

December 1, 2016

MEMORANDUM TO: William Gott, Chief
Fuel Cycle Safety and Transportation Security Branch
Division of Security Policy
Office of Nuclear Security and Incident Response

FROM: Paul Harris, Senior Program Manager **/RA/**
Fuel Cycle Safety and Transportation Security Branch
Division of Security Policy
Office of Nuclear Security and Incident Response

SUBJECT: FORTHCOMING PUBLIC MEETING (WEBINAR) REGARDING
ANNUAL FITNESS-FOR-DUTY (FFD) REPORTING OF DRUG
AND ALCOHOL INFORMATION AND ELECTRONIC
REPORTING SUBMISSION FORMS

DATE & TIME: December 15, 2016, 10:00 a.m. – 11:30 a.m.

LOCATION: U.S. Nuclear Regulatory Commission (NRC)
Three White Flint North
11601 Landsdown Street
North Bethesda, MD 20852

CATEGORY: This is a Category 1 public meeting. The public are invited to observe this meeting by dialing into the provided teleconference number or linking into the webinar. The public will have an opportunity to communicate with the NRC after the business portion of the meeting, but before the meeting is adjourned.

PURPOSE: The purpose of this webinar is to discuss the annual FFD program reporting requirements, guidance, and electronic reporting forms for drug and alcohol testing conducted pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 26, "Fitness for Duty Programs." This meeting will prepare licensees and other entities for the upcoming reporting of calendar year 2016 drug and alcohol testing information.

MEETING CONTACT: Paul Harris, NSIR/DSP/FCTSB
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PARTICIPANTS: NRC

Commercial nuclear industry representatives who complete and submit the annual FFD program performance reports to the NRC under 10 CFR 26.417 and 26.717 are encouraged to dial into the webinar or use the provided teleconference line. Representatives

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are encouraged to prepare for this meeting by reviewing the FFD drug and alcohol electronic reporting forms that are posted on the NRC's Web site at <http://www.nrc.gov/reactors/operating/ops-experience/fitness-for-duty-programs/submit-ffd-reports.html> and think about questions to ask the NRC technical staff regarding FFD reporting requirements. Please see the enclosed agenda.

TELECONFERENCE: Bridge Number Pass Code
 (888) 391-1208 68572

WEBINAR: The webinar link will be provided in an update to this meeting notice.

The NRC's Policy Statement, "Enhancing Public Participation in NRC Meetings," effective May 28, 2002, applies to this meeting. The policy statement may be found on the NRC's Web site at <http://www.nrc.gov/reading-rm/doc-collections/commission/policy/67fr36920.html>.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If reasonable accommodation is needed to participate in this meeting, or if a meeting notice, transcript, or other information from this meeting is needed in another format (e.g., Braille, large print), please notify the NRC meeting contact. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Enclosure:
Agenda

AGENDA

PUBLIC MEETING (WEBINAR) REGARDING ANNUAL FITNESS-FOR-DUTY (FFD) REPORTING OF DRUG AND ALCOHOL INFORMATION AND ELECTRONIC REPORTING SUBMISSION FORMS

Thursday, December 15, 2016
10:00 a.m. – 11:30 a.m.

Toll Free Number: 888-391-1208
Passcode: 68572

Webinar link will be provided in an update to this meeting notice.

START TIME	TOPIC
10:00 a.m.	Introduction
10:05 a.m.	NRC Presentation and Discussion with Industry Representatives <ul style="list-style-type: none">• Annual FFD reporting requirements• FFD electronic reporting forms (drug and alcohol only)• Common reporting errors• Guidance
11:15 a.m.	Public Comments and Questions
11:30 a.m.	Adjourn

Discussion

During this meeting, the NRC technical staff will briefly describe the 10 CFR 26.417 and 26.717 annual reporting requirements. These requirements may be viewed at NRC Web site <http://www.nrc.gov/reading-rm/doc-collections/cfr/part026.html>.

The NRC technical staff will then discuss the features of the two electronic reporting forms used for FFD program performance data reporting, the Single Positive Test Form and the Annual Reporting Form for Drug and Alcohol Tests. These forms may be viewed at NRC Web site <http://www.nrc.gov/reactors/operating/ops-experience/fitness-for-duty-programs/submit-ffd-reports.html>.

