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SUBJECT: Forwards response to deviation noted in Insp Repts
 50-528/89-10,50-529/89-10 & 50-530/89-10.

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102-01265-WFC/TDS/JJN

May 19, 1989

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Reference: Letter from R. J. Pate, Chief Nuclear Material Safety and
Safeguards Branch, U. S. Nuclear Regulatory Commission to Arizona
Nuclear Power Project, Attn. D. B. Karner, Executive Vice
President, dated April 24, 1989

Dear Sir:

Subject: Palo Verde Nuclear Generating Station
Units 1, 2, and 3
Docket No. STN 50-528 (License No. NPF-41)
STN 50-529 (License No. NPF-51)
STN 50-530 (License No. NPF-74)
Reply to Notice of Deviation 50-528/89-10-05
File: 89-070-026

This letter is provided in response to the routine inspection conducted by
Mr. L. R. Norderhaug from March 4 through April 3, 1989. Based upon the
results of this inspection one deviation of NRC requirements was identified.
This deviation is discussed in Appendix B of the referenced letter. A
restatement of the deviation and APS's response are provided in Appendix B and
Attachment 1 respectively, to this letter.

If you should have any questions regarding this response, please contact me.

Very truly yours,

William F. Conway

William F. Conway
Executive Vice President
Nuclear

WFC/TDS/JJN/kj

Attachments

cc: E. E. Van Brunt, Jr.
J. B. Martin
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APPENDIX B

NOTICE OF DEVIATION

Arizona Nuclear Power Project
P. O. Box 52034
Phoenix, Arizona 85072-2034

Docket No. 50-528
License No. NPF-41

During a routine physical security inspection conducted from March 4 to April 3, 1989, a deviation from commitments made to the NRC was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the deviation is listed below:

Paragraph 9 of NRC Inspection Report 50-528-88-15 dated June 10, 1988 documented the licensee's Fitness for duty program as follows:

"Employee Assistance: ... All employees testing positive are randomly tested for at least one year."

Paragraph 10 of Licensee Event Report No. 1-88-S06-00 dated November 29, 1988, reads in part:

"The Unit 1 auxiliary operator has been placed in a program of random urinalysis."

Contrary to the above commitment, the Unit 1 auxiliary operator, who had tested positive on October 31, 1988, had been omitted from the program of random urinalysis. Also a second individual, who tested positive on January



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17, 1989, had been similarly omitted from the random program.

This is a Deviation.



Reply to Notice of Deviation

528/89-10-05

I. REASON FOR DEVIATION

On November 29, 1989, APS submitted a security report 528/88-S06-00 which described an event involving two individuals who tested positive for use of illegal drugs. In that report, APS stated that one of the individuals had been placed in a program of random urinalysis. This program provides increased frequency of testing to detect or deter any relapse.

During the course of NRC's inspection, as stated in Appendix B, an NRC Inspector determined that the individual had not been included in the program of random urinalysis. Further investigation by the Inspector determined that a second individual had tested positive for illegal drugs on January 17, 1989 and had not been included in the program of random urinalysis.

As a result of the NRC inspector's concern, APS initiated an investigation. The investigation included a complete audit of the drug screening files and determined that no other individuals who had tested positive and were currently employed were inadvertently excluded from the program for random drug screening.

APS has determined that the cause of this event was inadequate administrative controls for the tracking and scheduling of follow-up drug screens. The overall program as currently being implemented is



largely based on individuals' knowledge of the program requirements and not based on defined procedural requirements.

II. CORRECTIVE STEPS WHICH HAVE BEEN TAKEN AND THE RESULTS ACHIEVED

Based upon the results of the investigation, the following actions were taken: The individuals who had tested positive for illegal drugs were promptly tested on March 15, 1989. The test results were negative.

Additionally, on March 10, 1989, an internal procedure was developed to define the responsibilities for tracking and scheduling follow-up drug screens. This internal procedure has been implemented on an interim basis until the full scope Fitness For Duty Policy has been revised to address this concern.

III. CORRECTIVE STEPS WHICH WILL BE TAKEN TO AVOID FURTHER DEVIATIONS

In order to ensure consistent application of the program, the Fitness For Duty Policy is currently under revision to include all current aspects of the Fitness For Duty program and the recently approved Fitness for Duty Rule (10CFR26). The new Fitness For Duty Policy will address:

- 1) APS's commitment to Fitness For Duty
- 2) Supervisors training for Fitness For Duty



- 3) Scheduling and tracking of the routine and increased testing
- 4) Internal and regulatory notifications
- 5) Compensatory actions taken by Security
- 6) Disciplinary and rehabilitation actions, and
- 7) Records maintenance.

IV. DATE WHEN CORRECTIVE ACTIONS WILL BE ACHIEVED

The Fitness For Duty policy and the implementing procedures will be revised by September 30, 1989. Full compliance with previous commitments was achieved on March 15, 1989 when both individuals were placed in a random testing program.

