

US NUCLEAR REGULATORY COMMISSION
APPROVED OMS NO 788-978
EXPIRES 6/31/88

LICENSEE EVENT REPORT (LER)

FACILITY NAME (1): **Nine Mile Point Nuclear Station** DOCKET NUMBER (2): **05000220** PAGE 3
1 OF 03

TITLE (6): **Positive Drug Screen on Company Employee**

EVENT DATE (5)			LER NUMBER (8)			REPORT DATE (7)			OTHER FACILITIES INVOLVED (9)		
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	MONTH	DAY	YEAR	FACILITY NAMES		
03	16	88	88	501	00	03	16	88	N/A		
									DOCKET NUMBER(S):		
									05000220		

OPERATING MODE (10): **0, 0, 0** THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR § (Check one or more of the following) (11)

<input type="checkbox"/> 20.492(b)	<input type="checkbox"/> 20.493(a)	<input checked="" type="checkbox"/> 20.73(a)(2)(i)	<input type="checkbox"/> 20.73(b)
<input type="checkbox"/> 20.493(a)(1)(ii)	<input type="checkbox"/> 20.493(a)(1)(i)	<input type="checkbox"/> 20.73(a)(2)(ii)	<input type="checkbox"/> 20.73(b)(1)
<input type="checkbox"/> 20.493(a)(1)(iii)	<input type="checkbox"/> 20.493(a)(2)	<input type="checkbox"/> 20.73(a)(2)(iii)	<input type="checkbox"/> 20.73(b)(2)
<input type="checkbox"/> 20.493(a)(1)(iv)	<input type="checkbox"/> 20.493(a)(3)	<input type="checkbox"/> 20.73(a)(2)(iv)	<input type="checkbox"/> 20.73(b)(3)
<input type="checkbox"/> 20.493(a)(1)(v)	<input type="checkbox"/> 20.493(a)(4)	<input type="checkbox"/> 20.73(a)(2)(v)	<input type="checkbox"/> 20.73(b)(4)
<input type="checkbox"/> 20.493(a)(1)(vi)	<input type="checkbox"/> 20.493(a)(5)	<input type="checkbox"/> 20.73(a)(2)(vi)	<input type="checkbox"/> 20.73(b)(5)

LICENSEE CONTACT FOR THIS LER (12):

NAME	TELEPHONE NUMBER
Daniel D. O'Hara, Nuclear Security Specialist	315349-1319

COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT (13):

CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC	CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC
N/A									
N/A									

SUPPLEMENTAL REPORT EXPECTED (14):

YES (If yes complete EXPECTED SUBMISSION DATE) NO

EXPECTED SUBMISSION DATE (15)	MONTH	DAY	YEAR

ABSTRACT (16) (If 1400 words or less) (17) (If more than 1400 words) (18)

On March 16, 1988, with Nine Mile Point Unit 1 in a refueling outage the Nuclear Security Department was telephonically notified that a company employee assigned to the Unit 1 Fire Department as a Utility Mechanic, had tested positive for cocaine and the test was verified by Gas Chromatography Mass Spectrometry.

While being assigned to the Unit 1 Fire Department he was responsible for assisting fire fighters in the performance of their respective duties. As a Utility Mechanic, the individual is not allowed to perform any function unless under the direct supervision of a fire fighter.

Prior to the confirmation of the drug test results, the individual's unescorted access to the Nine Mile Point facility had been revoked. The purpose of the revocation of the unescorted access was attributed to a sequence of events that are furnished in the "text" of this report.

