



# NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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No. 05-108

August 3, 2005

## **NRC PROPOSES FURTHER STRENGTHENING DRUG-TESTING AND WORKER FATIGUE PROVISIONS FOR NUCLEAR WORKERS**

The Nuclear Regulatory Commission is proposing improvements to the agency's fitness-for-duty requirements for workers who have unescorted access to a nuclear power plant's protected areas.

The changes are outlined in a proposed rule that would apply to all currently operating plants, as well as any future plants licensed by the NRC. The drug- and alcohol-testing provisions would also apply to facilities that transport or handle strategic special nuclear material, including the Department of Energy's proposed mixed-oxide fuel facility.

"The NRC has long had strong fitness-for-duty requirements, and the proposed changes would provide even greater assurance that workers with unescorted access are trustworthy and reliable," said NRC Executive Director for Operations Luis Reyes. "The changes we're proposing will also set work hour limits to ensure nuclear power plant employees get enough rest to carry out their jobs."

The proposed rule sets out detailed requirements in many areas of fitness-for-duty programs, including:

- Requiring validity tests for urine samples to determine if a specimen has been adulterated, diluted or substituted;
- Toughening sanctions for violations, including permanent denial of unescorted access for refusing or attempting to subvert a test;
- Adding the position of Substance Abuse Expert and specifying the role that person would fulfill in the fitness-for-duty and return-to-duty processes;
- Codifying individual work hour limits for some workers of no more than 16 hours in a 24-hour period, 26 hours in a 48-hour period and 72 hours in a week, excluding shift turnover time;
- Establishing minimum individual breaks for some workers of at least 10 hours between shifts, a 24-hour break each week and a 48-hour break every two weeks, and
- Requiring some groups of workers to average a maximum of 48 hours per week while the plant is operating.

The proposed changes represent the resolution of the NRC's activities in response to petitions for rulemaking regarding work hour limits and certain inspections of fitness-for-duty programs. The rule would also, in part, replace and expand on an Order the NRC issued on April 29, 2003, setting

work hour limits for security personnel, as well as codify a Commission policy statement on fatigue issued in 1982. For more information on the proposed rule, contact staff member Rebecca Karas by phone at 301-415-3711 or via e-mail at [rlk@nrc.gov](mailto:rlk@nrc.gov) .

Comments on the proposed changes will be accepted for 120 days following publication of the proposed rule in the *Federal Register*, expected shortly. Comments may be mailed to: Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, ATTN: Rulemakings and Adjudications Staff. They may be e-mailed to: [SECY@nrc.gov](mailto:SECY@nrc.gov) , via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov> , or through the Federal Rulemaking Portal at <http://www.regulations.gov> . Comments may also be faxed to the Secretary at 301-415-1101, or hand-delivered to 11555 Rockville Pike, Rockville, Md., between 7:30 a.m. and 4:15 p.m. on federal workdays.

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