



LETTER AGREEMENT

No. 93-38-PGE



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International Brotherhood of
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Ronald L. Bailey, Manager or
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Jack McNally, Business Manager

May 13, 1993

Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P. O. Box 4790
Walnut Creek, CA 94596

Attention: Mr. Jack McNally, Business Manager

Gentlemen:

Company proposes to make minor revisions to the Nuclear Power Generation Business Unit Fitness for Duty Program. Attachment 1 is a listing of the proposed revisions to OM14.ID3, "Fitness for Duty Program." Changes to OM14.ID3 require Union agreement. The revisions were reviewed with Mr. Tom Dalzell on April 14, 1993.

Attachment 2 lists revisions to OM14.DC1, "Medical Review Officer," OM14.DC3, "Specimen Collection Process," and OM14.DC6, "Breath Alcohol Analysis Device." The revisions to these documents do not require Union agreement but are being provided for your information and comment.

If you are in accord with the proposed changes to OM14.ID3, "Fitness for Duty Program," 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 
Manager of Industrial Relations

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

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

June 15, 1993

By 
Business Manager

*** BRACKETS [] INDICATE LANGUAGE REMOVED AND UNDERLINING INDICATES NEW LANGUAGE ADDED

*** VARIOUS SECTIONS: FFD was spelled out (Fitness For Duty) throughout this procedure.

Table of Contents

Section 5.11 Background Verification and Pre-Access Testing

- 1.4 This program applies to all persons with unescorted security access to the protected area of Diablo Canyon Power Plant (DCPP) and to PG&E, vendor and contractor personnel required to physically report to the Technical Support Center (TSC) or Emergency Operations Facility (EOF) in accordance with DCPD EP [G-2] G-3 (Reference 8.6) and Corporate Emergency Response Plant Procedures 1.1, 3.2, 3.3, 4.3 and 4.7 (Reference 8.7).
- 2.2.3 Medical Review Officer (see [DLAP] OM14.DC1)
- 2.2.4 Protection of Information (see [DLAP] OM14.DC2)
- 2.2.5 Records (see [DLAP] OM14.DC4)
- 2.2.6 Reporting Requirements (see [DLAP] OM14.DC5)
- 2.2.7 Selection and Notification (see [IDAP] OM14.ID4)
- 2.2.8 For-Cause Testing (see [IDAP] OM14.ID4)
- 2.2.9 Operating Procedures - Breath Alcohol Analysis Device (see [DLAP] OM14.DC6)
- 3.1.7 "Continued Behavioral Observation" Continued Behavioral Observation or (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. Training for CBO is given annually (Course GFFD104) and is required for all supervisors within the scope of 10CFR26.
- 3.1.17 "Medical Review Officer" means an independent licensed physician, under contract with PG&E, responsible for receiving laboratory results generated by the PG&E [FFD] Fitness For Duty 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.

- 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.
- 5.2.6 On-duty impairment, caused by use of [over-the-counter] OTC medications in a manner other than that which is recommended by the manufacturer, shall result in:
- 5.2.12 A confirmed positive test for illegal drugs or alcohol following ACCESS re-instatement after a three year revocation shall result in permanent revocation of DCPD site access.
- 5.2.17 [The DCPD site access of a person suspended for a FFD violation as described in Section 5.2.4 - 5.2.7, 5.2.9, and 5.2.10 may only be restored 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 NPGBU FFD Program. A person whose DCPD site access has been restored shall be subject to the follow-up testing program, as described in Section 5.7.4, to ensure continued abstinence.] An individual whose DCPD site access has been suspended or denied due to a Fitness for Duty violation as described in Sections 5.2.4 -5.2.7, 5.2.10 and 5.11.1a, b, c & d 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 NPGBU Fitness for Duty program. If DCPD 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 followup 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 DCPD site access for a minimum of three years."
- 5.3.3 Note: Specific requirements for the reporting of impairing medications taken by licensed operators is contained in [AP A-150] OP1.DC10.
- 5.5 Specific requirements for supervisors of licensed operators is contained in [AP A-150] OP1.DC10.

5.7.7 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 [5.15] 5.14.

5.7.12 Test Results: Negative test results are made available to the Fitness for Duty Supervisor through the laboratory reporting system."

