



# **Fitness for Duty Programs**

## **Electronic Reporting System**

### **Drug and Alcohol Testing Information**

## **Public Meeting - Webinar**

**June 29, 2011**

Paul Harris  
Senior Program Manager  
Division of Security Policy  
Office of Nuclear Security and Incident Response

# Webinar Administration

## ■ Opening Remarks

## ■ NRC staff in attendance

- Paul Harris, Senior Program Manager, Drugs & Alcohol
- Mike Boggi, Senior Program Manager, Fatigue
- Wayne Chalk, Security Specialist
- Will Smith, Security Specialist
- Phyllis Jenifer, Security Specialist
- Brian Zaleski, NRC contractor, ICF International

## ■ Category 2 public meeting

- NRC & industry discussion
- Specific periods for public comment
- NRC Public Meeting feedback form

# Webinar Agenda

- **Background**
- **Single Positive Test & Annual Test Forms**
- **Industry feedback on current forms and process**
- **Discuss changes under consideration for CY 2011 and solicit industry feedback**
- **Two periods for public comment**

# Authority & Requirements

## Background

### ■ Authority

- 10 CFR Part 26.11, “Communications”

### ■ Reporting Requirements

- §26.717, Annual reporting
- §26.719, Event reporting
  - (b) Significant FFD policy violations/program failures
  - (c) 30-day reports

### ■ Joint NRC-Industry Initiative

- Voluntary e-reporting of FFD performance data
- Consistency, simplicity, clarity, & improved data analysis

# Industry Use of e-Reporting

## Background

	CY 2009	CY 2010 *	Change
Reporting Facilities	19	47	+ 28
Industry Participation	25%	63%	+ 38%
Tests Conducted by EIE reporting licensees	46,162	106,443	+60,281
Positive Results Reported	290	648	+ 358

\* CY 2010 results draft

# Issue Summary

Background

## ■ Previous Issues

- Electronic signatures
- Form field functionality (drop down menus/web browser)
- Single-use forms (specific to a licensee)
- Submission protocols and submission updates
  - EIE web portal
  - Licensee administration

## ■ What worked well for CY 2010?

- Transition to new “general submission” forms (same forms for all)
- Site use, administration, and completion of forms
- Use of NRC’s “General Submission” web portal
- “Validate & lock” signature feature
- No fatal flaw process or form usage issues

# CY 2010 Form Issue Summary

## Background

- **Special Characters (e.g., “ / %)**
  - Restricted use in text fields
- **Single Positive Test Form (SPTF)**
  - Some form fields “disappear” if entries were not provided and the form was saved and then reopened (e.g., “Test Type(s) for Results Reported”)
  - “Submission Update” box form logic did not account for “new” prior year submission (e.g., a new positive test result identified for prior year)
- **Subversion Attempts**
  - Multiple forms issued for the same test
  - Excessive effort to accurately communicate the subversion event
  - Too many “Submission Updates” required
  - Root cause: lack of NRC guidance

# CY 2011 Form Improvements

completed or in progress

Form Improvements

## ■ SPTF and ATF forms

- Special characters (e.g., %, “”) enabling more usage
- Form flow & layout to reflect “real-life” test processing & findings
  - “hiding” fields and “opening” fields when required

## ■ SPTF (majority of changes)

- Enhancement of subversion attempt reporting
- Additional auto-population of form fields and data validations
- Update mouse-over instructional pop-up guidance

## ■ ATF

- Reformatting of data reporting fields into a table format
- Laboratory and Blind Performance Test Sample supplier info



# CY 2010 Reporting Observations

## Background

- **Discrepancies between positives reported in the Annual Test Form (ATF) and the SPTF**
- **Inconsistencies in subversion attempt reporting**
  - Use of “For Cause” for the “Reason for Testing” for second specimen collection if initial specimen collected was out of temperature range
  - Use of “Substituted” or “Other/Invalid” result for “Test Validity” – not laboratory test results
  - Double reporting of subversion attempts (result for out of temperature range specimen – the initial specimen collected, result for second specimen collected under direct observation)

# Proposed Changes

## Annual Test Form

### Form Improvements

- **“Reason for Testing” results**
  - Consolidate reporting fields (# of tests, # of positives) into a table
  
- **Identify and Communicate**
  - HHS-certified laboratories
  - LOD testing policy
  - Blind Performance Test Sample supplier(s)
  
