

**From:** [Harris, Paul](#)  
**To:** [Jim Lee](#)  
**Subject:** RE: Part 26 Questions - Prompt Response Requested  
**Date:** Monday, September 12, 2016 9:38:00 AM

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Jim. The information you provided below is very confusing to me. This is a Part 26 program, not a DOT program. May you please re-phrase/re-structure your questions or perhaps provide more information. Thank you.

Also, it appears that these are the applicable Part 26 requirements you are referring to: 26.5 (FFD PDI), 26.69, 26.75, 26.77, 26.185, and 26.189.

This may help: <https://www.drugabuse.gov/publications/principles-drug-addiction-treatment-research-based-guide-third-edition/principles-effective-treatment>

R,  
Paul

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**From:** Jim Lee [mailto:[gonefishing8025@charter.net](mailto:gonefishing8025@charter.net)]  
**Sent:** Sunday, September 11, 2016 9:43 PM  
**To:** Harris, Paul <[Paul.Harris@nrc.gov](mailto:Paul.Harris@nrc.gov)>  
**Subject:** [External\_Sender] Part 26 Questions - Prompt Response Requested

Paul,

I have a couple of Part 26 questions. If you could please provide a prompt response it would be much appreciated.

Is a licensee allowed to use non-DOT drug/alcohol testing under Part 26 to perform a determination of fitness evaluation?

If an individual did not knowingly take any drugs (i.e. poisoned), is there a circumstance in which a licensee can perform a determination of fitness under Part 26 using non-DOT drug/alcohol tests that were not confirmed?

Without DOT test results can an SAE and/or MRO make an independent determination of illicit drug use?

Then could the licensee impose a 5yr denial of access authorization using the determination of fitness obtained using those same non-DOT test results?

Sincerely,

Jim Lee  
Energy Northwest  
Columbia Generating Station  
509-942-8510 (cell)