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

5.8.2 MRO will receive all presumptive positive laboratory results generated as part of the [FFD] Fitness for Duty Testing program upon request." The MRO may also receive negative laboratory test results generated as part of the Fitness For Duty testing program.

This clarifies that the MRO shall received all positive test results, but not necessarily negative test results.

5.8.5 Persons selected and tested through the Random, Follow-up and For-Cause program shall be informed in writing of all negative test results. All others (i.e. pre-employment, pre-access) shall be informed by virtue of gaining unescorted site access.
This reflects what is actually done.

5.10.1 Persons who are notified of and report for unscheduled work at DCPD, and persons who are notified of and report for response associated with [a site emergency] activation of the DCPD Emergency Plan, will proceed to one of the following locations, as applicable:

- a. The DCPD Security Building Information Counter;
- b. The Emergency Operations Facility (EOF); or
- c. Another offsite location, as directed.

5.10.2 [Upon reporting to either the DCPD Security Building Information Counter of the EOF, the person will be given a form which asks the following:

- a. Has alcohol been consumed within the preceding five hours?
- b. Does the person consider he/herself fit for duty?]

5.10.2 Upon being called out, the individual will be asked the following questions:

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

Note: If the individual being called out answers "No" to question A, the individual shall not be called out.

[5.10.3 If alcohol has been consumed within five hours of reporting for work but a person believes himself or herself to be fit for duty, a determination of fitness for duty will be made by use of breath analysis before the person is allowed to perform work.]

5.10.3 If the individual being called out is reporting to DCPD for unscheduled work which does not require activation of the Emergency Response facilities and has answered "Yes" to both Questions A & B, a determination of fitness for duty will be made by use of breath analysis before the person is allowed to perform work. Upon arrival at the DCPD plant site, the individual shall report to the Security Building Information counter and complete the Fitness For Duty Call Out Form (69-10448). The individual shall then proceed to the Fitness For Duty facility for breath analysis which will be processed in accordance with OM14.DC6, "Operation Procedures - Breath Alcohol Analysis Device" with the following exceptions:

- 5.10.3 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 between 0.03 and 0.04 percent, the person shall remain in the Collection Site 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 or allowed to remain in the Collection Site Facility until such time as the BAC level begins to subside and is below 0.04 percent.

- c. If the results of the breath analysis indicate a BAC at or above 0.04 percent, the person shall be offered transportation or allowed to remain in the Collection Site Facility until such time as the BAC falls below 0.04 percent.
- d. There will be no sanctions by PG&E for a positive finding on the breath analysis test taken as a result of an uncheduled call out provided that the individual appropriately identifies the use of alcohol.

[5.10.4 If the results of the breath analysis indicate a BAC of between 0.030 and 0.039 percent, the person shall remain in the Collection Site 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 or allowed to remain in the Collection Site Facility until such time as the BAC level begins to subside and is below 0.04 percent.]

5.10.4 If the individual being called out is responding to a declared Alert or higher emergency requiring activation of emergency response facilities and has answered "Yes" to both questions A & B of Section 5.10.2, determination of fitness for duty can be made by either breath analysis or by continued behavioral observation (CBO) performed by a qualified supervisor. Such observation will be documented on both the Observed Behavior Checklist, form (69-13222) and the Fitness For Duty Call-Out Form.

5.10.4a Individuals reporting to Diablo Canyon Technical Support Center (TSC) or Operational Support Center (OSC) whom have consumed alcohol within five hours prior to the call out will stop at the Security Building Information counter and complete the Fitness For Duty Call-Out form. A copy of the completed form will be given to the individual, and Security personnel will keep one copy to be forwarded to the FFD Supervisor.

- 1. Individuals reporting to the TSC will be observed by the TSC Security Advisor to determine whether they are or are not exhibiting behavior which may indicate they are unfit for duty. The TSC Security Advisor will document the observation on both the Call-Out form and the Observed Behavior Checklist form.

2. Individuals reporting to the OSC will be observed by the OSC Emergency Maintenance Coordinator to determine whether they are or are not exhibiting behavior which may indicate they are unfit for duty. The OSC Emergency Maintenance Coordinator will document the observation on both the Fitness For Duty Call-Out form and the Observed Behavior Checklist form.
- 5.10.4b Individuals reporting to the Emergency Operations Facility (EOF) whom have consumed alcohol within five hours prior to the call out will report to the Recovery Manager's office and complete the Fitness For Duty Call Out form. The Advisor to the County will observe the individual to determine whether they are or and are not exhibiting behavior which may indicate they are unfit for duty. This will be documented on both the Call-Out form and the Observed Behavior Checklist form.
- 5.10.4c If no unusual or unreliable behavior which would indicate impairment is observed, the individual will be allowed to perform work.
- 5.10.4d If reliable fitness for duty cannot be determined, an alternate employee will be called out."

