

From: FFDProgram Resource
Sent: Tuesday, April 03, 2012 8:06 AM
To: 'mwfrance@tva.gov'
Subject: Response to your inquiry to the U.S. Nuclear Regulatory Commission

Mr. France:

Thank you for your inquiry.

Title 10 of the *Code of Federal Regulations* (10 CFR) 26.89(d) requires that a collector conduct only one collection procedure at a time “[i]n order to promote the security of specimens, avoid distraction of the collector, and ensure against any confusion in the identification of specimens.” If the quantity of urine in the first specimen provided by the donor is less than 30 mL, 10 CFR 26.109(b) requires that the collector encourage the donor to drink a reasonable amount of liquid until the donor provides a specimen containing at least 30 mL of urine. 10 CFR 26.109(b) also forbids the combination of specimens and requires that specimens of less than 30 mL be discarded and that a separate collection container be provided for each successive specimen.

Additional information on Fitness for Duty is available through the U.S. Nuclear Regulatory Commission’s (NRC’s) public Web site: <http://www.nrc.gov/reactors/operating/ops-experience/fitness-for-duty.html>.

The NRC hopes that the information above answers your question. Please feel free to contact the agency should you require any additional information.

Regards,

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From: Mark France [SMTP:MWFRANCE@TVA.GOV]

Sent: Wednesday, July 06, 2011 8:25:56 AM
To: FitnessForDuty Resource
Subject: Response from "Contact Us About Fitness-for-Duty"
Auto forwarded by a Rule

Below is the result of your feedback form. It was submitted by

Mark France (mwfrance@tva.gov) on Wednesday, July 06, 2011 at 08:25:56

comments: My question is on 26.89(d)- My utility has implemented this requirement as written- (d) "In order to promote the security of specimens, avoid distraction of the collector, and ensure against any confusion in the identification of specimens, a collector shall conduct only one collection procedure at any given time. For this purpose, a urine collection procedure is complete when the urine specimen container has been sealed and initialed, the chain-of-custody form has been executed, and the donor has departed the collection site." My utility will not allow collectors to begin another collection until all those requirements have been met. Prior to the regulation revision, most utilities, including mine, allowed a collector to start another collection if the donor could not produce a sufficient sample AND the donor was placed under observation by another individual while being hydrated. This is an understandable, mitigating, great practice, but I do not see how it meets the current 26.89(d) requirements which are quite restrictive- i.e. specimen sealed, COC executed and donor left collection site. I have also attached the statements of consideration which support my utility's implementation of the rule- "Section 26.89(d) retains the last two sentences of former Section 2.4(e) in Appendix A to Part 26. These provisions require the collector to conduct only one urine specimen collection at a time and define the point at which the collection process ends, which is when the donor has left the collection site. The NRC has retained these provisions in this paragraph because they relate to the topic of this section, which is preparing for specimen collections, to ensure that collectors are aware of this requirement before they begin collecting any specimens. The change improves the organizational clarity of the rule." (page 17058 of Federal register/vol. 73 No. 62 Monday, March 31, 2008/Rules and Regulations.) My question is- how does the NRC interpret/believe this section of the rule should be implemented?

thanks Mark

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