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NRC PROPOSES AMENDMENTS TO FITNESS-FOR-DUTY RULE

The Nuclear Regulatory Commission proposes to amend its fitness-for-duty rule, which requires NRC licensees to take steps to deter and detect substance abuse.

The proposed revisions would take into account experience gained in implementing the rule, new developments in the substance abuse area, and related actions by other government agencies.

Although the experience gained since it took effect in June 1989 shows that the rule is fundamentally sound, the proposed amendments would enhance the effectiveness of licensees' fitness-for-duty programs and reduce some unnecessary testing burdens on licensees, without decreasing protection of the public health and safety afforded by the rule.

As proposed, the amendments would:

--Adopt changes the Department of Health and Human Services made in 1994 to its testing guidelines, particularly in tightening the standard for passing screening tests for marijuana.

--Add licensee fitness-for-duty personnel to the testing pool, since a few licensees are not now testing such employees.

--Require licensees to review and, in some cases, make minor revisions to their written policies, procedures and technical standards.

--Accept testing results from other Federal, State and licensee programs to eliminate duplicate testing.

--Initiate follow-up testing of personnel who are returned to service after substance abuse rehabilitation and adopt a specified frequency of such testing over a three-year period.

--Permit applicants for unescorted access to a licensee's site to appeal the results of a substance abuse test.

--Require certain measures to prevent "subversion" (attempts to avoid detection) of the testing process and implement measures to detect such attempts.

--Adopt the same sanctions for alcohol abuse as currently exist for use of illegal drugs.

--Reduce the number of days between collection and testing of urine specimens.

--Permit licensees to reduce the rate of blind performance tests (specimens that are blank or spiked to challenge a laboratory's testing ability to ensure the validity of test results).

--Reduce the frequency of employee training in fitness-for-duty policy.

Written comments on the proposed amendments to Part 26 of the NRC's regulations should be received by August 7. The comments should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Service Branch.

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