



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

Report No.: 50-395/91-01

Licensee: South Carolina Electric & Gas Company  
Columbia, SC 29218

Docket No.: 50-395

License No.: NPF-12

Facility Name: V. C. Summer

Inspection Conducted: January 22-24, 1991

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

2/12/91  
Date Signed

Team Member: W. Stansberry, Safeguards Inspector

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

2/20/91  
Date Signed

SUMMARY

Scope:

This special, announced inspection was conducted in the area of the licensee's Fitness for Duty (FFD) Program as required by 10 CFR Part 26. Specifically, the licensee's Policy, Program Administration, Chemical Testing 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 of the licensee's Fitness for Duty Program, it was concluded that the licensee is satisfying the general objective of 10 CFR 26.10. Strengths were noted in that the licensee tests for a broader panel of drugs than NRC requires, is well staffed with professionals to implement its program, and has very thorough implementing procedures. It is further noted that the licensee had an ongoing Fitness For Duty Program prior to the Rule.

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## REPORT DETAILS

### 1. Persons Contacted

#### Licensee Employees

- A. Caldwell, Fitness for Duty (FFD) Technician, V.C. Summer Nuclear Station (VCSNS)
- \*B. Chambers, FFD Assistant, VCSNS
- L. Filmore, Supervisor, Maintenance, VCSNS
- \*G. Fricks, FFD Specialist, VCSNS
- \*D. Gentry, Associate Manager, Nuclear Security, VCSNS
- \*G. Gibson, Manager, Nuclear Security, VCSNS
- J. Heilman, Supervisor, Computer Programs, VCSNS
- \*W. Higgins, Acting Manager, Nuclear Licensing, VCSNS
- B. Johnson, Supervisor, Design Engineer, VCSNS
- \*W. Johnson, Manager, Human Resource Division, VCSNS
- \*A. Koon, Jr., Acting General Manager, Nuclear Safety, VCSNS
- K. MacKenzie, Computer Programmer, VCSNS
- R. Mills, Security Officer, VCSNS
- \*D. Moore, General Manager, Station Support, VCSNS
- H. O'Quinn, Assistant Mechanical Manager, VCSNS
- \*C. Price, Manager, Technical Oversight, VCSNS
- \*J. Proper, Acting Manager, Quality Service, VCSNS
- \*M. Quinton, General Manager, Engineering Services, VCSNS
- \*G. Soult, General Manager, Nuclear Power Operations, VCSNS
- C. Taylor, Quality Assurance Auditor, VCSNS
- \*F. Tander, Supervisor, Training, VCSNS

#### Other Organizations

- R. Mulling, Fluor Daniels Contractor
- C. Binder, Doctor, Medical Review Officer
- W. Strodl, INPO, Contractor

#### NRC Resident Inspector

- \*R. Haag, Senior Resident Inspector

\*Attended exit interview

### 2. Licensee's Written Policy and Procedures

Prior to the promulgation of the NRC's Fitness for Duty Rule (effective January 3, 1990) the licensee had such a program which included pre-employment and for-cause testing, Employee Assistance Programs, training, appeals and records retention. The effect of Part 26 has been to expand the licensee's program into such requirements as random testing.

Management Directive No. 19, "Fitness for Duty/Statement of Alcohol and Drug Abuse Policy," Revision No. 7 dated December 20, 1989, is the prime document implementing the licensee's program. This 16 page directive establishes the licensee's policy to...."meet the general performance objectives and specific requirements of 10 CFR 26 to provide a work place free from drugs and alcohol and the effects of such substances, and ensure that personnel subject to this policy are not illegally under the influence of any substance, or mentally or physically impaired for any cause." MD No. 19 is very thorough in addressing all the criteria of Part 26.10 and 26.20.

Additional task specific Fitness for Duty Procedures address such responsibilities as chemical testing (FFD-100), violations/reporting/appeals (FFD-102) and quality control (FFD-106) in the actual day-to-day conduct of the program. In that the licensee's procedures were considered thorough and precise, as well as "user friendly" the inspectors complimented the licensee for its efforts.

### 3. Program Administration Management

The administration of the licensee's FFD program rests with the Manager of Nuclear Protection Services. He reports directly to the Site General Manager who, in turn, reports directly to the licensee's Vice President for Nuclear Operations. All of these individuals are located at the V.C. Summer facility. The manager of Nuclear Protection Services is the focal point for authority and accountability for Part 26.

