Pacific Gas and Electric Company

LETTER AGREEMENT NO. 05-35-PGE

IBEW

PACIFIC GAS AND ELECTRIC COMPANY
INDUSTRIAL RELATIONS DEPARTMENT
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STEPHEN A. RAYBURN,
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INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
(707) 452-2700

PERRY ZIMMERMAN,
BUSINESS MANAGER

August 3, 2005

Mr. Perry Zimmerman, Business Manager
Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P. O. Box 2547
Vacaville, CA 95696

Dear Mr. Zimmerman:

Company and Union have reviewed and discussed the Humboldt Bay Power Plant Fitness for Duty (HBPP FFD) procedures, which are a requirement of NRC Order EA-03-099, to be effective August 18, 2005. The HBPP FFD program meets the requirements of Title 10, Code of Federal Regulations, Part 26. The procedures and a list of understandings reached by the parties are attached.

This proposal has been discussed with Rich Cowart, local Business Representative.

If you are in accord with the foregoing and the attachments hereto, please so indicate in the space provided below and return one executed copy of this letter to the Company.

Very truly yours,

PACIFIC GAS & ELECTRIC COMPANY

By: _____
Stephen A. Rayburn
Director and Chief Negotiator

The Union is in accord with the foregoing and agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

Oct 25, 2005

By: _____
Perry Zimmerman
Business Manager

Humboldt Bay Power Plant Fitness for Duty Program
NRC Order EA-03-099

1. Section 500.5 of the Physical Agreement is applicable to the new policies and procedures developed to implement the NRC order. This includes any NRC amendments, clarifications or interpretations of the order.

2. The Fitness for Duty (FFD) program applies to all persons with unescorted access authorization (UAA) at Humboldt Bay Power Plant. UAA was implemented at the plant February 14, 2005. Those with UAA currently include all IBEW Physical classifications at HBPP except: 0290 Sr. Plant Clerk; 0293 First Plant Clerk; 0294 Routine Plant Clerk and; 0315 HH Routine Plant Clerk. Should Company fill or establish additional IBEW classifications which require UAA, Company will notify Union's local Business Representative prior to filling the job.

3. Random testing will begin sometime after August 18, 2005. There will be no initial start-up testing prior to the August 18, 2005 implementation of the program.

4. The Rules and Sanctions contained in HBPP FFD Procedures SP 800, Sections 5.1 and 5.2 are consistent with the Rules and Sanctions contained in the previously agreed to NPG FFD Program for the Diablo Canyon Power Plant. Disciplinary action for violation of those Rules will be consistent with that taken at the Diablo Canyon Power Plant for similar violations. Any violation resulting in loss of UAA for more than 14 days shall result in termination of employment (this is not intended to apply while an employee who tests positive is participating in the required assessment and rehabilitation). See attached list of consequences for violations of rules listed in Section 5.1 of the procedures.

5. Employees who sign up for emergency call-out and who, after being called for emergency work refuse the assignment as a result of alcohol use, will be credited for equivalent overtime pursuant to Section 212.3 of the Agreement.

6. An employee who is unable to perform his/her normal work duties because of a temporary suspension of HBPP site access as required by SP 800, Section 5.2, shall be placed, at his/her option, on paid sick leave or vacation, if available, or unpaid leave.

CONSEQUENCES OF HBPP FFD VIOLATIONS

These are recommended levels of discipline based on the employee having no active discipline. Consult with the Human Resources Department if the employee has active discipline. Certain circumstances may warrant higher level of discipline.

Drugs:

Offense	Consequence	Offense	Consequence
Selling, offering to sell, or furnishing/sharing illegal drugs on Company property/work site or during work time, including meal times and break periods.	**Discharge**	***Deliberate refusal*** to submit a specimen on reasonable cause, random, post accident, or follow-up test.	**Discharge**
Willful tampering or alteration of the test specimen.	**Discharge**		
Selling, offering to sell, furnishing, or possessing for sale illegal drugs during non-work time or off Company property.	**Discharge**	Failure to successfully complete Rehab process	**Discharge**
Use or possession of illegal drugs during work time, including meal times and break periods, or while on Company property/work site.	**Discharge**	Non-Compliance with RTW Agreement	**Discharge**
Use or possession of illegal drugs during ***non-work periods and off Company property*** as demonstrated by a positive test result or a conviction.	**Written Reminder** First Time Violators Policy -14-day Suspension -Assessment -Rehab -Aftercare -Follow-up Testing -2nd offense = Discharge		
Unlawfully sharing, transferring or selling/purchasing ***legally prescribed drugs*** during work periods, including meal times and break periods or while on Company property/work site.	**Coaching & Counseling to Discharge**		

CONSEQUENCES OF HBPP FFD VIOLATIONS (continued)

These are recommended levels of discipline based the employee having no active discipline. Consult with the Human Resources Department if the employee has active discipline. Certain circumstances may warrant a higher level of discipline.

Alcohol:

Offense	Consequence
Use, possession or being under the influence of alcohol as demonstrated by a positive test result, during work time, including meal times and break periods, within a five-hour period immediately preceding the start of scheduled work or while on Company property/work site.	**Written Reminder** First Time Violators Policy : -14-day Suspension -Assessment -Rehab -Aftercare -Follow-up Testing -2nd offense = Discipline up to and including Discharge
Loss of unescorted access for more than 14 days	**Discharge**

	Nuclear Power Generation Humboldt Bay Power Plant	NUMBER SP-800 VOLUME 11 REVISION 0 EFFEC DATE 8/17/05 PAGE 1 of 25
	TITLE FITNESS FOR DUTY PROGRAM	APPROVED BY ORIGINAL SIGNED 7/13/05 PLANT MANAGER / DATE

Procedure Classification - Quality Related

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1.0 SCOPE

1.1 This procedure sets forth the company's policy for the HBPP Fitness for Duty Program. The procedure establishes the program and provides guidance for the consistent implementation and administration of the program. The Fitness for Duty (FFD) program meets the requirements of Title 10, Code of Federal Regulations, Part 26 (10CFR26), "Fitness for Duty Programs". Four minor modifications have been made to the program in accordance with the requirements of Nuclear Energy Institute (NEI) 04-09, October 2004,

"Decommissioning Reactor and ISFSI Access Authorization Toolbox". This document has been endorsed by the NRC for use in meeting the requirements of NRC Order EA-03-099, August 18, 2004. Attachment 6.2 provides a summary of the modifications.

1.2 The procedure includes the following aspects of the FFD Program:

1.2.1 Rules
1.2.2 Sanctions
1.2.3 Prescription and over-the-counter drugs
1.2.4 Other factors affecting fitness for duty
1.2.5 Supervisor's responsibility
1.2.6 Contractor and visitor compliance
1.2.7 Chemical testing
1.2.8 Medical Review Officer
1.2.9 Searches
1.2.10 Call outs
1.2.11 Background verification and drug and alcohol screening
1.2.12 Training
1.2.13 Employee assistance programs
1.2.14 Appeals process
1.2.15 Confidentiality and privacy
1.2.16 Program deficiencies

1.3 This procedure encompasses other procedures, by reference, that address in detail specific aspects of the FFD Program.

1.4 This program applies to all persons with unescorted access authorization to the protected area (PA) of the plant. It should be noted that while HBPP does have an emergency plan, there are no specialized on-site or off-site emergency plan related locations (e.g. TSC, EOF) to which the FFD Program applies.

Exceptions: Other than the rules contained in section 5.1 of this procedure, the specific provisions of the FFD Program will not be applied to NRC employees or NRC contractors. Where reason exists to suspect that an NRC employee has violated the Fitness for Duty rules as described in section 5.1, he or she will not be denied access, but shall be escorted at all times while in the protected area and the NRC Regional Administrator shall be notified immediately by the Plant Manager of the circumstances. During other than normal working hours, the NRC operations center shall be notified immediately.

Other than the rules contained in section 5.1 of this procedure, the specific provisions of the FFD Program will not be applied to emergency personnel such as local law enforcement agencies (LLEA), fire department, medical personnel, etc., responding to an emergency.

2.0 DISCUSSION

2.1 The performance objectives of the FFD Program are to:

2.1.1 Increase the measure of public health and safety by providing reasonable assurance that persons with unescorted access to the plant PA perform their tasks in a reliable and trustworthy manner and are not under the influence of any substance, legal or illegal, or mentally or physically impaired from any cause, which in any way adversely affects their ability to safely and competently perform work; and

2.1.2 Satisfy the requirements of 10CFR26, "FFD Program" (as modified per Section 1.1 above).

2.2 This procedure encompasses generic requirements HBPP FFD Program. Other procedures listed below provide detailed, step-by-step instructions for specific aspects and phases of the HBPP FFD Program.

SP-801	Fitness for Duty Program - HBPP/DCPP Interface Procedure
SP-802	Fitness for Duty Program - Specimen Collection Process
SP-803	Fitness for Duty Program - Operation Procedures - Breath Alcohol Analysis Device
SP-804	Fitness for Duty Program - Selection and Notification for Random Chemical Testing
SP-805	Fitness for Duty Program - For-Cause Chemical Testing
SP-806	Fitness for Duty Program - Medical Review Officer
SP-807	Fitness for Duty Program - Records
SP-808	Fitness for Duty Program - Protection of Information
SP-809	Fitness for Duty Program - Reporting Requirements

3.0 DEFINITIONS

3.1 The following definitions apply to this procedure and all other procedures listed in section 2.2:

3.1.1 "BAC" means blood alcohol concentration (BAC), which can be measured directly from blood or derived from a measure of the concentration of alcohol in a breath specimen. It is a measure of the mass of alcohol in a volume of blood such that an individual with 100 mg of alcohol per 100 ml of blood has a BAC of 0.10 percent.

3.1.2 "Certified Fuel Handler (CFH)" means an HBPP employee who has met the HBPP developed requirements through training who is certified to move spent fuel. This position is further defined in the HBPP Technical Specifications to the HBPP Decommissioning Safety Analysis Report (DSAR). There are no regulatory requirements associated with this classification. Note: This position is not

considered the equivalent of a "licensed operator" and therefore the special requirements found in 10CFR26 pertaining to licensed operators do not apply to CFH's.

3.1.3 "Chain-of-Custody" means procedures to account for the integrity of each specimen by tracking its handling and storage from the point of specimen collection to final disposition of the specimen. The chain-of-custody procedures are being implemented through the chain-of-custody form (Reference 7.8).

3.1.4 "Collection Site" means the designated place where individuals present themselves for the purpose of providing a specimen of their urine, breath, and/or blood to be analyzed for the presence of drugs or alcohol.

3.1.5 "Collection Site Person" means the person who instructs and assists individuals at the collection site and who receives and makes an initial examination of the specimen(s) provided by those individuals.

3.1.6 "Confirmatory Test" means a second analytical procedure to identify the presence of a specific drug or drug metabolite which is independent of the "initial screening test" and which uses a different technique and chemical principle from that of the initial test in order to ensure reliability and accuracy. [At this time gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.] For determining blood alcohol concentrations, a "confirmatory test" means a second test using another breath alcohol analysis device. Further confirmation, upon demand by the individual, will be by gas chromatography analysis of a blood specimen provided by the individual.

3.1.7 "Confirmed Positive Test" means the result of a confirmatory test that has established the presence of drugs, drug metabolites, or alcohol in a specimen at or above the cutoff level, and that has been deemed positive by the Medical Review Officer (MRO) after evaluation.

3.1.8 "Continuous Behavioral Observation"(CBO) is defined as having the ability to visually observe an individual's behavior and/or performance and determine if such individual is fit to safely perform work duties. Refresher training for CBO is given annually (Course HB-FFD-SUP) and is required for all supervisors within the scope of 10CFR26. Initial training for CBO is given within three months after initial supervisory assignment.

3.1.9 "Cutoff Level" means the value set for designating a drug or alcohol test result as positive.

3.1.10 "Employee Assistance Program Counselor" means a person who strengthens the FFD Program by offering assessment, short term counseling, referral services and treatment monitoring to employees with problems that could adversely affect performance of activities within the scope of the HBPP FFD Program and 10CFR26. The Employee Assistance Program (EAP) is designed to provide early intervention and provide confidential assistance.

3.1.11 "Fit for Duty" means that a person is physically, psychologically and emotionally able to safely and competently perform assigned tasks and responsibilities.

3.1.12 "Follow-up Testing" means chemical testing at unannounced intervals to ensure that an employee is maintaining abstinence from the abuse of drugs or alcohol.

3.1.13 "For Cause Testing" means chemical testing at the request of a supervisor if there are indications of substance abuse, if there was an accident indicating failure of the individual's performance, or after receiving a substantiated allegation.

3.1.14 "HHS Certified Laboratory" means a urine and blood testing laboratory that maintains certification to perform drug testing under the Department of Health and Human Services (HHS) "Mandatory Guidelines for Federal Workplace Drug Testing Programs" (53 FR 11970).

3.1.15 "Illegal Drugs" means those drugs included in Schedules I through V of the Controlled Substances Act (CSA), but not when used pursuant to a valid prescription or when used as otherwise authorized by Federal law. Use of drugs by persons other than the person for whom the drug was prescribed shall be considered to be use of "illegal drugs."

3.1.16 "Individual" means the person to be screened for the presence of drugs and alcohol by providing a specimen of his/her urine, breath and/or blood at the designated collection site.

3.1.17 "Initial or Screening Test" means an immunoassay screen for drugs or drug metabolites to eliminate "negative" urine specimens from further consideration. Initial screening tests for drugs will be conducted by a HHS-certified laboratory. The initial or screening test for alcohol is the first breathalyzer test performed at the collection site.

3.1.18 "Medical Review Officer" means an independent licensed physician, under contract with the company, responsible for receiving laboratory results generated by the company FFD Program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate a person's presumptive positive test result together with his or her medical history and any other relevant biomedical information.

3.1.19 "NRC Guidelines" means Appendix A, "Guidelines for Nuclear Power Plant Drug and Alcohol Testing Programs," to the NRC Rules and Regulations 10CFR26.

3.1.20 "On Duty" means that period of time that a person is in paid status and is performing work within the company service territory.

3.1.21 "Permanent Record Book" means the permanently bound book in which identifying data of each specimen collected at the collection site are permanently recorded in the sequence of collection.

3.1.22 "Potentially Disqualifying FFD Information" means information demonstrating that an individual has, during the period authorization was interrupted:

a. Violated an employer's drug and alcohol testing policy;
b. Used, sold or possessed illegal drugs;
c. Abused legal drugs;
d. Subverted or attempted to subvert a drug or alcohol testing program;
e. Refused to take a drug or alcohol test;
f. Been subjected to a plan for substance abuse treatment (except for self-referral); or
g. Had legal or employment action taken for alcohol or drug use.

3.1.23 "Pre-Access Testing" means chemical testing within 30 days prior to the granting of unescorted access authorization to the plant protected area, or the alternate criteria in section 5.7.3 are met.

3.1.24 "Protected Area" (PA) means the interior of the Refueling Building, the walls and roof of which comprise the PA barrier.

3.1.25 "Psychotropic Drugs" means those classes of drug which have a mind altering effect.

3.1.26 "Random Test" means a system of unannounced drug and alcohol testing administered in a statistically random and unpredictable manner to a group so that all persons within that group have an equal probability of selection and testing.

3.1.27 "Site Access" means access to all areas inside of the Owner Controlled Area (OCA). This access is normally at the entrance on King Salmon Avenue, but includes any other means of access.

3.1.28 "Split Sample" means the portion of a urine specimen that will be stored at the collection site facility to be tested in the event of appeal by the individual.

3.1.29 "Substances" means alcohol and the following illegal drugs: marijuana, cocaine, opiates, amphetamines and phencyclidine. This list (Attachment 6.1) may change based on experience gained.

3.1.30 "Supervisor" means a first line supervisor through an executive with primary responsibility for planning, organizing, directing, and/or controlling the work activities of individuals assigned to perform duties within the scope of 10CFR26. A supervisor is also responsible for evaluating the performance and ongoing behavioral observation of the person conducting the work. (This title does not include, for example, bargaining unit classifications such as foremen, general foremen, leads, group leaders, etc.)

3.1.31 "Unescorted Access" means access to the plant PA using a keycard issued to the person entering the area.

3.1.32 "Unscheduled Work" means an individual is being requested to report to work and receives 12 or fewer hours advance notice of the assignment. Section 5.10 describes the actions to be taken when an individual is called out for unscheduled work.

4.0 RESPONSIBILITIES

4.1 The Chief Nuclear Officer (CNO), is responsible for ensuring that the HBPP FFD Program meets the requirements of 10CFR26 (Reference 7.1).

4.2 Directors, managers, supervisors, and foremen are responsible for ongoing implementation of the HBPP FFD Program within their respective organizations.

4.3 Persons covered under the scope of the HBPP FFD Program are responsible for complying with the requirements of the program, as applicable.

4.4 The Security Supervisor is responsible for managing the HBPP FFD Program. He/She may delegate the performance of specific functions or responsibilities to members of his/her staff. Said delegation(s) shall be in writing and are applicable to this procedure and all other FFD procedures listed in Section 2.2 above.

4.5 The DCPP Access/Fitness for Duty Supervisor is responsible for providing the HBPP Security Supervisor with randomly generated names for use in random drug and alcohol screening (SP-804), Program Reporting (SP-809) as applicable, Program Records (SP-807) as applicable, and Protection of Information (SP-808).

4.6 The MRO is responsible for medical evaluations and recommendations regarding fitness for duty.

4.7 The FFD Staff (collection site persons) is responsible for the day-to-day operation of the collection site facility; specimen collection, preparation and shipment; and record keeping.

5.0 FITNESS FOR DUTY PROGRAM INSTRUCTIONS

5.1 Rules

The company prohibits the use of illegal drugs and the abuse of legal drugs or alcohol by persons covered under the scope of the HBPP FFD Program. To that end, the following activities are prohibited:

5.1.1 Sales, offers of sales, furnishing, use or possession of illegal drugs either on duty or off duty.

5.1.2 Being under the influence of alcohol during on duty periods as indicated by a BAC of 0.04% or greater.

5.1.3 Consumption of alcohol during a five-hour period immediately preceding the start of prescheduled work at the plant site.

5.1.4 Consumption of alcohol during on duty periods, as well as meal periods and breaks.

5.1.5 Possession of alcohol on the plant site.

5.1.6 Use of prescribed medications in a manner other than that which is directed by the prescribing physician and/or use of over-the-counter (OTC) medications in a manner other than that which is recommended by the manufacturer when such use can result in on duty impairment.

5.2 Sanctions

The company will, at a minimum, impose the following sanctions for FFD Program violations:

5.2.1 Sales, offers of sale, furnishing and/or possession of illegal drugs for sale, either on duty or off duty, shall result in revocation of plant site access for a minimum of five years.

5.2.2 Possession and/or use of illegal drugs, on duty, shall result in revocation of plant site access for a minimum of five years.

5.2.3 Possession and/or use of illegal drugs within the protected area shall result in revocation of plant site access for a minimum of five years.

5.2.4 Possession and/or use of illegal drugs, off duty, shall be considered to be a confirmed positive test result for illegal drugs and shall at a minimum, result in:

a. Suspension of plant site access for a minimum of 14 days, and
b. Referral to the MRO for treatment assessment and evaluation.

Plant site access shall only be restored under the conditions in section 5.2.17

5.2.5 Consumption of alcohol within a five-hour period immediately preceding the start of scheduled work or consumption of alcohol on duty, shall, at a minimum, result in:

a. Suspension of plant site access for a minimum of 14 days, and
b. Referral to the MRO for treatment assessment and evaluation.

Plant site access shall only be restored under the conditions in section 5.2.17

A second occurrence will result in revocation of plant site access for a minimum of three years.

5.2.6 On duty impairment, caused by use of OTC medications in a manner other than that which is recommended by the manufacturer, shall result in:

a. Suspension of plant site access for the remainder of the day, and
b. Referral to the MRO for treatment assessment and evaluation.

Plant site access shall only be restored under the conditions in section 5.2.17.

5.2.7 A first confirmed positive test for illegal drugs, lacking any other evidence to suggest drug activity on duty, shall be presumed to be an indication of off duty drug use. The first confirmed positive test shall, at a minimum, result in:

a. Suspension of plant site access for a minimum of 14 days, and
b. Referral to the MRO for treatment assessment and evaluation.

Plant site access shall only be restored under the conditions described in section 5.2.17.

5.2.8 A second confirmed positive test for illegal drugs, or a confirmed positive test for illegal drugs followed by a confirmed positive test for alcohol, or a confirmed positive test for alcohol followed by a confirmed positive test for illegal drugs, shall result in revocation of plant site access for a minimum of three years.

5.2.9 A first confirmed positive test for alcohol, lacking any other evidence to suggest that consumption of alcohol occurred within the five-hour period immediately preceding the start of scheduled work or while on duty, shall result in:

a. Suspension of plant site access; and
b. Referral to the MRO for treatment assessment and evaluation.

Plant site access shall only be restored under the conditions described in section 5.2.17.

5.2.10 A second confirmed positive test for alcohol: A confirmed positive test for alcohol, during the period that a person is subject to the follow-up testing program as the result of a confirmed positive alcohol test, shall result in:

a. Suspension of plant site access for a minimum of 14 days, and
b. Referral to the MRO for treatment assessment and evaluation.

Plant site access shall only be restored under the conditions described in section 5.2.17.

5.2.11 A third confirmed positive test for alcohol: A confirmed positive test for alcohol, during the period of follow-up testing that was the result of a second confirmed positive test for alcohol, shall result in revocation of plant site access for a minimum of three years.

NOTE: Plant site access will be suspended following a presumptive positive test result for alcohol pending review by the MRO. If the MRO is unable to confirm the presumptive positive test result, access will be reinstated.

5.2.12 A confirmed positive test for illegal drugs or alcohol following access reinstatement after a three year revocation shall result in permanent revocation of plant site access.

5.2.13 Resignation prior to removal for violation of HBPP's FFD Program shall be recorded as removal for cause.

5.2.14 Deliberate refusal to provide a specimen for analysis or resignation in lieu of providing a specimen for analysis shall result in revocation of plant site access for a minimum of three years.

5.2.15 Altering or substituting a specimen or in any other way attempting to invalidate the chemical testing process shall result in revocation of plant site access for a minimum of five years.

5.2.16 A person who fails to report to the collection facility as directed shall have his or her unescorted access authorization suspended pending investigation. If, after investigation, it is determined that the person failed to report to the facility for the purpose of avoiding the specimen collection, his or her plant site access shall be revoked for a minimum of three years.

5.2.17 An individual whose plant site access has been suspended or denied due to a FFD violation may only be restored or granted after receiving notification from the MRO that appropriate actions have been taken to provide a reasonable assurance that the person evaluated is fit to perform activities within the scope of the HBPP FFD Program. If plant site access is restored or granted, the individual shall be subject to treatment recommendations imposed by the MRO to include, but not limited to, the follow-up testing program as described in section 5.7.4, to ensure continued abstinence.

A violation of the treatment recommendations imposed by the MRO may result in revocation of plant site access for a minimum of three years.

5.3 Prescription and Over-the-Counter (OTC) Drugs

The company recognizes that even the proper and responsible use of prescription and OTC drugs can sometimes result in on duty impairment. It is the responsibility of the person who is using prescription or OTC drugs to ensure that such use will not result in on duty impairment.

The following precautions shall be taken to assist persons in evaluating whether or not their individual use of prescription and OTC drugs may result in on duty impairment:

5.3.1 Annual training shall be provided on the effects of prescription and OTC drugs on job performance and FFD.

5.3.2 Persons using psychotropic prescription drugs shall inform the prescribing physician of their job duties and responsibilities and receive a medical opinion that such use will not adversely affect their ability to safely perform work, or follow the guideline listed in section 5.3.3 below. Such persons may also consult, on a confidential basis, the MRO.

5.3.3 Work restrictions that are the result of the use of prescription or OTC drugs shall be provided with proper documentation to the immediate supervisor by the person taking the drug.

For prescription drugs, proper documentation should include a note from the prescribing physician which 1) outlines the work restrictions and 2) lists the

possible impairing effects from use of the drug. This note need not include the type of drug which is being taken or the reason the drug has been prescribed.

For OTC drugs, proper documentation should include the manufacturer's warning of possible effects which may impair performance. If a person wishes for the type of drug which is being taken to remain confidential, the person's private physician or the MRO may be used to report only the work restrictions and the possible effects which may impair performance to the immediate supervisor.

5.4 Other Factors Impacting FFD

Persons who believe they are either physically, psychologically, or emotionally unable to continue work in a safe manner shall notify their immediate supervisor.

5.5 Supervisor's Responsibility

A person with supervisory responsibility who has reasonable grounds to suspect that a person under his or her direction is either physically, psychologically, or emotionally unfit for work shall prohibit such person from working until satisfactory medical or other evidence indicating fitness is secured.

5.6 Contractor and Visitor Compliance

5.6.1 Contractor, subcontractor and vendor employees or visitors from outside organizations/nuclear facilities with unescorted access authorization are subject to and shall abide by the HBPP FFD Program or to a program, approved in writing by the Security Supervisor, which meets the requirements of the HBPP FFD Program.

5.6.2 Contractors, subcontractors, vendors, and other outside organizations/nuclear facilities will not knowingly assign persons covered under the scope of the HBPP FFD Program who have been denied access to or who have been removed from nuclear safety activities at any nuclear power plant for violations of a FFD policy without the knowledge and written consent of the Security Supervisor.

5.6.3 The sanctions in section 5.2 will be applied to contractors, subcontractors and vendor employees or visitors from outside organizations/nuclear facilities and are in addition to any administrative action that may be appropriate under the administrative policies and FFD Program of the person's employer.

5.6.4 Upon receipt of an access authorization transfer document, the Security Supervisor may authorize unescorted access authorization to the plant without a drug and alcohol screen if the person has been eligible for selection in a random program at another nuclear facility. This random program must be in full compliance with 10CFR26.