8909180 309

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

U.S. NUCLEAR REGULATORY COMMISSION
 APPROVED OMB NO. 3150-0104
 EXPIRES 8/31/88

FACILITY NAME Nine Mile Point Nuclear Station	DOCKET NUMBER 0 5 0 0 1 0 2 2 0	LER NUMBER (6)			PAGE (3) 0 1 2 of 0
		YEAR 8 8	SEQUENTIAL NUMBER - 5 1 0 1	REVISION NUMBER - 0 1 0	

TEXT OF REPORT SHOULD BE REPORTED ON ADDITIONAL NRC FORM 302A (1/77)

On March 16, 1988, the Nuclear Security Department was telephonically notified that a Utility Mechanic assigned to the Unit 1 Fire Department tested positive for cocaine. The station was in a refueling outage at the time of this notification. The following is a chronology of events that resulted in the immediate revocation of the subject individual's access authorization and subsequent termination as a company employee.

On March 11, 1988, the Nuclear Security Department received a telephone call from the Unit 1 Assistant Supervisor, Fire Protection, requesting that we revoke the unescorted access privilege of a Utility Mechanic assigned to his department.

The individual admitted to having a cocaine problem and voluntarily enrolled himself in the EAP in September 1986. At that time, his security clearance was suspended pending receipt of documentation from health professionals certifying his rehabilitation and prescribed course of treatment which included random drug screening for a two year period following rehabilitation. On October 24, 1986, certification was received from a health professional certifying the subject individual had completed a rehabilitation program and may return to work.

We were advised by the Fire Protection Supervisor that the subject individual was instructed to report to the Nurse's Office on March 10, 1988, at the Training Center and subject himself to a random Urine Drug Screen prior to leaving work for the day.

It was initially thought that the individual had never appeared at the Nurse's Office as instructed, however he did arrive at the Training Center at approximately 0700 hrs. on March 10, 1988 (verified by a co-worker) but could not locate the nurse. Consequently, he went home and later returned around 1600 hrs. to receive his paycheck and was tested. The individual failed to report for duty on the "A" line of March 11, 1988 (0001-0800 hr), as a result, the supervisor requested that his badge be pulled pending the outcome of an Article 16 (labor agreement disciplinary action) hearing for failure to report for duty. It is important to note, that the individual had been randomly tested four times prior to this, in accordance with EAP policy with negative results on all four occasions.

On March 14, 1988, the Employee Relations Department/Nuclear was telephonically notified that Nuclear Security must be immediately notified on receipt of the drug screening results which would be sent to Nuclear Division headquarters.

At approximately 1030 hrs., on March 16, 1988, the Security Department was informed by Employee Relations that the final results had not yet been received, however, they did get a report from the laboratory which said that the specimen was being given "Special Handling" which is indicative of a confirmatory test on a positive initial screening. At 1437 hrs. on March 16, 1988, Employee Relations telephonically notified Security that they had confirmation and the individual had tested positive for cocaine. Upon confirmation of the test, the Senior NRC Resident Inspector was notified.

SECURITY RELATED MATERIAL
 10CFR2.790(d) INFORMATION

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

FACILITY NAME (1) Nine Mile Point Nuclear Station	DOCKET NUMBER (2) 05000220818	LER NUMBER (6)			PAGE (3)	
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER		
		88	5101	010	03	of 01

TEXT OF REPORT SHOULD BE REPRODUCED. USE ADDITIONAL NRC FORM 204a if (17)

In consultation with the NRC Senior Resident Inspector, the Security Department activated the ENS reporting the incident to Mr. John MacKinnon, H.O.O. on March 16, 1988, at 1621 hrs.

The Nuclear Security Department on-site is proprietary and is not responsible for administering the Fitness for Duty Program. It is the responsibility of the Employee Relations Department/ Nuclear to administer policies and procedure for this program.

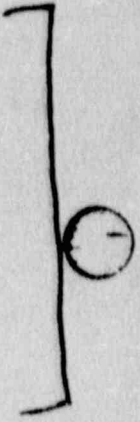
SECURITY-RELATED MATERIAL
10CFR 790(d) INFORMATION

IX-87-12

02/05/87

Fitzpatrick
New York Power Authority
Oswego County, NY

During a random search of personnel entering the facility, the licensee found approximately 30 capsules in a contractor's lunch box. After the licensee took several capsules for analysis, the individual admitted that they were a controlled substance. The individual was denied access to the facility, and the matter was turned over to local law authorities. Plant status: Operational. Fuel present at site.



