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February 24, 2000
NMP1L 1499

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

RE: Nine Mile Point Unit 1
 Docket No. 50-220
 DPR-63

Nine Mile Point Unit 2
Docket No. 50-410
NPF-69

Subject: Fitness for Duty Program Performance Data Report

Gentlemen:

In accordance with the requirements set forth in 10CFR26.71(d), Niagara Mohawk has compiled and is submitting the enclosed semiannual Fitness for Duty Program Performance Data Report covering the period July 1, 1999 through December 31, 1999.

Very truly yours,

John H. Mueller
Senior Vice President and
Chief Nuclear Officer

JHM/BMB/
Enclosure

xc: Mr. H. J. Miller, NRC Regional Administrator, Region I
 Ms. M. K. Gamberoni, Acting Section Chief PD-I, Section 1, NRR
 Mr. G. K. Hunegs, NRC Senior Resident Inspector
 Mr. P. S. Tam, Senior Project Manager, NRR
 Records Management

A021

**FITNESS FOR DUTY PROGRAM
PERFORMANCE DATA
PERSONNEL SUBJECT TO 10CFR 26**

Niagara Mohawk
Company

December 31, 1999
6 Months Ending

Nine Mile Point Nuclear Station
Location

Beth Menikheim
Contact Person

(315)-349-7003
Phone

Annual (Jan-Dec) Random testing rates: At least 50% for employees and approximately 100% for contractors.

Cutoffs: Screen/Confirmation (ng/ml)

■ Appendix A to 10CFR26

Marijuana	100 / 15	Amphetamines	1000 / 500
Cocaine	300 / 150	Phencyclidine	25 / 25
Opiates	300 / 300	Alcohol (% BAC)	.04%

Testing Results		Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
Average Number with Unescorted Access		1441		N/A*		395	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		55	0	0	0	200	6
For Cause	Post Incident	0	0	0	0	0	0
	Observed Behavior	2	0	0	0	1	1
Random		427	1	0	0	298	0
Follow-up		28	0	0	0	2	0
Other**		9	1	0	0	3	0
Total		521	2	0	0	504	7

* Niagara Mohawk does not differentiate between long and short-term contractors. All contractors who have obtained unescorted access are considered short-term.

** Refers primarily to tests conducted for samples that were hydrated (diluted). An observed sample is conducted following results indicating low specific gravity or creatinine.

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphe- tamines	Phency- clidine	Alcohol	Refusal/ Other	1	2	3	4	5	
Licensee Employees	2												
Long-Term Contractors													
Short-Term Contractors	3	1	1			2	1						
Total	5	1	1			2	1						10*

For details see Section II, (A) Situation Descriptions.

* The total number of confirmed positives for specific substances may differ from the total number of confirmed test results for employees and contractors due to an individual testing positive for more than one drug.

FITNESS FOR DUTY (FFD) PROGRAM PERFORMANCE DATA REPORT July 01 - December 31, 1999

SECTION I. **Process Stage Data**

Since early in 1991, Niagara Mohawk has conducted on-site drug screening using a SYVA ETS instrument. During this time, all tests found to be "non-negative" have been sent to our contracted Health and Human Services (HHS)-certified laboratory for both screening and confirmatory testing as applicable. To monitor our accuracy and increase the integrity of our laboratory, Niagara Mohawk has participated in proficiency testing, provided by the College of American Pathologists (CAP), since 1992.

SECTION II. **Summary of Management Actions, NRC Reportable Events, and Appeals**

A. Situation Descriptions

1. **An employee tested positive for Marijuana following an observed sample (categorized as "other" on page 1) due to Specific Gravity below the required limit on the previous random drug and alcohol test.**
2. **An employee tested positive for Marijuana following a random sample test.**
3. **A contractor refused to be tested for a pre-access drug and alcohol test.**
4. **A contractor tested positive for Marijuana and Cocaine following a pre-access drug and alcohol test.**
5. **Two contractors tested positive for Marijuana and one contractor tested positive for Opiates following a pre-access drug and alcohol test. The Opiate positive was ruled by the MRO as inappropriate use of a prescription medication.**
6. **Two contractors tested positive for Alcohol: One following a pre-access drug and alcohol test and the other following a For-Cause drug and alcohol test.**

B. Management Actions in Response to Situation Description 1-6

The following list describes the actions taken by management as a result of the above situations:

1. Unescorted access was immediately denied or removed for the applicable period of time and the appeals option was explained to all individuals represented by the above FFD Violations.
2. FFD Staff recommended the contractors seek a substance abuse evaluation to determine proper treatment and rehabilitation, as appropriate.
3. The Niagara Mohawk employees were referred to Niagara Mohawk's Employee Assistance Program for an evaluation and a proper course of treatment.
4. Supervision implemented a review of safety-related work performed by the individual (if unescorted access was granted prior to the violation). No remedial actions were required.
5. A follow-up testing agreement was implemented for the Niagara Mohawk employees prior to reinstatement of unescorted access.

C. NRC REPORTABLE EVENTS PER 10CFR PART 26.73

Niagara Mohawk reported that a contractor assigned to a supervisory position failed the pre-access drug and alcohol test. After further review of 10CFR26.3 (Scope), we retracted the notification since this event did not fall within the scope of the FFD program. The individual was not granted unescorted access at the time of the positive test result.

D. APPEALS

There were no appeals during this reporting period.

SECTION III. FFD Program Modifications and Lessons Learned

Our annual internal Quality Assurance Audit identified that although FFD records are maintained properly, record retention was not prescribed in a procedure. Therefore, during this reporting period, Niagara Mohawk FFD personnel revised FFD administrative procedures to address this weakness.

SECTION IV. Data Assessment and Program Evaluation

A review of the data contained in this report shows that our program is effective in controlling the incidence of drug and alcohol use at Niagara Mohawk's Nine Mile Point Nuclear Station. Statistically, the data shows that the Niagara Mohawk employee overall positive test rate for this reporting period was 0.38%, and for contractors was 1.39%. Additionally, the combined positive test rate for contractors and Niagara Mohawk employees is approximately .88% for this time period (0.69% since the inception).

In summary, Niagara Mohawk is committed to continually improving our FFD program by evaluating and correcting weaknesses to ensure our work force operates in a safe and reliable environment.