

July 15, 2011

MEMORANDUM TO: Douglas Huyck, Branch Chief
Security Program Support Branch
Division of Security Policy
Office of Nuclear Security and Incident Response

FROM: Phyllis Jenifer, Security Specialist **/RA/**
Security Program Support Branch
Division of Security Policy
Office of Nuclear Security and Incident Response

SUBJECT: SUMMARY OF THE PUBLIC MEETING/WEBCAST TO DISCUSS
ELECTRONIC REPORTING OF TITLE 10 OF THE *CODE OF
FEDERAL REGULATIONS* PART 26 FITNESS FOR DUTY
PERFORMANCE DATA, JUNE 29, 2011

On June 29, 2011, the Office of Nuclear Security and Incident Response (NSIR) and the Office of Nuclear Reactor Regulation (NRR) staff briefed the Nuclear Energy Institute (NEI) and approximately 45 commercial power reactor and fuel facility representatives on proposed enhancements to the Nuclear Regulatory Commission's (NRC's) fitness-for-duty (FFD) electronic reporting forms. There were no members of the public or media in attendance. The FFD forms were developed in coordination with the industry to simplify the reporting of Fitness for Duty performance data required by Title 10 of the *Code of Federal Regulations* (10 CFR) 26.717, improve consistency within the industry, and enhance data evaluation and trending. Reported performance data includes drug and alcohol testing results and fatigue management waiver data.

During the meeting, the industry supported NRC staff-proposed changes to the FFD electronic drug and alcohol single positive test form and the annual test form. These changes included, but were not limited to revisions necessary to: improve the flow and logic of the forms; clarify the reporting of subversion attempts in which two specimens have been obtained during a single collection event (e.g., the first specimen was out of specification on temperature and a second direct observed specimen was collected); enhance the use of special characters; update drop-down menu selections; and, edit pop-up guidance instructions. The staff received comments regarding whether to place the time-dependent alcohol limits on the single positive test form; whether to identify a policy violation of the 5-hour abstinence policy; and, whether and how to document on the form subversion-related events.

CONTACTS: Paul Harris, NSIR/DSP
(301) 415-1169

Michael Boggi, NRR/DIRS
(301) 415-5309

The NRC staff also discussed the fatigue management form. In particular, the staff discussed some lessons learned from the calendar year 2010 reporting year and proposed revisions to improvement form functionality and clarity. The NRR staff representative, Mr. Michael Boggi, stated that stakeholders and the public can email him comments for resolution.

The NRC staff stated that they would coordinate with NEI, David Kline, regarding resolution of the above drug and alcohol form issues and that the industry and public would have another review and comment opportunity when the forms are revised prior to issuance; the staff expects this to occur in August 2011. After the comments are again evaluated and resolved as necessary, the staff will conduct another public meeting to present the final versions prior to posting on the NRC's external website. This meeting will again include the fatigue management reporting requirements. The public meeting adjourned on schedule.

Enclosures:

1. Attendees List
2. NRC Slide Presentation
3. NRC Exhibits on Calendar Year 2009 Data

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MBoggi	KDerringer	PHarris	PJenifer	WChalk
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OFFICE	NSIR/DSP/SPSB	NSIR/DSP/SPSB	NRR	NSIR/DSP/SPSB
NAME	PJenifer WChalk for	PHarris WChalk for	MBoggi via email	DHuyck
DATE	7/6/11	7/6/11	7/1/11	7/15/11

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