



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 REGION II
 101 MARIETTA STREET, N.W.
 ATLANTA, GEORGIA 30323
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Report No.: 50-302/92-02

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: January 7-8, 1992

Inspector: William J. Tobin
 W. J. Tobin, Senior Safeguards Inspector

January 8, 1992
 Date Signed

Approved by: D. R. McCreary
 D. R. McCreary, Chief
 Safeguards Section
 Nuclear Materials Safety and Safeguards Branch
 Division of Radiation Safety and Safeguards

1/24/92
 Date Signed

SUMMARY

Scope:

This announced inspection was conducted to review the licensee's corrective actions relative to three open issues dealing with the licensee's Fitness For Duty Program.

Results:

All three items were "closed." The licensee plans to increase the frequency of its random testing efforts especially for backshifts on weekends.

REPORT DETAILS

1. Persons Contacted

Licensee Employees

- J. Alberdi, Manager, Nuclear Plant Technical Support
- B. Crane, (Interviewee) Supervisor
- *J. Dalonzo, Manager, Crystal River Human Resources
- D. Deitemeyer, (Interviewee) Technician
- J. Duato, (Interviewee) Contractor
- *E. Froats, Manager, Nuclear Compliance
- W. Jones, (Interviewee) Contractor
- *R. Kline, Director, Health Services
- K. Linhart, Human Resources Associate
- P. McKee, Director, Nuclear Plant Operations
- J. Mook, (Interviewee) Supervisor
- J. Ugburn, (Interviewee) Electrician
- R. Ripple, (Interviewee) Laborer
- C. Russo, (Interviewee) Warehouseman
- K. Spilios, Physicians Assistant
- W. Stephenson, (Interviewee) Supervisor
- *S. Uebel, Director, Human Resources (Corporate)

*Denoted those in attendance at the Exit Meeting

2. Licensee Actions on Previous Inspection Findings

a. Inspector Follow-up Item (IFI) 90-17-01: (Closed)

During the NRC initial inspection of the licensee's Fitness for Duty (FFD) program in May of 1990, various individuals voiced their concern that the licensee would automatically suspend the access of anyone using the employee assistance program offered under the Helping Employees Live Productively, or HELP program. The employees, in effect, equated self-referral to the HELP with automatic termination. Additionally, during the NRC inspection it was noted that self-referrals to the employee assistance program were very rare.

Since the May 1990 NRC inspection, the licensee has re-educated the workforce through General Employee Training (GET) and annual refresher training regarding HELP and its confidentiality, as well as the new provider of HELP, and the fact that the licensee pays for this rehabilitation service. Employee assistance program usage has increased since 1990, such that between February to September 1991, there have been 32 employees (mostly self-referrals) and 55 dependants entering HELP.

During this inspection, various licensee employees and supervisors were interviewed regarding the licensee's FFD program to include the HELP program. All interviewees expressed a positive attitude towards HELP and the manner in which it is presented to the workforce. The interviewees apparently perceived HELP as a confidential rehabilitation service that has no derogatory reaction from management. Interviewees were aware of the licensee's responsibility to suspend the access of those who may pose a threat to the safe operation of the facility.

Based upon the licensee's corrective measures and the results of the interviews, IFI 90-17-01 is "closed."

b. Non-cited Violation (NCV) 90-17-02: (Closed)

As documented in the NRC's May 1990 inspection report, based upon the licensee's audit finding, the need for more frequent random testing during non-normal hours was identified.

As a result of these audit findings in 1990, the licensee instituted backshift testing as of June 1, weekend testing as of October 7, and holiday testing as of November 22.

The inspector reviewed statistical data for these random tests for calendar year 1991 and determined the following:

- ° Relative to backshift tests, in 1991 there were 28 occasions as follows:

Monday	-	2 times
Tuesday	-	6 times
Wednesday	-	10 times
Thursday	-	6 times
Friday	-	4 times

- ° During these 28 occasions, there were 78 individuals randomly tested on backshifts.
- ° There was no backshift testing on any weekend this entire year.
- ° Regarding weekend testing, three Saturdays and three Sundays experienced random testing which resulted in 10 individuals being tested.
- ° Testing, which resulted in only two individuals actually being tested, took place over four holidays.

As a result of this data review, the inspector cautioned the licensee against allowing "safe havens" during which the workforce would not be eligible for unannounced random testing, specifically the absence of backshift testing on weekends. The licensee explained that,

currently those individuals randomly identified for testing who are working a backshift, and those unavailable, are considered "deferred" until enough of them compose a "batch" of approximately six candidates. When a "batch" is accumulated, a FFD technician will work irregular hours such that a backshift is tested at either the beginning or the end of the shift. The licensee agreed that more backshift random tests were needed.

The inspector reported that based upon his interviews with various contractors, employees, and supervisors, all the interviewees were of the opinion that their chances of being randomly tested occurred throughout the workweek regardless of shift or weekend or holiday.

This will "close" NCV 91-17-02.

c. NCV 90-17-03: (Closed)

Early in the implementation of the NRC FFD Rule, the licensee's FFD Task Force identified a situation regarding the licensee's failure to report an FFD event involving a supervisor being unfit for duty. Additionally, due to a misinterpretation the licensee had not notified the NRC of several unsatisfactory laboratory results.

The licensee has corrected these issues by better defining "supervisor" and "unsatisfactory" laboratory results. Additionally, clear responsibilities are delineated for the licensing/regulatory compliance department and these responsible for the FFD program.

The inspector noted that the required six month statistical FFD reports have been timely and thorough. The licensee has sent two reports to the NRC regarding unsatisfactory laboratory results, transmitted by FPC letters dated January 16 and April 24, 1991.

Based upon the licensee's improvement in this area, NCV 90-17-03 is "closed."

3. Quality Assurance Audit

The licensee performed Audit #91-01-FFDR from January 14 until 25, 1991. During this audit effort, the contract testing laboratory, Physicians and Doctors Laboratory, was also audited. The audit report was furnished to the Senior Vice President - Nuclear with copies to the two Co-Chairmen of the licensee's FFD Task Force, (the Director of Recruitment and Human Resources - Corporate, and the Manager of Nuclear Plant Technical Support - Site). The auditors found the licensee's program to have improved, and to have been satisfactory communicated to the various departments involved in the program. The audits concluded that the program was "effectively implemented" and that the contract laboratory was providing "reliable support."

All four "findings" of the audit were assigned to the Corporate Office of Recruitment and Human Resources for correction. The findings were as follows:

- ° A contractual requirement was not being completed at the contract laboratory, i.e. retaining negative specimens for one year.
- ° The blind samples submitted for the third quarter of 1991 were not adequate in number.
- ° The Corporate collection site was using improper shipping containers.
- ° The contract laboratory had a deficient procedure.

4. Exit Meeting

The exit meeting was held onsite on January 8, 1991, with those so noted in attendance. The licensee was advised that the three open FFD items were "closed," and no new findings identified. The licensee plans to increase the randomness of its testing. No dissenting comments were noted.