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05620-2601

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BVY 11-017

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: 2010 Fitness-for-Duty Program Performance Report
Vermont Yankee Nuclear Power Station
Docket No. 50-271
License No. DPR-28

Dear Sir or Madam:

This letter transmits the Vermont Yankee Fitness-for-Duty program performance report for the period from January 2010 through December 2010 in accordance with the requirements of 10CFR26.717(e). Also included is the data for the fatigue management program for the same period in accordance with 10CFR26.203(e).

There are no new regulatory commitments being made in this submittal.

If you have any questions concerning this submittal, please contact Mr. Robert Wanczyk at (802) 451-3166.

Sincerely,

[MJC/JTM]

- Attachments: 1. 2010 Fitness-for-Duty Program Performance Report (5 pages)
- 2. 2010 Fatigue Rule Waivers Issued (1 page)

cc list: (next page)

cc: Mr. William M. Dean, Region 1 Administrator
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Mr. James S. Kim, Project Manager
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555

USNRC Resident Inspector
Vermont Yankee Nuclear Power Station
320 Governor Hunt Road
Vernon, VT 05354

Ms. Elizabeth Miller, Commissioner
VT Department of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601

Vermont Yankee Nuclear Power Station
Fitness-For-Duty Program Performance Report
For the Period January through December 2010

INTRODUCTION

10 CFR 26.717(e) requires that nuclear power plant licensees periodically collect, compile and submit Fitness-for-Duty program performance data. Specifically, this performance data must include:

1. The Random testing rate;
2. Drugs for which testing is conducted and cutoff levels, including results of tests using lower cutoff levels, tests for drugs not included in the HHS panel, and any special analyses of dilute specimens permitted;
3. Populations tested;
4. Numbers of tests administered and results of those tests sorted by population tested (i.e., individuals in applicant status, permanent licensee employees, contractor/vendors, etc.);
5. Conditions under which the tests were performed (i.e., pre-access, for cause, post-event, follow-up, and random);
6. Substances identified;
7. Number of subversion attempts by type;
8. Summary of management actions; and
9. A summary of all instances during the calendar year when the licensee waived the work hour controls; and a summary of corrective actions, if any, resulting from the analyses of these data, including fatigue assessments. [reference 10CFR26.203(e)]

Fitness-for-Duty program performance data for the Vermont Yankee Nuclear Power Station (VY) for the period January through December 2010 are provided below and in the attached tables.

RANDOM TEST RATE

For the entire year of 2010, a total of 53.95% of the workforce was tested.

SUMMARY OF MANAGEMENT ACTIONS

VY used the definition of "Management Actions" implicit in Subpart D ("Management actions and sanctions to be imposed") to determine the content of this section.

Pre-Access Testing

A total of six-hundred-fifty-seven (657) pre-access tests were performed during this period: Forty-four (44) employees; two (2) long-term contractors and six-hundred-eleven (611) short-term contractors. All employee and long-term contractor tests under this category were negative.

Four (4) short-term contractor test results were positive for alcohol; all were denied access for one year.

Two (2) short-term contractor test results were positive for cocaine >300 ng/ml; all were denied access for three years.

Four (4) short-term contractor test results were positive for marijuana >50 ng/ml; three (3) were denied access for three years and one (1) was a permanent denial for second FFD offense.

Random Testing

A total of five-hundred-forty-four (544) random tests were performed during this period: Four-hundred-seven (407) employees; and one-hundred-thirty-seven (137) short-term contractors. All employee tests under this category were negative.

One (1) short-term contractor test results were positive for marijuana >50 ng/ml. The positive short-term contractor was denied access for a minimum of three years.

For Cause Testing

One (1) for-cause alcohol tests were performed during this period. One (1) short-term contractor tested positive for alcohol due to observed behavior and was denied access for one year.

Follow-up Testing

A total of one-hundred-nineteen (119) follow-up tests were performed during this period: Fifty-two (52) tests for employees; sixty-seven (67) tests for short-term contractors. All employees' tests under this category were negative.

One (1) short-term contractor tested positive for cocaine >300 ng/ml and was a permanent denial for second FFD offense.

Post Event

A total of five (5) post-event tests were performed during this period: One (1) employee; four (4) short-term contractors. All employees and short-term contractors' tests under this category were negative.

Other

This category includes tests repeated because the results of the specimen were negative, but the specimen was determined by the laboratory to have either a low specific gravity or a low concentration of creatinine. Since the inception of the new rule, there have been no specimens repeated since the testing is now conducted to the lowest level of detection (LOD) by the laboratory and determined to be negative.