This rewrite to the Call-Out Section addresses how to determine an individual's fitness for duty by Continued Behavioral Observation (CBO). This observed behavior technique is necessary for individuals responding to offsite locations where a breath analysis device is not available or for those responding to activation of the Emergency Plan and there is a time constraint of 60 minutes for activation to occur. It should be noted that we have this flexibility as written in 10CFR26, section 26.20(e)2, "If alcohol has been consumed within this period, require a determination of fitness for duty by breath analysis or [other means]." CBO techniques are used at other sites for determination of fitness for duty during emergencies.

5.11.1d had a history of substance abuse (legal or illegal).

- 5.11.1 A person granted unescorted security access, 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 [will] shall result in [permanent revocation of DCPD site access] revocation of DCPD site access for a minimum of three years.
- 8.6 [EP G-2] EP G-3, "Establishing the Emergency Organization."
- 8.8 [Program Directive] OM14, "Personnel Health and Fitness."
- 8.15 [DLAP] OM14.DC1, "Medical Review Officer."
- 8.16 [DLAP] OM14.DC2, "Protection of Information."
- 8.17 [DLAP] OM14.DC3, "Specimen Collection Process."
- 8.18 [DLAP] OM14.DC4, "Records."
- 8.19 [DLAP] OM14.DC5, "Reporting Requirements."
- 8.20 [DLAP] OM14.DC6, "Operating Procedures - Breath Alcohol Analysis Device."
- 8.21 OM14.ID4, "Selection and Notification."
- 8.22 OM14.ID5, "For-Cause Testing."
- 8.23 Fitness For Duty Call Out Form (69-10448)
- 8.24 Observed Behavior Checklist Form (69-13222)

- 2.7 Added "FFD Program" to title section of OM14.ID3 - General Requirements
- 3.1.1 Added "presumptive positive" in the front of "positive test result". Deleted "(positive and negative results)". The Fitness for Duty Supervisor will receive negative test results directly from the laboratory. The MRO will receive all positive test results.
- 3.1.1 NOTE Added a note: "The MRO may also receive negative test results of specimens from the HHS-Certified Laboratory upon request." This note will allow the MRO to receive negative results as well should he desire them.
- 3.1.2 Added "presumptive" in front of "positive test result" Clarification that the test result is not Positive until the MRO deems it so.
- 3.1.7 Added: "For evaluating pre-access applicants with a history of substance abuse (legal or illegal)." This clarifies that the MRO may evaluate pre-access applicants with a history of substance abuse and may impose treatment recommendations prior to initial granting of site access.
- 3.1.10 Changed: "a physician authorized by the individual" to "the Alternate MRO". The physician we are talking about here is in fact the alternate MRO.
- 3.1.11 Added: "The finding of the Alternate MRO will be final and binding on PG&E and the person for the purposes of this program."
- 6.1.1 Added: "all presumptive positive" in front of test results. Clarifies that only the MRO will receive presumptive positive test results.
- 6.1.1h Changed: "Qualitative" to "Quantitative". More consistent verbiage throughout the procedure based on 10CFR26 verbiage.
- 6.1.1 Added a note: "The HHS-certified laboratory shall report Negative test results for the individual specimens to the FFD Supervisor. The report for each specimen shall include the same information as above." This note is necessary to address how & where negative test results are reported. This does not circumvent the MRO's duties in any way as these are straight negative test results that per 10CFR26 do not require a review by the MRO.
- 6.2.7 Changed "PG&E EAP" to "Employee Assistant Program (EAP) counselor." We have two EAP counselors; 1 PG&E and 1 contractor.