5.7 Chemical Testing

The following chemical testing programs will be utilized to provide a means to determine and detect substance abuse:

5.7.1 Random Testing: Unannounced chemical testing imposed in a statistically random and unpredictable manner such that a person completing a test is immediately eligible for another unannounced test. Random testing shall be conducted at an annual rate equal to 50 percent or at a slightly higher rate to ensure at least 50 percent of the number of persons with unescorted access authorization are tested. Random testing shall be performed on a nominal weekly frequency and at various times during a 24-hour day.

5.7.2 For-Cause Testing: Chemical testing immediately performed when:

a. Corroborated objective observed behavior indicates possible substance use or abuse in violation of section 5.1, FFD Rules; or

b. An accident occurs which involves a failure in individual performance resulting in a personal injury requiring immediate medical attention beyond first aid or in a radiation exposure or release of radioactivity in excess of regulatory limits, or actual or potential substantial degradations of the level of safety of the plant, if there is reasonable suspicion that the person's behavior contributed to the event; or

c. After receiving allegations of a violation of Section 5.1 when further investigation shows that additional corroborative information or circumstances exist.

5.7.3 Pre-Access Testing: The requirement for a pre-access chemical test can be satisfied by several methods:

a. If an individual has not been covered by a licensee approved Behavioral Observation Program and random drug and alcohol testing program from 1 to 30 days following the individual's last period of UAA, the individual shall be subjected to random selection for pre-access drug and alcohol testing at a one-time probability that is equal to or greater than the normal testing rate specified in 10CFR.24(a)(2) calculated for a 30-day period. Verify that drug test results are negative within five business days of collection. In the event the drug test results were required and have not been returned within 5 business days, the individual's unescorted access shall be administratively withdrawn until the drug test results are confirmed.

b. If an individual applicant's authorization for unescorted access has been interrupted for 31 days to 365 days and the individual's last authorization was terminated favorably, verify that results of an alcohol test are negative and collect a specimen for drug testing. Once this is accomplished pre-access chemical test requirements are met if there is no potentially disqualifying FFD information revealed on the applicant's self-disclosure statement.

1. The Security Supervisor will track pending drug test results closely if unescorted access is granted based on the collection of a urine sample and the drug test result is pending. The Security Supervisor will verify that drug test results are negative within 5 business days of the collection. In the event the drug test results have not been returned within 5 business days, unescorted access authorization will be administratively withdrawn until the drug test results are confirmed.

c. An individual applicant has undergone a chemical test meeting the standards of 10CFR26 (reference 8.1) within the last 30 days and the results were negative.

5.7.4 Follow-Up Testing: Chemical testing at unannounced intervals during or as a follow-up to drug or alcohol treatment. Such testing shall provide for at least one test per month for the first four months and once per quarter for the next two years and eight months after plant site access is reinstated to verify continued abstinence. Follow-up testing shall be done in addition to random testing. The follow-up drug/alcohol screening panel will include the identified substance of abuse. The Security Supervisor may authorize the schedule to be modified if the employee is not available for follow-up testing. However; failure to be available for two consecutive test periods shall result in a suspension of unescorted protected area access, until a follow-up drug and alcohol test has been performed.

a. All persons that currently hold unescorted access authorization and any person granted unescorted access authorization in the future that are in a FFD follow-up program, will have the follow-up commenced date and the date the follow-up is expected to end date entered in PADS. The DCPP FFD staff will enter the follow-up commenced and the expected end date of the follow-up program in to PADS after the Security Supervisor has requested the DCPP Access/Fitness for Duty Supervisor to do so.

5.7.5 Chemical Testing Guidelines: Testing for drugs and alcohol shall, at a minimum, conform to the "Guidelines for Nuclear Power Plant Drug and Alcohol Testing Programs," in Appendix A of 10CFR26, hereafter referred to as the NRC guidelines and in accordance with HBPP specimen collection procedures.

5.7.6 Laboratory: Department of Health and Human Services (HHS) certified laboratories shall be used in the chemical testing program. Quality controls and

procedures shall be consistent with the HHS standards for "Certification of Laboratories Engaged in Urine Drug Testing for Federal Agencies". Additionally, the HHS certified laboratory shall meet the applicable requirements of 10CFR26. HHS certified laboratories shall conduct a confirmatory test on all urine and blood specimens that are screened as presumptive positive. Blind performance test specimens shall be submitted to HHS certified laboratories in accordance with the NRC guidelines.
The panel of drugs for testing and the associated cutoff levels are shown in Attachment 6.1 of this procedure.

On an occasional basis, institutions such as LLEA, hospitals, and drug counseling centers may be surveyed by the company to determine whether substances with abuse potential, other than those in the NRC guidelines, are being used in the geographical locale of the plant. Where appropriate, other substances so identified may be added to the panel for testing with Chief Nuclear Officer's approval.

5.7.7 Drug Testing: Urine specimens shall be collected for drug testing. The specimens shall be split at the collection facility with one specimen being sent to the HHS certified laboratory for analysis in accordance with the NRC guidelines. The second specimen shall be stored at the collection facility and will be available for use as part of the appeals process as described in section 5.14.

5.7.8 Alcohol Test: Tests for alcohol shall be administered by breath analysis using breath alcohol analysis devices meeting individual standards described by National Highway Traffic Safety Administration guidelines. A breath alcohol concentration indicating a blood alcohol concentration of 0.04 percent or greater is a presumptive positive test result. The confirmatory test for alcohol must be done with another evidential-grade breath measurement instrument. Should the person request further confirmation, a blood specimen must immediately be provided. The blood specimen will be tested by gas chromatography analysis at the HHS certified laboratory.

5.7.9 With the approval of the Security Supervisor, persons with a medical condition which prevents them from providing a urine and/or breath specimen under the conditions outlined in this procedure will be given the option of providing a blood specimen for the purposes of chemical testing. The blood specimen will be analyzed for drug metabolites and/or alcohol concentration consistent with the type of test being conducted (i.e., pre-employment, pre-access, random, for cause, post accident, and follow-up).

5.7.10 If a person who is selected for random screening is unavailable (e.g., sick, day off, vacation, transferred to another shift, temporarily assigned to work off the plant site), a chemical test will be required upon return to the plant site.

5.7.11 Specimen collection under 10CFR26 for on-site FFD administrative staff will be performed as outlined in SP-802, "Specimen Collection Process."

5.7.12 Test Results: Negative test results are made available to the Security Supervisor through the laboratory reporting system.

All presumptive positive test results shall be reported to the MRO in accordance with section 5.8.2.

5.8 Medical Review Officer (MRO)

5.8.1 A licensed medical doctor with knowledge of substance abuse disorders and chemical testing methods will fulfill the role of MRO as defined in the NRC guidelines.

5.8.2 The MRO will receive all presumptive positive laboratory results generated as part of the FFD testing program. The MRO will review and interpret presumptive positive test results to determine if there is an alternate medical explanation for a positive test result. In reaching this determination, the MRO shall conduct an examination which may include a medical interview with the person, a review of the person's medical history or any other biomedical factors and, if requested by the person, a reanalysis of the original specimen. The MRO shall notify the Security Supervisor within ten days of the initial presumptive positive screening test at the HHS certified laboratory of all confirmed positive test results and request that the split urine sample be placed in long term storage (freezer) at the collection site Facility. The MRO may also receive negative laboratory test results generated as part of the FFD testing program upon request.

5.8.3 The MRO shall evaluate each person whom he/she has confirmed as testing positive for illegal drugs or alcohol and with the assistance of the EAP counselor determine treatment options and recommendations. The MRO will also recommend to the Security Supervisor the date that plant site access may be restored in accordance with requirements of section 5.2.17.

5.8.4 Impaired workers, or those whose fitness may be questionable, shall be removed or made ineligible from activities within the scope of 10CFR26, and may be returned only after determined to be fit by the MRO to safely and competently perform activities within the scope of this program.

5.8.5 Persons selected and tested through the random program shall be informed in writing of all negative test results.

5.9 Searches

5.9.1 A search of an individual to include, but not limited to, his or her personal effects, work space, storage space, or vehicle may be made when reasonable suspicion exists to believe that he or she may be, at the time of the search, in possession of illegal drugs or alcohol. If at all possible, the individual shall be present during the search.

5.9.2 If conditions exist which may indicate a substantial drug or alcohol problem on the plant site, such as a significant increase in the rate of positive test results or repeated detection of illegal drugs or alcohol on site, searches as described in section 5.9.1 may be conducted without a reasonable suspicion of individual responsibility. These searches may only be conducted with the approval of the Plant Manager.

5.10 Call Outs

(Note: Only personnel authorized in writing by the Security Supervisor are able to access the Collection Site Facility when it is not in use.)

5.10.1 Individuals who are called out to report for an unscheduled work assignment inside the OCA are responsible for informing the caller if they are unfit for duty.

5.10.2 When an individual advises he is not fit for duty, the individual will be directed not to report for the assignment and another individual will be called out.

5.10.3 When a called out individual arrives at the plant during normal working hours, and before performing work, they will proceed directly to the Site Collection Facility and complete a call out form. If other than normal working hours, they will proceed to the Shift Sergeant's Office before performing work. The call out form contains two questions:

a. Are you fit for duty?
b. Have you consumed alcohol within the past five hours?

5.10.4 The completed call out form will be reviewed by security personnel and if the individual has answered "No" to question A, the individual shall not be allowed to work. Security personnel will place the worker's access on temporary hold, notify the appropriate management personnel and direct the individual to wait in the Site Collection Facility for assistance if during normal working hours. If other than normal working hours, the individual will be directed to wait in the Administration Annex Building conference room.

5.10.5 If the individual answers "Yes" to Question A and "No" to Question B, the individual will be directed to their assigned work location.

5.10.6 If the individual answers "Yes" to both questions, the individual will be required to undergo breath analysis before performing work. The on duty Security Sergeant will notify the Security Supervisor who in turn will call in collection site personnel staff (if deemed necessary) to complete the breath test and will place the individual's access on temporary hold until the individual is determined to be fit for duty.

a. If the results of the breath analysis indicate a BAC of less than 0.03 percent, the individual will be allowed to perform work.

b. If the results of the breath analysis indicate a BAC of 0.03 percent, the person shall remain in the site collection facility until the results of another breath analysis, given at 20 minute intervals, indicate whether the BAC level is increasing or subsiding. If the BAC level is subsiding, the person will be released to perform work. If the BAC is increasing, the person will be provided transportation offsite or allowed to remain in the site collection facility until such time as the BAC level begins to subside and is below 0.03 percent.

c. If the results of the breath analysis indicate a BAC at or above 0.04 percent, the person shall be offered transportation offsite or allowed to remain in the site collection facility until such time as the BAC falls below 0.03 percent. Before releasing the individual to perform work, the Security Sergeant will verify with the site collection technician the completion of the breath analysis and verify the individual is fit for duty.

5.10.7 There will be no sanctions taken as part of the FFD program for a positive finding on the breath analysis test taken as a result of an unscheduled call out provided that the individual appropriately identifies the use of alcohol. This does not preclude other administrative action, including discipline, for individuals who report for work in an impaired condition.

5.11 Background Verification and Pre-Access Testing

5.11.1 Prior to the initial granting of unescorted access authorization, a written statement shall be obtained from the person requesting access as to whether or not he or she has ever been denied access to any nuclear facility for violation of a FFD policy. In addition, a suitable inquiry will be made to determine if a person has, in the past:

a. Tested positive for drugs or use of alcohol that resulted in on duty impairment;
b. Been subjected to a plan for treating substance abuse (except for self-referral for treatment), or;

c. Been removed from, or denied access to, any nuclear facility for violation of a FFD policy.

d. Had a history of substance abuse (legal or illegal).

If such a record is established and a decision has been made to continue the badging process, an MRO assessment of FFD must be secured before the person is considered for unescorted access authorization.

A person granted unescorted access authorization, under these circumstances, will be subject to the follow-up testing program as described in section 5.7.4. One confirmed positive test for either illegal drugs or alcohol or a violation of treatment recommendations imposed by the MRO shall result in revocation of plant site access for a minimum of three years.

5.11.2 A confirmed positive test for drugs or alcohol on the pre access test shall result in denial of unescorted access authorization and revocation of site access for a minimum of six months. A retest may be allowed after six months provided that the person is again being considered for site access and he or she provides evidence of having successfully completed a substance abuse rehabilitation program which has been deemed acceptable by the Security Supervisor.

NOTE: A company employee whose unescorted access authorization has been placed on inactive status will, as part of the normal procedure for regaining access, require a negative alcohol test and provide a specimen for drug testing before unescorted access is restored in accordance with section 5.7.3b. A confirmed positive test for drugs or alcohol on this screen will result in sanctions as described in section 5.2 of this procedure.

For contractor personnel, the person's employer shall satisfactorily demonstrate that:

- the person has successfully completed a substance abuse rehabilitation program that has been deemed acceptable by the Security Supervisor;
- the person has remained drug and/or alcohol free during the intermediate period as documented, (e.g., through rehabilitation program records); and
- the person reasonably poses no threat to the safe operation of the plant and is fit for duty.

If the individual successfully completes the pre-access retest, he or she may be granted unescorted access authorization provided that satisfactory management and medical assurance, which includes a psychological and medical assessment of fitness is obtained that the person is fit for duty. Once at work, such person shall be subject to the follow-up testing program as described in section 5.7.4 to ensure continued abstinence.

A person who has tested confirmed positive for illegal drugs on the pre-access screen, and who later receives unescorted access authorization after having satisfied the conditions as provided above, will be considered as having had a first confirmed positive test for illegal drugs and be immediately subject to the provisions of section 5.2.8.

5.12 Training

5.12.1 All persons shall receive FFD policy and drug awareness training prior to being granted unescorted access authorization. Refresher training shall be provided on a nominal 12 month basis thereafter. The training shall include:

a. Overview of FFD policies and procedures;
b. The personal and public health and safety hazards associated with abuse of drugs and misuse of alcohol;
c. The effect of prescription and OTC drugs and dietary conditions on job performance and chemical test results, and the role of the MRO and the supervisor in reporting use of OTC or prescription drugs;
d. The Employee Assistance Program;
e. Expectations and consequences of violating the FFD Program;
f. Techniques for recognizing drugs and indication of use, sale, or possession of drugs;
g. Techniques for recognizing aberrant behavior; and,
h. The procedure for reporting problems to supervisors, Access/Fitness for Duty Supervisor or security personnel.

5.12.2 Directors, managers, and supervisors of persons with unescorted access authorization shall receive behavioral observation training within three months following initial supervisory assignment. Refresher training shall be provided on a nominal 12 month basis thereafter. The training shall include:

a. The role and responsibilities of supervisors in implementing the program;
b. The roles and responsibilities of others, such as MRO, EAP staff and FFD Program staff;
c. Techniques for recognizing drugs and indications of the use, sale, or possession of drugs;
d. Behavioral observation techniques for detecting degradation in performance, impairment, or changes in employee behavior; and,
e. Procedures for initiating appropriate corrective action, to include referral to the EAP.

5.12.3 Supervisor training requirements listed under 5.12.2 may be accomplished by completing general employee training-protected area access course or by attending FFD training for supervisors course.

5.13 Employee Assistance Programs

5.13.1 An effective EAP will be maintained to provide short-term counseling, referral services, and treatment monitoring to persons covered under the HBPP FFD Program.

5.13.2 The EAP counselor has the responsibility, within the scope of the FFD Program, to provide an individual who tested as "Confirmed Positive" and was referred to the EAP by the Security Supervisor with counseling and information on rehabilitation programs consistent with recommendations made by the MRO. The MRO will issue these recommendations to the Security Supervisor.

5.13.3 The EAP will provide confidential assistance, unless the EAP counselor believes the person's condition constitutes a hazard to himself or herself or others (consistent with current legal and ethical obligations of mental health professionals) and the employee has not or will not take appropriate/corrective action. In those situations, the EAP counselor will immediately notify the Security Supervisor who will notify appropriate plant management.

5.14 Appeals Process

A person may appeal a determination of a "confirmed positive" test result for either drugs or alcohol in the following manner:

5.14.1 The appeal must be submitted in writing and received by the Security Supervisor as soon as possible, but in no case later than seven calendar days from the date the person was notified by the MRO of a "confirmed positive" test result. The written appeal should provide the basis upon which the result is being challenged and include any supporting information or documentation. Additional supporting information or documentation will be accepted within the time limits specified in Section 5.14.4 for the alternate MRO to issue a final report.

5.14.2 Upon receipt of an appeal regarding a "confirmed positive" test for drugs, the Security Supervisor will request that the MRO authorize the release of the split urine sample which has been stored at the collection site facility. The split sample will be analyzed by a HHS certified laboratory other than the laboratory that performed the analysis of the first sample.

NOTE: Because some analytes deteriorate or are lost during freezing and/or storage, quantification for an analysis of the split sample is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of the drug or drug metabolite.

5.14.3 The appeal will be considered by a licensed physician who meets the qualifications of a MRO. This physician (hereafter known as the alternate MRO) shall not be the

same physician who was involved in the determination of the confirmed positive test result on the first sample. The alternate MRO will review:

a. The results of the split urine sample analysis for drug "confirmed positive" tests only;
b. Collection, chain-of-custody form, and laboratory procedures involved in the collection and analysis of the initial urine specimen and the split sample;
c. Initial and confirmatory breath analysis results and gas chromatography analysis results of blood specimen, if available; and
d. Any other information or documentation that he or she deems necessary.

As part of the review of information, the alternate MRO may meet with the person who appealed the test result and/or the MRO.

5.14.4 Within fourteen working days of receiving the split urine sample analysis results from the alternate laboratory, the alternate MRO shall issue a report to the Security Supervisor. The alternate MRO shall either 1) agree with the determination of a positive test result, or 2) disagree with the determination of the "confirmed positive" test result.

5.14.5 The finding of the alternate MRO will be final and binding on the company and the person for the purposes of this program

5.15 Confidentiality and Privacy

5.15.1 All information being generated during the pre-access screening regarding the person's previous employment and drug and alcohol testing will be treated as confidential information and protected in accordance with SP-808, "FFD Program - Protection of Information".

5.15.2 The information being generated during the specimen collection, test results from the testing laboratory and other personnel information will be treated as confidential.

5.15.3 All confidential information will be released in accordance with protection of information guidelines contained in SP-808.

5.15.4 The specimens collected will be used only for purposes within the scope of the FFD Program.

5.15.5 Unauthorized release of confidential information may result in disciplinary action, up to and including discharge and/or revocation of plant site access.

5.16 Program Deficiencies

5.16.1 Deficiencies (actions requests, QEs, SAPN's etc.) identified during implementation of the FFD Program shall be tracked by the Security Supervisor.

5.16.2 When the Security Supervisor becomes aware that a deficiency in the FFD Program violated 10 CFR Part 26, and would cause an individual to be inappropriately granted unescorted access authorization, several actions are required.

a. The Security Supervisor will notify the DCPP Access/Fitness for Duty Coordinator who will, at the time of discovery, notify any licensee the individual is currently authorized unescorted access authorization or notify any licensee who may attempt to take credit for the activities in violation of 10CFR Part 26. The following steps must be taken:

1. Through the use of PADS conduct a search to determine if another licensee based an access decision on the deficiency in the FFD Program, notified the licensee on the day of discovery of the program deficiency and the name of the unescorted access holder.

2. An additional information subsequent to term date will be entered into the individual's PADS record to notify other licensees who may attempt to take credit for the activities that were found to be deficient.

5.16.3 The Security Supervisor, after review, will notify the Plant Manager and initiate corrective actions.

5.16.4 The Security Supervisor will track any corrective actions initiated, reporting the outcome of these actions to the plant manager.

5.16.5 The Security Supervisor will evaluate all noted deficiencies for trends in performance, determining the need for additional actions.

6.0 ATTACHMENTS

6.1 "Chemical Testing Cut-off Levels for Initial and Confirmatory Test," 6/30/99

6.2 NEI 04-09, Modification to 10CFR26

7.0 REFERENCES

7.1 Nuclear Regulatory Commission, 10CFR26, "Fitness For Duty Programs"

7.2 NRC Order EA-03-099, August 18, 2004

7.3 Nuclear Energy Institute NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox"

7.4 Department of Health and Human Services, Mandatory Guidelines for Federal Workplace Drug Testing Programs, 53 FR 11970, 11986-11989, April 11, 1988

7.5 National Highway Traffic Safety Administration (NHTSA) Standards, 49 FR 48855

7.6 The Company, Employee Assistance Program

7.7 Title 21, Food and Drugs, Section 812, "Schedule of Controlled Substances," Schedules I through V, 883-886

7.8 LabCorp Laboratories: Chain-of-Custody for Drug and Alcohol Analysis Form

7.9 CFR 2 Appendix C, "General Statement of Policy and Procedure for NRC Enforcement Actions"

7.10 Plant Physical Security Plan

7.11 SP-801 Fitness for Duty Program - HBPP/DCPP Interface Procedure

7.12 SP-802 Fitness for Duty Program - Specimen Collection Process

7.13 SP-803 Fitness for Duty Program - Operation Procedures - Breath Alcohol Analysis Device

7.14 SP-804 Fitness for Duty Program - Selection and Notification for Random Chemical Testing

7.15 SP-805 Fitness for Duty Program - For-Cause Chemical Testing

7.16 SP-806 Fitness for Duty Program - Medical Review Officer

7.17 SP-807 Fitness for Duty Program - Records

7.18 SP-808 Fitness for Duty Program - Protection of Information

7.19 SP-809 Fitness for Duty Program - Reporting Requirements

7.20 Fitness for Duty Call Out

7.21 Observed Behavior Checklist

7.22 Nuclear Regulatory Commission, Federal Register 10/31/02, pages 66311 – 63316, "Enforcement Discretion for Certain Fitness-For-Duty Issues"

8.0 PROCEDURE OWNER

Security Supervisor

HUMBOLDT BAY POWER PLANT
Chemical Testing Cut-off Levels for Initial and Confirmatory Test
10CFR26, Appendix A 2.7(e) and (f)

RANDOM, PRE-ACCESS, FOR CAUSE AND FOLLOW-UP DRUG/ALCOHOL SCREENING PANEL

SUBSTANCE	INITIAL (ng/ml)	CONFIRMATORY (ng/ml)
Marijuana Metabolites	100	15
Cocaine Metabolites	300	150
Opiate Metabolites	300	300
Phencyclidine	25	25
Amphetamines	1,000	500
Alcohol	0.04% BAC	0.04% BAC

PREEMPLOYMENT OR FOLLOW-UP DRUG/ALCOHOL SCREENING PANEL

SUBSTANCE	INITIAL (ng/ml)	CONFIRMATORY (ng/ml)
Marijuana Metabolites	20	10
Cocaine Metabolites	300	150
Opiate Metabolites	300	300
Phencyclidine	25	25
Amphetamines	300	250
Barbiturates	300	250
Benzodiazepines	300	250
Alcohol	0.04% BAC	0.04% BAC

HUMBOLDT BAY POWER PLANT

NEI 04-09, "Decommissioning Reactor and ISFSI Access Authorization Toolbox", Modifications to The Requirements of 10CFR26, "Fitness for Duty Programs"

7.1 FITNESS-FOR-DUTY THAT MEETS NRC REGULATORY REQUIREMENTS

The Fitness for Duty Program shall be conducted in accordance with the requirements of 10CFR Part 26 with the following modifications:

1. Suitable inquiry described in 10 FR26.3 Definition is not required
2. Pre-access testing will be conducted within 30 days prior to granting access instead of the requirements of 10CFR26.24(a)(1).
3. Self-disclosure requirements of 10CFR26.27(a)(1) are not required.
4. Reinstatements can be granted after a specimen is collected and a negative alcohol result is obtained from the individual.

	Nuclear Power Generation Humboldt Bay Power Plant	NUMBER SP-801 VOLUME 11 REVISION 0 EFFEC DATE 8/17/05 PAGE 1 of 5
	TITLE FITNESS FOR DUTY PROGRAM - HBPP/DCPP INTERFACE PROCEDURE	APPROVED BY ORIGINAL SIGNED 7/13/05 PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

1.0 SCOPE

This procedure establishes the framework for the coordination of drug and alcohol testing activities carried out between Humboldt Bay Power Plant (HBPP) and Diablo Canyon Power Plant (DCPP). The work governed by this procedure includes but is not limited to; random number generation for use in random chemical testing; submission of blind performance specimens to Department of Health and Human Services (DHHS) certified laboratories; Medical Review Officer (MRO) reviews; contracts administration; liaison between HBPP, DCPP and DCPP contracted for services; assessments, inspections and audits of both the DCPP and HBPP Fitness for Duty (FFD) Programs and contractors; FFD Program records and mandatory FFD Program reporting to the NRC. This procedure applies to work performed by HBPP, DCPP and contractors at any location; including DCPP, contractor facilities (e.g., laboratories, blind performance specimen providers, etc.) or on site at HBPP.

This procedure does not address other FFD Program components in which there is no direct plant interaction.

2.0 DISCUSSION

2.1 The events of September 11, 2001 caused the US Nuclear Regulatory Commission (NRC) to issue a number of "Orders" requiring security upgrades at various types of nuclear facilities which it regulates. NRC Order EA-03-099, dated August 18, 2004 mandates, among other requirements, that "Decommissioning Reactors", which is the status of HBPP, establish FFD Programs which include drug and alcohol testing. Subsequently, the US Nuclear Industry through the Nuclear Energy Institute (NEI) developed guidance for the development of programs designed to meet NRC FFD Program requirements (NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox"), which was subsequently endorsed by the NRC. The guidance in this document mandates that programs developed for drug and alcohol testing follow the requirements found in 10CFR26, "Fitness for Duty", with four minor exceptions. (These exceptions are listed in Attachment 6.2 of SP-800, "Fitness for Duty Program" and addressed in HBPP implementing procedures.)

2.2 Although HBPP and DCPP are geographically separated by over 400 miles, certain aspects of the drug and alcohol portions of the FFD Programs at each respective facility are integrated by this procedure, and implemented by HBPP and DCPP procedures listed in Attachment 7.1 (HBPP / DCPP Fitness for Duty Procedures). While the operation of

the FFD Programs at both facilities is detailed and complex, a basic overview of the integrated process is described in sections 2.2.1 - 2.2.7 below.