The NRC technical staff will also describe common reporting errors observed during previous reporting years, discuss best practice suggestions, and will provide guidance on filling out the electronic reporting forms for a variety of reporting scenarios. Finally, the NRC technical staff will conclude the webinar by answering questions from members of the public.

To prepare for this webinar, industry representatives may consider (1) reviewing previous feedback provided by the NRC technical staff on FFD program performance reports; (2) developing questions that have arisen in completion of electronic reporting forms for the upcoming 2016 reporting cycle; and (3) developing recommendations on how the electronic reporting form design or reporting process can be improved.

Enclosure

At a minimum, the NRC technical staff proposes to discuss the following potential licensee questions:

Annual Reporting Form for Drug and Alcohol Tests (ARF)

1. How do we correct an error in an ARF already submitted to the NRC?
2. Can we delete a previous submission?
3. How is the random testing rate validated in the ARF? We're seeing an error message for the value that we've entered.
4. What information do we need to report on special analysis testing (i.e., *Limit of Detection* (LOD) testing)?
5. How do we report information on testing for additional substances (both if the testing is limited to an individual, as well as if the testing is applied programmatically)?

Single Positive Test Form (SPTF)

1. How do we correct an error in a SPTF already submitted to the NRC?
2. How do we delete a previous submission?
3. We're having trouble determining which labor category to select for an individual who is a supervisor in facility maintenance, do we select "Supervisor" or "Maintenance (safety-significant)"?
4. Why should we provide the optional information on whether an individual is an outage worker?
5. If several specimens are collected from a donor during the same testing event, do we complete one SPTF for each of the specimens collected?
6. How do we report subversion attempt information for the following events?
 - Case 1: Initial specimen provided is out of temperature range (negative results) and the second specimen collected under direct observation is drug positive
 - Case 2: Initial specimen provided is out of temperature range (negative results) and the donor refused to provide a second specimen under direct observation
 - Case 3: The donor refused to provide an initial specimen
 - Failed to appear for a required test
 - Collector discovered paraphernalia and stopped the collection process
 - The donor was unable to provide a specimen of adequate volume in 3-hours and the medical evaluation determined no medical condition.

- Case 4: Initial specimen provided is reported by the HHS-certified laboratory as “invalid” and the second specimen collected under direct observation is drug positive
 - Case 5: The specimen provided by the donor is reported as dilute (validity test result) and special analysis testing (limit of detection) determines that the specimen is drug positive
7. How do we know that the NRC has received the electronic reporting forms that we have submitted through the General Submission Portal?

Note: Fitness for duty performance information should always be submitted through the NRC’s Electronic Information Exchange (EIE). Commercial nuclear industry representatives who complete and submit the annual FFD program performance reports to the NRC under 10 CFR 26.417 and 26.717 are encouraged to go to the NRC’s EIE Web site to familiarize themselves with this reporting portal located at NRC Web link: <http://www.nrc.gov/site-help/e-submittals.html>.

If you have questions or comments on the use of this portal, please contact our Help Desk at 866-672-7640. Also, early in the process, representatives may wish to:

- ✓ Obtain a certificate to enable electronic reporting or
- ✓ Verify that an existing certificate is still valid, and
- ✓ Ensure that internal procedures enable the timely electronic submission of calendar year 2016 FFD performance information, using the ARF and SPTFs, prior to March 1, 2017. Note that a licensee developed cover letter is not necessary.

Public Comments and Questions

This is a Category I public meeting. The public is invited to observe this meeting by dialing into the provided teleconference number or linking into the webinar. The public will have an opportunity to communicate with the NRC after the business portion of the meeting, but before the meeting is adjourned. Specific questions to licensee representatives or about specific sites or occurrences will be considered outside the scope of this meeting.

Disclaimer

The conduct of this meeting is a public service and solely for informational purposes and is not, nor should be deemed as an official NRC position, opinion or guidance, or "a written interpretation by the General Counsel" under 10 CFR 26.7, on any matter to which the information may relate. The opinions, representations, positions, interpretations, guidance or recommendations which may be expressed by the NRC technical staff are solely the NRC technical staff's and do not necessarily represent the same for the NRC. Accordingly, the fact that the information was obtained through the NRC technical staff will not have a precedential effect in any legal or regulatory proceeding.