- **Add Narrative Topic fields**
  - LOD testing
  - Blind Performance test samples
  - §26.717(c) LTF administrative actions

# Proposed Changes (SPTF)

## Form Improvements

### ■ Alcohol Testing

- Replace “Use NRC Cutoff (yes/no)?” with a time-dependent BAC level exceeded data block

### ■ LOD testing reporting

- If a “Dilute” is chosen for “Test Validity,” a new “yes/no” question will appear to report if LOD testing was conducted

### ■ Subversion attempt reporting

Replace checkbox choices with more explicit actions

- refused to provide a specimen
- specimen temperature (out of range)
- specimen characteristics (e.g., color, odor, precipitant)
- subversive paraphernalia

# Proposed Changes

## SPTF (continued)

### Form Improvements

- **Update “Disciplinary Action” drop-down menu**
  - Align sanctions to current Part 26
  - Clarify that a PADS entry = §26.75 sanction
  
- **Change “Reason(s) for the Action (select all that apply)” from checkboxes to drop-down menu.**

Delete:

- MRO Confirmation
- Violation of 5-hour abstinence
- Resignation/withdrawal

# SPTF & ATF Questions

## ■ Should we?

- SPTF - Replace “Use NRC Cutoff (yes/no)?” for alcohol testing with a time-dependent BAC level exceeded?
- SPTF - Add “random pre-access” test , include in drop-down list for “Pre-Access Testing Reason (optional field)” - §26.55(a)(4)?

## ■ Should we eliminate?

- SPTF - Test Validity, “Other/Invalid,” this is not a reportable violation
- SPTF - 5 hour abstinence, this is not a reportable violation
- Most all references to “Other” categories (e.g., labor category)

## ■ Is this clear?

- SPTF - Was this collection refused (Yes/No)
- ATF - Narrative topic selections

# SPTF & ATF

## Detailed Walk Through w/ Questions and Answers

### Annual Test Form

The screenshot shows the 'Annual Reporting Form for Drug and Alcohol Tests for the EIE General Submission Portal'. It includes sections for 'Pre-Access Tests', 'Followup Tests', 'Fair Chance Tests', 'Random Tests', and 'Post-Event Tests'. Each section contains fields for 'Total number of tests conducted', 'Total number of positive, adulterated, substituted, and refusal to test results', and 'Annual random testing percentage authorized for the testing site'. There is also a 'Substances Tested' section with a dropdown menu and a 'Narrative Test' section with a text area and a 'Narrative Topic' dropdown. At the bottom, there are fields for 'Person(s) Responsible for Information Provided' and a 'Final Step (Required)' section with 'Validate & Lock' and 'Print this Report' buttons.

### Single Positive Test Form

The screenshot shows the 'Single Positive Test Form for the EIE General Submission Portal'. It includes fields for 'Unique Reference Number (Licensee Supplied)', 'Date of Collection (mm/dd/yyyy)', 'Pre-Access', 'Employment Type - 26.717(b)(3)', 'Labor Category - 26.717(b)(3)', and 'Refusal - 26.717(b)(7) & 26.75'. There are also dropdown menus for 'Test Facility', 'Test Results - 26.717(b)(4)', 'Test Facility', 'Test Type(s) for Result(s) Reported', and 'Substance - 26.717(b)(2) & (b)(4)'. The form includes sections for 'Management Actions - 26.717(b)(6)' and 'Person(s) Responsible for Information Provided'. At the bottom, there are fields for 'Person 1 (required)' and 'Person 2 (optional)' with fields for 'First Name', 'Last Name', 'Position Title', and 'Email Address'. A 'Final Step (Required)' section at the bottom right contains 'Validate & Lock' and 'Print this Report' buttons.

Forms available at: <http://www.nrc.gov/reactors/operating/ops-experience/fitness-for-duty-programs/submit-ffd-reports.html>

## Next Actions

- **Correct CY 2010 performance reports**
- **Issue the CY 2009 and 2010 Info Notices**
  - Initiative to place industry performance summary on the web
- **Turn off the “old” FFD-specific reporting portal**
- **Complete PII review of FFD performance reports**
- **Issue web-based e-reporting guidance**
- **Continue assessing industry and public needs**
- **Roll out the SPTF and ATF updates**
  - **Next Meeting? August 31 (proposed)**