2.2.1 HBPP has established a collection site at the plant that is staffed by HBPP contracted-for collection site personnel. This is a stand-alone facility for the purpose of specimen collection, analysis and preservation activities.

2.2.2 DCPP uses its random number generator program to provide HBPP with the names of personnel selected for random drug and alcohol testing.

2.2.3 DCPP maintains contracts with chemical testing laboratories, MRO's and blind sample providers. Through the use of these DCPP contracts, HBPP also uses these providers.

2.2.4 The DCPP Access/Fitness for Duty Supervisor acts as liaison between DCPP, its contractors, and HBPP.

2.2.5 Both HBPP and DCPP maintain NRC required records in accordance with their respective processes.

2.2.6 Both HBPP and DCPP have Nuclear Quality Services (NQS) personnel on site who perform inspections and audits of the respective programs, including audits of off-site contractor facilities and activities. Quality related activities are accomplished by DCPP and HBPP personnel in accordance with procedures prepared, reviewed, and approved in accordance with the NPG Program Directives (PD) OM5, "Quality Assurance Program."

2.2.7 Performance of services by DCPP for HBPP is accomplished by DCPP and its contractors in accordance with procedures or applicable portions of DCPP/HBPP procedures listed in Attachment 7.1 of this procedure. These procedures are in many cases supported by a series of "work" or "desk" instructions. The HBPP Security Supervisor and the DCPP Access/Fitness for Duty Supervisor control these instructions as they apply to their respective plants.

3.0 DEFINITIONS

3.1 The following definitions apply to this procedure and all other procedures listed in Attachment 7.1:

3.1.1 "Blind Performance Specimens" means urine samples obtained from a laboratory other than the laboratory performing testing containing none, or a known quantity of drugs or alcohol. These blind performance specimens are sent to the testing laboratory as part of the normal testing process to gauge the accuracy of the testing laboratory results.

3.1.2 "Collection Site" means the designated place where individuals present themselves for the purpose of providing specimen of their urine, breath, and/or blood to be analyzed for the presence of drugs or alcohol.

3.1.3 "Collection Site Person" means the person who instructs and assists individuals at the collection site and who receives and makes an initial examination of the specimen(s) provided by those individuals.

3.1.4 "Fitness for Duty Program" means a program to ensure that persons are physically, psychologically and emotionally able to safely and competently perform assigned tasks and responsibilities. A major portion of the program involves chemical testing for alcohol and illegal drugs (substances).

3.1.5 "Follow-Up Testing" means chemical testing at unannounced intervals to ensure that an employee is maintaining abstinence from the abuse of drugs and/or alcohol.

3.1.6 "For-Cause Testing" means chemical testing at the request of a supervisor if there are indications of substance abuse, if there was an accident indicating failure to the individual's performance, or after receiving a substantiated allegation.

3.1.7 "HHS Certified Laboratory" means a urine and blood testing laboratory that maintains certification to perform drug testing under the DHHS "Mandatory Guidelines for Federal Workplace Drug Testing Programs".

3.1.8 "Medical Review Officer" means an independent licensed physician, under contract with the company, responsible for receiving laboratory results generated by the company FFD program, who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate a person's presumptive positive test result together with his or her medical history and any other relevant biomedical information.

3.1.9 "Pre-Access Testing" means chemical testing within 30 days prior to the granting of unescorted access authorization to the plant protected area, or that the alternate criteria found in SP-800 are met.

3.1.10 "Random Number Generator" means a computer program for random number generation. The program performs the function of random selection and is used for the identification of individuals selected for random chemical testing within the FFD Program.

3.1.11 "Random Test" means a system of unannounced drug and alcohol testing administered in a statistically random and unpredictable manner to a group so that all persons within that group have an equal probability of selection and testing.

3.1.12 "Substances" means alcohol and the following illegal drugs: marijuana, cocaine, opiates, amphetamines and phencyclidine. This list may change based on experience gained.

4.0 RESPONSIBILITIES

4.1 The HBPP Security Supervisor is responsible for:

4.1.1 Maintaining an FFD program in compliance with the requirements of 10CFR26, with minor modifications as found in Nuclear Energy Institute (NEI) document NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Program Toolbox", which includes: (See SP-800, Attachment 6.2 for these modifications.)

a Maintaining and operating a site collection facility for the collection of specimens for access, random, follow-up and for cause chemical testing.

b Maintaining and testing equipment used in the specimen collection, analysis and preservation processes.

c Maintaining records of the FFD program and processes as required in 10CFR26.

d Complying with the reporting requirements of 10CFR26.

e Reporting of FFD performance data to the NRC per 10CFR26.71 and 10CFR26.73.

4.2 HBPP Nuclear Quality Services Supervisor

4.2.1 Maintaining an ongoing Quality Assurance program through self assessments and inspections/audits performed by NQS personnel.

4.3 DCPP Access/Fitness for Duty Supervisor

4.3.1 In addition to the management of the DCPP FFD program, the DCPP Access/Fitness for Duty Supervisor is responsible for the following activities as they relate to HBPP:

4.3.1.1 Providing HBPP with names of personnel to be tested (as well as dates and times [shifts]) derived from the DCPP random number generator program.

4.3.1.2 Providing coordination between HBPP, DCPP and its contractors.

4.3.1.3 Maintaining records of those portions of the HBPP FFD program and processes as required by 10CFR26 and providing HBPP with copies of those records.

4.4 DCPP Quality Verification Manager

4.4.1 Maintaining an ongoing Quality Assurance program of those aspects of the HBPP FFD program performed by DCPP through self assessments and through inspections/audits performed by NQS personnel.

5.0 INSTRUCTIONS

There are no specific instructions contained in this procedure. Instructions are located in HBPP and DCPP procedures listed in Attachment 7.1.

6.0 RECORDS & REPORTING

FFD Program records generation and retention requirements are found in 10CFR26 and implemented by HBPP Procedure SP-807. Reporting requirements are also found in 10CFR26 and implemented by HBPP Procedure SP-809.

7.0 ATTACHMENTS

7.1 HBPP & DCPP FFD Procedure List

8.0 REFERENCES

8.1 10CFR26, "Fitness for Duty Program".

8.2 NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox".

8.3 NRC Order EA-03-099 (This order is classified as Safeguards Information, and as such available only to persons who have been cleared pursuant to the requirements of 10CFR73.21, and have a "need to know").

9.0 DCPP INTERFACE CONCURRENCE

_____ _____

DCPP Access/Fitness for Duty Supervisor Date

10.0 PROCEDURE OWNER

HBPP Security Supervisor

HBPP/DCPP FITNESS FOR DUTY PROCEDURES

New HBPP #	Title	DCPP #	Title
SP-800	Fitness for Duty Program	OM14.ID3	Fitness for Duty Program
SP-801	Fitness for Duty Program-HBPP/DCPP Interface Procedure		DCPP Interface procedure not necessary due to creation of HBPP SP-801
SP-802	Fitness for Duty Program-Specimen Collection Process	OM14.DC3	FFD Program-Specimen Collection Process
SP-803	Fitness for Duty Program-Operation Procedures-Breath Alcohol Analysis Device	OM14.DC6	FFD Program-Operation Procedures-Breath Alcohol Analysis Device
SP-804	Fitness for Duty Program-Selection & Notification for Random Chemical Testing	OM14.ID4	FFD Program-Selection & Notification for Random Chemical Testing
SP-805	Fitness for Duty Program-For-Cause Testing	OM14.ID5	FFD Program for Cause Testing
SP-806	Fitness for Duty Program-Medical Review Officer	OM14.DC1	Nuclear Generation FFD Program-Medical Review Officer
SP-807	Fitness for Duty Program-Records	OM14.DC4	FFD Program-Records
SP-808	Fitness for Duty Program-Protection of Information	OM14.DC2	Nuclear Generation FFD Program-Protection of Information
SP-809	Fitness for Duty Program-Reporting Requirements	OM14.DC5	FFD Program-Reporting Requirements

PG&E	**Nuclear Power Generation** **Humboldt Bay Power Plant**	NUMBER **SP-802** VOLUME **11** REVISION **0** EFFEC DATE **8/17/05** PAGE **1 of 32**
	TITLE **FITNESS FOR DUTY PROGRAM - SPECIMEN COLLECTION PROCESS**	APPROVED BY **ORIGINAL SIGNED 7/13/05** PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

TABLE OF CONTENTS

1.0 SCOPE

1.1 This procedure implements, in part, the requirements of the Nuclear Regulatory Commission (NRC) Fitness for Duty rules and regulations in 10 CFR Part 26, in particular Appendix A.

1.2 This procedure sets forth the requirements and identifies in detail the steps to be taken in the collection of urine, breath and blood specimens for the alcohol and drug testing of individuals in accordance with the HBPP Fitness for Duty (FFD) Program, and steps to be taken upon confirmation of a positive test.

1.3 This procedure applies to all persons (company employees, contractors and vendors) who currently have unescorted access to the protected area of the plant and those who apply for such access.

1.4 This procedure also applies to all persons within the FFD organization, including but not limited to, Security Supervisor, FFD secretaries/clerks performing FFD tasks, Collection Site Person(s) (CSP), Medical Review Officer, and the operational supervisor for the breath alcohol analysis device.

2.0 DISCUSSION

2.1 The NRC rules and regulations for a FFD Program in 10CFR Part 26 require the testing of individuals for the misuse or abuse of drugs and/or alcohol.

2.2 The HBPP policy for fitness for duty establishes and implements a program with the objective to create an environment which is free of illegal drugs and alcohol and of the effects of drugs and alcohol which have the potential for impairing job performance and creating an unsafe work environment. The fitness for duty policy and program are set forth in procedure SP-800 which also includes all definitions for all aspects of the program. Specific aspects of the program are addressed in other procedures. A complete list of FFD Program procedures is given in section 6.9.

2.3 An essential element in the FFD Program is the chemical testing of individuals based on the following conditions: pre-employment, pre-access, post accident, random/unannounced, follow-up, and for-cause. The testing in all cases is for drugs (as required by 10CFR26) and for blood alcohol concentration (BAC). It includes the collection of urine, breath and blood specimens.

This procedure provides the step-by-step actions for the collection of specimens.

2.4 Urine, breath and blood specimens collected under 10CFR26 for FFD Administrative Staff will be performed as outlined below:

2.4.1 Pre-employment, pre-access, post accident, for-cause and follow-up testing

a. The Security Supervisor will coordinate a testing schedule with an independent party (e.g., NQS, contractor).

b. The step-by-step processing of the individual shall be as outlined in section 6, "Instructions for Specimen Collection."

2.4.2 Random Testing

a. After the individual is selected by the random number generator, the Security Supervisor/coordinator or FFD staff will coordinate a testing schedule with an independent party. (e.g., NQS, contractor)

b. To preclude any advance notification, the individual will not be notified more than two hours in advance of the scheduled time.

NOTE: Should the Security Supervisor be selected, the time frame between selection and testing shall not exceed a reasonable period of time. If the time

period exceeds two (2) hours, the testing paperwork will include an explanation for the delay.

c. The step-by-step processing of the individual shall be as outlined in section 6, "Instructions for Specimen Collection," except that the processing shall also be witnessed by a member of the site collection staff.

2.4.3 Persons responsible for administering the testing program shall be subjected to administrative testing as described below:

a. Persons with less than one year of continuous assignment with the FFD Program shall be subjected to monthly testing; persons with greater than one year of continuous assignment with the FFD Program shall be subjected to quarterly testing. Persons with significant past experience in the administration of the FFD testing program may be subjected to quarterly testing with the Security Supervisor's approval. The Security Supervisor may authorize the administrative testing schedule to be modified if the worker is unavailable for a test.

b. The Security Supervisor will coordinate the administrative testing schedule. If an individual is unavailable for administrative testing, the individual will be scheduled when they return to the plant.

c. To preclude any advance notification, the time frame between notification and testing shall not exceed a reasonable period of time (two hours).

d. The step-by-step processing of the individual shall be as outlined in section 6, "Instructions for Specimen Collection".

2.5 To prevent subversion of testing due to personal relationships with any individuals subject to testing, the following measures will be taken to ensure that the highest standards for honesty and integrity are maintained:

2.5.1 The performance of any collection, assessment, or evaluation procedure shall not be performed by a supervisor, co-worker, or relative of the individual being tested;

2.5.2 Appropriate background checks and psychological evaluations shall be completed prior to assignment to any tasks associated with the administration of the testing program and shall be conducted at least once every three years;

2.5.3 Persons responsible for administering the testing program shall be subjected to a behavioral observation program.

3.0 RESPONSIBILITIES

3.1 As delegated by the Plant Manager, the Security Supervisor is responsible for the development, maintenance, implementation and management of the HBPP Fitness for Duty Program, including:

3.1.1 Management of the FFD Program in accordance with SP-800.

3.1.2 Implementation of specific aspects of the HBPP FFD Program as listed in SP-800.

3.1.3 Implementation of this procedure for the collection of specimens; including the following specific activities:

a. Day-to-day administration of program.

b. Coordination of all FFD Program activities and efforts.

c. Interfacing with the DCPP Access/Fitness for Duty Supervisor.

d. Interfacing with Employee Assistance Program (EAP) counselors.

e. Initiating action for any violation of the FFD Program.

3.2 The FFD Program staff [Fitness for Duty CSP(s)] are responsible for the operation of the collection site facilities.

3.2.1 Qualifications

a. The CSP shall be qualified to assume the responsibilities listed below and to perform specific functions identified in other procedures to the Fitness for Duty Program.

b. The CSP can be a medical professional, a paramedic, a medical technologist or technician licensed or otherwise approved to practice in the State of California, or any other qualified individual.

c. The qualification shall include a knowledge, expertise and/or experience of the following:

1. 10CFR26 - Fitness for Duty Programs, in particular Appendix A, Guidelines for Nuclear Power Plant Drug and Alcohol Testing Programs, Sections 1.1, 1.2 and 2.1 through 2.4.

2. SP-800, "Fitness for Duty Program" and related procedures listed in section 6.9 of this procedure.

3. Operation of breath analysis devices, including calibration, troubleshooting, etc., as based on its instruction manual; SP-803, "Operation Procedures - Breath Alcohol Analysis Device", and certification by the equipment manufacturer or authorized individual.

4. Collection of blood specimen. This qualification is not required of each CSP, but a qualified person should be available to respond to the collection site facilities or be located at a medical station nearby.

5. General medical laboratory techniques, practices and administrative functions (measurement of temperature, pH value, specific gravity, volume of liquids, handling of liquids, cleanliness, sterilization, and recordkeeping).

d. The qualification in the above shall be demonstrated, as applicable, through completion of academic training, special training courses, certification and/or documented experience.

3.2.2 These responsibilities are in accordance with the HBPP FFD Program and include information identified in other procedures for specific aspects of the HBPP FFD Program, as well as implementation and performance of specific activities for specimen collection as contained in this procedure, including:

a. Collection, processing, documentation and shipment of all specimens to the HHS-certified laboratory or other appropriate facility. Attachment 8.4 of this procedure contains a job aide for the collection staff regarding the collection process.

b. Maintaining the integrity of each specimen, including the secure and appropriate storage, from the collection of the specimen to the shipment of the specimen.

c. Secure and appropriate storage of any split urine sample at the collection site facilities and appropriate disposal or further processing of the split sample.

d. Making an initial assessment of the specimens (temperature, volume, pH value, nitrate reading, specific gravity, clarity, color, unusual observations for urine specimens; volume for blood specimens).

e. Notifying the Security Supervisor or other appropriate official of any unusual circumstances during the collection process (e.g., late arrival of individual, need for a second urine specimen, confirmed positive BAC by breath analysis, etc.).

f. Notifying the MRO and Security Supervisor of any failure by the individual to cooperate with the urine specimen collection or breath analysis process, including refusal to provide a specimen, to complete or sign paperwork or to follow specific instructions.

g. Obtaining approval from the Security Supervisor for a second urine specimen.

h. Ensuring that modesty and privacy of the individual providing a specimen is maintained and avoiding any conduct or remarks that might be construed to be accusatory, suggestive or otherwise offensive or inappropriate.

i. Assuring the cleanliness and orderly appearance of the entire collection site facilities, in particular of the processing room and the bathroom facility.

j. At an interval consistent with testing frequencies, monitoring and replenishment of the toilet control agent (bluing agent). The bluing agent shall be replaced as necessary to assure its effectiveness.

k. At an interval consistent with testing frequencies, monitoring of the bathroom facility for any unauthorized equipment and supplies, in particular after the cleaning of the facilities.

4.0 PREREQUISITES

4.1 Prior to initiating the specimen collection process in accordance with this procedure, the supervisor of the individual and the individual must be notified of the scheduled testing in accordance with SP-804.

4.2 Individuals scheduled for pre-access testing will be informed of the HBPP FFD Policy and Program in accordance with SP-800.

5.0 PRECAUTIONS

5.1 The following Precautions shall be taken by all members of the HBPP FFD Program staff at all times throughout the specimen collection process.

5.1.1 Privacy

a. In accordance with 10CFR26, Appendix A, Section 2.4 (f), individual privacy during the collection of urine specimens shall be assured at all times unless there is reason to believe that a particular individual may alter or substitute the specimen to be provided. The following circumstances are the exclusive grounds constituting a reason to believe that the individual may alter or substitute a urine specimen:

1. The individual has presented a urine specimen that falls outside the normal temperature range, and the individual declines to provide a measurement of oral body temperature by sterile thermometer, as provided in section 6.4.10 of this procedure, or the oral temperature is not within one degree Fahrenheit of that of the specimen.

2. The last urine specimen provided by the individual (i.e., on a previous occasion) was determined by the laboratory to have a specific gravity of less than 1.003 or a creatinine concentration below 0.2 grams per liter (200 milligrams per liter).

3. The CSP observes conduct clearly and unequivocally indicating an attempt to substitute or adulterate the sample (e.g., substitute urine in plain view, blue dye in specimen presented, etc.) as described in section6.4.5.

4. The individual has previously been determined to have used a substance inappropriately or without medical authorization and the particular test is being conducted as a part of a rehabilitation program or on return to service after evaluation and/or treatment for a confirmed positive test result.

   NOTE: The Security Supervisor shall approve all cases where the collection of a urine specimen by an individual is to be observed. In all such cases, the observer shall be of the same gender as the individual.

5.1.2 CSP/Individual Interface

a. The CSP shall conduct only one collection procedure at any given time. For this purpose, a collection procedure is complete when the specimen container has been sealed and initialed, the Chain-of-Custody form has been executed, and the individual has departed the process area.

b. The CSP must ensure that modesty and privacy of the individual is maintained unless an observed specimen collection is required in accordance with section 5.1.1, and must avoid any conduct or remarks that might be construed to be accusatorial, suggestive, or otherwise offensive.

c. The CSP shall not make any conclusions or remarks, except as provided for in this procedure, or provide any interpretation regarding any specimen.

d. The CSP shall not make any remarks or provide any information or interpretation of a specimen with respect to the employment status of the individual.

e. The CSP shall take universal precautions when handling blood specimens or urine containing blood which include use of gloves, Tyvex coat and safety glasses.

5.1.3 Second Specimen

a. If there is reason to believe that the first urine specimen was substituted or adulterated, a second specimen shall be collected. The collection of a second urine specimen shall be approved by the Security Supervisor.

b. The collection of a second urine specimen by the individual must be observed by a member of the FFD Program staff or other person appropriately trained in accordance with 10CFR26. This person shall be of the same gender as the individual providing the specimen.

5.1.4 Confidentiality

All information provided by the individual and recorded on the Chain-of-Custody forms and the Permanent Record Book must be treated as confidential in accordance with SP-808.

5.1.5 Observation of Individual and Specimen

The CSP must observe the individual and the specimen(s) at all times, except as provided in section 5.1.1, to assure that a specimen is not being substituted or tampered with.

5.1.6 Unusual Circumstances

In the case of any conditions during the specimen collection process that are not covered by these procedures, the CSP shall not proceed with the specimen collection process, but shall request further direction from the Security Supervisor.

6.0 INSTRUCTIONS FOR SPECIMEN COLLECTION

6.1 Collection Site Facilities
There is one collection site facility located at HBPP.

6.1.1 Plant collection site facilities:

This facility is located on the plant site in a temporary building on the access road between the Assembly Building and the Security Building.

If it is required to obtain a blood specimen during any of the tests and an appropriately qualified individual is not available at the plant collection site facility, an on-call medical technician will be contacted and requested to respond to the collection site facility.

The plant collection site facility also contains two separate offices. For the purposes of this procedure, the Collection Site is considered only the portion of the temporary building that is used for sample collection and processing. The offices that are co-located in the temporary building are NOT part of the facility. The plant collection facility consists of the following rooms or areas:

a. Waiting or reception room for individuals to sign in , complete initial paperwork and wait until being called by a CSP.

b. Laboratory or process area for the collection of breath and blood specimens and the processing of blood and urine specimens.

The process area is equipped with a sink for general purposes, including soap and towels, a separate disposal area for discarding liquid specimens or associated liquids, one or more waste containers for discarding any solid material associated with the specimens (for example, receiving cups and thermometer probes), refrigerators with adequate capacity for secure intermediate storage of specimens, and a freezer with adequate capacity for secure long term storage of split samples.

NOTE: The refrigerator temperature shall not exceed 42.8 F (6.0 C), and the freezer temperature shall not exceed -4.0°F (-20.0 C). Refrigerator and freezer temperatures are monitored by the FFD staff. Appropriate temperature measurement devices are located in the refrigerator and freezer units. The accuracy of the temperature measurement devices is based on manufacturer certification. Emergency power equipment shall be made available in case of a prolonged power failure.

c. Bathroom - In all cases, the bathroom shall provide for the privacy of the individual while collecting his/her urine specimen. There shall be adequate space in the bathroom or other provision for a second, same gender person to observe the collection of a second urine specimen if required under the provisions of the FFD Program.

There shall be no source of water, which would provide unauthorized use by the individual in the bathroom. The toilet shall be equipped with a provision to add a control agent to the water (bluing agent) in a secure manner. The control agent shall be added only by a CSP and shall be checked prior to testing for its

freshness and effectiveness. There shall be no equipment or supplies in the bathroom which would provide a space to conceal any type of contraband.

In case it is necessary to immediately obtain a urine specimen from an individual and a collection site facility is not accessible to meet these needs (for-cause testing, see SP-805) or the Security Supervisor authorizes use of an alternate collection site (i.e., pre-access testing), a public or on-site bathroom or other provision may be used in accordance with the following provisions:

1. The bathroom shall be secured so that only the individual and the CSP, if necessary, can occupy the room.

2. A bluing agent shall be added to the toilet.

3. The CSP must be of the same gender as the individual if both persons are within the bathroom. The individual shall provide the specimen in adequate privacy.

4. The processing of the specimen and completion of the Chain-of-Custody form shall be completed in the processing location (i.e., the specimen shall be split, transferred to the shipping bottles and sealed and labeled before leaving the bathroom) in accordance with this procedure.

5. A checklist which can be used to establish a temporary collection facility is located in Attachment 8.3.

6.2 Requirements for Collection Site Facilities

6.2.1 The collection site facilities shall provide for privacy during all phases of the collection and processing of a specimen (unless it is required to obtain a urine specimen under direct observation) and for the confidentiality of spoken and written information. Smoking is not permitted in <u>any</u> area of the collection site facility. Consumption of any food or beverages by the individual (except water as part of the collection process), by the collection site staff or anyone else is not permitted in any area of the collection site facility while specimens are being processed, except as provided for in this procedure. Appropriate signs shall be posted. The bathroom facility inside the collection site facility shall only be used for urine specimen collection, except as authorized by the Security Supervisor.

6.2.2 A high degree of cleanliness shall be maintained throughout the collection site facilities. After each cleaning, the CSP will verify the cleanliness and inspect the bathroom for any contraband or foreign objects. Prior to use, the CSP will inspect the entire collection site facility for any unusual condition. Particular attention will be placed during inspections to ensure the integrity of the bathroom facility.

6.3 Check in and Preparation

6.3.1 Check in

a. The individual scheduled for the collection of specimens for chemical testing shall report to the designated collection site facility at the specified time. (See SP-804 for the notification process.)

b. The arrival and departure times shall be recorded on the Notification Form (SP-804) when applicable.

c. The individual shall be directed not to eat, smoke, or use any other substances (chewing gum, mouthwash, nasal spray, etc.) while in the collection site facility. Drinking of liquids (e.g., water, juice, etc.) provided or authorized by the CSP is permitted.

d. The individual shall remain in the reception room or other area designated by the CSP until requested to enter the bathroom.

6.3.2 Failure to Report

a. If the individual cannot report at the specified time, he/she shall promptly notify his/her supervisor, explain the circumstances and indicate the exact time when he/she can report. The supervisor shall immediately notify the Security Supervisor or FFD staff member (if the delay will be more than fifteen minutes, the FFD staff member will notify the Security Supervisor who shall determine if the delay is acceptable, taking into consideration such factors as other scheduled tests, previous testing history of the individual, and type of test to be conducted (pre-access, random, for-cause or follow-up). The decision and basis for the delay shall be documented on the Notification Form.

b. If the individual does not inform his/her supervisor of any anticipated delay and reports to the fitness for duty collection site facility later than the scheduled time, or fails to report at all, the CSP shall promptly notify the Security Supervisor and request further guidance.

6.3.3 Documents and Forms

a. Upon signing in, the individual shall be provided with the following:

1. Guidance and requirements for the individual regarding his/her conduct and function in the collection of the specimens. (Attachment 8.1)

a. Three forms to be signed by the individual:

- Consent to Testing (Attachment 8.5)
- If a second urine specimen (other than insufficient volume) or a blood specimen is taken, additional Consent To Testing forms will be used.
- Release of Medical Information form (example) (Attachment 8.6)
- If a second urine specimen (other than insufficient volume) or a blood specimen is taken, additional Release of Medical Information forms will be used.
- Chain of Custody For Drug and Alcohol Analysis (Example) (Attachment 8.7) - The Chain-of-Custody form is for the urine specimen. If a second urine specimen (for other than insufficient volume) or a blood specimen is taken, additional Chain-of-Custody forms will be used.

b. The individual shall familiarize himself/herself with the documents and forms while remaining in the reception room.

c. The CSP shall record in the Permanent Record Book the time of entry into the process area and all other required information.

d. From the time of entry into the process area until leaving the process area, the individual shall always remain in view of the CSP. The only exception is during the actual collection of the sample by the individual; however, this may also be required to be observed in accordance with section 5.1.1.

