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50-335 St. Lucie Plant, Unit 1, Florida Power & Light Co. 05000335
50-389 St. Lucie Plant, Unit 2, Florida Power & Light Co. 05000389

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SUBJECT: Requests NRC review & concurrence w/proposed mod in fitness
for duty program, eliminating mandatory fifteen minute
observation period for breath alcohol concentration (BAC)
test for all donors as listed.

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L-97-173
10 CFR 50.4
10 CFR Part 26, Appendix A

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

Re: St. Lucie Units 1 and 2
Docket Nos. 50-335 and 50-389
Turkey Point Units 3 and 4
Docket Nos. 50-250 and 50-251
Proposed Modification to Fitness for Duty Program

Based on discussions with the NRC staff this letter contains requested clarifications and is a complete replacement of Florida Power & Light Company's (FPL) original request contained in letter L-97-132, dated June 3, 1997. The purpose of this letter is to request NRC review of and concurrence with a proposed modification in FPL's Fitness for Duty (FFD) program. If approved, FPL would eliminate the mandatory fifteen minute observation period for breath alcohol concentration (BAC) test for all donors, as described below.

10 CFR Part 26, Appendix A, Section 2.4(g)(18) requires that "alcohol breath tests shall be delayed at least 15 minutes if any source of mouth alcohol (e.g., breath fresheners) or any other substances are ingested (e.g., eating, smoking, regurgitation of stomach contents from vomiting or burping)." FPL currently implements this requirement by requiring a fifteen (15) minute observation period for all personnel before administering a BAC test.

FPL recently contracted with Shults and Associates to conduct a special assessment of the FPL FFD program. One of the recommendations arising from this assessment was to modify the BAC testing process by eliminating the blanket fifteen minute observation period. This recommendation was based on practices used by other NRC licensees and on technical expertise from the manufacturer of the BAC testing device. Shults and Associates concluded that the fifteen minute waiting period assures that residual alcohol from products such as breath mints, breath fresheners, and mentholated cigarettes have dissipated below detectable levels. Shults and Associates also concluded that the fifteen minute observation period is relevant only for positive alcohol tests and not relevant for a negative test. Based on this recommendation, FPL proposes to modify its BAC testing as part of its FFD program as follows.

When an individual arrives for chemical testing, that individual would read a list of specific questions regarding whether the individual has a source of mouth alcohol (e.g. breath fresheners) or any other substances have been ingested (e.g. eating, smoking, regurgitation of stomach contents from vomiting or burping) within the last fifteen minutes. If the individual

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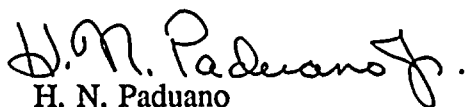
answers any of the questions affirmatively, i.e., that the specific activities did occur within the previous fifteen minutes, then a fifteen minute waiting period will be required before that individual is subjected to a BAC test. If the individual answers the questions in the negative, i.e., that specific activities did not occur within the previous fifteen minutes, then a BAC test will be administered with no waiting period. In either case, if the BAC test is positive, the test will be repeated after a fifteen minute observation period to safeguard against the possibility of false positives. In either case, each screening test would consist of two specimens collected from each individual no less than 2 minutes apart and no more than 10 minutes apart.

The proposed modification to the FFD program does not constitute a deviation from the requirements of 10 CFR Part 26 Appendix A in that it only changes FPL's method for meeting one of the requirements. FPL will use the written questionnaire in determining whether there may be a source of breath alcohol that could affect the BAC test. Therefore, FPL will continue to comply with 10 CFR Part 26, Appendix A, Section 2.4(g)(18) and require a fifteen minute waiting period where there is a potential source of mouth alcohol.

FPL respectfully requests your review and concurrence with FPL's position by August 8, 1997. This date is requested so that FPL can implement the above described programmatic changes in a timely manner prior to the Turkey Point Unit 4 outage and the St. Lucie Unit 1 Steam Generator Replacement outage.

Please contact us if you have any questions about the proposed process modification.

Very truly yours,



H. N. Paduano

Manager

Licensing and Special Programs

cc: Regional Administrator, Region II, USNRC
Senior Resident Inspector, St. Lucie Plant, USNRC
Senior Resident Inspector, Turkey Point Plant, USNRC