- 6.4.2 Changed the word "shall" in the last sentence to "may". This change does not conflict with the regulation as the regulation does not specify that the MRO shall deem this type of presumptive positive as confirmed positive, rather that the MRO may deem it a positive.
- 6.4.3 NOTE Deleted: "(OM14.DC3, Section 6.4.6.b)". This reference is not necessary in this note and does not apply.
- 6.6 Deleted this entire section on Quantitative Test Results. This section was taken verbatim from 10CFR26 and does not really need to be in a procedure as it does not address an actual routine process.
- 6.7.1 Deleted this section: This is not specific to the MRO and therefore does not need to be in the MRO Procedure.
- 6.7.2 Deleted this section: This is not specific to the MRO and therefore does not need to be in the MRO Procedure.
- 6.8.1 Changed "Section 5.15" to "Section 5.14". Incorrect section was referenced.

- 1.5 Added this section (1.5) "This procedure also applies to all persons within the Fitness for Duty organization, including but not limited to, FFD Supervisor, FFD Coordinator, FFD Secretaries/Clerks, Collection Site Persons, Onsite Medical Review Officer, and the Operational Supervisor for the for the Intoxilyzer 5000." This clarifies that Monthly Administrative Drug Screens are performed on FFD support staff.
- 2.4 Removed the word "on-site".
- 2.4.3 Added this section (2.4.3). "Persons responsible for administering the testing program shall be subjected to monthly Administrative testing as described below:"
- 2.4.3a Added this section (2.4.3a).
- 2.4.3 a. The Fitness for Duty Supervisor/Coordinator will coordinate the monthly administrative testing schedule.
- b. To preclude any advance notification, the time frame between notification and testing shall not exceed a reasonable period of time (approximately two hours).
- c. The step by step processing of the individual shall be as outlined in Section 6.0. "Instructions for Specimen Collection", except that the processing shall also be witnessed by a senior member of the Site Collection Staff.
- 3.2 Added this note: "Note: There are two principal Collection Site facility locations for the NPGBU; DCPD and San Francisco General Office."
- 6.1.1c Added "there are a minimum of" to the first line of para. 2, and changed "are located and" to "where". Deleted, "one-way" from in front of waste containers. They are not one-way and we don't need to be this specific.
- Changed "sink" to "disposal area" in para. 3, line 2.
- Removed "at 20° C (4° F)" and added the following note:
"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). Emergency power equipment shall be made available in case of a prolonged power failure."
- This change incorporates all the references to refer/freezer temps throughout this procedure and puts them in one place where they belong.
- 6.1.2 Changed the first sentence in para. 2 to read: "Collections will be performed at this facility during normal working hours (Monday through Friday) at a random time". Deleted the section about "Safe haven" and once a month increasing to two collection days per week. This no longer applies as we now have the SFGO Collection Facility staffed Monday through Friday.
- 6.3.1b Removed "with the time punch clock." Time punch clock does not always apply.
- 6.3.2c Added "or fails to report at all" to this section to for further clarification.
- 6.3.3a.2 Changed "Form 69-10442" to "Reference 9.4" for consistency sake.

- 6.3.4b Added "s" to "official" in the first sentence.
Removed from the first sentence "(for example, Human Resources, Security or management). Giving an example of an official is not necessary."
Changed "who can" to "to".
- 6.3.5 Changed "Form 69-10442" to "Reference 9.4" for consistency sake.
- 6.3.5a Removed both of these sections as they no longer apply to the current
6.3.5b Consent to Testing form.
- 6.3.6 Changed "Medical Release Form" to "Release of Medical Information".
Form name changed.
- 6.3.7a Changed this section to read: "In the presence of the Collection Site Person, the individual shall complete the following items on the Chain-of-Custody for Drug and Alcohol Analysis form (Reference 9.6)." Clarifies that the individual completes the identified items on the form, not the Collection Site Person.
- 6.3.7a2 Added "Signature" as an item that is to be completed by the individual.
- 6.3.7a3 Removed Medications and drugs (Item b. below).
- 6.3.7b changed "The individual shall list on the Chain-of-Custody form all prescriptions and over-the-counter (OTC) preparations which he/she can remember using during the last 30 days" to "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."
Replaced Line 2, "To assist the individual, he/she shall be provided with a list of commonly used prescription and OTC drugs (Attachment 8.2)" to "Upon request, a list of commonly used prescription and OTC drugs (Attachment 8.2) shall be provided to the individual".
- This change is a result of the IBEW Union wanting the flexibility to list or not list 30 medications on the chain-of-custody form. After checking with NUMARC and the author of 10CFR26, Loren Bush, it was determined that we would offer the individuals the opportunity to provide this information, however, it is not mandatory.
- 6.3.7f Note Removed "at the completion of the specimen collection process (see Section 6.6.3)". Signature on the Chain of Custody is done at the beginning of the test when the individual completes his/her paperwork. Signature on the Permanent Record Book (Section 6.6.3) is done at the completion of the specimen collection process.
- 6.3.7h Changed "N/A" to "None", "No" or "0". N/A is not an acceptable response to items on the Chain of Custody form as all items are relevant and applicable.
- 6.4.1b Removed "and unwrap". Cup can be unwrapped by either the Collection Site Person or the individual. Added "or a sealed shipping package which contains a specimen cup." The option of using the prepackaged specimen cup contained in the shipping package will be implemented upon the depletion of the separate specimen cup stock.
- 6.4.1f Change verbiage in the second sentence, "recorded" to "noted". Noted is the verbiage used in 10CFR26.
- 6.4.3a Removed "to the Collection Site Person" from the third sentence. Clarifies that the specimen temperature must be taken within four from the time the specimen is provided (i.e. from time of urination).

