

June 6, 2003

Mr. John L. Skolds
President and CNO
Exelon Nuclear
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: REQUEST FOR INFORMATION CONCERNING THE PEACH BOTTOM AND
LIMERICK FITNESS FOR DUTY REPORTS (ENS No. 39847 & 39848)

Dear Mr. Skolds:

On May 14, 2003, your Limerick and Peach Bottom facilities reported to the NRC's Headquarters Operations Center (ENS No. 39847, 39848), that an NRC licensed operator, who was not performing licensed duties, was determined to be under the influence of alcohol following a "random" fitness-for-duty test several hours after reporting to work. This letter is a request for information pertaining to this occurrence. Please provide within 30 days after the date of this letter, answers to the questions listed in the enclosure and other records and information on the operator's past fitness-for-duty, which are relevant to this occurrence. We request that any personal, propriety, safeguards information in your response be contained in a separate attachment and appropriately marked. The affidavit required by 10 CFR 2.790(b) must accompany your response, where applicable.

You should determine whether the operator meets the requirements of 10 CFR 55.33(a)(1). You should ensure that: (1) the operator meets the general health requirements of ANSI/ANS-3.4.-1983; (2) the operator does not have a disqualifying condition under Section 5.3 of that standard; and (3) that documentation describing the designated physician's conclusion that the operator meets the requirements of ANSI/ANS-3.4 is available for review by NRC. If a conditional license is requested per 10 CFR 55.25, that condition should be documented on NRC Form 396 and transmitted to the NRC.

If you determined that the operator no longer meets the medical qualifications described in 10 CFR 55.33(a)(1), then, in accordance with 10 CFR 55.25, you must notify the NRC, via letter, of the operator's permanent incapacitation. For example, you must notify the NRC, if you determine, based on your employee assistance program in consultation with your designated physician, that the operator can no longer meet the medical criteria of ANSI/ANS-3.4.

The NRC will evaluate the information in your reply to this letter to determine if further action is warranted, pursuant to 10 CFR Parts 50 or 55. The information supplied will be maintained in NRC Privacy Systems of Records-16 and will be subject to the Privacy Act.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system

Mr. John L. Skolds

2

(ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/ADAMS/html> (the Public Electronic Reading Room).

If you have any questions, please feel free to contact me at (610) 337-5183 or Internet address RJC@nrc.gov. Your cooperation is appreciated.

Sincerely,

/RA/

Richard J. Conte, Chief
Operational Safety Branch
Division of Reactor Safety

Enclosure: Licensed Operator Fitness for Duty Questionnaire

Docket Nos: 50-352/353
50-277/278

cc w/encl:

Senior Vice President, Mid-Atlantic Regional Operating Group
President and CNO, Exelon Generation Company, LLC
Senior Vice President, Operations Support
Vice President, Mid-Atlantic Operations Support
Senior Vice President, Nuclear Services
Site Vice President, Peach Bottom Atomic Power Station
Plant Manager, Peach Bottom Atomic Power Station
Vice President - Licensing and Regulatory Affairs
Manager, Licensing - Limerick and Peach Bottom
Manager, License Renewal
A. J. Wasong, Director of Training, Limerick Generating Station
A. Sherwood, Acting Director of Training, Peach Bottom Atomic Power Station
Director, Licensing, Mid-Atlantic Regional Operating Group
Director, Nuclear Oversight
Chairman, Nuclear Safety Review Board
Secretary, Nuclear Committee of the Board
Regulatory Assurance Manager - Exelon Generation Company, LLC
Vice President and General Counsel
D. Quinlan, Manager, Financial Control, PSEG
Correspondence Control Desk
R. McLean, Power Plant Siting, Nuclear Evaluations
Chairman, Board of Supervisors of Limerick Township
D. Levin, Acting Secretary of Harford County Council
R. Ochs, Maryland Safe Energy Coalition
Mr. & Mrs. Dennis Hiebert, Peach Bottom Alliance
Mr. & Mrs. Kip Adams
D. Allard, Director, Pennsylvania Bureau of Radiation Protection
R. Janati, Chief, Division of Nuclear Safety, Pennsylvania Bureau of
Radiation Protection
Chief, Division of Nuclear Safety, Pennsylvania Department
of Environmental Resources
Commonwealth of Pennsylvania
State of Maryland
TMI - Alert (TMIA)
Board of Supervisors, Peach Bottom Township
R. Fletcher, Department of Environment, Radiological Health Program
J. Johnsrud, National Energy Committee, Sierra Club
Public Service Commission of Maryland, Engineering Division

Distribution:

Region I Docket Room (with concurrences)

A. Burritt, SRI - NRC Resident Inspector
 A. McMurtray, SRI - NRC Resident Inspector
 H. Miller, RA
 J. Wiggins, DRA
 D. Holody, ORA
 R. Urban, ORA
 M. Shanbaky, DRP
 D. Florek, DRP
 S. Iyer, DRP
 A. Kugler, RI EDO Coordinator
 J. Clifford, NRR
 S. Wall, PM, NRR
 J. Boska, PM, NRR
 C. Buracker, DRS
 DRS Files

DOCUMENT NAME: C:\ORPCheckout\FileNET\ML031570500.wpd

ADAMS PKG: ML031350092

After declaring this document "An Official Agency Record" it **will** be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	R1/DRS/OSB		R1/DRS/OSB		R1/DRS/OSB		RI/DRP			
NAME	CBuracker		ABlamey		RJConte		MShanbaky			
DATE	05/15/03		05/15/03		06/06/03		06/06/03			

OFFICIAL RECORD COPY

ENCLOSURE

Licensed Senior Reactor Operator - Limited to Fuel Handling
Fitness-for-Duty Request for Additional Information

Exelon is requested to provide the following information concerning the fitness-for duty occurrence of May 14, 2003, regarding the involved operator:

1. Name and responsibilities of the operator.
2. A summary of the operator's entire fitness-for-duty testing history. Please include the dates and times the operator was tested, the reasons for tests (i.e., random, for-cause, or follow-up), the results of the test, and the dates that any tests were confirmed positive.
3. Whether the operator consumed alcoholic beverages within the protected area. If so, please provide the details of the circumstances surrounding such consumption.
4. Whether the operator was at the controls or supervising the licensed activities while under the influence of alcohol. If so, please provide the details of the operator's performance of licensed duties while under the influence of alcohol.
5. Whether the operator fulfilled a position that was required to meet minimum licensed operating staffing requirements (fire brigade, emergency plan positions, etc.) while under the influence of alcohol.
6. Whether the operator was involved in procedural errors. If so, please provide the details of the procedural errors and the consequences of the errors.
7. Your intentions with regard to the operator's resumption of duties under the 10 CFR Part 50 and Part 55 licenses, including your plans for follow-up testing.