October 11, 2002

Mr. Gordon Appel, Deputy Director
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704

Dear Mr. Appel,

I am responding to your e-mail dated May 8, 2002 regarding the request for Illinois Department of Nuclear Safety personnel to be tested under the U.S. Nuclear Regulatory Commission's (NRC) Fitness For Duty program. We have evaluated your request and find that it is not possible to provide such testing based on the fact that the employees in question are non-Federal workers. The NRC's authority to conduct drug testing is limited to NRC employees and applicants. Thus, the NRC would not be able to conduct drug testing of Illinois inspectors.

If you have any questions, please feel free to contact me at 301-415-3340 or email: PHL@nrc.gov.

Sincerely,

/RA/
Paul H. Lohaus, Director
Office of State and Tribal Programs

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