6.3.4 Identity of Individual

a. The CSP shall establish the identity of the individual on the basis of an official picture identification such as his/her plant site badge, plant protected area badge, driver's license, or other government issued photo identification. If the individual is known to the collection technician, the collection technician shall write "known by" followed by the collection technician's name on the Chain-of-Custody form. This will satisfy the identification requirement. The individual shall not be tested until his/her identity has been established.

b. If the individual cannot produce an appropriate picture identification, the CSP must contact the individual's supervisor, the Security Supervisor or other appropriate officials to positively identify the individual. The name and position of the person providing the positive identification shall be recorded on the Chain-of-Custody form.

c. If no positive identification can be made, the CSP shall notify the Security Supervisor and request further direction.

6.3.5 Consent to Testing

The individual shall complete, sign and date the "Consent to Testing" form which identifies the type of tests to be conducted and the specimens to be collected.

6.3.6 Medical Release

The individual shall complete, sign and date the "Release of Medical Information."

6.3.7 Chain-of-Custody Form

a. In the presence of the CSP, the individual shall complete the following items on the "Chain-of-Custody for Drug and Alcohol Analysis" form:

1. Name of individual
2. Signature
3. Social Security #
4. Alcohol consumption (Item c. below)
5. Contact telephone number (Item d. below)
6. Name of employer

b. The individual shall be provided an opportunity to set forth on the Chain-of-Custody form information concerning medications (prescriptions and OTC preparations) taken or administered in the past 30 days*. Upon request, a list of commonly used prescriptions and OTC drugs (Attachment 8.2) shall be provided to the individual.

*__NOTE__: This section also satisfies the requirements of 10CFR26, Appendix A, Section 2.4.(g)(4).

c. The individual shall list on the Chain of Custody form his/her alcohol consumption since coming to work on the day of testing and during the five hour period prior to coming to work.

__NOTE__: When individual indicates any alcohol consumption on the Chain-of-Custody form, verify it occurred within 5 hours prior to reporting for scheduled work or since arriving at work and notify the Security Supervisor immediately.

d. The individual may indicate a telephone number where he/she would be most comfortable with being contacted by the MRO should a question arise about the specimen analysis. Consideration must be given to departmental contact numbers in terms of others answering calls from the MRO and drawing false assumptions or conclusions about individual's test results.

e. If the individual elects to have a blood specimen taken for confirmatory testing, a separate Chain-of-Custody form, Release of Information form, and Consent to Testing form must be completed.

f. Each Chain-of-Custody form must accompany its specimen at all times.

NOTE: The individual's signature on the Chain-of-Custody form also certifies the accuracy of the information provided.

g. Each specimen, its Chain-of-Custody form and other records and documents must at all times be under the control of the CSP.

h. All items in the Chain-of-Custody form must be completed. An item that does not apply shall be identified as such with "No," "None" or "0."

6.3.8 Preparation

a. The CSP shall request the individual to remove any outer garments (for example, coat, overcoat, jacket, hard hat, etc.) that might conceal items or substances that could be used to tamper with or adulterate the urine, breath or blood specimen.

b. The CSP shall request the individual to remove all objects from his/her pockets using a container provided for storage. The individual may keep his/her wallet.

c. The garments and personal belongings such as purse, briefcase, tools or lunch box shall be kept out of the bathroom facility.

6.3.9 Failure to Cooperate

The CSP shall inform the Security Supervisor if, at any time during the urine specimen collection process or the breath analysis, the individual did not cooperate. This includes refusal to provide a specimen, to complete or sign required paperwork or to follow specific instructions. Such non-cooperation shall be recorded in the Permanent Record Book and on the Chain-of-Custody form. The Security Supervisor shall inform the MRO (via the DCPP Access/Fitness for Duty Supervisor) of any failure to cooperate events.

6.4 Urine Specimen Collection

6.4.1 Collection Process

a. The individual shall wash his/her hands thoroughly with soap and water, rinse and dry at the sink in the processing room. The Security Supervisor may authorize an alternate method for hand washing.

b. The CSP shall request the individual to select a separately sealed specimen cup or a sealed shipping package which contains a specimen cup. If a separately sealed specimen cup is available, the donor will only select the cup and the shipping package will be selected later in step 6.4.15a.

c. The CSP shall direct the individual to the bathroom maintaining constant visual contact and assuring that the individual has no access to any materials or objects that could be used to adulterate the urine specimen (for example, water fountain, beverage container, faucet, soap dispenser, coffee pot or cleaning materials).

d. The CSP shall direct the individual not to flush the toilet until the specimen is delivered to him/her.

e. The CSP shall request the individual to provide a urine specimen of 60 ml or more.

f. The CSP shall monitor the individual at all times prior to entering the bathroom (visual and audible) and while in the bathroom (audible only). Any unusual circumstances, behavior or appearance shall be noted in the Permanent Record Book and on the Chain-of-Custody form (for example, excessive liquid splashing, no liquid splashing, sound of opening container, sound of pouring of liquid, paper noise, very short or very long time spent in bathroom).

NOTE: Section 5.1.1 provides circumstances for which the collection of the urine specimen by the individual is required to be observed. If any of these circumstances apply, and as approved by the Security Supervisor, the collection of the specimen shall be directly observed by the CSP or other designated person. In either case, the person must be of the same gender as the individual providing the specimen.

g. The individual shall collect his/her urine specimen, leave the bathroom, and return the specimen cup to the CSP.

h. The CSP shall wear latex or vinyl, disposable gloves during both the urine specimen collection and the blood specimen collection. A new pair of gloves shall be worn for each individual.

i. After the CSP is in possession of the specimen, the individual shall be allowed to wash his or her hands.

6.4.2 Specimen Acceptability

The CSP shall determine the acceptability of the urine specimen in accordance with sections 6.4.3 through 6.4.8 of this procedure.

6.4.3 Temperature Measurement - Time Limit

a. The CSP shall immediately measure the temperature of the urine specimen using the temperature strip on the outside of the specimen collection cup. The measurement must be performed within four minutes after the individual provides the specimen. Processing shall then continue with section 6.4.4. If the temperature has not been measured within four minutes, the CSP shall notify the Security Supervisor/coordinator and request permission to collect a second specimen.

NOTE: The processing of the first specimen shall still continue in accordance with section 6.4.4.

b. The temperature of the second specimen, if required, shall be measured immediately (i.e., in less than four minutes) and the specimen shall be processed in accordance with section 6.4.4. The specimen will be identified as a second specimen with appropriate explanation on the Chain-of-Custody form and in the Permanent Record Book.

6.4.4 Temperature Ranges

The measured temperature shall be recorded in the Permanent Record Book and on the Chain-of-Custody form. If the measured temperature of the specimen falls in the range from 90.5°F to 99.8°F (32.5°C to 37.7°C), the specimen processing continues following section 6.4.5. If the measured temperature falls outside this range, the evaluation continues following section 6.4.10. If a temperature reading can not be obtained from a sample (i.e., low volume sample), the CSP shall notify the Security Supervisor and request further guidance.

a. A more stringent Administrative temperature range has been established from 95.0°F to 99.1°F (35.0°C to 37.3°C). If the measured temperature falls outside of this range, the CSP shall use a digital thermometer with disposable probe covers or a device which accurately reflects the temperature of the specimen. With both measurements, the CSP shall notify the Security Supervisor and request further direction.

NOTE: Calibration checks of the digital thermometers are automatically performed each time the unit is placed in operation. Units/probes not meeting the manufacturer's minimum acceptable criteria shall be taken out of service and

repaired or replaced. Additionally, quarterly verification checks shall be conducted and documented, and probes shall be replaced every twelve (12) months.

6.4.5 Observations

The CSP shall determine if there is reason to believe that the individual may have altered or substituted his/her urine specimen. If no tampering is suspected, the urine specimen processing continues in accordance with section 6.4.6. If tampering is suspected, the processing shall continue in accordance with section 6.4.12.

6.4.6 Volume

The CSP shall determine the volume of the urine specimen provided and shall record the volume on the Chain-of-Custody form. If the volume is 60 ml or more, the processing of the specimen continues in accordance with section 6.4.7; if the volume is less than 60 ml, the processing continues following section 6.4.13.

In situations where the specimen provided is less than the minimum required volume (i.e., 60 ml) and the temperature falls below the minimum value specified in section 0 (i.e., 90.5 F), the CSP shall notify the Security Supervisor and request further guidance.

6.4.7 Color and Clarity

The CSP shall visually inspect the specimen and determine its color (for example, no color, pale yellow, yellow, amber, or bluish) and its clarity (for example, clear, suspended matter or cloudy). The results are recorded in the Permanent Record Book and on the Chain-of-Custody form. Any unusual appearance or condition will be recorded on the aforementioned documents.

6.4.8 Nitrite, pH Value, and specific gravity

The CSP shall measure the nitrite, pH value, and specific gravity of the urine specimen using disposable test tabs in accordance with standard laboratory techniques. New test tabs must be used for each measurement. The pH value and specific gravity results are recorded in the Permanent Record Book and on the Chain-of-Custody form. Nitrite results are recorded on the Chain-of-Custody form only when the technician notes a positive result. The processing and preparation of the specimen continues in accordance with the procedures following section 6.4.14.

6.4.9 Nitrite Outside Range

The CSP will measure urine nitrite in accordance with section 6.4.8. The test tab manufacturer reports that any degree of uniform rust/red color development on the nitrite tab should be interpreted as a positive nitrite test. The Collection Site person will notify the Security Supervisor whenever a positive nitrite test occurs and request further guidance.

6.4.10 Temperature Outside Range

a. If the measured temperature falls outside the temperature range specified in section 6.4.4, the measurement shall be repeated immediately with another thermometer as described in 6.4.4.a. The time lapse between measurements shall be recorded on Chain-of-Custody form.

b. If the second measurement falls within the temperature range in section 6.4.4, the temperature is considered acceptable and the urine specimen preparation process shall continue with section 6.4.5.

c. If the second measurement also falls outside the temperature range in section 6.4.4, the CSP shall inform the individual that he/she may elect, prior to providing a second specimen, to have his/her oral temperature taken to provide evidence that the urine specimen temperature being outside the specified temperature range in section 6.4.4 is supported by his/her oral temperature. The oral temperature is taken with a thermometer with digital display using disposable oral probe covers. An oral temperature measurement that is within one degree Fahrenheit of the specimen temperature is considered to be acceptable evidence.

d. If the individual elects to have his/her oral temperature taken and the oral temperature supports the specimen temperature, the specimen processing continues with section 6.4.5.

e. If the second measurement and oral measurement also falls outside the temperature range, or the individual does not elect to have his/her oral temperature taken, the CSP shall immediately notify the Security Supervisor and request permission to have the individual provide a second urine specimen under direct observation by a person of the same gender as the individual (reference section 5.1.1) or to obtain further direction.

f. Upon authorization from the Security Supervisor/Coordinator, a second specimen must be obtained and the specimen collection process continues with section 6.4.11.

g. All information obtained shall be recorded in the Permanent Log Book and on the Chain-of-Custody form.

6.4.11 Collection of Second Specimen Based on Temperature

After the CSP has determined, as a result of the steps taken in section 6.4.10, that a second urine specimen is required, the following steps shall be followed:

a. Prior to initiating the collection of the second specimen, the first specimen must be completely processed, sealed, and prepared for shipment in order to eliminate any potential for any switching or discrepancies between the two specimens and their associated documentation and records.

b. The CSP shall inform the individual that a second urine specimen is required and explain the basis. Approval for the second specimen must be obtained by the CSP from the Security Supervisor and shall be recorded in the Permanent Record Book. A new Chain-of-Custody form must be prepared for the second specimen.

c. In order to be able to provide a second specimen, the individual may be given the opportunity to drink a reasonable amount of plain water to be provided by the CSP and to wait a reasonable time (about 30 minutes). Any unconsumed water and the container shall be returned to the CSP prior to entering the bathroom.

d. The individual shall remain at the collection site facility or be escorted and observed at all times by the CSP or other designated person.

e. The individual shall be provided with a new receiving cup (see section 6.4.1.b), enter the stall with a same gender CSP or other person designated by Security Supervisor and provide a second specimen under direct observation.

f. The CSP shall immediately take the temperature measurement of the second urine specimen with the same type thermometer. The temperature is recorded in the Permanent Record Book and on the Chain-of-Custody form.

g. The CSP shall promptly inform the Security Supervisor of the results. The specimen preparation process continues with section 6.4.5.

6.4.12 Collection of Second Specimen Based on Other Observation

a. The CSP shall immediately notify the Security Supervisor and request permission to have the individual provide a second urine specimen under direct

observation by a same gender person as the individual or obtain further instructions.

b. The CSP shall inform the individual that a second specimen must be taken and explain the reasons.

c. A new Chain-of-Custody form, Release of Medical Information form and a Consent to Testing form must be prepared for the second specimen.

d. The second specimen shall be provided in accordance with section 6.4.11 with the exception that direct observation may not be required.

e. The CSP shall promptly inform the Security Supervisor of the results and request further directions if necessary.

6.4.13 Additional Specimen - Inadequate Volume

a. After determining that the urine specimen is less than 60 ml, the individual shall be informed that the specimen provided lacks sufficient quantity and that an additional specimen is required.

b. The initial specimen shall be transferred by the CSP into a bottle and then placed in a shipping box. The box sealed should include the date, donor's name, donor's social security number and be initialed by the CSP and the individual. (The bottle is a shipping bottle as described in 6.4.15.a.) The partial specimen in the shipping box shall be stored in the processing area.

c. The individual may be given the opportunity to drink a reasonable amount of water provided by the CSP. Any unconsumed water and the container shall be returned to the CSP prior to entering the bathroom.

d. The additional specimen shall be provided in a separate, new receiving cup and in accordance with section 6.4.1 of this procedure.

e. The additional specimen shall be evaluated in accordance with sections 6.4.3 through 6.4.8 of this procedure.

f. Any significant differences between the two specimens shall be noted on the Chain-of-Custody form and in the Permanent Record Book.

g. After the first specimen has been removed from the locked collection room container or the refrigerator, the box seal shall be examined for signs of tampering by both the CSP and the individual. Once it has been established that the specimen has not been tampered with, the box and bottle will be opened and

the second specimen shall be added by the CSP to the first specimen until a combined volume of 60 ml has been reached. The CSP shall discard any excess specimen into the designated disposal area in the processing room and in full view of the individual. The temperature of the combined volume is not measured.

h. If the individual fails for any reason to provide a combined volume of at least 60 ml of urine, the CSP will document the information in the Permanent Record Book and on the Chain-of-Custody form and inform the Security Supervisor and request directions for further action.

i. At this time, the individual may be given the option to provide a blood specimen in lieu of a urine specimen if there are medical or other reasons why such individual cannot provide a urine specimen. Collection of a blood specimen will be processed in accordance with section 6.5.5 and 6.5.6.

6.4.14 Cleanup

After the CSP finds the urine specimen acceptable or after other action has been initiated in accordance with specific instructions from the Security Supervisor or in accordance with 6.4.15, the individual shall wash his/her hands in the designated sink in the collection site facility.

All disposable equipment and supplies shall be discarded promptly in a container.

6.4.15 Specimen Splitting, Sealing, and Identification

The splitting of the urine specimen, sealing in containers and identification on attached labels must be performed in full view of the individual and the CSP as follows:

a. For his/her urine specimen, the individual will be requested to select one shipping package; if this was not already done in section 6.4.1b.

NOTE: At a minimum, ten shipping packages shall be available for selection.

b. The CSP should request the donor to unpack the shipping package, or if the donor declines the CSP should unpack. The CSP should prepare both shipping bottles (open bottle, inspect for cleanliness and breakage) and transfer approximately one-half of the specimen into each bottle. The CSP will assist the individual in this operation if he/she elects to split the specimen. (One bottle will be shipped to the HHS-certified laboratory, the other will be retained in a secure refrigerator at the collection site facility.)

NOTE: If the donor chooses to split the specimen, the CSP will offer the donor latex gloves to wear during the process.

c. The CSP shall tightly close each bottle, securely attach the tamper-evident seal/identification label over the top and down the sides of each bottle. All required information will be indicated on each label.

d. Both the individual and the CSP shall ensure that the specimen identification on each bottle, on the Chain-of-Custody form and in the Permanent Record Book are identical. His/her initial on the seal/identification label on each bottle certifies that the specimen in each bottle was collected from him/her.

e. The completion of the records and preparation of the urine specimen for shipment shall continue in accordance with the procedures in section 6.6.

6.5 Breath and Blood Specimen Collection

6.5.1 Abstinence

a. Prior to collecting a breath specimen, the CSP shall inquire if the individual has in the prior fifteen minutes consumed any food, liquid or other substances; regurgitated any stomach contents by burping or vomiting; smoked; or used any substances such as a mouth freshener or nasal spray. If the individual answers no the process will continue as noted in section 6.5.2.

b. If the individual responds yes to the question in section 6.5.1 and has placed a substance in their mouth in the prior 15 minutes, the individual will be instructed to not place any substance in their mouth. In addition, the individual shall remain in the room for a minimum of 15 minutes since the last consumption or ingestion and under constant observation by the CSP, before any breath analysis test shall be conducted.

6.5.2 Breath Analysis Test Requisites

a. The CSP shall perform the collection and analysis of breath specimens using one of the two evidential grade breath analysis devices available at the collection site facility.

b. The CSP shall ensure that both devices are operable and calibrated.

c. The CSP shall ensure that the breath specimens are taken towards the end of the exhalation.

6.5.3 Breath Specimen Collection and Analysis

The collection and analysis of the breath specimen by the CSP shall be in accordance with the instruction manual for the device and consist of the following:

a. Record in the Permanent Record Book the breath analysis device identification to be used for the initial screening test.

b. Perform the initial screening test by taking and analyzing two separate breath specimens from the individual, not less than two minutes and not more than ten minutes apart.

c. Determine the average Breath Alcohol Concentration (BAC) for the two specimens. (The breath analysis device performs this function automatically.)

d. If the individual BACs fall within ten percent of their average BAC, continue with step (g) below; if they do not fall within ten percent of their average BAC, repeat steps (b) and (c) above using the second evidential grade breath analysis device. In addition, promptly notify the Security Supervisor.

e. If the individual BACs of the two additional specimens fall within ten percent of their average BAC (the breath analysis unit performs this function automatically), continue with step (g) below.

f. If the individual BACs of the two additional specimens, obtained with the second breath analysis device also do not fall within ten percent of their average BAC, promptly notify the Security Supervisor and request further guidance. The individual shall remain at the collection site facility until further direction by the CSP or the Access/Fitness for Duty Supervisor.

g. If the average BAC for the two specimens is less than 0.04 percent, the testing for BAC is completed. In the permanent record book, record each BAC (actual values) of the individual specimens and the BAC test average as "Negative." Continue the specimen processing with the procedures in section 6.6. If the average BAC for the two specimens is 0.04 percent or greater, continue with step (h) below.

h. An average BAC for two individual specimens of 0.04 percent or greater is considered "presumptive positive" and is recorded as such in the permanent record book. The CSP shall inform the Security Supervisor that the BAC is at or greater than 0.04 percent and obtain approval for the confirmatory test or receive other direction. The confirmatory test shall be conducted within

15 minutes after the first "presumptive positive" test on a second evidential grade breath analysis device.

i. The confirmatory test is conducted by repeating steps (a) through (e) with a second evidential grade breath analysis device.

j. If the average BAC of the confirmatory test is less than 0.04 percent, the testing for BAC is completed. In the permanent record book, record the results of each BAC (actual values) of the individual specimens and the BAC test average as "Negative." The processing of the specimens continues with the procedures in section 6.6.

k. If the average BAC of the confirmatory test is 0.04 percent or greater, the CSP shall:

1. Record in the Permanent Record Book each BAC (actual values) of the individual specimens and the BAC test average as "positive" for the confirmatory test.

2. Promptly inform the Security Supervisor of the results, including an assessment of the individual's state and behavior, and request further guidance.

3. Inform the individual that the initial and the confirmatory tests with the two separate breath analyzers show a BAC of 0.04 percent or greater.

4. Ask the individual if he/she requests a further confirmatory test of his/her BAC using a blood specimen from him/her to be analyzed by gas chromatography. (See section 6.5.4.) Document on "Blood Sample Form" (Attachment 8.9).

l. If the individual does not request a further confirmatory test using a blood specimen, promptly inform the Security Supervisor. The individual shall remain at the collection site facility pending further direction by the Security Supervisor.

NOTE: The urine specimen(s) for drug testing collected earlier (a breath specimen may be collected before the urine specimen) in accordance with section 6.4 shall be processed in accordance with section 6.6 regardless what action is being taken on the confirmed positive breath analysis test for alcohol.

m. If the individual requests a further confirmatory test of his/her BAC using a blood specimen, proceed with section 6.5.4.

6.5.4 Documents and Forms for Blood Specimen

a. After the individual requests a further confirmatory test to determine his/her BAC using a blood specimen, the CSP and the individual shall complete another Chain-of-Custody form, Release of Medical Information form and Consent to Testing form with exactly the same information as on the previously completed forms for the urine specimen (see section 6.3.7). The Chain-of-Custody form shall accompany the blood specimen at all times.

6.5.5 Collection of Blood Specimen

a. The blood specimen of the individual shall be obtained by a person certified and experienced in drawing a blood specimen. If the CSP does not fully meet these requirements, a qualified person from another collection site or medical facility shall draw the blood specimen.

b. If applicable, the CSP shall contact the medical facility and request that a blood specimen be taken. The qualified person will come to the collection site facility to draw the blood specimen.

c. The blood specimen from the individual shall be obtained using standard medical techniques and practices. The following requirements and conditions shall be met:

1. All vacuum tube and needle assemblies shall be factory sterilized and remain properly sealed until used. Verification of expiration date, if applicable, shall be made prior to use.

2. Antiseptic swabbing of the skin shall be performed with a nonethanol antiseptic.

3. Sterile procedures shall be followed when drawing the blood specimen and when transferring the blood to any other container.

4. Any container used to transfer/receive the blood specimen shall be sterile and sealed. Verification of expiration date, if applicable, shall be made prior to use.

5. The blood specimen shall be no less than 5.0 ml.

6. Disposable latex or vinyl gloves shall be worn during all phases of the collection and processing of the blood specimen and until the specimen has been properly sealed and labeled in its shipping container and there is no longer the potential to come into direct contact with the specimen.

7. Equipment and material used for the collection of a blood specimen from the individual shall not be reused and shall be securely discarded in a one-way waste container, including, for example, swabs, needles, transfer containers and gloves.

8. The CSP shall enter all required information on the Chain-of-Custody form and in the Permanent Record Book, including time of collection and any unusual circumstances.

9. The blood specimen shall remain in full view of the individual and the CSP until the specimen is sealed and labeled.

d. The CSP shall request the individual to remain at the collection site facility pending further direction by the Security Supervisor.

6.5.6 Blood Specimen Sealing and Identification

a. The technician drawing the blood shall enter the required information on the tamper-evident seal/identification label and request the individual to initial the label. His/her initial on the seal/identification label certifies that the information is correct and that the specimen was collected from him/her. The technician drawing the blood shall sign the label and attach the label to the blood specimen container sealing any access to the specimen.

b. The individual shall ensure that the identification on the blood specimen container, on the Chain-of-Custody form and in the Permanent Record Book are identical.

c. The CSP shall inspect the specimen container and verify that it has not been tampered with (for example, punctured). After this inspection, the container shall not be handled by the individual.

d. The completion of the records and preparation of the blood specimen for shipment to the HHS-certified laboratory shall continue in accordance with the procedures in section 6.6.

6.6 Records and Shipment of Specimens

6.6.1 Specimen Visibility

During the completion of records and preparation for shipment, every specimen collected from the individual (with the exception of the first and second urine specimens as discussed in sections 6.4.3 and 6.4.12) shall remain in full view of the CSP and the individual until each specimen is placed in its shipping bag.

6.6.2 Recorded Information

The CSP, in the presence of the individual, shall complete or verify completion of the following information on the Chain-of-Custody form and in the Permanent Record Book for each specimen collected from the individual:

a. Name or other identification of individual
b. Specimen collection date
c. Specimen collection time
d. Specimen shipment date
e. Contact telephone number (work or home) and employers
f. CSP (name, signature and position required for blood collection only)
g. Type of specimen collected
h. Prescription drugs taken by individual (optional)
i. Over-the-counter drugs taken by individual
j. Alcohol consumption (recent)
k. Any unusual or noteworthy observation/experience during collection of specimen

For urine specimens only:
l. Specimen temperature
m. Specimen color
n. Specimen clarity
o. Volume of specimen
p. Single specimen or combined specimens
q. pH value
r. Specific gravity
s. Nitrite value if positive - write nitrite on top of chain of custody form.

6.6.3 Specimen Information Review by Individual

a. The individual shall review the information on the Chain-of-Custody form and in the Permanent Record Book for each specimen which he/she provided to the CSP or which he/she entered on the form.

b. All changes to information made by the individual shall be lined through, initialed and dated.

c. The individual shall review and sign the Permanent Record Book certifying the authenticity of the specimen and the accuracy and completeness of the information related to his/her drug and alcohol test.

d. This signature also certifies that the specimen collected is his/her specimen.

6.6.4 Specimen Information Review by CSP

a. The CSP shall certify the completion of the Chain-of-Custody form for each specimen by his/her signature and date the form.

b. One copy of the "Chain-of-Custody, Release of Medical Information and Consent to Testing" forms shall be removed and will be filed in the FFD file for the individual.

c. For urine specimens only, one copy of the Chain-of-Custody form shall be placed with the split sample for storage at the collection site facility. For a blood specimen, this copy is destroyed and securely discarded.

d. The original, signed Chain-of-Custody form and the "Release of Medical Information" form shall be placed with the specimen for shipment to the HHS-certified laboratory. The shipping container shall be sealed with tamper-evident tape. The CSP shall initial and date the seal.

e. The CSP shall place the sealed shipping container into a separate shipping bag and seal this bag with tamper-evident tape.

f. The CSP shall enter or verify the entry of all information for each specimen, as required, in the Permanent Record Book and certify the accuracy of the information by his/her signature.