B/1

5/2

REGION I MORNING REPORT

PAGE 3

MAY 11, 1987

Licensee/Facility

Notification/Subject

Nine Mile Point 1 and 2
DN 50-220/50-410

5/11 Resident PC
Update to 5/8 Daily Report

Event

On 5/8, the licensee was informed that a station radiation protection technician had been arrested and charged with the sale of cocaine but that the arrest had been a case of mistaken identity. The licensee later determined that two employees, the same radiation technician and an I&C technician had subsequently been arrested and that the charges had not been dropped. The licensee has revoked both employees' station access until an investigation has been completed.

IX-87-116

11/17/87

Nine Mile Point
Niagara Mohawk Power Corporation
Oswego County, NY

During a routine drug screening of new contract employees, one individual's urinalysis tested positive for marijuana. The contract employee was denied badging and further access to the facility. Plant status: Operational. Fuel present at site.

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B/2

B/4

Licensee/Facility

Nine Mile Point 2
DM 50-410

Notification/Subject

11/18 Resident PC
New Contract Employee Tested Positive for
Drugs

Event

On 11/17 the licensee informed the resident inspectors that while conducting routine drug screening of new contract employees, one individual's urinalysis tested positive for marijuana. The contract employee was informed of the test results and was denied badging and further access to the facility.

On 11/1, the licensee instituted a 100 percent drug screening program of all new contract employees. Niagara Mohawk employees are being screened during their yearly physical examinations or if suspected of controlled substance abuse. Resident inspector followup.

----- Event Notification - Power Facilities -----

Event Number : 11769

Facility : NINE (Nine Mile Point)
Region : 1 State: New York
Unit : 1 (GE) (GE) ()
Docket : 05000220
License Type : Power Reactor
Emergency:

Event Date : 03/16/88
Time : 14:37 [EST]
Notify Date : 03/16/88
Time : 16:21 [ET]

Caller : D O'HARA

Ops Officer : 02 John MacKinnon
Ops Officer :

Report Required By:
DTHR 73.71(c) Threat/Less Effective

Notified :

Reactor Trip :

Reactor Prior
Critical Mode

Prior Current
PWR Mode

Current
PWR

Event Notification - Security

UNIT 1 IS DEFUELED. UTILITY MECHANIC ASSIGNED TO THE FIRE DEPARTMENT TESTED POSITIVE ON A DRUG TEST GIVEN 03/10/88. PERSON TERMINATED. SEE HOO LOG BOOK FOR FURTHER DETAILS. RI WAS INFORMED BY THE LICENSEE. R1DO(WALT PASCIAK) NOTIFIED.

Details of this Security Event are available in the written log only

----- Description Text -----

UNIT 1 IS DEFUELED. UTILITY MECHANIC ASSIGNED TO THE FIRE DEPARTMENT TESTED POSITIVE ON A DRUG TEST GIVEN 03/10/88. PERSON TERMINATED. SEE HOO LOG BOOK FOR FURTHER DETAILS. RI WAS INFORMED BY THE LICENSEE. R1DO(WALT PASCIAK) NOTIFIED.

1621

9 mile Point

(D. O'Hara)

1437 EST

Security Report

(#11769)

RI was notified by licensee of the positive drug test at 1537 EST. Company Employee (Utility Mechanic assigned to fire department) was randomly tested on

On 3/16/88 they received the results at 1437 EST. He test came in positive. He badge was terminated 3/11/88 for not showing up for work. He took the drug test when he left work 3/10/88. No showing for work comes under article 16 that is why his badge was terminated. He hasn't been let back on site since he left 3/10/88. RI was notified. R1DO (walt pasciak) notified. - E15

Licensee/Facility

Nine Mile Point I
DN 50-220

Notification/Subject

3/16 ENS
Station employee tested positive for
cocaine.