The licensee has several contractors (FFD technicians and specialists) who carry out day-to-day exercise of the program. The Employee Assistance professionals as well as the Medical Review Officer (MRO) and his medical staff are also under contract to the licensee. Given the rural environment of the V.C. Summer facility, various FFD personnel are related to employees in the population test pool; the licensee is aware of these kinships and has taken appropriate measures to prevent collusion and subversion as required by Subpart A Section 2.3 of the Rule.

Training and Quality Assurance provide proprietary support to the program. All training, testing and screening of contractors performed is by the licensee.

#### Resource Allocation

Three contract technicians/specialists provide day-to-day implementation of duties at the site collection facility. These individuals were found to be trained and qualified as appropriate, as well as proficient in their functions.

The collection facility is located exterior to the protected area in the former First Aid Station. The foyer, collection facility and associated office and storage rooms appeared to be adequate. The exterior of

the building is locked after hours and routinely patrolled by the security force.

#### Proactive Measures

Quarterly the licensee uses canine teams to search offices and workplaces at the V.C. Summer facility. Many members of the licensee's contract security force are former law enforcement individuals who are familiar with illegal drugs and their symptoms.

In addition to using blue dye in the toilet, the licensee has installed a metal plate on the wall behind the toilet to preclude someone from penetrating the wall from an adjoining mens room thereby allowing subversion of the collected specimen.

The licensee has instituted a procedure to randomly test all of those individuals not randomly tested during the first year of the Rule, consequently, those persons remaining in the test population pool who were not chosen for random testing will be identified and more frequently randomly chosen during the first 6 months of 1991. As a result of this effort, everyone eligible for random testing (approximately 1300) but not randomly chosen in calendar year 1990 (approximately 320) will in fact be randomly tested by mid-1991.

Employees randomly chosen for various reasons who are not available for testing will be put "on hold" if they are scheduled to return to the site within that week and can be tested upon their return.

#### Employee Assistance Program (EAP)

The contract EAP is publicized through a selection of brochures, pamphlets, billboard signs and news articles in the licensee's newspaper. The recent Quality Assurance audit suggested that EAP personnel remain involved in the FFD program for at least the first couple of years. Based upon a very small sampling of individuals the NRC concluded that the EAP is relatively well known to personnel. During this inspection, the EAP professionals portrayed a knowledge of their role and duties in the FFD program specifically, confidentiality, self-referrals (only one time is allowed), and assessment of whether or not the person poses a threat to self or to the facility, and management notification. The licensee's procedure for "reintegration" of a treated worker is found in Human Resources Document No. 001 paragraph 5.2.3 A-5.

#### 4. Training

##### Policy Communication/Training

Based upon input from the Resident Inspectors attendance at FFD training prior to January 3, 1990, and upon the results of limited interviews conducted during this inspection it appears the licensee's Policy and Program were well communicated to the work-force. The licensee utilized a

variety of medium to educate the employees and contractors on the FFD program; newsletters or articles in the newspaper, memorandums and a combination of pamphlets and booklets were utilized in this effort.

Initial and Supervisor training appears to have adequately covered the licensee's Policy, safety hazards, role of the Medical Review Officer, EAP, drug abuse recognition, behavioral observation, escort duties, and the role of supervisors. The licensee interprets "supervisor" to include Senior Clerks and health physics crew leaders. The tests for supervisors is written and graded with a 70 percent passing score needed.

With the exception of Westinghouse and Gilbert Associates all contractor training regarding FFD is given by the licensee. A videotape is furnished Westinghouse and Gilbert Associates personnel prior to their arrival at the facility.

## 5. Key Program Process

### Notification/Identification

At least twice a week the licensee request a "pull" of approximately 10-15 names of employees representing 2.5 percent of the daily population. A random generator using a multiplicative double blind-seed furnishes the collection facility specialists with names randomly drawn from not only those persons authorized unescorted protected area access but also those having access to the offsite Emergency Operations Facility and those whose offices are located within the site's owner controlled area who are not authorized unescorted access to the protected area. A one-way encryption coded password allows the collection facility specialists access to the computer for the purposes of adding or deleting names from the population pool. The only computer terminal allowing such access to the pool is located inside the locked collection facility and can be utilized only after the use of two passwords.

Once a name and social security number are chosen, the employee's supervisor is notified and the employee reports to the Collection Facility where his identity is verified by a photo-identification card.

### Testing

While seated in the Collection Facility lobby the employee reads the licensee's Consent to Testing Agreement wherein he would list those medicines ingested within the previous 30 days. The chain-of-custody then begins and continues until after the specimen has been split, labeled and sealed into two containers. The first container is picked up daily by the contract courier.