6.6.5 Debriefing and Dismissal of Individual

a. The individual shall be offered the opportunity to ask any question pertaining to the collection of specimen(s), the tests performed, and the FFD Program in general. Questions that cannot be answered immediately shall be answered as soon as possible.

b. The CSP will note the time of dismissal in the Permanent Record Book.

c. The individual providing the specimen(s) may obtain copies of all documentation associated with the collection of said specimen, at the individual's request.

d. The CSP will log the departure time on the Notification Form by handwriting the exit time in the processing room, and the individual will immediately leave the processing area. The CSP will keep a copy of the Notification Form.

6.6.6 Storage and Shipment of Specimens

a. The CSP shall place one sealed shipping bag containing one specimen and its Chain-of-Custody form into one shipping container and package the bag securely in accordance with specific shipping instructions from the HHS-certified laboratory.

b. For urine specimens only, the CSP shall place the split sample and its Chain-of-Custody form in the designated storage refrigerator at the collection site facility. The Security Supervisor may authorize an alternate method for refrigeration of the split sample(s).

c. The split urine specimen, if not immediately transferred to the storage refrigerator at the collection site facility, may be temporarily stored in the designated lockable drawer in the collection room for no more than 6 hours. When the split urine specimen is transferred to the storage refrigerator the transfer will be documented on a chain of custody-relocation of specimen form.

d. The CSP shall seal the container with a tamper-evident tape to eliminate the possibility of undetected tampering and will initial and date the tape.

e. Each shipping bag, uniquely identified, shall be addressed individually using the name and address of the Security Supervisor as the return address (for all collection site facilities), and shall be treated as an individual shipment.

f. All specimens collected during a single day and prepared for shipment in accordance with steps a. through d. above shall be securely stored at the collection site facility during the day and shall be shipped for overnight delivery to the HHS-certified laboratory using a pickup time and location prearranged with an overnight courier service. Specimens collected after the prearranged pickup time will be secured in the collection site facility refrigerator until the next pickup is made.

g. The HHS-certified laboratory shall inform the Security Supervisor immediately after receipt of any shipment that shows any indication of having been tampered with or that has been received in a damaged condition.

6.7 Immediate Actions for Violations of HBPP FFD Program Rules

6.7.1 BAC Positive

a. If a person tests positive for blood alcohol in two separate breath analysis tests, in accordance with section 6.5.3.h, the CSP shall immediately notify the Security Supervisor.

b. The Security Supervisor shall take the necessary steps to immediately suspend the individual's unescorted security access and site access.

c. The Security Supervisor shall notify the MRO and request that the MRO evaluate the positive test results and determine if the BAC is confirmed positive.

d. If the MRO determines that the BAC is not confirmed positive, the unescorted security access and site access shall be reinstated by the Security Supervisor.

e. If the MRO determines that the BAC is confirmed positive, the Security Supervisor shall take action in accordance with section 6.7.2.

6.7.2 Confirmed Positive Tests - Security Supervisor

Upon notification of a "confirmed positive" test result for drugs (urine specimen) or for blood alcohol (breath analysis test) by the MRO , the Security Supervisor will:

a. Issue an order to the CSP to immediately transfer the split urine sample from intermediate storage to long-term frozen storage.

b. Determine the specific sanction that applies to the particular "confirmed positive" test in accordance with SP-800.

c. Notify the individual's immediate supervisor of the failure to comply with a 10CFR26 test and the associated sanction.

d. Request the immediate supervisor to relieve the individual of all assignments immediately and escort the individual out of the protected area to the office of the Security Supervisor, as appropriate.

e. Inform the individual of the "confirmed positive" test and the associated sanction as determined in SP-800 and of the appeal process available to the individual.

f. Request that the unescorted access and the plant site access be suspended until further notification by the Security Supervisor.

g. If the individual is a supervisor within the scope of 10CFR Part 26, notify the NRC Operations Center by telephone (301.951.0550) within 24 hours of being notified by the MRO.

h. Notify the appropriate EAP counselor of the "confirmed positive" test and request that counseling or treatment be initiated in conjunction with the MRO's

recommendations, and that the Security Supervisor be informed upon satisfactory compliance with those recommendations.

i. Notify the Plant Manager of the test result and the applicable sanction that has been imposed by the Security Supervisor.

j. Notify the individual's manager/supervisor and other appropriate management. These notifications will be limited to only those who have a specific need to know.

k. If instructed by the Plant Manager, notify the Chief Nuclear Officer of the "confirmed positive" test results and the applicable sanction that has been imposed by the Security Supervisor.

6.7.4 Other Violations

In the case of an individual violating other rules of the FFD Program as set forth in SP-800 (consumption of alcohol on-duty or within a five-hour period immediately preceding the start of scheduled work, possession of illegal drugs off-duty or on-duty, sale of illegal drugs, refusal to cooperate in testing, alteration of specimen, or no-show for testing), the Security Supervisor will determine the applicable sanction in SP-800 and follow the steps in section 6.7.2, except that the notification will be for a "specific violation," not for a "confirmed positive" test.

6.8 Performance Specimen (Blind) Processing - this portion of the process is the responsibility of the DCPP Access/Fitness for Duty Supervisor. Refer to DCPP OM14.DC3, Section 6.8.

6.9 Fitness for Duty Program Procedures

SP-800 Fitness for Duty Program
SP-801 Fitness for Duty Program - HBPP/DCPP Interface Procedure
SP-802 Fitness for Duty Program - Specimen Collection Process
SP-803 Fitness for Duty Program - Operation Procedures - Breath Alcohol Analysis Device
SP-804 Fitness for Duty Program - Selection and Notification for Random Chemical Testing
SP-805 Fitness for Duty Program - For-Cause Chemical Testing
SP-806 Fitness for Duty Program - Medical Review Officer
SP-807 Fitness for Duty Program - Records
SP-808 Fitness for Duty Program - Protection of Information
SP-809 Fitness for Duty Program - Reporting Requirements

7.0 RECORDS

The following records will be maintained by the Security Supervisor:

7.1 All documents and forms required for satisfactory completion of the chemical testing process, including Chain-of-Custody, Medical Release, Consent To Testing, Permanent Record Book, Blood Sample form, Intoxilyzer Tickets, Notification form, etc.

7.2 All documents required for confirmed positive test results, including long-term storage order, site access suspension notification, review of work responsibilities, etc.

NOTE: These documents will be maintained in the individual's FFD chemical test file and retained for the time period specified in 10CFR26.

8.0 ATTACHMENTS

8.1 "Detailed Collection Guidance and Requirements for Individuals for the Collection of Urine/Breath/Blood Specimens", 2/11/97

8.2 "Commonly Used Prescription and OTC Drugs," 5/6/93.

8.3 Form 69-20498, "Checklist for Establishing a Temporary FFD Collection Site", 9/30/03

8.4 ""Collection Process - Job Aid", 12/18/01

8.5 Consent to Testing Form

8.6 Release of Medical Information Form (Sample Form)

8.7 LabCorp Laboratories: Chain-of-Custody for Drug and Alcohol Analysis (Sample Form)

8.8 Blood Sample Form

9.0 REFERENCES

9.1 Nuclear Regulatory Commission, 10CFR26 - Fitness for Duty Programs

9.2 NRC Order EA-03-099, August 18, 2004

9.3 NEI 04 09, "Decommissioning Reactor and ISFSI Access Authorization Toolbox"

10.0 PROCEDURE OWNER

Security Supervisor

HUMBOLDT BAY POWER PLANT
DETAILED COLLECTION GUIDANCE AND REQUIREMENTS FOR INDIVIDUALS FOR THE COLLECTION OF URINE/BREATH/BLOOD SPECIMENS

1. The individual should not hesitate to ask any questions during the entire collection process. If a question cannot be answered immediately, the CSP should provide the answer as soon as possible.

2. Testing will consist of and be conducted as follows:

   a. Collection of urine specimen(s) for drug testing,

   b. Breath analysis testing for blood alcohol content using a breath analysis device.

   c. Collection of blood specimen for confirmatory testing of BAC, if requested by individual.

3. Urine and blood specimens collected will be sent to the HHS-certified laboratory for analysis.

4. In case of a confirmed positive alcohol breath analysis, the individual may request a further confirmatory test, at his/her discretion, by providing a blood specimen for GC/MS analysis. If the individual does not request a confirmatory test, the individual accepts the results of the confirmatory breath analysis.

5. In case of a confirmed positive urine test, the individual may request, at his/her discretion, a further confirmatory test with his/her split sample to be performed at a HHS-certified laboratory other than the laboratory which performed the initial screening and confirmatory test.

6. Each specimen must be kept in full view of the individual and the CSP from the time the specimen is collected until it is properly sealed, labeled and packaged.

7. Only specimens provided by the individual shall be within the open working area of the processing room.

8. Failure to cooperate with the urine specimen collection or the breath analysis process, including refusal to provide a specimen, to complete or sign paperwork, and to follow instructions will be recorded on the Chain-of-Custody Form and in the Permanent Record Book and reported to the MRO as a non-cooperation.

9. The CSP shall wear latex or vinyl, disposable gloves during both the urine specimen collection and the blood specimen collection; a new pair of gloves shall be worn for each individual.

10. The individual must wear disposable latex or vinyl gloves if he/she splits the urine specimen him/herself.

11. For the collection of the urine specimen the following precautions shall be taken:

a. The specimen will be provided by the individual in the privacy of a stall in the bathroom; the CSP will be present in the process room where audible monitoring is possible;

b. A volume of at least 60 milliliters of urine shall be collected in a receiving cup;

c. Excess urine shall be discharged into the toilet or disposal sink;

d. The toilet shall not be flushed by the individual;

e. Nothing shall be introduced into the specimen (other than thermometer probe covers and multi-stick);

f. While collections are in progress, the toilet shall not be used for any other purpose than to collect the urine specimen, except in emergencies;

g. A second specimen will be required after the first specimen if:

1. The temperature of the first specimen does not fall in the range from 90.5 F to 99.8 F, or
2. The first specimen was of inadequate volume, or
3. There are concerns about the specimen;

h. The second specimen may be taken under the direct observation (visual) of a CSP of the same gender as the individual;

i. The specimen will be split into two (2) approximately equal parts: one part will be sent to the HHS-certified laboratory for drug testing analysis; the second part, called the split sample, will be securely stored at the collection site facility for future use, if necessary;

j. If the analysis of the urine specimen by the HHS-certified laboratory or the MRO is determined as negative, the split sample will be discarded five (5) days after notification by two (2) CSP(s), into the designated sink in the process area.

HUMBOLDT BAY POWER PLANT
COMMONLY USED PRESCRIPTION AND OTC DRUGS

DRUG TYPE	GENERIC NAME	TRADE NAME
Stimulants:	Amphetamine	Benzedrine
	Benzphetamine	Didrex
	Chlorphentermine	Pre-Sate
	Dextroamphetamine	Dexedrine
	Diethylpropion	Tenuate, Tepanil
	Fenfluramine	Pondimin
	Methamphetamine	Desoxyn, Fetamin
	Methylphenidate	Ritalin
	Phenmetrazine	Preludin
	Phentermine	Ionamin, Wilpo
Opiate Analgesics:	Morphine	-
	Codeine	-
	Hydromorphone	Dilaudid
	Oxycodone	Percodan
	Methadone	Dolophine
	Propoxyphene	Darvon
	Meperidine	Demerol
	Diphenoxylate	Lomotil
	Pentazocine	Talwin
Hypnotics (Non-Benzodiazepine):		
A) Barbiturates		
1. Ultrashort-acting	Thiopental	Pentothal
	Methohexital	Brevital
2. Intermediate-acting	Pentobarbital	Nembutal
	Secobarbital	Seconal
	Amobarbital	Amytal
	Butabarbital	Butisol
3. Long-acting	Pentobarbital	Luminal
B) Barbituratelike	Methaqualone	Quaalude
	Ethchlorvynol	Placidyl
	Methprylon	Noludar
	Glutethimide	Doriden

DRUG TYPE	GENERIC NAME	TRADE NAME
C) Others	Chloral hydrate	Noctec
	Paraldehyde	-
Antianxiety Drugs (Non-Benzodiazepine):		
A) Carbamates	Meprobamate	Miltown, Equanil
	Tybamate	Salacen, Tybatran
Benzodiazepines:	Alprazolam	Xanax
	Chlordiazepoxide	Librium
	Clonazepam	Clonopin, Klonopin
	Clorazepate	Tranxene
	Diazepam	Valium
	Flurazepam	Dalmane
	Lorazepam	Ativan
	Nitrazepam	Mogodan
	Oxazepam	Serax
	Prazepam	Centrax, Verstran
	Temazepam	Restoril
	Triazolam	Halcion

DRUG TYPE	GENERIC NAME	TRADE NAME
C) Others	Chloral hydrate	Noctec
	Paraldehyde	-
Antianxiety Drugs (Non-Benzodiazepine):		
A) Carbamates	Meprobamate	Miltown, Equanil
	Tybamate	Salacen, Tybatran
Benzodiazepines:	Alprazolam	Xanax
	Chlordiazepoxide	Librium
	Clonazepam	Clonopin, Klonopin
	Clorazepate	Tranxene
	Diazepam	Valium
	Flurazepam	Dalmane
	Lorazepam	Ativan
	Nitrazepam	Mogodan
	Oxazepam	Serax
	Prazepam	Centrax, Verstran
	Temazepam	Restoril
	Triazolam	Halcion

HUMBOLDT BAY POWER PLANT
CHECKLIST FOR ESTABLISHING A TEMPORARY FFD COLLECTION SITE

FFD CSP's can use this checklist to establish and maintain appropriate measures when an offsite location is used to collect urine and breath specimens.

		Collector Initials
1.	The collection facility has been visually inspected to ensure other persons are not present and that undetected access (e.g. through a rear door not in view of the CSP) is impossible. (10CFR26, App. A 2.4(c)(1))	
2.	Collection area security will be maintained by effective control of access to collection materials and specimens. (10CFR26, App. A 2.4(c)(1))	
3.	All specimens collected will be continuously under the control of a CSP and only transferred to the courier service representative, another CSP or securely stored at a permanent collection site. (10CFR26, App. A 2.4(c)(2))	
4.	All transfers of specimens shall be documented on appropriate Chain-Of-Custody forms. (10CFR26, App. A 2.4(c)(3))	
5.	No unauthorized personnel shall be permitted in any part of the designated collection site where specimens are stored or collected. (10CFR26, App. A 2.4(e))	
6.	Only one specimen will be collected at a time. (10CFR26, App. A 2.4(e))	
7.	Donor privacy shall be maintained unless an observed specimen collection process has been approved. (10CFR26, App. A 2.4(f))	
8.	Toilet bluing agents shall be placed in the toilet bowl and whenever possible in the toilet tank. When the toilet tank does not contain a bluing agent, the bluing in the bowl will be replaced after each collection. (10CFR26, App. A 2.4(g)(1))	
9.	The collection room/area that the donor uses to collect his/her urine, shall not contain any water source (other than the toilet) which could be used to dilute the specimen (e.g,. no shower or sink). If there is another source of water in the collection enclosure/area, it should be effectively secured or monitored to ensure it is not used (undetected) as a source for specimen dilution. (10CFR26, App. A 2.4(g)(1))	
10.	The individual donor shall be directed to use the disposable towels for hand washing. (10CFR26, App. A 2.4(g)(6))	
11.	When transporting specimens to the permanent collection facility, the specimens shall be placed in containers designed to minimize the possibility of damage to the specimens. (10CFR26, App. A 2.4(i))	

Collector Initials

12. Split specimens returned to the permanent collection site shall be placed in a secure refrigeration unit. Temperature shall not exceed 6°C. (10CFR26, App. A 2.7(c)) _____

13. Whenever a specimen temperature is outside the range of 90.5°F to 99.8°F the CSP shall inform the individual that he/she may elect to have his/her oral temperature taken to provide evidence that the urine specimen temperature being outside the specified temperature range is supported by his/her oral temperature. The oral temperature will be taken with a thermometer with digital display using disposable oral probe covers. An oral temperature measurement that is within one degree Fahrenheit of the specimen temperature is considered to be acceptable evidence. (SP-802) _____

14. A secure refrigerator is needed with a thermometer to verify that the temperature of the secure refrigerator does not exceed 6°C. Any specimen not shipped within six hours of its collection and any split specimen(s) shall be placed in the secure refrigeration unit. (10CFR26, Appendix A, Section 2.7(c).) _____

15. Ensure donor privacy at the temporary collection site by:

    Using curtains and curtain rods to physically block waiting areas from normal personnel traffic.

    Using signage to indicate fitness for duty testing is in progress and restricting access to the collection area(s).

    Coordinating the physical layout of the temporary testing location in advance and prearrange a third person, if necessary, to monitor and control access to testing area. _____

16. Pretesting all equipment prior to shipping to assure they meet calibration and operation checks. _____

17. Verifying all necessary supplies and equipment will be available at the temporary collection site. _____

HUMBOLDT BAY POWER PLANT
COLLECTION PROCESS - JOB AID

CHECK-IN SECTION

1. CSP will check information carefully on notification form that all areas are signed and the time of notification does not exceed the 2 hour limit.
2. CSP will clock in donor on notification form or COC form.
3. CSP will ask for donor's ID.
4. CSP will ask donor if they have had anything to eat, drink or if they have used any mouth sprays or mints etc. in the last 15 min. before their arrival. Also advising donor at this point they are not to put anything in their mouth unless we give it to them.
5. CSP needs to explain forms at this time. CSP is not to leave reception area until they have received all forms back from the donor.
6. CSP will ask if donor would like to have a copy of our procedures.
7. After CSP checks to see that all forms are filled out properly they can take the donor back to the collection room.

URINE SPECIMEN COLLECTION SECTION

1. In collection room have donor remove any jacket, sweatshirt, sweater, hat, etc. Also they should at this time empty their pockets of everything except their wallets.
2. CSP will instruct the donor to wash their hands with soap and water. CSP will observe this process.
3. Donor will then select a specimen cup, and the CSP will open it or the donor may open it. Also CSP will inform donor how much to provide and not to flush the toilet.
4. When donor goes into bathroom area note the time on donor's COC.
5. Start filling out any appropriate paper work at this time.
6. When donor comes out of bathroom ask them to observe you at this time while you check the temperature of the specimen. Then let donor wash their hands while you observe them. Do not do anything at this time with the specimen until you have donor's full attention.
7. Have donor pick out a shipping box. Ask donor if they would like to open shipping box or open it yourself.

8. CSP will ask donor if they would like to split their specimen. If not, CSP will split specimen.

9. With the donor's full attention take a test strip out of jar and test a small amount of specimen remaining in the cup at this time. Write results on COC form.

10. Fill out COC, and permanent record book and any other paper work that needs to be completed.

11. Show donor the completed COC form, permanent record book and bottle labels. Go over them with donor to check for any errors. Have donor sign permanent record book at this time.

12. Place bottle labels on bottles. Then have donor initial bottle labels.

13. CSP may now package specimen and paper work. Place in proper drawers and lock, take key with you.

14. CSP will now flush toilet and check trash can thoroughly (with gloves on, lifting bag and moving trash can around). Have donor observe this.

15. Have donor pick up personal belongings.

BREATH ALCOHOL ANALYSIS SECTION

1. Escort donor into collection facility.

2. Read card (procedure 7.1.1) on breath alcohol analysis machine to donor.

3. Have donor pick out a mouthpiece and open bag without touching either end of mouthpiece. Have donor insert mouthpiece into hose, end.

4. CSP will type in donor's information. Have donor repeat back that information to you (do not read the information to the donor).

5. Proceed with breath alcohol test. Fill out any paperwork you can in the permanent record book and test card while waiting.

6. Finish paperwork after test is done. Go over permanent record book and test card with donor to explain what the test showed and to check for any errors. Have donor sign permanent record book and test card at this time.

7. CSP will escort donor out of facility at the end of procedure.

PACIFIC GAS & ELECTRIC COMPANY
HUMBOLDT BAY POWER PLANT

CONSENT TO TESTING FORM

1. I, _____, hereby consent to chemical testing in accordance with the requirements and provisions of the PG&E Fitness for Duty Program.

2. I consent to the following test(s):

☐ Urine and breath specimen ☐ Urine specimen only

☐ Breath specimen only ☐ Blood specimen only

3. I understand that I will have the opportunity to provide a blood specimen to further confirm the results of the breath specimen if a positive blood alcohol concentration (BAC) of 0.04% or greater is confirmed by the second breath analysis instrument.

Initials:_____

4. I understand that my refusal to provide a specimen for testing and my resignation prior to removal for violation of PG&E Fitness for Duty Program in accordance with 10CFR26.27(c) will be recorded as a removal for cause.

Initials: _____

5. I understand that this Consent to Testing Form will be maintained for a minimum of one year from today's date or through completion of any arbitration, hearing, or any other legal proceeding concerning the actions over which this Consent was executed.

Initials: _____

6. I have read this Consent in its entirety and understand its provisions.

Initials: _____

7. I sign this Consent as required by 10CFR26, Appendix A, Subpart B, Section 2.4(g)(4) and understand that I have the right to receive a copy.

Signature:_____ Date:_____

Social Security Number:_____

Distribution
White(Original) retained in FFD Files

(Sample Form)

PACIFIC GAS & ELECTRIC COMPANY
HUMBOLDT BAY POWER PLANT

RELEASE OF MEDICAL INFORMATION

1. I, _____, hereby authorize **LabCorp** to disclose records and information obtained during my urine/blood tests to the Pacific Gas & Electric Company, its authorized employees, and its authorized agents and representatives, including the offices of its Medical Review Officers and Alternate Medical Review Officers, in accordance with the provisions of the Company's Site Access and Fitness for Duty Program.

2. I understand that the records and information disclosed under this release shall be used to determine my compliance with Pacific Gas & Electric Company's Site Access and Fitness for Duty Programs at the Humboldt Bay Power Plant. I further understand that disclosure of records and information under this release shall be subject to the terms of the Company's Site Access and Fitness for Duty Programs.

3. I understand that, upon my written request, I shall have access to any records relating to my tests in accordance with Title 10 of the U.C. Code of Federal Regulations, Part 26 (10 CRF 26), Appendix A, Section 3.2.

4. This release shall remain valid for one year from the date it its execution as indicated below or through completion of any arbitration, hearing, or any other legal proceeding whatsoever concerning the actions over which this release is executed whichever is longer.

5. I have read this form in its entirety and I understand its provisions.

6. I understand that I have the right to receive a copy of this release.

7. I further understand that this release authorizes the Pacific Gas & Electric Company to disclose any records and information obtained under this release to my employer, at my employer's request. (For Contractor Personnel)

_____ _____
(Social Security Number) (Dated)

_____
(Signed)

Distribution: WHITE - Original Retained in FFD Files
GOLDENROD - Laboratory Copy

(Sample Form)

PACIFIC GAS & ELECTRIC COMPANY
HUMBOLDT BAY POWER PLANT

LabCorp
Laboratory Corporation of America
1904 ALEXANDER DRIVE
RESEARCH TRIANGLE PARK, NC 27709
800.833.3984
NPG/FFD

DRUGS OF ABUSE ORDER ENTRY / CHAIN OF CUSTORY FORM

(Please complete one form per individual)

Specimen No:
XXXXXX

Customer Name: Pacific Gas & Electric - Humboldt Bay	**Company:**
Account No.: XXXXXXXX	**Phone Number: ( )** **Pager Number:**

Test to be Performed: _____

SAMPLE IDENTIFICATION INFORMATION

1. Social Security No. ____/____/____ Collection Site: HBPP

2. Name: _____ I.D. Verification _____
(PRINT)

Type of Samples Sent: Urine: _____ Blood: _____ Specimen Temperature: _____

CHAIN OF CUSTODY

REASON FOR CHANGE OF CUSTODY	DATE/TIME	RELEASED BY: PRINT AND SIGN NAME	RECEIVED BY: SIGN NAME
PROVIDE SPECIMEN		X X (DONOR'S SIGNATURE)	(COLLECTOR'S SIGNATURE)
SHIP SPECIMEN		(COLLECTOR'S SIGNATURE)	COURIER

Special Notes: (For Customer Use)

Color: _____ Clarity: _____ Volume: _____

Prescription:

PH: _____ Specific Gravity: _____

OTC:

Alcohol: _____

For Labcorp Use Only:

Laboratory Accession Number: _____

Receiving Codes: _____

Remarks: _____

_____

Laboratory Results: _____

_____

FITNESS FOR DUTY PROGRAM
BLOOD SAMPLE FORM

I, _____, have been given an opportunity to provide a blood specimen to confirm a positive blood alcohol concentration (BAC) at or above 0.04% as confirmed by the second breath analysis instrument.

I am hereby ☐ requesting ☐ declining a blood sample.

I understand that my failure to request a blood sample indicates acceptance of the positive breath test results.
Initials: _____

Signature: _____ Date: _____

Social Security No: _____

Witness: _____ Date: _____

	Nuclear Power Generation Humboldt Bay Power Plant	NUMBER SP 804 VOLUME 11 REVISION 0 EFFEC DATE 8/17/05 PAGE 1 of 6
	TITLE FITNESS FOR DUTY PROGRAM - SELECTION AND NOTIFICATION FOR RANDOM CHEMICAL TESTING	APPROVED BY ORIGINAL SIGNED 7/13/05 PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

1.0 SCOPE

1.1 This procedure sets forth the process for the selection and notification for random, unannounced chemical testing of individuals who are within the scope of the HBPP Fitness for Duty (FFD) Program.

1.2 This procedure sets forth the process for administering return-to-duty testing.

2.0 DISCUSSION

2.1 The HBPP Fitness for Duty Program and policy implements the Nuclear Regulatory Commission (NRC) requirements in 10CFR26 and is set forth in SP-800, Fitness for Duty Program.