Event

At 4:20 p.m. 3/16, the licensee notified the resident inspectors and the HQ Duty Officer that a station employee was tested positive for cocaine and had been denied future access to the site. The individual was employed as a utility mechanic in the Fire Department with firewatch and fire patrol responsibilities which provided him access to vital areas. The individual had participated in the Employee Assistance Program for an earlier drug problem and was tested in accordance with the rehabilitation followup requirements. Licensee representatives stated that the individual's employment would be terminated.

SSEL
Always



B/c

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PRIORITY ATTENTION REQUIRED MORNING REPORT - REGION I APRIL 13, 1988

AC
B/7

Licensee/Facility

0 Mile Point 2
50-410

Notification/Subject

4/12 SRI PC
Drugs Found in Employee Vehicle in the
Parking Lot

Drugs - SSI

Event

Late in the week of 4/4, Unit 2 operations personnel were informed of suspected cocaine use on and off site. Surveillance of post work activities and searches of vehicles were performed. Five persons have submitted to voluntary drug testing. In order to ensure that there were no drugs on site security physically searched and brought in the local police drug dog to search the normal I&C work areas and the locker rooms at both units. Nothing else was found. Resident inspector followup.

----- Event Notification - Power Facilities -----

Event Number : 12057

Facility : NINE (Nine Mile Point)
 Region : 1 State: New York
 Unit : 1 (GE) 2 (GE) ()
 Docket : 05000220 05000410
 License Type : Power Reactor
 Emergency:

Event Date : 04/19/88
 Time : 07:55 [EST]
 Notify Date : 04/19/88
 Time : 08:31 [ET]

Caller : DANNY O'HARA

Ops Officer : 04 James Brown

Ops Officer :

Notified :

Report Required By:
 DTHR 73.71(c) Threat/Less Effective

Reactor Trip :

Reactor Critical	Prior Mode	Prior Current PWR Mode	Current PWR
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Event Notification - Security

CONTROLLED SUBSTANCE ABUSE. SEE HOO LOG FOR DETAILS. RI INFORMED. NOTIFIED R1(JOHN KINNEMAN).

Details of this Security Event are available in the written log only

Description Text

CONTROLLED SUBSTANCE ABUSE. SEE HOO LOG FOR DETAILS. RI INFORMED. NOTIFIED R1(JOHN KINNEMAN).

Security Report

0831	NINE MILE PT 1,2 (DANNY O'HARA) 0755
12057	ON APRIL 8, 1988 @ 1750 SECURITY NOTIFIED OF DRUG ABUSE BY COMPANY EMPLOYEES IN I & C. SECURITY INVESTIGATION LEAD TO SEARCH ON APRIL 12, 1988 OF 5 INDIVIDUALS' POSSESSIONS & VEHICLES. ONE VEHICLE (OUTSIDE PA) HAD A MARIJUANA LIKE SUBSTANCE IN GLOVE COMPARTMENT SO PEOPLE WERE ASKED TO TAKE AN URINE TEST AT OSWEGO HOSPITAL. RESULTS WERE OBTAINED @ 0755 04/19/88: 3 INDIVIDUALS TESTED POSITIVE (2 WORKED IN UNIT 1; OTHER 2 WORKED IN UNIT 2). ACCESS DENIED. RI INFORMED. NOTIFIED R1(JOHN KINNEMAN).

B/9

PRIORITY ATTENTION REQUIRED MORNING REPORT - REGION I APRIL 20, 1988

A3

B/10

Licensee/Facility

Nine Mile Point 2
DN 50-410

Notification/Subject

4/20 SRI PC
Fitness for Duty

Event

On 4/19 the licensee reported to the resident inspectors and NRC Headquarters Duty Officer that three of the five station employees tested for illegal drug use were tested positive. Site access by these employees had been suspended last week pending drug testing results. Licensee representatives indicated that these employees would be fired. The two employees who tested negative resumed their normal station duties.