Changed the last sentence; "If the temperature has not been measured"SPECIMEN COLLECTION PROCESS" within four minutes, a new specimen shall be collected" to "If the temperature has not been measured within four minutes, the Collection Site Person shall notify the Fitness For Duty Supervisor and request permission to collect a second specimen".

Added "Note: The processing of the first specimen shall still continue in accordance with Section 6.4.4."

- 6.4.3b Removed the second sentence in its entirety. "The first specimen shall be discarded by the Collection Site Person in the designated sink in the process room and in view of the individual". The first specimen is not discarded.
- 6.4.4 Changed "Temperature Range" to "Temperature Ranges"
- 6.4.4a Added new section; "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 Collection Site Person shall notify the Fitness For Duty Supervisor and request further direction." This is the current practice but is not addressed in this procedure.
- 6.4.5 Removed "evaluate the observations noted in Section 6.4.1f and " and "on the basis of that information or any other indication," This information is not necessary to this section of the procedure, in fact it is a bit redundant.
- 6.4.7 Changed "white, orange, yellow, no color, brown or bluish" to "no color, pale yellow, yellow, amber or bluish". Verbiage change only.
- 6.4.10c Changed "will" to "may" in the first sentence. The individual is not always given additional water to drink. Deleted "(sealed bottle of water)". We will be eliminating using individual bottled water and utilizing a water dispenser bottle to save money.
- 6.4.11d Added "with the exception that direct observation may not be required" to this section. 6.4.10 specifies that direct observation of the second specimen shall be done. In 6.4.11 "Second Specimen Based On Other Observation", the regulation does not require direct observation unless there is reason to believe the individual has altered or substituted the urine specimen.
- 6.4.12b Changed last line to read: "The partial specimen, in the shipping box, shall be stored in the Processing Area". It may not necessarily be temporarily stored in a refrigerator.
- 6.4.12c Changed the first sentence: "shall be encouraged" to "may be given the opportunity". We don't always encourage individuals to drink liquids or overhydrate. Deleted "(sealed bottle water)". We will be eliminating using individual bottled water and utilizing a water dispenser bottle to save money.
- 6.4.12c Changed wording in the second sentence from: "Any water not consumed" to "Any unconsumed water".
- 6.4.12g Changed "sink" to "disposal area". It could be either a sink or toilet where the specimens are discarded.
- 6.4.12h Removed from first sentence: "inquire of the individual about the reason". We don't ask the individual why he/she can not provide at least 60 cc of urine. We have to assume that the individual gave us what ever he/she could provide.