During this inspection the requirements of Appendix A Subpart 2.3(g)(2) were discussed with the licensee, namely, "...both the individual being tested and the collection site person shall keep the urine...in view at all times prior to (it) being sealed and labeled..." Weaknesses were



noticed in that several persons stepped off to the side and washed their hands or flushed the toilet thus momentarily losing sight of their specimen prior to it being sealed and labeled. The licensee was immediately responsive to the inspectors observation and took appropriate corrective measures to ensure individuals wash hands only after their specimens are sealed and labeled.

With respect to Intoximeter testing the licensee and the inspector discussed with appropriate personnel of the NRC's Office of Nuclear Reactor Regulation the technique needed to arrive at the first breath test being a negative test (two breaths for the first test). The licensee was responsive to this criteria and took appropriate measures.

#### Randomness

For the calendar year of 1990 the licensee conducted a total of 3047 tests (of which 1439 were random) over an average population of 1291, and experienced 320 individuals who were not tested. There were 26 positive results and 1 example of adulteration which resulted in termination.

Of the 815 blind performance tests there were 3 discrepancies; 2 false positives occurred when the laboratory incorrectly identified the presence of an additional drug and 1 false negative because the confirmatory test for amphetamines was not conducted after the initial test showed positive.

With respect to random repeat tests, the following reveals the number of individuals tested more than once from January 3, 1990, until January 22, 1991:

Twice	-	256 persons
Three Times	-	95 persons
Four Times	-	34 persons
Five Times	-	8 persons
Six Times	-	2 persons

One of the employees randomly tested six times is the brother to one of the FFD technicians, additionally, V.C. Summer, himself, has been randomly tested three times. There have been 140 individuals tested on backshifts, weekends, and holidays. Currently the licensee is testing on a random basis at approximately 111 percent of the population.

It was noted as a strength that the population pool is larger than NRC requires, and, that the licensee also tests for barbiturates, benzodiazepines and methaqualone. Additionally, the licensee uses a 50 ng/ml cut off level for cannabinoid at the confirmatory test which is more restrictive than NRC requires.

### Reports of Results

By letter dated August 16, 1990, the licensee furnished its Semi-annual Performance Data Report. The licensee has not had to report any issues under Part 26.73.

By letters dated August 28 and November 1, 1990, the National Institute on Drug Abuse published certification of the two laboratories used by this licensee (El Sohly Laboratories, Oxford, Mississippi, and Roche Biomedical Laboratories, Burlington, North Carolina).

### Sanctions and Appeals

As allowed by the Rule, the licensee is more restrictive than the Rule requires relative to management sanctions for FFD violations. Termination results from the first example of confirmed drug testing. Successful self-referral and recovery results in a 6 month "reintegration" for drug abusers employed at assignments not inside the protected area.

Upon receipt of the confirmatory test from the laboratory the Medical Review Officer interviews the individual in person, and at the same time, requests a second laboratory to perform both preliminary and confirmatory tests on the split sample. Prior to making his decision he receives the results of both laboratories, and has personally spoken to the employer. The licensee was cautioned not to violate the 10 day requirement of Part 26.24(e).

Appeals must be made within 5 days of the sanction and will be heard by an impartial 3 person board convened by the General Manager. Contractors can appeal through this board also.

### Audits

Quality Assurance Audit No. II-29-90-FF was performed from November 26 to December 10, 1990, by two auditors. In addition to Part 26, the licensee used NRC Instruction 2515/106 and five NRC inspection reports at other facilities. The auditors interviewed 12 employees from various work groups to determine FFD program knowledge. Particular attention was placed on the security of private information and the chain-of-custody of the specimens. The auditors concluded that the program is effectively implemented, exceeds the NRC minimum requirements and that noteworthy was the high degree of professionalism and knowledge of the Collection Facility personnel.

### 6. Exit Interview

The exit meeting was held onsite on January 24, 1991, with those so noted above in attendance. The licensee was advised that there were no violations identified and that several strengths were noted.

The licensee was complimented for its Fitness for Duty Program which included testing for a larger panel of drugs over a greater population with more restrictive cut off levels than NRC requires, its accountable and professional Fitness for Duty staff and Manager, its proactive measures (canine searches and random testing of all individuals in the population pool by mid-1991), the excellent procedures, and very thorough audit and extensive precautions to ensure the safeguards of the random computer generated list.