

North Atlantic

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August 17, 1994

U.S. Nuclear Regulatory Commission
Washington, DC 20555

Attention: Docketing and Services Branch

Subject: Comments on the Consideration of Changes to Fitness-For-Duty Requirements

Gentlemen:

On May 11, 1994, the NRC published a request for information and comments to aid in the NRC's evaluation of which employees should be subject to random drug testing under the fitness-for-duty (FFD) regulations (59FR24373). In its request, the NRC identified five options for the random testing of employees. North Atlantic hereby provides its comments on these options and certain of the other issues raised by the NRC.

In summary, the five options are:

<u>Option</u>	<u>Description</u>
1.	Retain all persons granted protected area access in the random testing program.
2.	Exclude from random testing certain workers such as clerical workers who have access to the protected area but not to vital areas.
3.	Limit random testing to only workers who have unescorted access to vital areas.
4.	Limit random testing to only those workers who have jobs that involve safety-related or security-related functions whether or not they have protected area access.
5.	Allow the use of alternate testing methods for employees who have unescorted access to protected areas but not to vital areas.

North Atlantic believes that the existing approach to establishing the population subject to random testing (Option 1) is, on balance, the preferred approach. North Atlantic bases this conclusion on several factors. First, Option 1 provides an incremental measure of assurance that all persons granted access to the protected area are trustworthy, reliable and not under the influence of drugs or alcohol.

Second, the vital area limitation contained in Options 2 or 3 would not prevent untrustworthy individuals from access to equipment important to plant operations. Such equipment, while not safety related, nonetheless can result in transients that would challenge plant protective systems.

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Third, there are administrative complexities with Options 2, 3, 4 and 5. Each of these options will require administratively identifying and monitoring the positions held by these employees. In addition, persons who could be excluded from random testing, will need to be evaluated to ensure that they are not required to be part of the testing pool for another reason such as an emergency response organization assignment at the Emergency Operations Facility. Under Options 2 and 5, workers in certain functions would be excluded from random testing during the normal performance of their jobs. However, during certain activities, such as refueling outages, their functions may change such that there is greater potential for interaction with plant equipment and they would therefore need to be placed back into the random testing pool. Option 4 would require that all persons performing safety-related or security-related functions be included, regardless of whether they have unescorted protected area access. This creates the potential need for inclusion in the random program of persons who will be working within the protected area for periods of time as short as one day who would normally be escorted and who are not now part of the random testing program. Option 4 also would require a licensee to include all persons who would be working on a safety-related or security-related activity including, for example, corporate engineering personnel. These persons would not normally be part of the FFD program but would now have to be identified and then removed from the program once their duties were completed. Issues of how often a person works on a safety-related or security-related activity before entry into the program and what constitutes such an activity would have to be addressed.

Fourth, under Options 2 through 5, costs will either increase or decrease minimally. Under Option 3, the most quantifiable of the four, it is estimated that North Atlantic would eliminate 125 to 130 persons from the random testing pool. This would result in an approximate savings of \$1,300 per year. Under Options 2 and 5, the savings would be less and under Option 4, costs would increase. Under Option 5, additional equipment and training would be required in order to administer the tests which would likely completely offset any savings achieved by the reduction in population tested. Under all options, increases in the administrative activities identified above would add to licensee costs and likely completely offset any savings achieved.

Finally, under Option 5, the NRC considers using alternate testing including performance testing. The possibility of performance testing presents the problem of assessing the impairment of a given individual rather than simply detecting and quantifying certain chemicals.

The NRC also requested input on several other issues. North Atlantic provides the following comments on two of the issues.

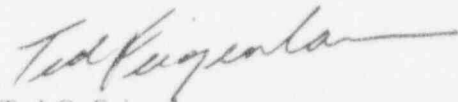
Under Question 4, the NRC asks for an assessment of the impact of any change to vital area access on the need for random drug testing. The proposed reduction in control of vital areas would argue for the retention of the present requirements for inclusion of all employees with protected area access in the random testing program.

Under Question 6, the NRC asks whether 10 CFR 26 deters the introduction of illegal substances into the protected area. While North Atlantic is unable to cite any specific evidence, it is our belief that the FFD program does discourage the introduction of such substances into the protected area. In addition

to the deterrent effect of the FFD program, North Atlantic has used several other means to deter the introduction of such substances. These methods have included random vehicle searches and random workplace monitoring by drug detection dogs.

North Atlantic appreciates the opportunity to provide information to the NRC on this subject. Should you have any questions, regarding this information please feel free to contact Mr. Bruce R. Seymour, Security Manager, at (603) 474-9521, extension 4015.

Very truly yours,



Ted C. Feigenbaum

TCF/AMC:sm

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