- 6.4.12i Added this section: "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 can not provide a urine specimen. Collection of a blood specimen will be processed in accordance with Section 6.5.5 and 6.5.6."
- 6.4.14c Removed the entire last line: "The refrigerator temperature shall not exceed 6° C and emergency power equipment shall be made available in case of a prolonged power failure." This statement is included in section 6.1.1c.
- 6.5.1a Removed the last line: "The results shall be recorded in the Permanent Record Book." There is no need to record results of something we don't do. We observe the individuals and verify that they haven't ate, drank, smoked or chewed anything since coming into the collection facility.
- 6.5.3c Added in front of BAC; "Breath Alcohol Concentration". This acronym was not found to be spelled out in any previous section.
- 6.5.3d Added "evidential grade" in front of "breath analysis unit". This is specified as such in 10CFR26. Removed from the last line: "and initiate action to verify proper operation of the first breath analysis device used." Proper operation of the breath analysis device is not the issue here.
- 6.5.3f Removed from the first sentence: "interrupt the testing and". In reality, that portion of the testing is complete so the Technician is not interrupting a testing cycle, they are pausing to call the FFD Supervisor and request further guidance.
- 6.5.3g Replaced the second sentence: "In the Permanent Record Book, the results shall be entered as 'negative'; the actual measured values shall not be reported." to "In the Permanent Record Book, record each BAC (actual values) of the individual specimens and the BAC test average as 'negative'".
- In reality, the actual BAC values are printed on the evidence card and should be reported accordingly in the Permanent Record Book. If the values are .03 and below, the test average will print out as negative; however, the actual values should not be recorded as anything other than what they are.
- 6.5.3h Added "and is recorded as such in the Permanent Record Book" after "presumptive positive". Added "evidential grade" in front of breath analysis device. Added "presumptive positive" in front of test.
- 6.5.3h Added section 6.5.3i "The Collection Site Person shall inform the Fitness for Duty Supervisor that the BAC is at or greater than 0.04 percent and obtain approval for the confirmatory test or receive other direction." to 6.5.3h after the first sentence.
- 6.5.3i Removed this section and added it to 6.5.3h as noted above.
- 6.5.3j Renumbered this section to 6.5.3i and added "evidential grade" in front of breath analysis device.
- 6.5.3k Renumbered this section to 6.5.3j and replaced the second sentence; "In the Permanent Record Book, the results shall be entered as 'negative', neither the actual measured values nor the 'presumptive positive' results of the initial screening test are reported." with "In the Permanent Record Book, record the results of each BAC (actual values) of the individual specimens and the BAC test average as 'negative'". See explanation from section 6.5.3g on previous page.

- 6.5.31 Renumbered this section to 6.5.3k.
- 6.5.3k1 Changed this section to read; *"Record in the Permanent Record Book each BAC (actual values) of the individual specimens and the BAC Test Average as 'positive' on the confirmatory test."*
- 6.5.3m Renumbered this section to 6.5.3l.
- 6.5.3n Renumbered this section to 6.5.3m.
- 6.5.4 Changed the title of this section from *"Chain of Custody for Blood Specimen"* to *"Documents and Forms for Blood Specimen"*. This section deals with both the Chain of Custody and the Medical Release Form.
- 6.5.4b Added this 'b' section to read; *"The individual shall complete, sign and date the "Release of Medical Information Form" (Reference 9.5)."*
- 6.5.5c1 Added to the end of this section; *"Verification of expiration date, if applicable, shall be made prior to use."*
- 6.5.5c4 Added to the end of this section; *"Verification of expiration date, if applicable, shall be made prior to use."*
- 6.5.6a Changed *"The Collection Site Person"* to *"Technician drawing blood"* in both the first and second sentences.
- 6.6.3b Removed this section and replaced it with the following: *"All changes to the information made by the individual shall be lined-through and initialed."*
- 6.6.3c Changed this section to read: *"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. This signature also certifies that the specimen collected is his/her specimen."*
- 6.6.3d Removed this section as well as the Note in this section. Certification by signature that the specimen collected was his/hers is now included in section 6.6.3c.
- 6.6.4b Added *"Release of Medical Information and Consent to Testing"* after *"Chain of Custody."* Medical Information and Consent to Testing forms are also filed in the fitness for duty file.
- 6.6.4d Added *"the Release of Medical Information form"* after *"signed Chain of Custody form"*. Removed *"all remaining copies of the"* from line one. This does not apply to what is actually shipped with each specimen.
- 6.6.4e Added *"the sealed shipping container"* after *"place"* in the first sentence. Removed *"each specimen with its Chain of Custody form"*. Clarification and consistency in flow of process.
- 6.6.6e Removed the last sentence: *"The refrigerator temperature shall not exceed 6° C and emergency power equipment shall be made available in case of a prolonged power failure"*. This was incorporated in Section 6.1.1c.
- 6.7.2b Removed the last sentence: *"Two types of sanctions exist."*
- 6.7.2b1 Removed this section in its entirety. The specific sanctions are addressed in OM14.ID3 which is referred to in 6.7.2b.

