

Barry S. Allen
Vice President

440-280-5382
Fax: 440-280-8029

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United States Nuclear Regulatory Commission
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Perry Nuclear Power Plant
Docket No. 50-440
Subject: Semiannual Fitness-For-Duty Report

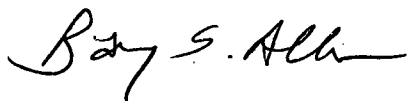
Ladies and Gentlemen:

In accordance with the requirements of 10CFR26.71(d), "Recordkeeping Requirements," the Semiannual Fitness for Duty Report is being submitted for the Perry Nuclear Power Plant. This report covers the time period of January 1, 2007 through June 30, 2007.

Attachment 1 provides the Fitness for Duty Program performance data regarding testing results. Attachment 2 provides additional information regarding reported events and management actions taken in response to positive results. The provisions of the Fitness for Duty Program apply to persons granted unescorted access to the Protected Area of the plant, as well as to licensee, vendor, and contractor personnel required to physically report to the Technical Support Center or the Emergency Operations Facility in accordance with the Emergency Plan and associated implementing procedures.

If there are any questions or if additional information is required, please contact Mr. Jeffrey Lausberg, Manager – Regulatory Compliance, at (440) 280-5940.

Very truly yours,



Attachments

cc: NRC Project Manager
NRC Resident Inspector Office
NRC Region III

A021

NRR

Fitness for Duty Program Performance Data Personnel Subject to 10CFR26

NOP-LP-1002-01 Rev.00

<u>FirstEnergy Corporation (FirstEnergy Nuclear Operating Company)</u> <i>Company</i>	<u>June 30, 2007</u> <i>6 Months Ending</i>
<u>Perry Nuclear Power Plant - 10 Center Road - Perry, Ohio 44081</u> <i>Location</i>	
<u>Maureen Gilday-Gulliford, Access Authorization Supervisor</u> <i>Contact Name</i>	<u>(440) 280-5830</u> <i>Phone (include area code)</i>
Cutoffs: Screen/Confirmation (ng/ml) <input type="checkbox"/> Appendix A to 10CFR26	
Marijuana 100/15	Amphetamines 1,000/500
Cocaine 300/150	Phencyclidine 25/25
Opiates 300/300	Alcohol (%BAC) .04%
	.02% (work status 2 hrs. or greater)
	.03% (work status 1 hr. or greater)

Testing Results		Licensee Employees		Long-Term Contractor Personnel		Short-Term Contractor Personnel	
		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Average Number with Unescorted Access		913		N/A		451	
Categories		# Tested	# Positive	# Tested	# Positive	# Tested	# Positive
Pre-Access		53	0			937	7
For Cause	Post accident	4	0			12	1
	Observed behavior	3	0			7	2
Random		255	0			106	0
Follow-up		35	0			51	1
Other-		0	0			0	0
Total		350	0			1,113	11

Breakdown of Confirmed Positive Tests for Specific Substances

	Marijuana	Cocaine	Opiates	Amphetamines	Phencyclidine	Alcohol	Refusal to Test	1	2	3	4	5	
Licensee Employees	0	0	0	0	0	0	0						
Long-Term Contractors	0	0	0	0	0	0	0						
Short-Term Contractors	7	4	0	0	0	0	2						
Total	7	4	0	0	0	0	2						13

Delta in substance or category and the number of personnel testing positive:

- One contractor employee confirmed positive for two (2) illegal substances (cocaine & marijuana categories).
- One contractor employee attempted to subvert the preaccess testing process and subsequently submitted to observed for cause testing, which resulted in a confirmed positive test for illegal drugs (marijuana & refusal to test categories).

Management Actions Taken

Drug and alcohol testing results for the reporting period are described in Attachment 1.

One (1) licensee employee was subjected to for cause testing, which resulted in an alcohol result below the Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements. As a result, the licensee employee's unescorted access was placed on administrative hold. A Medical Review Officer (MRO) evaluation was completed and the MRO recommended completion of a drug and alcohol assessment. The licensee employee's suitability has been re-established and unescorted access has been reinstated.

Two (2) licensee security officer candidates (potential new hires), who did not hold unescorted access, were subjected to preaccess testing, which resulted in an alcohol result below the Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements. As a result, their in-processing was suspended. To date, the two candidates remain flagged in both site and industry systems to address this alcohol result should they return.

Six (6) contractor employees, who did not hold unescorted access, were subjected to preaccess testing, which resulted in a confirmed positive test for illegal drugs during this reporting period. Three (3) contractor employees, of which two (2) did not hold unescorted access and one (1) did hold unescorted access, were subjected to for cause testing, which resulted in a confirmed positive test for illegal drugs during this reporting period. One (1) contractor employee, who did hold unescorted access, was subjected to follow-up testing, which resulted in a confirmed positive test for illegal drugs during this reporting period. Nine (9) contractor employees tested positive for a single illegal substance and one (1) contractor tested positive for two illegal substances. The ten (10) contractor employees were denied unescorted access to the Protected Area. Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements, all individuals were informed of his/her right to appeal and of the procedural requirements in order to re-establish unescorted access to the Protected Area. To date, one (1) contractor employee has exercised his/her right to appeal and the individual remains denied.

Two (2) contractor employees were determined to have attempted to subvert the drug testing process through adulteration. One (1) individual submitted to another urine specimen under direct observation and one (1) individual did not. Both individuals were considered a "refusal to test" due to their attempt at subversion. The individual that did provide under direct observation was confirmed positive for illegal drugs and is discussed in the previous paragraph. These contractor employees were denied unescorted access to the Protected Area due to their attempt of subversion for a minimum period of three (3) years and for falsification of their Chain-of-Custody Form. Pursuant to Nuclear Operating Procedure (NOP-LP-1002) "Fitness for Duty Program" requirements, the individuals were informed of their right to appeal and of the procedural requirements in order to re-establish unescorted access to the Protected Area. To date, no contractor employees have exercised their right to appeal.

As a result of a Fitness for Duty Program concern, fifty-one (51) individuals were subject to unannounced follow-up testing (a total of 86 tests completed) during this reporting period. All testing results were negative with the exception of the positive result reported in a previous paragraph.

Initiatives Taken

Focus during this reporting period was on in-processing of contractor personnel in support of the 11th refueling outage at Perry. Working Hour Guidelines Program is part of the FENOC Fitness for Duty Program. We continue to improve the electronic database for efficiency in initiating and approving working hour deviations.

FENOC's Fitness for Duty Program procedure was revised to provide additional guidance and clarification as necessary to ensure the program requirements are clear and understandable for the end user, our employees.

Reported Events

None