2.2 The NRC rules and regulations for a Fitness for Duty Program in 10CFR26 mandate chemical testing to be conducted on a random basis to effectively detect and deter the use of illegal substances and the abuse of alcohol.

2.3 A computer program at DCPP is used to randomly generate a list of personnel selected for testing. This program performs the function of random selection and is used for the identification of individuals for the random chemical testing within the FFD Program. This program (with a HBPP specific data base) is also used in the random selection process at HBPP.

3.0 DEFINITIONS

3.1 Random Testing

A random drug and alcohol testing program shall be conducted on a statistically random and unannounced basis so that all individuals in the population subject to testing have an equal probability of being selected and tested. Random testing must include testing during all types of work periods, including weekends, backshifts, and holidays. The sampling process used to select individuals for random testing shall ensure that the number of random tests performed annually is equal to a least 50% of the population that is subject to the FFD Program.

a. At a minimum, random tests must be administered by the FFD Program on a nominal weekly frequency and at various times during the day.

b. Individuals selected for random testing must be required to report to the collection site as soon as reasonably practicable after notification, within the time period specified in this procedure.

c. Reasonable efforts must be made to test individuals selected for random testing. An individual, who is off-site when selected for testing, or not reasonably available for testing when selected, must be tested at the earliest reasonable and practical opportunity when both the donor and collectors are available to collect specimens for testing and without prior notification to the individual that he or she has been selected for testing. If the individual's unescorted access is terminated prior to conducting the random test, the individual may be excused.

d. A person completing a test shall be immediately eligible for another unannounced test.

e. When a pre-access drug and alcohol sample is collected for initial, updated, or reinstated authorization the individual shall be placed in the random testing program.

f. Individuals who require pre-access testing, but were covered by a Behavioral Observation Program (BOP) and had negative test results within the last 30 days that meets the testing requirements, shall be placed in the random testing program when the first formal action to grant the applicant unescorted access at the licensee's inprocessing facility is taken.

4.0 RESPONSIBILITIES

4.1 The DCPP Access/Fitness for Duty Supervisor is responsible for obtaining and maintaining information necessary for the selection and notification of individuals who are subject to the HBPP FFD Program.

4.2 The HBPP Security Supervisor is responsible for supplying the DCPP Access/Fitness for Duty Supervisor with information necessary for the selection of individuals who are subject to the HBPP FFD Program.

4.3 Managers, with the concurrence of the HBPP Security Supervisor, are responsible for appointing a designated notification person (DNP) and alternate(s) for their department.

4.4 Immediate supervisors are responsible for ensuring that individuals selected for testing are notified and for signing the "Fitness for Duty Notification Form". (Attachment 8.1)

4.5 Designated notification persons are responsible for the notification of the immediate supervisors within each department of the individuals who were randomly selected to report to the collection site facility for the purpose of chemical testing.

4.6 The HBPP Security Supervisor is responsible to assure training of DNPs in their notification duties is accomplished.

5.0 PRECAUTIONS

A person selected for random chemical testing shall not be given any advance notice in any form by any person other than by the process described in this procedure.

6.0 INSTRUCTIONS FOR RANDOM SELECTION AND NOTIFICATION

6.1 As a minimum, the DCPP Access/Fitness for Duty Supervisor will coordinate the administration of testing on a nominal weekly frequency and at various times during each work shift. Random testing shall be conducted at a rate equal to at least 50 percent per year of the individuals cleared for unescorted access.

6.2 The DCPP Access/Fitness for Duty Supervisor or fitness for duty staff member will on a nominal weekly basis obtain information from the HBPP Security Supervisor necessary to identify all persons cleared for unescorted security access. Once that information is obtained, it will be downloaded to a Fitness for Duty Group stand-alone computer program.

6.2.1 Calculations are made assuming that the number of individuals identified at that time will remain constant through the end of the one year cycle. This satisfies the requirement in 10CFR26 for testing at a rate equal to at least 50 percent per year of the work force cleared for unescorted access.

6.2.2 Utilizing the result of the calculated number above, the random number generator then determines the correct number of individuals to be tested for that week and randomly selects the individuals to be tested. Random testing is administered such that an individual completing the test is immediately eligible for another unannounced test.

6.2.3 The random number generator software is maintained by an outside vendor.

6.3 After the individuals are selected by the random number generator, the DCPP Access/Fitness for Duty Supervisor or fitness for duty staff member will notify the HBPP Security Supervisor who in turn will notify the appropriate department DNP to make the notification, including the specified reporting time. To preclude any advance notification of an individual selected for random testing, the Security Supervisor will schedule the

reporting times and notify the appropriate DNP no more than one shift in advance of the scheduled test time.

6.3.1 The DNP will be given the specific time that the selected individual is to report to the collection site facility.

6.3.2 The DNP will notify the individual's immediate supervisor and advise him or her to request that the individual report to the collection site facility for testing at the specified time.

6.3.3 If necessary, the DNP or the individual's immediate supervisor will report back to the HBPP Security Supervisor to reschedule the appointment if the individual is unavailable at that time for a legitimate reason (e.g., sick, day off, vacation, transferred to another shift, etc.) in accordance with section 6.4.

6.4 The individual's immediate supervisor will notify the individual of the appointment time. The Security Supervisor or Security Sergeant can make the test notification when the employee's regular supervisor is not available.

6.4.1 If the individual cannot report at the specified time, he/she shall promptly notify his/her supervisor, explain the circumstances and indicate the exact time when he/she can report. The supervisor shall immediately notify the Security Supervisor who shall determine if the delay is acceptable (refer also to SP-802 "Specimen Collection Process").

6.4.2 The supervisor will have the individual complete the "Fitness for Duty Notification Form".

6.4.3 The supervisor will sign the form after it is completed and return the original copy to the HBPP Security Supervisor ~~by mail~~ in a sealed envelope, marked "Confidential". He, in turn, will mail a copy of the completed form to the DCPP Access/Fitness for Duty Supervisor ~~by mail~~ in a sealed envelope marked "Confidential".

6.4.4 The individual shall bring the remaining copies of the notification form to the collection site facility. The time period from initial notification of the individual by the supervisor until the individual arrives at the collection site facility shall not exceed two hours.

6.4.5 The notification form will be marked with the date and time when the individual arrives and exits the collection site facility. A copy of the notification form may be returned to the supervisor by the individual for the supervisor's information.

6.4.6 If the individual does not report to the collection site facility at the specified time, the Collection Site Person shall notify the HBPP Security Supervisor.

6.4.7 If, after proper notification, the individual does not arrive at the collection site facility by the end of normal working hours on the date notified, appropriate action will be taken in accordance with SP-800, section 5.2.16.

6.5 If it is necessary to reschedule an individual for random chemical testing due to a legitimate reason, as described in step 6.4.1 of this procedure, the HBPP Security Supervisor will advise the department DNP of the new appointment time. For periods of two weeks or less HBPP Security Supervisor will maintain the individual on a confidential list "to be tested" upon return.

6.6 If the selected individual will not be available for a long period of time (in excess of two weeks) the individual's unescorted access will be temporarily suspended to indicate upon his or her return that a random chemical test is required.

6.6.1 In this case, before an individual is allowed to enter the protected area, a notification form must be signed by the individual and Security Management. Once Security Management have signed the notification form, the individual's keycard may be re-activated. The signed original white copy of the notification form will be forwarded to the Access/Fitness for Duty Supervisor by mail in a sealed envelope, marked "Confidential."

6.6.2 Once Security Management have made the test notification, she/he shall notify the on-call FFD collection technician as soon as practical. The FFD collection technician should be given the individual's name, appointment time, and if the individual intends to arrive earlier than the appointment time.

6.6.3 The individual must inform his or her supervisor of the notification and of the time of the appointment. The individual may immediately proceed to the collection site, but in all cases the reporting time requirement is the same as in section 6.4.4.

6.7 The DCPP Access/Fitness for Duty Supervisor will ensure that a periodic comparison of the information described in Section 4.1 of this procedure and security computer database is made to verify that all unescorted access holders are eligible for random testing.

7.0 RECORDS

The following records will be maintained under strict confidentiality by the Access/Fitness for Duty Supervisor for the time period specified in 10CFR26.

7.1 Random selection reports generated on a nominal weekly frequency.

7.2 Completed fitness for duty notification forms.

NOTE: The latter record will be maintained in the individual's fitness for duty chemical test file.

8.0 ATTACHMENTS

8.1 Fitness for Duty Notification Form

9.0 REFERENCES

9.1 Nuclear Regulatory Commission, 10CFR Part 26, "Fitness for Duty Programs".

9.2 SP-800, "Fitness for Duty Program."

9.3 SP-802, "Specimen Collection Process".

9.4 NRC Order EA-3-099, August 18, 2004.

9.5 Nuclear Energy Institute NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox".

10.0 PROCEDURE OWNER

Security Supervisor

PACIFIC GAS & ELECTRIC COMPANY
HUMBOLDT BAY POWER PLANT

FITNESS FOR DUTY NOTIFICATION FORM

Items 1 through 9 are to be completed by the individual's supervisor. Item 10 by the individual.

1. Date: ____/____/____

2. Individual's (Donor's) Name: _____

3. Individual's Social Security Number: _____

4. Individual's Department: _____

5. Designated Notification Person: _____

6. Individual's Supervisor: _____

7. A. Supervisor shall give NO MORE THAN 2 HOURS ADVANCE NOTICE on the scheduled test.

   B. Scheduled Appointment Time: ____:____

   C. Please do not deviate from scheduled appointment time and **bring plant site badge, plant protected area badge, driver's license or government issued picture identification.**

8. If the person cannot report for the random chemical test at the scheduled appointment time and location, the supervisor must inform the Fitness for Duty Staff at extension 0784 immediately or SAS at extension 0881/0883 (back shifts only) and document the reason below.

   Reason: _____

9. _____

_____	____/____/____	____:____
Supervisor's/Security Sergeant's Signature	Date	Time

10.

_____	____/____/____	____:____
Individual's Signature & Key Card Number	Date	Time

Instructions:

(1) Once the supervisor and the individual have signed this form, the **white copy must be detached and given~~mailed~~ immediately to the Security Supervisor** in a sealed envelope.

(2) If your access has been suspended, to assure notification of testing this form is issued by security personnel. The Security Sergeant on duty must sign in lieu of the individual's supervisor. The individual will not be issued his/her card until he/she has signed. The Security Sergeant on duty will detach the white copy and distribute~~mail~~ it as outlined above.

(3) Remaining copies will be given to the Collection Site Person upon arrival at the Collection Facility.

	Nuclear Power Generation Humboldt Bay Power Plant	NUMBER SP-805 VOLUME 11 REVISION 0 EFFEC DATE 8/17/05 PAGE 1 of 10
	TITLE FITNESS FOR DUTY PROGAM-FOR-CAUSE CHEMICAL TESTING	APPROVED BY ORIGINAL SIGNED 7/13/05 PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

1.0 SCOPE

1.1 This procedure implements, in part, the requirements of NRC regulations in 10CFR26, "Fitness for Duty Programs," including Appendix A, "Guidelines for Nuclear Power Plant Drug and Alcohol Testing Programs".

1.2 This procedure implements the specific requirements in 10CFR26.24(a)(3) as related to for-cause testing.

1.3 This procedure defines, sets forth and implements in detail certain requirements and elements of the company Fitness for Duty (FFD) Program and policy as related to for-cause chemical testing and as set forth in SP-800, "Fitness for Duty Program".

1.4 This procedure applies to all persons with unescorted access to the Plant Protected Area (PA).

2.0 DISCUSSION

2.1 The NRC rules and regulations in 10CFR26 require the establishment of a Fitness for Duty Program which is to be implemented through written procedures, including procedures to conduct for-cause chemical testing in accordance with 10CFR26.24(a)(3).

2.2 The company policy for the HBPP FFD Program is set forth in SP-800. This procedure provides additional requirements to SP-800.

2.3 This procedure sets forth the specific requirements and procedures to conduct for-cause tests as required by 10CFR26.24(a)(3).

3.0 DEFINITIONS

3.1 Chemical test means the collection of a urine specimen and a breath analysis.

3.2 Supervisor means a first-line supervisor through a manager with primary responsibility for the planning, organizing, directing, and/or controlling the work activities of individuals assigned to perform duties within the scope of 10CFR26. A supervisor is also responsible for evaluating the performance and ongoing behavioral observation of the person conducting the work. (This title does not include, for example, bargaining unit classifications such as foremen, general foremen, leads, group leaders, etc.)

3.3 Actual or potential substantial degradations of the level of safety of the Plant means any actual or potential event or condition that resulted in the condition of the plant, including its principal safety barriers, being seriously degraded, or that resulted in the plant being:

- In an unanalyzed condition that significantly compromised plant safety;
- In a condition not covered by the plant's operating and emergency procedures.

(See Reference 10.3 for further information.)

4.0 RESPONSIBILITIES

4.1 The Chief Nuclear Officer has the corporate responsibility for the FFD Program and policy.

4.2 The Security Supervisor is responsible for reviewing the circumstances and approving the chemical testing of a person in accordance with the requirements set forth in this procedure.

4.2.1 Upon first learning of the potential need for a chemical test to be performed, the Security Supervisor will contact the on-call collection site technician and order him/her to report to the on-site collection facility (if the facility is not in operation).

4.3 Directors, managers, supervisors, and foremen, both company and contractor, are responsible for a) being alert to the behavior and actions of persons under their supervision or control; and b) responding appropriately as required by this procedure by notifying the Security Supervisor if a for-cause chemical test appears warranted.

4.4 Persons covered under the scope of the HBPP FFD Program are responsible to report to their supervisor any behavior of a person which the employee observed and which raises a question as to the reliability of the person to work in a safe, reliable, and trustworthy manner.

5.0 PREREQUISITES

5.1 The person who establishes the need for a for-cause chemical test shall be qualified to make such a determination, in particular with respect to observing and evaluating a person's behavior with regard to fitness for duty. Such qualifications can be achieved through appropriate training in behavioral observation techniques.

5.2 The person(s) who performs an investigation of credible information or allegations within the scope of this procedure shall have demonstrated skills in conducting such investigations.

6.0 PRECAUTIONS

6.1 The determination of the need to perform For-Cause Chemical Testing and the conduct of such testing involves extremely sensitive information and face-to-face interactions between the company supervisory personnel and the person being considered in need of for-cause testing.

6.2 Company supervisory personnel, in particular the person's supervisor and the Security Supervisor, shall be aware of following specific precautions:

6.2.1 Prior to informing a person that an impairment for-cause chemical test is required, the conditions and circumstances for such testing shall be reviewed and evaluated by one supervisor and a reliable witness (preferably another supervisor).

6.2.2 All information that forms the basis for the for-cause testing, including information obtained by other sources, shall be documented and signed by both supervisors. This information shall be maintained as confidential.

6.2.3 Prior to conducting the chemical test, the person shall be informed of the specific basis for the test. The applicable sections of 10CFR26, i.e., 10CFR26.24(a)(3), shall be identified to the person.

6.2.4 When information is received from other individuals (i.e., credible information or allegations), the confidentiality of these individuals must be assured. Their names shall not be released to any other person without first establishing a need-to-know.

6.2.5 No conclusive statements shall be made to the person by individuals that are not fully qualified to make such conclusions. Only factual evidence that was collected shall be provided to the person during the for-cause testing process.

6.2.6 After the chemical testing results have been evaluated by the Medical Review Officer (MRO), the person shall be informed of the results, positive or negative.

6.2.7 A person who is being provided with transportation home or who is being escorted off-site due to the need to perform for-cause testing should always be accompanied by two (2) individuals, one of whom may be a member of security.

7.0 INSTRUCTIONS FOR FOR-CAUSE TESTING

7.1 General Requirements

7.1.1 Chemical testing as required by this procedure shall only be authorized by the Security Supervisor or designee. The Security Supervisor or his/her designee may be contacted at any time by notifying the Security Alarm Station (SAS) at company extensions 0881/0883 (off-site 707.440.0881/0883).

7.1.2 The performance of a chemical test in accordance with this procedure shall not interfere with any immediate medical treatment or care which is deemed appropriate by any responding medical personnel. If medical treatment or care prevents immediate chemical testing, the testing shall be conducted as soon as possible thereafter, if deemed required by the Security Supervisor.

7.1.3 All personnel observing behavior which may require a for-cause chemical test under the requirements of this procedure should immediately notify the person's supervisor or the Security Supervisor. For-Cause Chemical Testing shall be performed in accordance with 10CFR26.24(a)(3) as soon as possible in any of the following three situations:

a. Impairment:

Following any observed behavior which indicates possible substance use or abuse in violation of Fitness for Duty Program rules in SP-800.

b. Post Accident:

After an accident has occurred that involved a failure in individual performance which resulted in either:

1. A personal injury requiring immediate medical attention beyond first aid, or

2. A radiation exposure or a release of radioactivity in excess of regulatory limits, or

3. Actual or potential substantial degradations of the level of safety of the plant, if there is reasonable suspicion that the person's behavior contributed to the event.

c. Credible Information:

After receiving credible information or allegations that a person is abusing drugs or alcohol in violation of the FFD Program rules in SP-800, section 5.1, and when further corroborative information or circumstances have been established.

7.1.4 The presence of a union representative (shop steward) shall be offered to persons in union-represented classifications at any interview which is conducted under the requirements of this procedure. If a union representative is not available, the person shall be offered the option of having another employee present at the meeting to serve as a witness.

7.1.5 Transportation home shall be provided to any person displaying behavior which indicates that he/she is unfit for duty. Under no circumstances shall a person believed to be unfit for duty be allowed to work or to operate a vehicle on company property. If the person refuses transportation home and insists on performing work or operating a vehicle, on-site security shall be immediately notified.

7.1.6 Chemical tests as required by this procedure shall conform to the requirements set forth in SP-800.

7.2 Impairment For-Cause Testing

7.2.1 If a person displays behavior which indicates that the person may be under the influence of a drug or alcohol, the supervisor shall verify the observation by consulting a reliable witness (preferably another supervisor) and document the observations on the "Observed Behavior Checklist" (Attachment 9.1).

NOTE: If it appears that the impairment is due to a medical or physical problem unrelated to drug or alcohol use (e.g., diabetes), appropriate first aid shall be administered and the person provided transportation home. Otherwise, the evaluation process shall continue.

7.2.2 After the observation is corroborated, the supervisor shall:

a. Meet with the person in a confidential setting. (The presence of a shop steward should be offered if the person is in a union-represented classification.)

b. Ask the person to explain the behavior.

c. Document the person's explanation regarding his/her behavior on the "Observed Behavior Checklist", Attachment 9.1.

d. If, after the person's explanation, there is still reasonable suspicion of drug or alcohol abuse, temporarily suspend the meeting and request approval from the Security Supervisor to conduct a chemical test.

NOTE: A person's admission to being under the influence of drugs (including illegal drugs, legally prescribed drugs, and/or over-the-counter drugs) or alcohol shall not be cause to avoid a chemical test.

7.2.3 The Security Supervisor shall determine whether or not a chemical test is warranted based upon the information provided by the supervisor. If the Security Supervisor determines that a chemical test is required, the supervisor shall inform the person that:

a. because his/her behavior is consistent with possible drug or alcohol use, a chemical test will be required, and

b. refusal to submit to the chemical test shall result, at a minimum, in revocation of site access for three years.

7.2.4 If the person refuses to submit to the chemical test, he/she will be asked to sign a "Chemical Test Refusal Form" (Attachment 9.2) and will be provided transportation home.

7.2.5 If the person agrees to the chemical test, the supervisor shall escort the person to the collection site facility where a complete chemical test shall be performed.

7.2.6 After testing and with a zero Blood Alcohol Concentration (BAC) level and no other indicators of possible substance use or abuse, the person shall be allowed to return to work.

7.2.7 With a BAC level of 0.01-0.03 and no other indicators of possible substance use or abuse in violation of FFD program rules, the person shall be allowed to return to work after assurance that the BAC level is subsiding. With an increasing BAC level, the person shall be tested until the BAC level subsides and is below 0.04 or person shall be provided transportation home.

7.2.8 If a person is exhibiting other indicators of possible substance use or abuse in violation of FFD Program rules, the person will be:

a. Provided transportation home; and

b. Denied site access until the results of the test are released by the MRO and administrative action, if any, is taken.

7.3 Post Accident For-Cause Testing

7.3.1 The supervisor shall take the actions described below following an accident that involved a failure in individual performance which resulted in:

a. a personal injury requiring immediate medical attention beyond first aid, or

b. a radiation exposure or a release of radioactivity in excess of regulatory limits, or

c. actual or potential substantial degradation of the level of safety of the plant, and there is reasonable suspicion that the person's behavior contributed to the event.

7.3.2 The supervisor shall make an immediate evaluation of the accident to determine:

a. the probable cause of the accident; and

b. the person or persons, if any, whose behavior or actions may have contributed to the event.

7.3.3 If the supervisor determines that probable cause of the accident cannot be solely attributed to one or more other factors such as:

a. equipment failure;

b. inadequate or improper procedures;

c. inadequate or incomplete training;

d. inadequate or improper work instructions; or

e. environmental factors such as poor lighting, then the person or persons whose behavior or actions may have contributed to the event will be subject to chemical testing.

NOTE: Because the detection of drugs and alcohol by chemical testing is time limited, the evaluation of the accident must be immediate and based upon whatever information is readily available. If the accident is not clearly the result of any of the conditions noted in section 7.3.3 above, the person or persons whose behavior or actions may have contributed to the event shall be subject to immediate chemical testing.

7.3.4 Following his/her evaluation, the supervisor shall notify the Security Supervisor of:

a. the circumstances of the accident;

b. the probable cause of the accident; and

c. the person or persons whose behavior or actions may have contributed to the event; and request that a for-cause test be conducted.

7.3.5 The Security Supervisor shall determine whether or not a chemical test is required. If the Security Supervisor determines that a chemical test is required, the person's supervisor shall inform the person that:

a. the circumstances of the accident and the person's involvement require that a chemical test be conducted; and

b. refusal to submit to a chemical test shall result, at a minimum, in revocation of site access for three years.

7.3.6 If the person refuses to submit to the chemical test, he/she will be asked to sign a "Chemical Test Refusal Form" (Attachment 9.2) and shall be escorted off the plant site.

7.3.7 If the person agrees to chemical testing, the supervisor shall escort the person to the collection site facility where a chemical test shall be performed.

7.3.8 If the results of the breath analysis indicate no presence of alcohol and there are no other indications that the person is not fit for duty, the supervisor shall release the person to return to work.

7.4 Credible Information For-Cause Test

7.4.1 Upon receipt of information which suggests that a person may have been using drugs or alcohol in violation of rules found in SP-800, the supervisor or other responsible management employee shall notify the Security Supervisor and provide all available details.

7.4.2 The Security Supervisor shall determine whether sufficient evidence exists to require a chemical test or whether additional investigation is required in accordance with company policy.

7.4.3 If, following the investigation, the Security Supervisor determines that sufficient evidence or information exists to warrant a chemical test, the person's immediate supervisor shall be notified.

7.4.4 The immediate supervisor shall:

a. Meet with the person in a confidential setting. The presence of a shop steward should be offered if the person is in a union-represented classification.

b. Inform the person that he/she is being referred for a chemical test.

c. Inform the person that refusal to submit to a chemical test will result, at a minimum, in revocation of site access for three years.

7.4.5 If the person refuses to submit to the chemical test, he/she will be asked to sign a "Chemical Test Refusal Form" (see example Attachment 9.2) and shall be escorted off the plant site.

7.4.6 If the person agrees to chemical testing, the supervisor shall escort the person to the collection site facility and a chemical test shall be performed.

7.4.7 The test results shall be reviewed by the MRO.

7.4.8 Security Supervisor shall determine whether the site access of a person tested under this section shall be suspended pending the release of the test results by the MRO.

8.0 RECORDS

The following records will be maintained under strict confidentiality by the HBPP Security Supervisor or the DCPP Access/Fitness for Duty Supervisor.

8.1 Observed Behavior Checklists as completed for suspicion of impairment.

8.2 Information collected during investigation of credible information for-cause test request.

8.3 Chemical Test Refusal Forms as completed by the person refusing the test and witnessed by others.

NOTE: These documents will be maintained in the individual's FFD chemical test file and retained for the time period specified in 10CFR26.

9.0 ATTACHMENTS

9.1 "Observed Behavior Checklist", 02/08/03

9.2 "Chemical Test Refusal Form", 02/08/03

10.0 REFERENCES

10.1 Nuclear Regulatory Commission, 10CFR26 - Fitness for Duty Programs

10.2 SP-800, "Fitness for Duty Program"

10.3 Nuclear Regulatory Commission, 10CFR 50.73 - Licensee Event Report System

10.4 SP-809 FFD Program Reporting Requirements

10.5 SP-801 Fitness for Duty HBPP/DCPP Interface Procedure

10.6 NRC Order EA-3-099, August 18, 2004

10.7 Nuclear Energy Institute NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox"

11.0 PROCEDURE OWNER

Security Supervisor

HUMBOLDT BAY POWER PLANT
OBSERVED BEHAVIOR CHECKLIST

COMPANY: _____

INDIVIDUAL: _____ DATE: _____

GENERAL

1. It is the supervisor's responsibility to make an assessment of each person's fitness for duty. Such a determination results from the supervisor's knowledge of the job and objective observations of a person's ability to perform job duties in a safe and efficient manner.
2. Because of the variety of substances available, no single description or set of descriptions can fully detail the behaviors which may suggest that a person is impaired by use of drugs or alcohol. Still, the following indicators are relevant:

Directions: Complete the form by comparing the questioned behavior with the employee's normal behavior and making appropriate notations.

