and the completion of each months activities at the collection facility the licensee gathers together all the binders and permanently binds the records together for long-term storage.

Randomness

During calendar year 1990 the licensee randomly tested 110% of the workforce from the General Office and all three nuclear stations; this means 5122 random tests were done from an average population of 4665. Repeat tests were as follows:

Once	-	3286 individuals
Twice	-	1294 individuals
Three times	-	411 individuals
Four times	-	105 individuals
Five times	-	21 individuals
Six times	-	5 individuals

Every Saturday at its Corporate Office the licensee's mainframe computer of employee/contractor data randomly selects 2% of the badged population from each of the three nuclear stations and the General Office. An individual badged at more than one station appears as only one person on the computer and thus is on a statistically equal level with a person badged at only one station. The population pool is updated the previous Tuesday by the security access computers at each station. Once the Saturday selections are made they are stored until the following Tuesday at which time the site Personnel and Safety Representative enters into the system using his personnel identification password and can retrieve only those names for his site. The random list of candidates, both primary and alternate, is then scheduled according to the workforce availability, and testing begins Wednesday. The inspector noted, and the licensee agreed, that newly employed individuals might not get badged until a Tuesday afternoon thus missing the weekly site security update and could have unescorted access for approximately 14 days without the statistical possibility of being randomly tested. This hypothetical employee, however, would have been tested under the pre-access requirement. The licensee was aware of this issue and was modifying its computer system to shorten the time between badging and testing.

The random list is then furnished to a Project Coordinator who is part of the site management organization, verses the Site Personnel Relations office, and she assumes responsibility for daily notification of shift supervisors.

The inspector reviewed statistical data which reflected the following with respect to testing during irregular hours from January 1, 1990 until February 28, 1991:

Holidays:
- Memorial Day
- Thanksgiving Eve
- Thanksgiving Day
- Christmas Eve
- New Years Day (January 1, 1991)

Weekends: Four Saturdays (8 tests)
Five Sundays (9 tests)

The licensee was aware of the infrequency of weekend testing and had instituted "Scheduling Goals" calling for a minimum of testing one weekend day per month and one holiday per quarter. Of interest was a result of the seven interviews conducted by the inspector during which four individuals were of the opinion that the licensee did not test on weekends. The licensee advised the inspector that increased weekend testing would occur at all three nuclear stations. This effort will be tracked as an Inspector Follow-up Item (91-05-01).

Sanctions and Appeals

It is the licensee's policy to terminate employment and to cancel contractor access upon a positive drug test. Upon a positive alcohol test contractor access is cancelled but employees are allowed first offense rehabilitation after which the second positive alcohol test results in termination.

Since the inception of the Rule, only two contractors have appealed their access cancellations, both unsuccessfully.

According to the licensee's procedure, written request for testing records must be received within ten days of the sanction. The licensee was receptive to the inspector's caution that the Rule does not put a deadline on such request. The licensee has on at least one occasion allowed a request in excess of the procedure deadline.

Audit

Audit #2015/90-02 was performed between August 3-10, 1990 at all four FFD locations. Four auditors and one toxicologist consultant were on the team which concluded that the implementation of the program was satisfactory and effective with the exception of three "findings" and four "concerns." The program was deemed to be consistent and well coordinated, and the seven issues did not represent a significant adverse impact. One of the "findings" was that an individual was tested 61 days prior to being granted access instead of the maximum of 60 days as the Rule allows.

Audit #2500/90-01 was performed at the contract testing laboratory by two auditors and two technical consultants on August 8-9, 1990. Seven issues were found relating to legibility of records, location of work area procedures, and calibration of thermometers in refrigerated storage areas. The auditors concluded that the laboratory testing program was satisfactory and effective.

Along with seven other licensee's, this utility belongs to the Shared Nuclear Access Authorization Audit Group (SNAAAG) and as such has audited,

or accepted audits, of 98 of it's 101 vendors. These audits have been of the "suitable inquiries" requirements of the Rule with respect to pre-access clearance investigations.

The licensee's Quality Assurance audits continue to be a strengths of its FFD Program.

6. Exit Interview

The exit meeting was held on March 28 with those as noted above in attendance. The inspector discussed the extent of the inspection and the conclusion that the licensee's program was meeting the intent of the Rule. The one Inspector Followup Item was identified as were various strengths. No exceptions were voiced by the licensee.