In addition, on 4/12, the resident inspectors were informed of the results of local union arbitration of the licensee's Fitness for Duty Policy involving random and annual employee physical examination drug and alcohol testing. The arbitrator ruled against Niagara Mohawk's annual and random drug and alcohol testing policy. This ruling does not prevent the licensee from screening employees if drug or alcohol use/abuse is suspected.

Handwritten signature

B/11

246001

NINE MILE POINT 2

LEGATION NUMBER - RI-88-A-0062

RUN DATE: 880622

CKET/FACILITY/UNIT: 05000410 / NINE MILE POINT 2 / 2
CKET/FACILITY/UNIT: / /
CKET/FACILITY/UNIT: / /
CKET/FACILITY/UNIT: / /

IVITY TYPES - REACTOR

TERIAL LICENCES -

CTIONAL AREAS - OTHER

SCRIPTION - 1) FITNESS FOR DUTY
2) DESITE DRUG USE BY NMPC EMPLOYEES

ONCERNS -
2

RCE - LICENSEE EMPLOYEE

CONFIDENT - NO

REIVED - 880517 BY - JM GUTIERREZ / RI

ION OFFICE CONTACT - JR JOHNSON - (FTS)346-5234

ETY SIGNIFICANCE - NO BOARD NOTIFICATION - NO

TUS - OPEN SCHED COMPLETION - 880630 DATE CLOSED -

EGATION SUBSTANTIATED - NO ALLEGER NOTIFIED -

ACTION - NO OI REPORT NUMBER -

MARK - AN NMPC ATTORNEY CONTACTED THE REGION I ATTORNEY AND STATED
THAT A FORMER ALLEGER TO THE NRC HAD PROVIDED HIM W/TWO
CONCERNS. AOC CALLED LIC. ON 6/1/88 & DOCUMENTED THE ECON
RE: WHAT WAS DONE IN RESP. TO THE DRUG ISSUE;

CLOSEOUT

MEMO TO OAC (ECD 6/30/88).

SUPPORT OFFICE: RPS-2C

ACTION PENDING: CLOSEOUT MEMO IN PREP.

DOCUMENTATION:

ALLEGER LAST CONTACTED: 880171 NMPC ATTORNEY)

REFERENCE: NONE

KEYWORD: FITNESS FOR DUTY

TERED SYSTEM - 880607 CLOSED SYSTEM -

RECORD CHANGED - 880610

REGION I MORNING REPORT

PAGE 2

JULY 28, 1988

Licensee/ Facility

Nine Mile Point 2
DN 50-410

Notification/Subject

7/28 License Employee
Denied Access Due to Positive Test

Event

On 7/27, the licensee security department informed the resident inspector that a company employee had tested positive for the use of marijuana. The individual was a technician being considered for a promotion into I&C management. The testing was done as part of the pre-promotion physical. The individual's site access badge has been pulled while the licensee evaluates what further action will be taken. Resident followup.

A4

B112

SSEL
Drugs

AUGUST 3, 1988

B/13

Licensee/FacilityPatrick
DN 50-333**Notification/Subject**8/3 SRI PC
Followup PNO-I-88-79**Event**

The results of followup drug testing (conducted 7/29) of the senior reactor operator who tested positive for cocaine as reported in PNO-I-88-79 were negative. Based on the initial positive results and the short time that cocaine remains detectable, the licensee is entering the individual into their Employee Assistance Program for evaluation. The individual denies using drugs and based on past performance does not indicate habitual drug use. Restoration of the individual's site access and any further licensee actions will be based on the results of the EAP evaluation. This information and actions were discussed during a conference call between licensee and Region I management and will be reviewed by the resident inspector.

