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NRC REEVALUATING THE RANDOM DRUG TESTING
REQUIREMENT FOR NUCLEAR POWER PLANT LICENSEES

The Nuclear Regulatory Commission is reevaluating whether utilities licensed to operate nuclear power plants must conduct random drug testing of those workers who do not perform safety-related jobs, but who have unescorted access to the plant's protected areas. The Commission is requesting information on several issues to aid the NRC staff in completing its evaluation.

The reevaluation stems, in part, from a June 1992 decision by a three-judge panel of the U.S. Court of Appeals for the 9th Circuit, which upheld the random drug testing requirement and, at the same time, questioned the justification for imposing random drug tests on workers whose jobs do not directly relate to safety -- particularly clerical workers.

Since then, the International Brotherhood of Electrical Workers (IBEW) Local 1245 has submitted a request for an exemption from the random testing requirements for certain clerical workers at Pacific Gas and Electric Company's Diablo Canyon nuclear power plant near San Luis Obispo, California.

As part of its reevaluation, the Commission has identified five approaches:

1. Retain the current requirement that all workers who have unescorted access to protected areas be subject to random drug testing. (A protected area is an area encompassed by physical barriers and security systems and to which access is controlled.)
2. Exclude from random drug testing certain groups of workers who have unescorted access to protected areas but not to vital areas. (A vital area is any area that contains vital equipment such as the nuclear reactor and its major systems. Vital areas are located inside protected areas.)
3. Require random drug testing only for workers who have unescorted access to vital areas.

4. Require random drug testing only for workers who have jobs involving safety or security functions, regardless of their access to protected and vital areas.
5. Allow use of alternative testing methods (in lieu of urinalysis) for certain groups of workers who have unescorted access to protected areas but not to vital areas. The random selection process would still be used to select the workers for the alternative testing.

The central issue in determining an appropriate scope for random drug testing remains the need for a proper balance between safeguarding individual rights and the NRC's responsibility to protect the public health and safety.

In this regard, the Commission is interested in several related issues including: (1) the threat from deliberate and accidental acts by individuals who may be influenced by substance abuse; (2) the interactions between changes to the scope of random drug testing and the reduction of safeguards for access into vital areas from protected areas; and (3) the validity of performance testing measures as an alternative to drug testing.

Written comments on these and related matters should be received by August 8. They should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

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