



Carolina Power & Light Company

SECRET  
USNRC

NOV 16 1990

NLS-90-234  
10CFR26

'90 NOV 29 A8:47

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Mr. Samuel J. Chilk  
Secretary  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

ATTENTION: Docketing and Service Branch

Comment on Proposed Rule - 10CFR26 Fitness-for-Duty Programs: Nuclear Power Plant Personnel, 55FR35648

Dear Mr. Chilk:

On August 31, 1990, the Nuclear Regulatory Commission (NRC) published in the Federal Register a notice of a proposed amendment to 10CFR26 "Fitness for Duty Programs: Nuclear Power Plant Personnel." The proposed amendment would prohibit management actions based upon an unconfirmed positive initial drug screening test when there is an absence of any other evidence of impairment or an indication that the individual might otherwise pose a safety hazard.

Carolina Power & Light Company (CP&L) has reviewed the draft comments prepared by the Nuclear Management and Resources Council, Inc. (NUMARC) in response to the request of the NRC for comments on this proposed rule. CP&L endorses the NUMARC comments on this proposed amendment in their entirety.

CP&L believes that the current rule, as written, is adequate and that licensees should be allowed to retain the prerogative to temporarily remove personnel as necessary from activities within the power plant, pending confirmation of an initial positive test for drugs. For this reason CP&L recommends that the proposed rule change should not be adopted.

CP&L appreciates the opportunity to comment on this proposed rule change. If you have questions concerning these comments, please contact Mr. Jim Presley at (919) 546-6132.

Yours very truly,

L. I. Loflin  
Manager

Nuclear Licensing Section

9012120118 901116  
PDR PR  
26 55FR35648 PDR

- cc: Ms. O. N. Hudson
- Mr. J. C. Presley
- Mr. R. B. Richey
- Mr. C. F. Underwood