IN RESPONSE, PLEASE
REFER TO: M910725B
August 2, 1991

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

William C. Parler, General Counsel

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION AND VOTE, 3:00 P.M., THURSDAY, JULY 25, 1991, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-91-200 - Amendment to the Fitness-for-Duty Rule

The Commission, by a 4-0 vote, approved amendments (as modified on the attached pages) to 10 CFR Part 26 to clarify NRC's intent concerning the acceptability of taking action against an individual based solely on the preliminary results of a drug screening test.

Commissioner Remick, while approving, would have preferred the staff's recommended 80 percent reliability level for the presumptive positive test confirmations.

The Federal Register Notice should be modified as noted in the attached pages, reviewed by the Regulatory Publications Branch, ADM, and returned for signature and publication.
(EDO) (SECY Suspense: 8/30/91)

II. Shoreham Nuclear Power Station - Emergency Motion for staY

The Commission, by a 4-0 vote, approved an order responding to two separate "Emergency Motion(s) for Stay" filed by the Shoreham-Wading River Central School District and the Scientists and Engineers for Secure Energy requesting that the Commission stay the effectiveness of the Shoreham "possession only" license amendment. The order denied the stay requests.

(Subsequently, on July 25, 1991, the Secretary signed the Order.)

Attachments: As stated

cc: The Chairman

Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
GPA
ACRS
PDR - Advance
DCS - P1-24