- 6.7.2b2 Removed this section in its entirety. The specific sanctions are addressed in OM14.ID3 which is referred to in 6.7.2b.
- 6.7.2f Removed "(b) above [i.e., duration of suspension/revocation of DCPD Site Access and referral to EAP if applicable]" and replaced it with "OM14.ID3". Make referral back to OM14.ID3 where the actual sanctions are already addressed and specified.
- 6.7.2g Added "Notify the Access Supervisor of his/her designee". More specific to call out title of person to notify in the Access Department rather than just "Access".
- 6.8.3b Removed this entire section and incorporated it into 6.8.4.g.
- 6.8.4g Added "both the Licensee and" in front of "performance specimen provider." Changed "is reported to" to "will be reviewed" in the second sentence. This is to clarify the we (the Licensee) receive and review results and do our own scoring as well. Also added the following to this section: "Any discrepancies noted in the reporting or scoring of performance specimen test results will be investigated in accordance with 10 CFR 26, Appendix A 2.8.e. Based on the results of this investigation and depending on the situation, an NRC report may be required in accordance with the aforementioned section." This is necessary to explain what we do if we do find a discrepancy.

9.0 REFERENCES

- 9.2 Changed EP "G-2" to EP "G-3". EP G-3 is the correct EP procedure number to reference.
- 9.5 Added Form 69-13220, "Release of Medical Information". Obtained a form number for this form from Document Services, Jan. 12, 1993.

- 6.4 Deleted the second sentence in this paragraph: *"It should be noted that drinking of water in sealed containers provided by the Collection Site Person is permitted during this time period to help the individual to urinate."* This information is not necessary to this procedure. We are talking about BAC testing not urinalysis.
- 7.3.7f Changed the last sentence to read: *"In addition, promptly notify the Fitness for Duty Supervisor."*
Deleted *"and initiate actions to verify proper operation of the first breath analyzer"*.
Proper operation of the first breath analyzer is not the concern here, generally if the breath analyzer reads two specimens with a greater than 10% deviation, it is the way in which an individual blows into the device that is generally the cause.
- 7.3.7h Changed this entire section to read: *"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 7.4. If the average BAC for the two specimens is 0.04 percent or greater, continue with Step (i) below."*
This change is necessary and required due to changes to OM14.DC3, section 6.5.3g. Also in our current revision this section specifies that the actual values are reported as "negative" when in fact the actual values are reported (what ever they are as printed on the evidence card) and if they are below 0.04 percent, then the test average is recorded as "negative" in the appropriate block in the permanent record book.
- 7.3.7i Changed this entire section to read: *"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, and a confirmatory test must be conducted on a second evidential grade breath analysis device. The Collection Site Person shall inform the Fitness for Duty Supervisor that the BAC is at or greater than 0.04 percent and obtain approval for the confirmatory test or other direction. The confirmatory test shall be conducted within 15 minutes after the first presumptive positive test."*
This change is necessary and required due to changes to OM14.DC3, Section 6.5.3h. Also in our current revision, we do not address that these test results are appropriately recorded in the permanent record book prior to proceeding with the confirmatory test.

- 7.3.7j Added "evidential grade" in front of breath analysis device. This keeps the procedure in line with the wording in 10CFR26.
- 7.3.7k Changed this section from: "If the BAC of the confirmatory test is less than 0.04%, the testing is completed. Record the results as "negative" in the permanent record book. The actual values for the presumptive positive or for the confirmatory test are reported to the Fitness for Duty Supervisor. Continue processing with the procedures in Section 7.4." to read: "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 7.4."

While the results are in fact reported to the Fitness for Duty Supervisor, they are also recorded in the permanent record book. We can not ignore actual values as they are clearly printed on the evidence cards.

- 7.3.L.1 Changed this section from: "Record in the permanent record book each of the values for the individual specimens and the average BAC for both the initial presumptive positive and the confirmatory tests." to "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."
The initial presumptive positive results have already been recorded.
- 7.3.L.2 Changed the wording from "Immediately" to "promptly"
Verbiage change only.
- 8.0 NOTE Added to the end of the note: ", and retained for the time period specified in 10CFR26."
Clarifies that there is a file retention period as referenced in OM14.DC4.