PRIORITY ATTENTION REQUIRED

MORNING REPORT - REGION I

AUGUST 5, 1988

Licensee/Facility

Notification/Subject

FitzPatrick
DN 50-333

8/5 SRI PC
Update of Positive Drug Test

Event

As discussed in PNO-I-88-79 and the 8/3 morning report, the senior reactor operator who tested positive for cocaine has completed an evaluation by the licensee's Employee Assistance Program. The evaluation concluded that there was no indication that the individual used drugs. Based on this evaluation the licensee plans to restore the individual's site access. In addition, the licensee plans to resubmit the individual's license renewal application. Although access will be restored, the SRO will continue to be involved with the plant simulator and must complete requalification requirements prior to assuming licensed duties.

B/14

B/15-

PRIORITY ATTENTION REQUIRED

MORNING REPORT - REGION I FEBRUARY 3, 1980

Licensee/Facility:

Niagara Mohawk Power Corp.
Nine Mile Point 2
Docket No. 50-410
BWR/GE-5/Mark II Containment

Notification:

2/3 ENS

Subject:

"Cigarette" butt tests
positive for indication
of marijuana

REPORTABLE EVENT NUMBER: 14633

DISCUSSION: On 2/3 the licensee informed the HQ Duty Officer via ENS that a "cigarette" butt found in the plant on Friday had tested positive for the presence of marijuana. The ENS call was a one hour notification under the provisions of 10 CFR50.73.

Apparently, while walking in the plant on Friday, an individual noticed what appeared to be a cigarette butt on the floor in what is normally a radiologically clean area on the 305 foot level of the Unit II Turbine Building. Upon picking up the cigarette butt, the individual noticed that it did not appear to be a normal looking cigarette butt and turned it over to the security department. Site security performed a field test on the remnants of the "cigarette" butt with the test results indicating positive for the presence of marijuana.

On Sunday, 2/5/80, the licensee searched 10 different areas on and offsite with two drug sniffing dogs with negative results. The security department has provided the remnants of the field test sample to police officials in Syracuse for additional confirmatory testing. At this time there is no way to determine if the "cigarette" remnants were indicative of drug use on-site or if the item was brought onsite and then dropped on the floor.

REGIONAL ACTION: The resident inspectors are on-site and following further licensee actions. Additionally, the licensee's security department is keeping the Region I security and safeguards personnel informed of corrective actions.

Contact: Jon Johnson

FTS: 346-5234

N 2-2

Monday 2-6-89

----- Event Notification - Power Facilities -----
 Event Number : 14633
 Facility : NINE (Nine Mile Point) Event Date : 02/03/89
 Location : 1 State: New York Time : 13:15 [EST
 Unit : 2 (GE) () () Notify Date : 02/03/89
 Docket : 05000410 Time : 14:12 [ET
 License Type : Power Reactor Caller : DANNY O'HARE
 Emergency: NOT Ops Officer : G4 James Brown
 Not Applicable Ops Officer :
 Report Required By: Notified : RDO RICHARD KEIMIG
 DDDD 73.71 - Unspecified Paragraph

Reactor Trip : N
 NO REACTOR TRIP
 Reactor Prior Prior Current
 Critical Mode PWR Mode PWR
 N B4 Cold Shutdown 0 B4 Cold Shutdown 0

Event Notification - Security

 INTRODUCTION OF CONTROLLED SUBSTANCE INTO A PROTECTED AREA. RI WILL BE INFORMED.

Details of this Security Event are available in the written log only

1412	NINE MILE PT 2 (DANNY O'HARE) Security Report
	SMALL PIECE OF CIGARETTE PAPER ROLLED
<u>14633</u>	WAS DISCOVERED IN TURB. BLDG 0 ELEV 306
	SAMPLE WAS VERY SMALL & WAS DESTROYED
	DURING TESTING. LICENSEE BELIEVES MAY
	HAVE CONTAINED MARIJUANA. SECURITY STILL
	INVESTIGATING. RI W/B INFORMED. NOTIFIED
	RI (R. KEIMIG).

BH