Fitness For Duty Program

Annual Performance Data Report - Personnel Subject to 10CFR26

Section I - Company Data

Company: Entergy - Vermont Yankee Location: Governor Hunt Road PO Box 157 Vernon, VT 05354 Contact: Tina Emery-Howe Supervisor of Investigations & Fitness for Duty Phone: (802) 258-5804	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">Annual Report Period: 01/01/2010 To 12/31/2010</td> </tr> <tr> <td style="text-align: center;"><u>Drugs Tested For</u></td> <td style="text-align: center;"><u>Screen/Confirmation (ng/ml)</u></td> </tr> <tr> <td>Marijuana</td> <td style="text-align: right;">50/15</td> </tr> <tr> <td>Cocaine</td> <td style="text-align: right;">300/150</td> </tr> <tr> <td>Opiates</td> <td style="text-align: right;">2000/300</td> </tr> <tr> <td>Amphetamines</td> <td style="text-align: right;">1000/500</td> </tr> <tr> <td>Phencyclidine</td> <td style="text-align: right;">25/25</td> </tr> <tr> <td>Alcohol (%BAC)</td> <td style="text-align: right;">0.04% BAC</td> </tr> <tr> <td colspan="2" style="text-align: center;">Random Testing Rate Not Less Than 50% Annually</td> </tr> </table>	Annual Report Period: 01/01/2010 To 12/31/2010		<u>Drugs Tested For</u>	<u>Screen/Confirmation (ng/ml)</u>	Marijuana	50/15	Cocaine	300/150	Opiates	2000/300	Amphetamines	1000/500	Phencyclidine	25/25	Alcohol (%BAC)	0.04% BAC	Random Testing Rate Not Less Than 50% Annually	
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Section II - Testing Results

Avg. Workforce	Licensee Employee		Long-Term Contractor		Short-Term Contractor		Total	
	664.33		343.94		1008.27			
Category	Tested	Positive	Tested	Positive	Tested	Positive	Tested	Positive
FOLLOW-UP	52	0	0	0	67	1	119	1
FOR CAUSE ALCOHOL C	0	0	0	0	1	1	1	1
POST EVENT	1	0	0	0	4	0	5	0
PRE-ACCESS	44	0	2	0	611	10	657	10
RANDOM	407	0	0	0	137	1	544	1
Total	504	0	2	0	820	13	1326	13

Section III - Breakdown of Confirmed Positive Tests for Specific Substances

	Alcohol	Ampheta- mines	Cocaine	Marijuana 50	Marijuana 100	Opiates 300	Opiates 2000	Phencycli- dine	Refused	Total
CONTRACTOR		5	0	3	5	0	0	0	0	13
LICENSEE EMPLOYEE		0	0	0	0	0	0	0	0	0
LONG-TERM CONTRACTOR		0	0	0	0	0	0	0	0	0
Total		5	0	3	5	0	0	0	0	13

Note: Discrepancies in the totals in this section versus Section II indicate that one or more tests detected multiple drugs. Refer to Section III for the declaration of these tests and their corresponding drugs.

Section IV - Random Testing Results

For Year 53.95 %

Section V - Dilute Results

Special analysis of dilute specimens permitted under 26.163 (a) (2)

Dilute Total:

11

Section VI - Subversion Attempts

	Physical Evidence	Refusal To Cooperate	Observed Actions	Others	Total
CONTRACTOR	0	0	0	0	0
LICENSEE EMPLOYEE	0	0	0	0	0
LONG-TERM CONTRACTOR	0	0	0	0	0
	0	0	0	0	0

Section VII - Management Actions

	14 Day Terms	1 Year Denial	3 Year Denial	5 Year Denial	Permanent	Total
CONTRACTOR	0	5	6	0	2	13
LICENSEE EMPLOYEE						
LONG-TERM CONTRACTOR						
Total	0	5	6	0	2	13

Fatigue Rule Waivers Issued for 2010

Facility: Vermont Yankee Nuclear Power Station
Period of Report: 1/1/2010 – 12/31/2010
Facility Outage During Report Period: Yes

WORK HOUR LIMIT	OPERATIONS		MAINTENANCE		SECURITY		HP / RADPRO		CHEMISTRY		FIRE BRIGADE	
	Online	Outage	Online	Outage	Online	Outage	Online	Outage	Online	Outage	Online	Outage
Max ceilings:												
16h max in 24h	0	0	0	0	0	0	0	0	0	0	0	0
26h max in 48h	0	0	0	0	0	0	0	0	0	0	0	0
72 max in 7d	0	0	0	0	1	0	0	0	0	0	0	0
Rest Breaks:												
10h between work periods	0	0	0	0	0	0	0	0	0	0	0	0
34h in any 9-days	0	0	0	0	0	0	0	0	0	0	0	0
Minimum Days Off – Online:												
1 MDO /wk; 8h shift	0	0	0	0	0	0	0	0	0	0	0	0
2 MDO /wk; 10h shift	0	0	0	0	0	0	0	0	0	0	0	0
2 MDO /wk; 12 hr shift												
2.5 MDO /wk; 12 hr shift	0				29				0			0
3 MDO /wk; 12 hr shift												
Minimum Days Off – Outage:												
1 MDO / 7 days (rolling)			0						0			0
3 MDO / 15 day period	0								0			0
4 MDO / 15 day period					0							
NUMBER OF WAIVERS PER INDIVIDUAL EMPLOYEE												
NUMBER OF WAIVERS	OPERATIONS	MAINTENANCE	SECURITY	HP / RADPRO	CHEMISTRY	FIRE BRIGADE						
1	0	0	18	0	0	0						
2	0	0	3	0	0	0						
3	0	0	2	0	0	0						
4	0	0	0	0	0	0						
5	0	0	0	0	0	0						
6	0	0	0	0	0	0						
Highest number of waivers for an individual employee	0	0	3	0	0	0						

Summary of Corrective Actions From Analysis of Data - 10CFR26.203(e)(2)

Paperwork administrative discrepancies on Waiver and Fatigue Assessment Forms. CR-VTY-2011-00323 written to address