OBSERVED BEHAVIORS	YES	NO
Equilibrium:		
Does the employee stagger when walking?	_____	_____
Does the employee sway from side to side or backward and forward when standing?	_____	_____
Manner of Speech:		
Is the employee's speech slurred?	_____	_____
Is the employee's speech rapid or exceptionally slow?	_____	_____
Mental Reactions:		
Does the employee make statements inconsistent with the current topic of conversation?	_____	_____
Does the employee's attention wander?	_____	_____
Does the employee seem lethargic or drowsy?	_____	_____
Odor of Intoxicants:		
Is an odor of alcohol or drugs present on employee's breath or clothing?	_____	_____
Coordination:		
Is the employee unable to perform normal job tasks?	_____	_____

OBSERVED BEHAVIORS (Continued) YES NO

Eyes;

Are the employee's pupils unusually constricted or dilated and appear unreactive to light? _____ _____

Are the employee's eyes extremely red or red-rimmed? _____ _____

Do the employee's eyes have difficulty focusing? _____ _____

General Appearance:

Is the employee's appearance unorganized? _____ _____

Does the employee's clothing appear unwashed? _____ _____

Does the employee's clothing appear "slept-in"? _____ _____

General Behavior:

Is the employee's behavior unusually calm? _____ _____

Is the employee's behavior hyperactive? _____ _____

Is the employee's behavior belligerent? _____ _____

Is the employee's behavior boisterous? _____ _____

Does the employee exhibit hallucinatory behavior? _____ _____

NOTE: Diabetic personnel suffering from sugar imbalances may appear intoxicated. Medical attention should be given to any known diabetic who appears intoxicated.

Remarks on "YES" answers: _____

_____

_____

Describe in detail the employee's work duties at the time of observations:

_____

_____

_____

Employee's explanation of behavior: _____

_____

_____

_____

Signed: _____ Date: _____

(Supervisor) Time: _____

Signed: _____ Date: _____

(Witness) Time: _____

NOTE: See SP-805 for information on form completion.

HUMBOLDT BAY POWER PLANT
CHEMICAL TEST REFUSAL FORM

1. I, _____, understand that I am being asked to submit to chemical testing in accordance with the HBPP Fitness for Duty Program.
2. I understand that refusal to submit to chemical testing will result in revocation of power plant site access for a minimum of three years.
3. I understand that revocation of plant site access may affect my continued employment.
4. I understand that my employer will be notified of the circumstances of the request to submit to chemical testing. (Contractor Only)

With knowledge of the above, I refuse to submit to the chemical testing which has been requested of me on this date.

Date: _____

Signature: _____

Witnesses: _____

PG&E	**Nuclear Power Generation** **Humboldt Bay Power Plant**	NUMBER **SP-806** VOLUME **11** REVISION **0** EFFEC DATE **8/17/05** PAGE **1 of 12**
	TITLE **FITNESS FOR DUTY PROGRAM - MEDICAL REVIEW OFFICER**	APPROVED BY **ORIGINAL SIGNED 7/13/05** PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

TABLE OF CONTENTS

1.0 SCOPE

1.1 This procedure implements in part the requirements of 10CFR Part 26, in particular of Appendix A, section 2.9, "Reporting and Review of Results."

1.2 This procedure provides the details for the implementation of the Medical Review Officer (MRO) section in SP-800.

1.3 This procedure sets forth the requirements for evaluation by the MRO of results of chemical tests performed at Department of Health and Human Services (HHS) certified laboratories on urine and blood specimens provided by individuals as part of the Fitness for Duty (FFD) Program.

1.4 This procedure sets forth the following:

1.4.1 The requirements and conditions for Humboldt Bay Power Plant (HBPP) management notification by the MRO of confirmed positive test results;

1.4.2 The role of the MRO with respect to additional testing of specimens;

1.4.3 The function of the MRO for a medical evaluation of the fitness for duty of an individual that has undergone treatment for drug and/or alcohol abuse; and

1.4.4 The functions of the alternate MRO during an appeal process.

1.4.5 The notification chain between the MRO and HBPP management.

2.0 DISCUSSION

2.1 The NRC rules and regulations for a FFD program in 10CFR Part 26 require the testing of individuals for drug and alcohol abuse, including the review and interpretation of positive test results and other pertinent information by a licensed and qualified physician who is referred to as the MRO for the FFD program. In particular, Appendix A of 10CFR26, section 2.9, "Reporting and Review of Results," identifies specific requirements and functions for the MRO.

2.2 "The Fitness For Duty Program," SP-800 sets forth HBPP policy for the program and includes the overall function and responsibilities of the MRO. This procedure provides the specific requirements and functions of the MRO. Definitions pertinent to this procedure are also included in SP-800.

2.3 The fundamental function of the MRO is to conduct a professional review and interpretation of factors that could contribute to or explain any positive test results and to provide the individual who tested positive with an opportunity to discuss the results in a confidential manner, and identify any additional factors or information that may assist in assessing the validity of the test results.

2.4 To assure that the MRO can perform this function in a confidential and independent manner, the company specifies that these medical services be provided by a non-company employee.

2.5 The MRO is a licensed physician who has knowledge of substance abuse disorders and has appropriate medical training to interpret and to evaluate an individual's positive results of chemical tests together with the individual's medical history and any other relevant biomedical information.

2.6 A person who tested positive for drugs and/or alcohol and whose test results were confirmed by the MRO may appeal the confirmed positive test results in an appeal process

in accordance with 10CFR26.28. Such an appeal shall be performed by an "alternate" MRO. The alternate MRO shall have the same qualifications as the MRO.

2.7 In addition to this procedure, implementation of specific aspects of HBPP FFD program is accomplished through the following procedures:

SP-800	Fitness for Duty Program
SP-801	Fitness for Duty Program - HBPP/DCPP Interface Procedure
SP-802	Fitness for Duty Program - Specimen Collection Process
SP-803	Fitness for Duty Program - Operation Procedures - Breath Alcohol Analysis Device
SP-804	Fitness for Duty Program - Selection and Notification for Random Chemical Testing
SP-805	Fitness for Duty Program - For-Cause Chemical Testing
SP-807	Fitness for Duty Program - Records
SP-808	Fitness for Duty Program - Protection of Information
SP-809	Fitness for Duty Program - Reporting Requirements

3.0 RESPONSIBILITIES

3.1 The MRO is responsible for the following:

3.1.1 For receiving all presumptive positive test results of all specimens from the HHS-certified laboratory;

NOTE: The MRO may also receive negative test results of specimens from the HHS-certified laboratory upon request.

3.1.2 For evaluating all presumptive positive test results of urine specimens from the HHS-certified laboratory and to determine if the test results are "confirmed positive";

3.1.3 For evaluating all positive confirmatory blood alcohol breath analysis tests and for determining if the tests are "confirmed positive";

3.1.4 For evaluating all test results of blood specimens and for determining if the tests are "confirmed positive";

3.1.5 For providing the individual who tested positive with an opportunity to review the test result and explore other medical explanations that may have resulted in the presumptive positive indication;

3.1.6 For informing the Security Supervisor of all confirmed positive test results, including a recommendation for referral to the Employee Assistance Program (EAP) for counseling and/or specific treatment recommendations for rehabilitation;

3.1.7 For evaluating pre-access applicants with a history of substance abuse (legal or illegal) and the results of subsequent rehabilitation programs. The MRO will present medical recommendations regarding the individual's fitness for duty to the Security Supervisor for the consideration of reinstatement or for the initial granting of site access;

3.1.8 For maintaining the confidentiality of an individual's identity until a test result is determined to be a confirmed positive and to maintain all information provided by the individual confidential at all times except as provided in SP-808 "Protection of Information";

3.1.9 For authorizing a reanalysis of the original specimen or release of the "split" specimen to be analyzed at an HHS-certified laboratory; and

3.1.10 For providing all requested information to the alternate MRO during an appeal process.

3.2 The Alternate MRO is responsible for evaluating test results and records in an appeal process and to determine if test results are "confirmed positive".

3.2.1 The finding of the Alternate MRO will be final and binding on the company and the person for the purposes of this program.

4.0 PREREQUISITES

The MRO must have a thorough knowledge of the significant elements and requirements of the HBPP FFD program and meet the specific requirements delineated in section 2.5.

5.0 PRECAUTIONS

5.1 Only the MRO shall inform the individual whose test results are determined to be confirmed positive.

5.2 Test results that were reported as "presumptive positive" by the HHS-certified laboratory, but which are not declared "confirmed positive" upon review by the MRO, shall be reported as "negative" to the Security Supervisor and the employee.

5.3 If the MRO determines that an individual presents a danger to his/her own safety or to the safety of others, the MRO must inform the Security Supervisor immediately so that immediate protective actions can be taken.

5.4 Information associated with any testing or fitness for duty determination must be considered as confidential.

6.0 INSTRUCTIONS FOR MEDICAL REVIEW OFFICER

6.1 Information to be Provided to Medical Review Officer

6.1.1 The HHS-certified laboratory shall report all "presumptive positive" test results for individual specimens only to the MRO. They shall be provided within five working days of receipt of the specimen at the laboratory. The report for each specimen shall include the following information:

a. HBPP identification of specimen;
b. Laboratory identification of specimen;
c. Specimen type (urine or blood);
d. Initial specimen or split sample;
e. Initial test or retest;
f. Substances screened;
g. Cutoff level for each substance; and
h. Quantitative test result for each substance: "positive" if equal to or above cutoff level or "negative" if below cutoff level.

NOTE: The HHS-certified laboratory shall report negative random test results for the individual specimens to the medical review officer and/or his staff. The HHS-certified laboratory shall report all negative test results, other than random, for the individual specimens to the Security Supervisor. The report for each specimen shall include the same information as above and shall be provided within five working days of receipt of the specimen at the laboratory.

6.1.2 The HHS-certified laboratory shall also send the MRO a certified copy of the original Chain-of-Custody form attesting to the validity of the test report for each specimen. If the initial report of test results in section 6.1.1 was made by electronic means (see section 6.6.1), then a hard copy of the report shall also be attached to the Chain-of-Custody form.

6.1.3 The HHS-certified laboratory shall send, on the same day whenever possible, the test reports and Chain-of-Custody forms for all specimens that were received on a single day.

6.1.4 The Collection Site Person (CSP) shall notify the Security Supervisor, who will relay the information to the MRO, if the following two situations arise during the specimen collection process. The notification shall be made verbally, when practical, with documented follow-up:

a. The individual to be tested refuses to cooperate with the specimen collection (e.g., urine specimen collection or breath analysis test, completion of paperwork, etc.).

b. The individual tested positive on the initial and on the second (i.e., confirmatory) breath analysis test for blood alcohol concentration (i.e., BAC equal to or greater than 0.04 percent). The notification shall also indicate if the individual requested an additional confirmatory blood test.

6.2 Requirements for Review and Notification of Test Results

6.2.1 The MRO must review and evaluate all "positive" test results.

6.2.2 Any "positive" test result received from the laboratory shall be considered a "presumptive positive" test until the MRO has completed the evaluation. If the MRO determines that the result is "confirmed positive", only then shall the result be considered to be "confirmed positive".

6.2.3 The MRO must immediately notify the Security Supervisor if it is determined that the individual presents a threat to his/her own safety or to the safety of others.

6.2.4 The MRO must review and evaluate all blood specimen test results from the HHS-certified laboratory and determine if the blood alcohol test is "confirmed positive".

6.2.5 The MRO shall review all confirmatory blood alcohol tests taken by breath analysis by the CSP and determine if the blood alcohol concentration is "confirmed positive".

6.2.6 The MRO should clear "presumptive positive" test results as soon as reasonably possible. The MRO should notify the Security Supervisor of all "confirmed positive" test results within 10 days of the initial screening test at the HHS-certified laboratory. This 10-day reporting requirement is not applicable if the person is not working within the protected area and is not available for interview by the MRO. It is expected that reasonable efforts to contact the individual would be taken by the MRO and all contact attempts would be documented by the MRO. In such an instance, any interviews and the MRO's determination should be completed as soon as possible after the individual is available.

6.2.7 In addition to the requirements for reporting and notification to HBPP by the MRO, the MRO shall also notify, as appropriate, the Employee Assistance Program (EAP) counselor.

6.3 Interview of Individuals

6.3.1 A main element in the review and evaluation of a "positive" test result received by the MRO from the laboratory is a confidential interview by the MRO with the individual who tested positive in order to examine possible alternate medical explanations for the "presumptive positive" test result.

6.3.2 The MRO shall contact the individual at the telephone number specified on the Chain of Custody form, inform the individual of the "presumptive positive" result, provide for an opportunity to discuss the result confidentially, and make arrangements for a mutually agreeable meeting (location, date and time) within no more than three working days. If at all possible, this should be a face-to-face meeting.

On an as-needed basis or during ISFSI construction/transition activities, the Security Supervisor may authorize a staff member of the MRO's office to schedule MRO interviews for those with a "presumptive positive" result.

The MRO shall request the individual to make available any prescription for medication taken within the last 30 days, including prescriptions not made out in the individual's name (e.g., prescriptions for relatives that were taken by the individual).

NOTE: In order to meet the 10-day reporting requirement, the MRO may deem a "presumptive positive" result a "non-contact" positive if the individual declines the MRO's interview or has failed repeatedly to keep the MRO's interview appointment.

6.3.3 During the interview, the MRO should inquire about the individual's medical history, use of legal and illegal drugs and alcohol, and other biomedical factors. The MRO should review and consider medical records and other information made available by the individual to determine if the "presumptive positive" test result could have resulted from legally prescribed medication or can be explained on another basis.

6.3.4 In addition, for a "presumptive positive" test result for opiates, the MRO should determine during the interview if there is clinical evidence (in addition to the urine specimen test) of unauthorized use of any opium, opiate, or opium derivatives (e.g., morphine or codeine). Clinical signs of abuse include recent needle tracks or behavioral and psychological signs of acute opiate intoxication or withdrawal. This requirement does not apply if the confirmatory testing by gas chromatography/mass spectrometry for opiates confirms the presence of 6-monoacetylmorphine.

6.3.5 In addition, for a "presumptive positive" test result for drugs that are commonly prescribed or commonly included in over-the-counter (OTC) prescriptions and that

are listed on the company panel to be tested, the MRO should determine during the interview if there is clinical evidence (in addition to the urine test) of unauthorized use of any of these substances or their derivatives.

6.4 Evaluation and HBPP Notification of Test Results

6.4.1 The MRO shall determine if further information or verification is required to reach a "confirmed positive" determination. This additional information can include consultation with the individual's physician or the EAP counselor or a reanalysis of an additional specimen if there is any question regarding the accuracy or validity of the "presumptive positive" test result. In such a case, the MRO should request the assistance, as needed, of the HHS-certified laboratory and other qualified individuals.

6.4.2 If the MRO determines that a "presumptive positive" test result for drugs can be attributed to the abuse of OTC drugs or to the use of legal drugs not prescribed to the individual (e.g., prescription drugs for relatives), the MRO may declare the test result as "confirmed positive."

6.4.3 The MRO should also authorize a reanalysis of the initial specimen if requested by the tested individual and if such request is made prior to or during the interview.

NOTE: A request for reanalysis of the initial specimen at this time is not considered to be part of the appeal process as described in SP-800. The split sample retained at the collection site facility shall not be used for such reanalysis. The MRO may authorize the release of the split specimen only after the Security Supervisor has received a request for appeal.

6.4.4 In the evaluation and interpretation of the "presumptive positive" test result from the laboratory, the MRO shall not consider the results of any tests that were not obtained or processed in accordance with the HBPP FFD program.

6.4.5 Upon completion of the review and interpretation of the information available on the "presumptive positive" test result (e.g., test report; Chain-of-Custody form; interview information, both verbal and documents; reanalysis of test results, if applicable; consultation with other physicians; consultation with EAP; etc.), the MRO must determine, within ten days of the initial screening test at the HHS-certified laboratory (Refer section 6.2.6), if the test result is "confirmed positive" or "negative" in accordance with the following guidance:

a. The MRO may determine that there is a legitimate explanation for the "presumptive positive" test result and the use of the substance as identified through the testing. If the manner and at the dosage taken does not reflect a lack of reliability and is not likely to create on-the-job impairment, the MRO should

declare the test result as "negative" and report the result as "negative" to the Security Supervisor.

b. The MRO may determine that the positive result of the specimen is scientifically insufficient for further action. In this case, the MRO shall declare the test result as "negative", record the result as negative in the individual's FFD file, and report the result as "negative" to the Security Supervisor, indicating that the "negative" determination is based on the result being scientifically insufficient.

The Security Supervisor shall maintain records that summarize any negative findings based on scientific insufficiency.

In order to declare a test result as "negative" on the basis of being "scientifically insufficient", the MRO must have considered all available information as described in sections 6.3 and 6.4.

c. The MRO may determine that the test result is "positive" and, therefore, declare the test as "confirmed positive". If the individual did not present any information or presented inadequate information to explain the results, then the MRO shall:

1. Record the result as "confirmed positive" in the individual's file, and
2. Inform the individual that the test is "confirmed positive" and that appropriate HBPP management will be notified.

6.4.6 In the case of a "confirmed positive" test, the notification of the Security Supervisor must also include an assessment of the individual's immediate fitness for duty, a recommendation regarding the individual's unescorted security access, and a summary of the recommendations made to the EAP (see Item 6.4.7 below).

In addition, in the case of a "confirmed positive" test on a urine specimen, the Security Supervisor shall order a transfer of the split sample of the urine specimen into long-term frozen storage at the HBPP collection site facility (i.e., at -4 F or -20 C, or less). The long term storage shall ensure that split samples of confirmed positive urine specimens are available for any necessary test during administrative or disciplinary proceedings, including an appeal by the individual.

6.4.7 The MRO shall notify the EAP (designated contact) of all "confirmed positive" test results. The notification shall be made at about the same time as the Security Supervisor notification. The notification shall include a recommendation for specific treatment and a request for notification by the EAP upon treatment completion.

6.5 Post Treatment Evaluation

6.5.1 The MRO should perform, at the request of the Security Supervisor a medical evaluation of an individual to determine his/her fitness for duty within the scope of the FFD program and to make a recommendation regarding the individual's unescorted security access.

6.5.2 Such evaluation must be made prior to the reinstatement or granting of site access for individuals who had their access suspended, who have completed a rehabilitation program, or who earlier had been denied unescorted security access.

6.5.3 The MRO should consider in the evaluation, as applicable, the results of the individual's rehabilitation program (to be provided by the EAP counselor) and of any follow-up testing performed within the scope of this program. The MRO should perform, as deemed necessary, an interview with the individual, including a medical examination for clinical evidence of drug use.

6.5.4 The MRO shall notify the Security Supervisor of the determination and recommendation by confidential correspondence.

6.6 Information Transmittal

6.6.1 The MRO shall inform the Security Supervisor or other appropriate PG&E official (e.g., EAP counselor) of any test result (both, positive and negative) in a manner that ensures the confidentiality of the information. If the information is provided verbally by telephone, the MRO shall first inform the recipient that the subject to be discussed involves confidential information. The Security Supervisor shall not receive such information while other persons are in the vicinity or by using a speaker telephone.

6.6.2 Any test result or related information that was transmitted verbally (by the telephone or in direct conversation) shall also be documented by follow-up letter or memorandum, clearly marked confidential, and sent out by the MRO.

6.6.3 The MRO shall conduct the interaction with an individual within the scope of the FFD program in a confidential manner and maintain any records as confidential.

6.7 Appeal Process Under Alternate Medical Review Officer

6.7.1 An individual may appeal a determination of a "confirmed positive" test result for a drug or alcohol in accordance with 10CFR26.28 and as described in SP-800, section 5.15. The individual is informed of the appeal process by the HBPP Security Supervisor.

6.7.2 To request an appeal, the individual must complete and submit a "Request for Appeal" form (Attachment 8.1). The completed form must be received by the HBPP Security Supervisor as soon as possible, but not more than seven calendar days from the date that the person was notified by the MRO of the "confirmed positive" test result.

6.7.3 The written appeal request shall provide the basis on which the "confirmed positive" test result is being challenged and shall include any supporting documentation or information.

6.7.4 The Security Supervisor shall inform the Alternate MRO of the appeal request by the individual and provide the alternate MRO with all information and documents relating to the "confirmed positive" test result. The alternate MRO shall not be the same physician who was involved in the initial determination of the "confirmed positive" test result on the initial specimen.

6.7.5 The MRO shall order the release of the split urine specimen kept at the collection site for analysis at a different HHS-certified laboratory, i.e., other than the laboratory which performed the analysis on the initial specimen.

6.7.6 The Alternate MRO will review:

a. The results of the split urine sample analysis for drug "confirmed positive" tests only;

b. Collection, Chain of Custody form, and laboratory procedures involved in the collection and analysis of the initial urine specimen and the split sample;

c. Initial and confirmatory breath analysis results and gas chromatography analysis results of blood specimen, if available; and

d. Any other information or documentation deemed necessary.

6.7.7 As part of the review of the information, the alternate MRO may meet with the person who appealed the test result and/or with the MRO who made the "confirmed positive" determination.

6.7.8 Within fourteen working days of receiving the split urine sample analysis results from the alternate laboratory, the alternate MRO shall issue a report to the Security Supervisor. The alternate MRO shall either:

a. Concur with the "confirmed positive" determination by the MRO; or

b. Disagree with the determination.

The basis for either determination shall be documented in the report.

6.7.9 The finding of the alternate MRO will be final and binding on the company and on the individual for the purposes of this program.

7.0 RECORDS

The following records will be maintained by the Security Supervisor under strict confidentiality in the individual's FFD chemical test file and retained for the time period specified in SP-807:

7.1 "Confirmed positive" test results, including a recommendation for referral to the EAP for counseling and/or specific treatment recommendations for rehabilitation; and

7.2 Determination and recommendations regarding an individual's consideration of reinstatement of site access.

8.0 ATTACHMENTS

8.1 Request for Appeal of Confirmed Positive Test Result.

9.0 REFERENCES

9.1 Nuclear Regulatory Commission, 10CFR26 - Fitness for Duty Programs

9.2 National Institute on Drug Abuse, "Medical Review Officer Manual - A Guide to Evaluating Urine Drug Analysis," U.S. Department of Health and Human Services, September 1988

9.3 SP-801 Fitness for Duty Program - HBPP/DCPP Interface Procedure

9.4 NRC Order EA-3-099, August 18, 2004

9.5 Nuclear Energy Institute NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox"

10.0 PROCEDURE OWNER

Security Supervisor

HUMBOLDT BAY POWER PLANT
REQUEST FOR APPEAL OF CONFIRMED POSITIVE TEST RESULT

1. I, _____, have been informed by the Medical Review Officer for the PG&E Fitness for Duty program that the results were confirmed positive for my chemical test conducted on _____ for the following substance(s):

   _____

   _____

   _____

2. I have been informed of my right to appeal these test results and I understand the appeal process.

3. I hereby appeal the above confirmed positive test results.

4 I understand that the determination reached by the Alternate Medical Review Officer will be final and binding on PG&E and myself.

5. I provide the following basis for my appeal:

   _____

   _____

   _____

6. I have attached the following records and documents to support my appeal (list them or state "none" if no records are to be attached:

   _____

   _____

_____ _____
Print Name Social Security Number

_____ _____
Signature Date

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	TITLE FITNESS FOR DUTY PROGRAM - RECORDS	APPROVED BY ORIGINAL SIGNED 7/13/05 PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

1.0 SCOPE

This procedure identifies responsibilities for record keeping, including the forms and records that must be retained to comply with Nuclear Regulatory Commission (NRC) requirements identified in 10 CFR 26.71 (Reference 7.1). It also identifies record retention periods for the Fitness for Duty Program as established by this rule.

2.0 DISCUSSION

2.1 Through its commitment to NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox", the company is also committed to comply with NRC record keeping requirements identified in 10CFR26 and incorporated by this procedure into the Fitness for Duty Program. Accurate documentation of major program elements and activities is essential to facilitate periodic analysis and audits. This information will enable the company (i.e., the Security Supervisor) and the NRC to evaluate the effectiveness of the NRC rule and the company program as set forth in SP-809, Reporting Requirements.

2.2 The Fitness for Duty Program and Policy is set forth in SP-800, Fitness for Duty Program. In addition to this procedure, other detailed procedures that implement specific elements of the Program are provided in the procedures listed below:

SP-801	Fitness for Duty Program - HBPP/DCPP Interface Procedure
SP-802	Fitness for Duty Program - Specimen Collection Process
SP-803	Fitness for Duty Program - Operation Procedures - Breath Alcohol Analysis Device
SP-804	Fitness for Duty Program - Selection and Notification for Random Chemical Testing
SP-805	Fitness for Duty Program - For-Cause Chemical Testing
SP-806	Fitness for Duty Program - Medical Review Officer
SP-808	Fitness for Duty Program - Protection of Information
SP-809	Fitness for Duty Program - Reporting Requirements

3.0 RESPONSIBILITIES

The Security Supervisor has the overall responsibility for Fitness for Duty (FFD) records, including their retention and destruction.

4.0 INSTRUCTIONS FOR RECORDS

4.1 Security Supervisor

4.1.1 The Security Supervisor shall retain all documents involving confirmed positive test results and related personnel actions for a period of at least five years.

4.1.2 The Security Supervisor shall retain records of persons made ineligible for three years or longer under the provisions of Part 26.27(b)(2), (3), (4) or (c) regarding the refusal by an individual to give a specimen or resignation prior to removal for cause until the NRC terminates the possession - only license under which the records were created.

4.1.3 The Security Supervisor shall ensure that FFD Program performance data is collected, compiled and reported in accordance with provisions in the Fitness for Duty Program-Reporting Requirements Procedure SP-809. Refer also to SP-809, Fitness for Duty Program-Reporting Requirements. FFD Program Performance data and analysis documents must be retained for at least three years.

4.1.4 The Security Supervisor shall ensure that records of other significant FFD related matters (e.g., any unsatisfactory performance by the Department of Health and Human Services (HHS)-certified laboratory, such as reporting of test results) are developed, maintained and retained for a minimum of three years, and reported to the NRC.

4.1.5 The Security Supervisor shall ensure that current copies of the FFD Program implementing procedures and Policy are kept until such time as the possession - only license has been terminated by the NRC; superseded materials will be kept for a minimum of three years.

