



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 REGION II
 101 MARIETTA STREET, N.W., SUITE 2900
 ATLANTA, GEORGIA 30323-0199

Report No.: 50-302/94-06

Licensee: Florida Power Corporation
 3201 -34th Street, South
 St. Petersburg, FL 33733

Docket No.: 50-302

License No.: DPR-72

Facility Name: Crystal River 3

Inspection Conducted: February 28 - March 3, 1994

Inspector: William J. Tobin 3/25/94
 W. J. Tobin, Senior Safeguards Inspector Date Signed

Approved by: D. R. McGuire 3/28/94
 D. R. McGuire, Chief Date Signed
 Safeguards Section
 Nuclear Materials Safety and Safeguards Branch
 Division of Radiation Safety and Safeguards

SUMMARY

Scope:

This routine, unannounced inspection was conducted in the area of the Fitness For Duty Program. Specifically, the licensee's Policy, Procedures, Staff, Audits, Records, Appeals and Behavior Observation Program were reviewed.

Results:

In the areas inspected, violations or deviations were not identified. Of notable strength in the Fitness For Duty Program was the licensee's audits of its collection facilities, contract testing facility and contractor's programs. The licensee continues to have a very good Fitness For Duty Program.

REPORT DETAILS

1. Persons Contacted

Licensee Employees

- *J. Carr, Nuclear Regulatory Specialist
- J. Dalonzo, Regional Human Resources Manager
- *G. Foster, Human Resources Representative
- D. Fugate, Medical Records Secretary
- V. Hernandez, Employee Concern Representative
- *J. Kessler, Medical Review Officer
- K. Linhart, Medical Technician
- *G. Longhouser, Nuclear Security Superintendent
- *P. McKee, Director, Quality Programs
- *R. McLaughlin, Nuclear Regulatory Specialist
- M. Pombier, Technology Coordinator
- K. Spilies, Physician Assistant
- *K. Wilson, Nuclear Licensing Manager
- *R. Yost, Quality Audits Supervisor

Other licensee employees contacted during this inspection included craftsmen, engineers, operators, mechanics, security force members, technicians, and administrative personnel.

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- *T. Cooper, Resident Inspector

*Attended exit interview

2. Fitness For Duty Policy, Procedures and Personnel

a. Details

The Drug Abuse Policy of the Florida Power Corporation is found in Section 6-13 of the Human Resources Manual, i.e., "The purpose of this policy is to assure a work force that is free from the illegal possession and/or use of drugs or controlled substances". The licensee further expects, "...employees to report to work in a state of mind and physical condition that will allow them to perform their assigned duties in a competent and safe manner."

Nuclear Operations Department (NOD) Procedure 41, "Fitness For Duty Program" details all of the relevant criteria for chemical testing, employee assistance programs, appeals, confidentiality, records retention, duties of the Medical Review Officer, sanctions and training.

Fitness For Duty Procedure, FFD700, further describes such issues as random testing, chain of custody, security of the collection facility and duties of the Fitness For Duty staff.

Locally, at the Crystal River facility, there is a Medical Review Officer who is assisted by a Physicians Assistant, a Registered Nurse and an Emergency Medical Services Paramedic; all of whom have been licensed by the State of Florida, Professional Regulation Board of Medicine.

There were no violations identified. Procedures and staff appear adequate and sufficient.

b. Quality Assurance Audits

Between January 17 and 31, 1994, five auditors and one consultant toxicologist audited the licensee's Fitness For Duty Program at the Site, Corporate Office and Contract Laboratory. The results of the audit were furnished to the appropriate levels of management to include the Senior (Nuclear) Vice President, and to the Director of Quality Programs.

The auditors concluded that regulatory requirements were being met, that the licensee continues to provide a drug free workplace, and that commitments were being adequately implemented. No violations were identified, and only one "finding" (relative to an incomplete access record) was noted. There was a "recommendation" relative to a lost random urine specimen at the contract testing laboratory. This event occurred on January 5, 1994, when one of six "random" specimens of licensee employees was not accounted for at the testing facility in Leesburg, Florida. The particular person whose specimen was lost had successfully past the alcohol test and had an excellent work record. The licensee did not re-test this individual, but would have had the test been "for cause" or a pre-employment. An investigation had failed to locate the missing specimen. The "recommendation" is to address this event, and corrective actions, in the next Six Month Data Report to the NRC. As part of the corrective actions, the licensee will have the courier sign for the number of specimen versus the number of containers in which the specimens are sealed.

The auditors also evaluated the three audits performed on contractors (NMS Corp, Burns Security, and Energy Services Inc.) and concluded that the contractors were properly conducting background investigations and psychological testing for access authorization.

No violations were identified. The licensees's extensive and thorough audit function appears to be a strength to its Fitness For Duty Program.

c. Records and Appeals

The inspector randomly reviewed Fitness For Duty records which were located at the licensee's Medical Facility. These records are secured inside locked file cabinets under the control of a Medical Secretary. During non-work hours this office is locked and unauthorized access would be detected by an alarm system which annunciates at a nearby continuously posted security receptionist area. Access to these medical records is restricted to medical personnel, or other such authorized (as NRC inspectors) individuals. The records included physical examination results, psychological testing results, medical treatment evaluations and drug testing results.

The inspector also randomly reviewed Fitness For Duty training records, General Employee Training tests and Student Guidebooks for Fitness For Duty training. These records are located at the Training Center in Crystal River, Florida.

There have been appeals of the pre-access Fitness For Duty testing by two contractors. These records were reviewed and it was noted that the contractors were appropriately notified of their rights to appeal, provide with the correct documents regarding their urinalysis results, allowed the opportunity to provide relevant information and participate in an independent management review. Both appeals were rejected.

There were no violations identified in this area.

d. Behavior Observation Program

The inspector reviewed the licensee's records from the Employee Concern Program concerning a complaint that a supervisor displayed aberrant behavior. The Employee Concern Program Representative followed Nuclear Operation Department Procedure 36 "Employee Concern Program" in that he informed the Director, Nuclear Operations Site Support of the complaint. This Director promptly interviewed the complainant and then interviewed the supervisor. The Employee Concern Representative participated in these interviews. The Director documented to the Employee Concern file that he understood the complaint, knew the personalities involved and was aware of the circumstances of the incident. He had reviewed the situation in the context of the Fitness For Duty/Behavioral Observation Program and did not consider it to be a "critical element", he found nothing to substantiate that the supervisor behaved in an aberrant manner.

A "critical element" is defined as "Incidents that are of a significant and critical nature such that they cannot be ignored. These include such acts as an employee injuring a fellow employee deliberately, committing an act of theft, or purposely mistreating equipment."

There were no violations identified in this area.

3. Exit Interview

The inspection scope and results were summarized on March 3, 1994, with those persons indicated in Paragraph 1. The inspector described the areas inspected and discussed in detail the inspection results listed below. The inspector informed the licensee that audits appeared to be a strength in an overall good program. Dissenting comments were not received from the licensee.