4.1.6 The Security Supervisor shall ensure that records of initial and prequalification (certification) training for individuals performing specimen collective activities under the FFD Program are retained for a period of at least three years.

4.1.7 All records compiled for the purpose of complying with 10CFR26 will be protected in compliance with 10CFR26.29 and SP-808, FFD Program - Protection of Information.

4.1.8 The Security Supervisor shall ensure that records that result in granting unescorted access to the HBPP Protected Area (PA) or assignment to activities within the scope of 10CFR26 are developed and retained for at least five years following termination of such access authorization. A written statement from such individuals attesting as to whether participation in activities, within the scope of this rule, were ever denied

will also be retained for at least a five-year period or until five years following termination of such access authorization.

4.1.9 The Security Supervisor and the HBPP and DCPP FFD staffs will use the FFD Record Retention Matrix(Attachment 6.1), to determine the retention period for other FFD records.

4.2 Security Training Instructor (STI)

The STI shall ensure that FFD Program training records are properly maintained. These records document that all persons granted unescorted access under the provisions of 10CFR26 have satisfactorily completed the appropriate FFD initial and requalification training. The STI shall ensure that proper records are maintained in each of the following categories:

4.2.1 Initial FFD training for persons granted unescorted access (including FFD escort responsibilities).

4.2.2 Annual requalification training (nominal 12 month frequency) for persons granted unescorted security access.

4.2.3 Initial training for managers and supervisors having responsibilities (within 90 days of supervisory assignment) under the FFD Program.

4.2.4 Annual requalification training (nominal 12 month frequency) for managers and supervisors having responsibilities under the FFD Program.

4.2.5 All training records must be retained for a period of at least three years.

4.3 Nuclear Quality Services Supervisor (NQSS)

The NQSS ensures that FFD audit records are developed and properly maintained. These documents shall be retained for a minimum of three years.

5.0 RECORDS

As described in Section 4.0.

6.0 ATTACHMENTS

6.1 "FFD Record Retention Matrix"

7.0 REFERENCES

7.1 Nuclear Regulatory Commission, 10CFR26 - Fitness for Duty Programs

7.2 SP-808 Fitness for Duty Program - Protection of Information

7.3 SP-809 Fitness for Duty Program - Reporting Requirements

7.4 NRC Order EA-3-099, August 18, 2004

7.5 Nuclear Energy Institute NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox"

8.0 PROCEDURE OWNER

Security Supervisor

HUMBOLDT BAY POWER PLANT
FFD RECORDS RETENTION MATRIX

TEST OR PROCESS	FITNESS FOR DUTY DOCUMENTS	RETENTION PERIOD	RETAINED BY: HBPP	DCPP	BOTH
ADMINISTRATIVE DRUG AND ALCOHOL TEST WITH NEGATIVE RESULTS	• CHAIN OF CUSTODY FORM	RETAIN DOCUMENTS FOR THREE YEARS FROM TEST RESULT DATE.	X		
	• CONSENT TO TESTING FORM		X		
	• RELEASE OF MEDICAL INFORMATION FORM		X		
	• FITNESS FOR DUTY NOTIFICATION FORM		X		
	• LABORATORY TEST RESULT LTR		X		
	• AIR BILL FROM TRANSPORT PROVIDER		X		
	• BREATH ALCOHOL ANALYSIS INSTRUMENT PRINTER CARD		X		
	• FITNESS FOR DUTY DRUG SCREEN RESULT LTR		X		
FOR CAUSE DRUG AND ALCOHOL TEST WITH NEGATIVE RESULTS	• CHAIN OF CUSTODY FORM	RETAIN DOCUMENTS FOR THREE YEARS FROM TEST RESULT DATE OR DATE OF BEHAVIORAL OBSERVATION FORM IF NO TEST IS ADMINISTERED.	X		
	• CONSENT TO TESTING FORM		X		
	• RELEASE OF MEDICAL INFORMATION FORM		X		
	• LABORATORY TEST RESULT LETTER		X		
	• AIR BILL FROM TRANSPORT PROVIDER		X		
	• BREATH ALCOHOL ANALYSIS INSTRUMENT PRINTER CARD		X		
	• FITNESS FOR DUTY DRUG SCREEN RESULT LTR		X		
	• OBSERVED BEHAVIOR FORM (INCLUDING FORMS FOR PERSONNEL NOT TESTED)		X		

HUMBOLDT BAY POWER PLANT
FFD RECORDS RETENTION MATRIX

TEST OR PROCESS	FITNESS FOR DUTY DOCUMENTS	RETENTION PERIOD	RETAINED BY: HBPP	DCPP	BOTH
FOLLOW-UP DRUG AND ALCOHOL TEST WHEN ALL RECORDED FOLLOW-UP PROGRAM RESULTS ARE NEGATIVE	• CHAIN OF CUSTODY FORM	RETAIN DOCUMENTS FOR THREE YEARS FROM TEST RESULT DATE.	X		
	• CONSENT TO TESTING FORM		X		
	• RELEASE OF MEDICAL INFORMATION FORM		X		
	• FITNESS FOR DUTY NOTIFICATION FORM		X		
	• LABORATORY TEST RESULT LTR		X		
	• AIR BILL FROM TRANSPORT PROVIDER		X		
	• BREATH ALCOHOL ANALYSIS INSTRUMENT PRINTER CARD		X		
	• FITNESS FOR DUTY DRUG SCREEN RESULT LTR		X		
BLIND PERFORMANCE SPECIMEN WITH A SATISFACTORY RESULT	• CHAIN OF CUSTODY FORM	RETAIN DOCUMENTS FOR THREE YEARS FROM TEST RESULT DATE.			
	• RELEASE OF MEDICAL INFORMATION FORM				
	• LABORATORY TEST RESULT LETTER				
	• AIR BILL FROM TRANSPORT PROVIDER				
RANDOM AND FOLLOW-UP COMPUTER GENERATED TEST LIST	LIST OF PERSONNEL TO BE TESTED	RETAIN DOCUMENTS FOR THREE YEARS FROM LIST DATE.			X

HUMBOLDT BAY POWER PLANT
FFD RECORDS RETENTION MATRIX

TEST OR PROCESS	FITNESS FOR DUTY DOCUMENTS	RETENTION PERIOD	RETAINED BY: HBPP	DCPP	BOTH
NOTIFICATION OF NEGATIVE PRE-ACCESS DRUG AND ALCOHOL TEST RESULT	• ORIGINAL LETTERS	RETAIN DOCUMENTS FOR 90 DAYS FROM DATE OF LETTER.	X		
NEGATIVE URINE SPECIMEN DISPOSAL	• LETTER AUTHORIZING DISPOSAL	RETAIN DOCUMENTS FOR 90 DAYS FROM DATE OF LETTER.	X		
SCHEDULING TOOLS	• APPOINTMENT BOOKS, RANDOM TESTING SCHEDULES	RETAIN DOCUMENTS FOR THREE YEARS FROM SCHEDULE DATE.	X		
PERMANENT RECORD BOOKS	• PERMANENT RECORD BOOKS	RETAIN UNTIL AUTHORIZED BY NRC TO DESTROY.	X		
CONTRACTOR/VENDOR PROGRAM	• CERTIFICATION LETTER FOR DRUG AND ALCOHOL SCREENING	RETAIN DOCUMENTS FOR THE DURATION OF THE UNESCORTED ACCESS AUTHORIZATION AND FOR A FIVE-YEAR PERIOD FOLLOWING ACCESS TERMINATION. LETTERS THAT DO NOT REPORT A DRUG AND ALCOHOL SCREENING RESULT CAN BE IMMEDIATELY DESTROYED.	X		

HUMBOLDT BAY POWER PLANT
FFD RECORDS RETENTION MATRIX

TEST OR PROCESS	FITNESS FOR DUTY DOCUMENTS	RETENTION PERIOD	RETAINED BY: HBPP	DCPP	BOTH
PRE-ACCESS/PRE-EMPLOYMENT DRUG & ALCOHOL TEST WITH NEGATIVE RESULTS (TO INCLUDE TRANSFERRED RESULTS)	• CHAIN OF CUSTODY FORM	RETAIN DOCUMENTS FOR THE DURATION OF THE UNESCORTED ACCESS AUTHORIZATION AND FOR A FIVE-YEAR PERIOD FOLLOWING ACCESS TERMINATION.	X		
	• CONSENT TO TESTING FORM		X		
	• RELEASE OF MEDICAL INFORMATION FORM		X		
	• FITNESS FOR DUTY NOTIFICATION FORM		X		
	• LABORATORY TEST RESULT LTR		X		
	• AIR BILL FROM TRANSPORT PROVIDER		X		
	• BREATH ALCOHOL ANALYSIS INSTRUMENT PRINTER CARD		X		
	• FITNESS FOR DUTY DRUG SCREEN RESULT LTR		X		
	• PLANT PERSONNEL ACCESS QUESTIONNAIRES (PAQ)				X
	• PERSONNEL QUESTIONNAIRE - ACCESS AUTHORIZATION (BA&C)				X
	• CONTRACTOR/VENDOR PROGRAM DOCUMENTS THAT REVEAL POTENTIALLY ADVERSE INFORMATION		X		
CALL-OUT TESTS	• FFD CALL-OUT FORMS	RETAIN FOR THREE YEARS FROM THE CALL-OUT DATE.	X		
	• CHAIN OF CUSTODY FORM		X		
	• CONSENT TO TESTING FORM		X		
	• BREATH ALCOHOL ANALYSIS INSTRUMENT PRINTER CARD		X		

	Nuclear Power Generation Humboldt Bay Power Plant	NUMBER SP-808 VOLUME 11 REVISION 0 EFFEC DATE 8/17/05 PAGE 1 of 4
	TITLE FITNESS FOR DUTY PROGRAM - PROTECTION OF INFORMATION	APPROVED BY ORIGINAL SIGNED 7/13/05 PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

1.0 SCOPE

1.1 This procedure implements, in part, the requirements of 10CFR26, "Fitness for Duty Programs," including Appendix A, "Guidelines for Nuclear Power Plant Drug and Alcohol Testing Programs".

1.2 This procedure defines, sets forth and implements in detail the requirement to protect personal information obtained in the execution of the Fitness for Duty (FFD) Program.

1.3 This procedure applies to all persons that have been granted or are to be granted unescorted access to the protected area of the plant.

2.0 DISCUSSION

2.1 10CFR26.29 specifically requires the establishment and maintenance of a system of files and procedures for the protection of personal information collected for the purpose of complying with the regulation.

2.2 The company, its contractors and vendors shall not disclose the personal information collected and maintained to individuals other than assigned Medical Review Officers (MRO), HBPP Security Supervisor, the DCPP Access/Fitness for Duty Supervisor, other nuclear utilities or their authorized representatives legitimately seeking the information as required by 10CFR26 for unescorted access decisions and who have obtained a release from current or prospective employees or contractor personnel, such as NRC representatives, appropriate law enforcement officials under court order, the subject individual or his/her representative, or to those company representatives who have a need to have access to the information in performing assigned duties including audits of the company's, contractor's and vendor's programs, to persons deciding matters on review or appeal, and to other persons pursuant to court order.

2.3 In accordance with 10CFR26.29(b), the company, contractors, or vendors shall not withhold evidence of criminal conduct from law enforcement officials.

3.0 RESPONSIBILITIES

3.1 The HBPP Security Supervisor and the DCPP Access/Fitness for Duty Supervisor are responsible for collection, maintenance, release and protection of personal information obtained in the execution of the FFD Program.

3.2 The MRO is responsible for receiving and protecting personal information within the scope of the FFD Program.

3.3 The Collection Site Person(s) (CSP)s are responsible for protecting all personal information received or generated during the specimen collection process.

4.0 PRECAUTIONS

4.1 Ensure that no unauthorized individual enters the processing area of the collection site facility while collections are in progress or unsecured specimens are present.

4.2 Record all visitors to the collection site facility processing area in the visitor log (name, reason for visit, date and time), when the facility is in use for FFD purposes or when unsecured specimens are present.

4.3 Ensure that all documentation is complete and correct.

5.0 INSTRUCTIONS FOR PROTECTION OF INFORMATION

5.1 Security Measures

5.1.1 At no time are specimens to be stored in an unlocked condition or be left unattended.

5.1.2 When specimens are in the processing area and the CSP must leave the area, the specimen shall be stored in a locked container in a locked room.

5.1.3 Specimens not shipped within six hours from the collection site facility or requiring overnight or weekend retention shall be stored in a locked refrigerator.

5.1.4 The processing area doors shall remain locked at all times, except during authorized personnel passage.

5.1.5 Collection site facility chain-of-custody procedures and documentation shall provide control and accountability from the receipt of the specimen from the individual until the specimen is shipped to a Department of Health and Human Services (HHS)-certified laboratory.

5.1.6 Remaining copies of documentation shall be transported to the Security Supervisor for storage or destruction, as appropriate. Sealed transportation containers shall be addressed to a member of the Security organization and shall be marked "Personal and Confidential."

5.1.7 Access to the Permanent Record Book by other than a CSP must be authorized by the Security Supervisor. The book shall be maintained at the collection site facility in a locked, secured area when left unattended.

5.2 Communications

5.2.1 Communications on specific details regarding test results between the HHS-certified laboratory and the MRO can only be conducted via confidential mail or electronic means (e.g., facsimile, computer link, etc.). Telephonic discussions regarding identifying information or test results between the HHS-certified laboratory and the MRO are strictly prohibited.

5.2.2 The HBPP Security Supervisor and/or the DCPP Access/Fitness for Duty Supervisor shall not disclose specific information, except as required by 2.2 and 2.3 of this procedure.

5.2.3 The HHS-certified laboratory shall release the results of a presumptive positive test only to the MRO. Purely administrative matters and summary type information required for periodic reporting to the NRC may be discussed between the HHS-certified laboratory and the Security Supervisor, but references readily identifying individuals must be deleted.

5.2.4 Discussions between the MRO and an individual are considered confidential. Results of evaluations by the MRO will only be reported to the Security Supervisor and Employee Assistance Program Counselor if the results of the test(s) are "confirmed positive" by the MRO.

6.0 RECORDS

All records generated through the execution of the Fitness for Duty Program will be maintained under strict confidentiality by the HBPP Security Supervisor and/or the DCPP Access/Fitness for Duty Supervisor for the time period specified in 10CFR26.

7.0 ATTACHMENTS

None

8.0 REFERENCES

8.1 Nuclear Regulatory Commission, 10CFR Part 26, Fitness for Duty Programs.

8.4 NRC Order EA-3-099, August 18, 2004.

8.5 Nuclear Energy Institute NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox".

9.0 PROCEDURE OWNER

Security Supervisor

	Nuclear Power Generation Humboldt Bay Power Plant	NUMBER SP-809 VOLUME 11 REVISION 0 EFFEC DATE 8/17/05 PAGE 1 of 6
	TITLE FITNESS FOR DUTY PROGRAM - REPORTING REQUIREMENTS	APPROVED BY ORIGINAL SIGNED 7/13/05 PLANT MANAGER / DATE

(Procedure Classification - Quality Related)

1.0 SCOPE

This procedure identifies reporting of significant Fitness for Duty events to the Nuclear Regulatory Commission (NRC), as required by 10CFR26.73. It also identifies other reporting and notification requirements to the NRC in accordance with the provisions of 10CFR26 (The Fitness for Duty Rule).

2.0 DISCUSSION

2.1 10CFR26 specifies four distinct areas in which HBPP must report to the NRC events and/or occurrences related to its Fitness for Duty (FFD) Program. These areas involve significant FFD events, errors in blind sample analysis, program performance and company implementation of more stringent requirements than are specified in the Fitness for Duty Rule.

2.2 This procedure details what must be reported to the NRC, the time frames in which reports must be made and the mechanisms by which reporting is accomplished. In meeting these reporting requirements, persons involved in the reporting process must maintain the highest regard for individual privacy.

2.3 The FFD Program and Policy is set forth in SP-800. In addition to this procedure, detailed procedures that implement specific elements of the Program are listed below.

SP-801	Fitness for Duty Program - HBPP/DCPP Interface Procedure
SP-802	Fitness for Duty Program - Specimen Collection Process
SP-803	Fitness for Duty Program - Operation Procedures - Breath Alcohol Analysis Device
SP-804	Fitness for Duty Program - Selection and Notification for Random Chemical Testing
SP-805	Fitness for Duty Program - For-Cause Chemical Testing
SP-806	Fitness for Duty Program - Medical Review Officer
SP-807	Fitness for Duty Program - Records
SP-808	Fitness for Duty Program - Protection of Information

3.0 RESPONSIBILITIES

3.1 The Security Supervisor is responsible for reporting to the NRC per the requirements of 10CFR26.

3.2 The Security Supervisor is responsible for identifying FFD issues subject to the reportability requirements of 10CFR26 and initiating and directing actions necessary to ensure that these report ability requirements are met.

3.3 In the absence of or in the event of the unavailability of both the Security Supervisor and the Security Operations Supervisor, the Plant Manager shall ensure that actions are taken to meet the 24-hour report ability requirements of 10CFR26.73.

4.0 INSTRUCTIONS FOR REPORTING

4.1 10CFR26.73

10CFR26.73 requires licensees to notify the NRC Operations Center via telephone within 24 hours of the discovery by the company of significant FFD events. Significant events are as follows:

(Note: Sections of 10CFR26.73 which refer to "Licensed Operators" have not been incorporated into this procedure. There are no Licensed Operators at HBPP-see also SP-800 "Fitness for Duty" Section 3.1.2 "Certified Fuel Handlers").

4.1.1 The sale, use, or possession of illegal drugs within the protected area. NUREG 1354, Section 16.2.1 (Reference 7.2) additionally identifies the discovery of a controlled substance within the protected area as being classified among significant FFD events.

4.1.2 Any acts by any supervisory personnel assigned to perform duties within the scope of 10CFR26:

a. Involving the sale, use, or possession of a controlled substance,

b. Resulting in confirmed positive tests on such persons,

c. Involving the use of alcohol within the Protected Area (PA), or Security Alarm Station (SAS).

d. Resulting in a determination of unfitness for scheduled work due to the consumption of alcohol.

4.1.3 Telephone notification to the NRC Operations Center will be via commercial telephone at (301) 816-5100 (primary) or (301) 951-0550 (backup).

a. The Security Supervisor or Security Operations Supervisor shall ensure that a SAP notification (SAPN) is initiated. The SAPN number will also be assigned to a Security Event Report (SER) which will document the event. Additionally, the person making notification will record, in writing, the conversation with the individual at the NRC Operations Center. A "Written Record of Telephone Reports to the NRC" is included as Attachment 6.1 to this procedure and will be incorporated into the SER.

b. In so far as it will not exceed permissible time limits for notification, the Plant Manager or designee, and Chief Nuclear Officer or designee will be informed by the Security Supervisor of the required telephone notification prior to that notification being made. For any event reported to the NRC in accordance with Section 4.1.1 and/or 4.1.2 of this procedure, the Plant Manager, and Chief Nuclear Officer shall be advised of the event occurrence as soon as practical following event discovery.

4.2 10CFR26, Appendix A, Subpart B

10CFR26, Appendix A, Subpart B, Section 2.8(e)(4),(5), and (6) requires an investigation of any unsatisfactory performance testing (i.e., false negatives and false positives) of blind performance test specimens sent to a Department of Health and Human Services (HHS)-certified laboratory under the blind performance test procedure.

4.2.1 This investigation can be conducted by the company or can be referred to HHS for investigation. Investigative findings and the corrective action taken by the laboratory are to be documented. This document is then to be sent to the NRC as a report of the unsatisfactory performance testing incident within 30 days of 1) completion of the investigation and receipt of documentation of corrective action taken if the investigation is conducted by the company, or 2) receipt of the investigative results and documented corrective action taken if conducted by the HHS. In addition, the NRC requires prompt notification in the event that a false positive test result was determined to have been caused by an administrative error (e.g., a clerical error or a sample mix-up) or a technical or methodological error.

a. The Security Supervisor, upon becoming aware of unsatisfactory performance testing of a blind sample, will ensure that a SAP notification (SAPN) is initiated. The SAPN number will also be assigned to a Security Event Report (SER) which will document the event and also ensure that investigative requirements are initiated.

b. Upon receipt of the documented results of the investigation and corrective action taken, the Security Supervisor will forward this documentation to the Supervisor of Licensing for submittal to the NRC.

c. The Security Supervisor will notify the NRC of false positive test results determined to have been caused by administrative error no later than the first regular business day after being made aware of that determination. Notification will be by telephone in accordance with Sections 4.1.3 and 4.1.3a of this procedure.

d. If the false positive was determined to be a technical or methodological error, the Security Supervisor will:

1. Instruct the laboratory to submit all quality control data from the batch of specimens which included the false positive specimen;
2. Require the laboratory to retest all specimens analyzed positive for that drug or metabolite from the time of final resolution of the error back to the time of the last satisfactory performance cycle; and
3. Require signed documentation of the retesting by the individual responsible for day-to-day management of the laboratory's substance testing program.

4.3 10CFR26.71(d)

10CFR26.71(d) requires the reporting of the FFD Program performance data to the NRC.

4.3.1 The form, developed by the Nuclear Management and Resources Council (NUMARC) and approved by the NRC for reporting this data, and instructions for form completion, are available from the Security Supervisor. The FFD Program Performance Report is to be submitted to the NRC within 60 days of the end of each six month reporting period (January-June and July-December).

4.3.2 The Security Supervisor is responsible for compiling program performance data, completing the FFD Program Performance Form, preparing the Summary of Management Actions taken with regard to the FFD Program, and providing a Summary Listing of Events reported under the requirements of 10CFR26.73 (Section 4.1 of this procedure).

a. The FFD Program Performance Form is required to contain the following program performance data:

1. The random testing rate.
2. Drugs tested for and cut-off levels, including results of tests using lower cut-off levels (lower than those specified for initial screening

and confirmatory testing in 10CFR26, Appendix A, Subpart B, Sections 2.7(e)(1) and (f)(2), respectively) and tests for other drugs (substances other than those specified in 10CFR26, Appendix A, Subpart B, Section 2.1(a)).

3. Workforce populations (e.g., company employees, contractors, etc.) tested.
4. Numbers of tests and results by population and type of test (i.e., pre-employment, random, for-cause, etc.).
5. Substances identified.

b. The Summary of Management Actions must include actions taken to correct program weaknesses identified as a result of the review of program performance data. Other suggested information to include in the summary is as follows:

1. Initiatives taken.
2. Lessons learned.
3. Effectiveness evaluations and resulting actions taken.
4. Actions taken to improve program image.

c. The Summary Listing of Events should include the following:

1. Date of the event.
2. Position of the individual.
3. Manner of discovery of the event.
4. Substance(s) detected.
5. Management actions taken.

4.3.3 Upon completing the Fitness for Duty Program Performance Report, the Security Supervisor will forward the report to the Supervisor of Licensing or designee for review and transmittal to the NRC.

4.4 10CFR26, Appendix A, Subpart A

10CFR26, Appendix A, Subpart A Section 1.1(2) requires the company to inform the NRC of changes to a licensee's FFD Program that involve more stringent cut-off levels than those specified in Appendix A, Subpart B, Sections 2.7(e)(1) and (f)(2) for initial screening and confirmatory testing, respectively, and to report tests for substances other than those identified in Appendix A, Subpart B, Section 2.1(a). The licensee must inform the NRC within 60 days of implementing such changes.

4.4.1 The Security Supervisor is responsible for notifying the Chief Nuclear Officer or designee of changes to the FFD Program identified in this section.

4.4.2 The correspondence necessary to meet the requirements of this section will be submitted through the office of the Chief Nuclear Officer.

5.0 RECORDS

The following records will be maintained by the Security Supervisor under strict confidentiality for the time periods specified in 10CFR26:

5.1 Significant Fitness for Duty Event reports generated by 10CFR26.73

5.2 Unsatisfactory performance testing investigation reports generated by 10CFR26, Appendix A, Subpart B

5.3 Fitness for Duty Program Performance forms generated by 10CFR26.71(d)

5.4 Correspondence regarding changes to Fitness for Duty Program generated by 10CFR26, Appendix A, Subpart A

6.0 ATTACHMENTS

6.1 "Written Record of Telephone Report to the NRC on Fitness for Duty Program Event," 02-05-03

7.0 REFERENCES

7.1 Nuclear Regulatory Commission, 10 CFR Part 26, "Fitness for Duty Programs"

7.2 "Fitness for Duty Performance Data Collection Form - Personnel Subject to 10CFR26" and "Instructions," Letter from J. Taylor, NRC, to J. Colvin, NUMARC, July 31, 1989, transmitted from C. Karp, Edison Electric Institute, to Fitness for Duty Workshop Participants, September 19, 1989

7.3 NRC Order EA-3-099, August 18, 2004

7.4 Nuclear Energy Institute NEI 04-09, October 2004, "Decommissioning Reactor and ISFSI Access Authorization Toolbox"

8.0 PROCEDURE OWNER

Security Supervisor

HUMBOLDT BAY POWER PLANT
Written Record of Telephone Report to the NRC on Fitness for Duty Program Event

I, _____, from the power plant make the following report to the Nuclear Regulatory Commission:

1.1 Date of telephone call _____
1.2 Time of telephone call _____

2.0 Fitness for Duty Event Report No. _____

3.1 Person Calling NRC _____
3.2 Position of Person _____

4.1 NRC Telephone # _____
4.2 NRC Person Contacted _____

5.0 Summary of Fitness for Duty Event
5.1.1 Date of Event _____
5.1.2 Time of Event _____
5.2 Type of Event
(indicate and initial all applicable conditions in 5.2.1 and 5.2.2 below)
5.2.1 Sale, use, or possession of illegal drugs within the protected area (10CFR26.73(a)(1)) _____
5.2.2 Supervisor (10CFR26.73(a)(2)) _____
(i) involving sale, use or possession of a controlled substance _____
(ii) resulting in confirmed positive test _____
(iii) involving use of alcohol within protected area _____
(iv) determination of unfitness for scheduled work due to consumption of alcohol _____

5.3 Brief description of event: _____
_____
_____

5.4 NRC Questions and Comments: _____
_____
_____

6. Signature _____