

Presentation to the Drug Testing Advisory Board (HHS/SAMHSA)

Operating Experience in 2014
Fitness for Duty Programs – 10 CFR Part 26
*“A Direct Contribution to Safety and
Security”*

June 12, 2015



Discussion Topics

- NRC FFD program mission
- Summary of industry performance in 2014
- Historical trending on substances detected 1990-2014
- Subversion trends 2012-2014
- FFD e-reporting system



NRC Fitness for Duty Program Mission (10 CFR part 26)



Provide a direct contribution to safety and security through the effective regulatory oversight (policy development in support of licensing, rulemaking, and inspection) of licensees and other affected entities that implement the drug and alcohol provisions in 10 CFR Part 26.

The NRC must establish and maintain a regulatory framework that effectively enables NRC-licensees to meet or exceed the FFD performance objectives listed in 10 CFR 26.23 that require a licensee FFD program to provide reasonable assurance that persons are:

- q Trustworthy and reliable
- q Not under the influence of any legal or illegal substance or physically impaired from any cause
- q Not fatigued or in a state of diminished mental or physical capacity.

Generic Industry Performance – 2014



- 75 Licensees and other entities with an FFD program in 2013**
(largest program tested 9,055 individuals; smallest program tested 323 individuals)
- 166,590 Number of individuals drug & alcohol tested (up 3% from 2013)**
- 1,132 Number of individuals with a testing program violation**
(i.e., drug & alcohol positive, testing refusals, adulterated & substituted validity)
- 67% Percentage of testing violations identified by Pre-access testing**
- 19% Percentage of testing violations identified by Random testing**
- 0.68% Industry Positive Rate (All Tests) (up from 0.62% in 2013)**
 - 0.23 % Licensee Employees Positive Rate (same rate as in 2013)
 - 0.79 % Contractor/Vendors Positive Rate (up from 0.68% in 2013)
- 0.34% Industry Random Testing Positive Rate (up from 0.31% in 2013)**
 - 0.14 % Licensee Employees Positive Rate (same rate as in 2013)
 - 0.62 % Contractor/Vendors Positive Rate (up from 0.57% in 2013)

Test Results by Test and Employment Categories

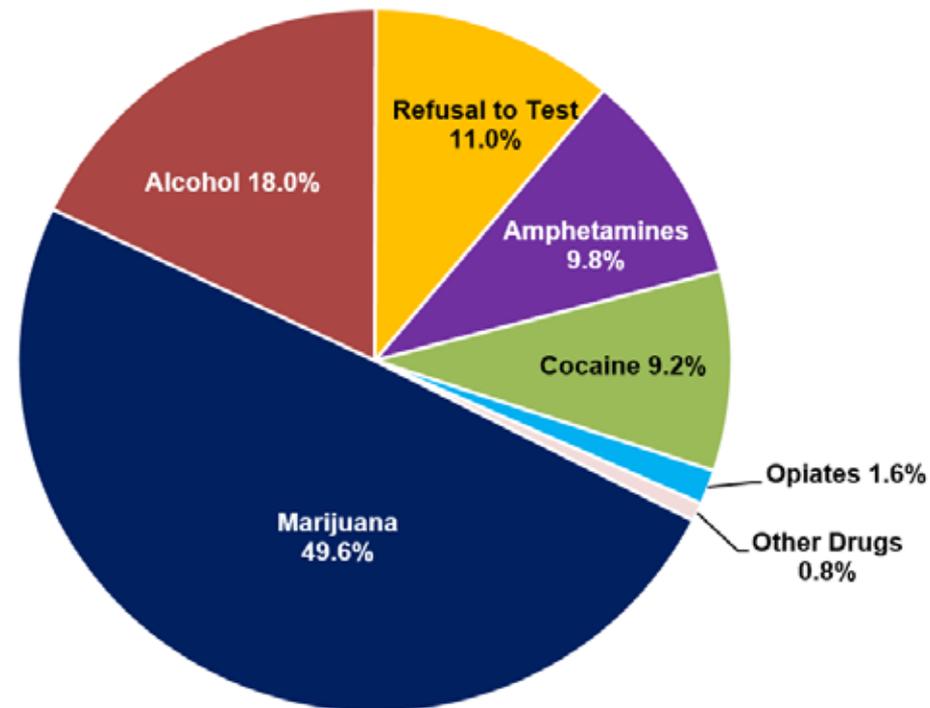
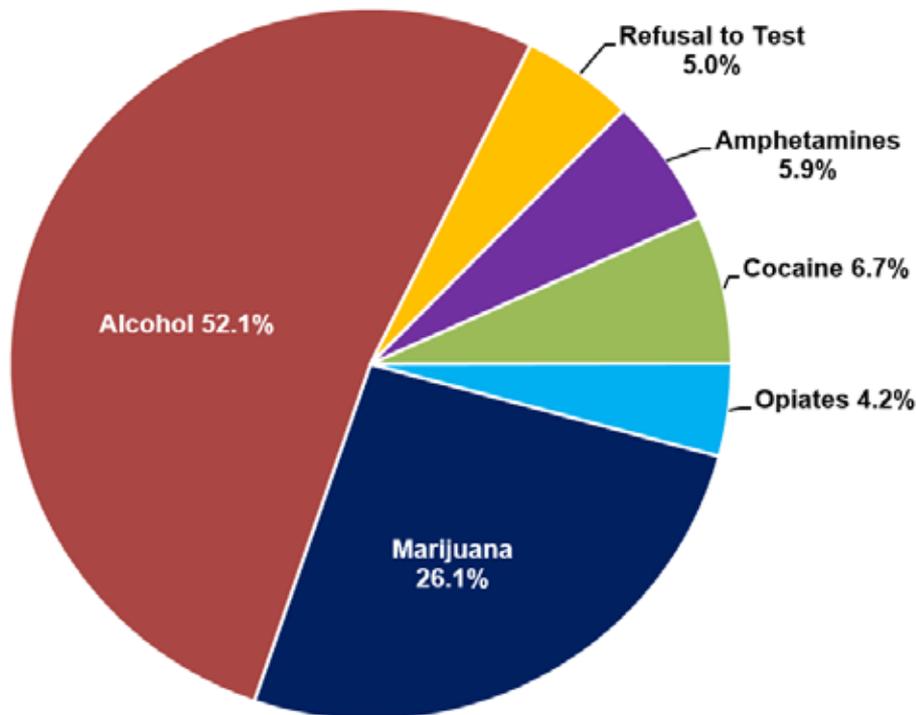
Test Category	Licensee Employees			C/Vs			Total		
	Tested	Positive	Percent Positive	Tested	Positive	Percent Positive	Tested	Positive	Percent Positive
Pre-Access	9,545	27	0.28%	82,822	735	0.89%	92,367	762	0.82%
Random	37,545	53	0.14%	27,143	167	0.62%	64,688	220	0.34%
For Cause	215	23	10.70%	481	61	12.68%	696	84	12.07%
Post-Event	241	1	0.41%	656	12	1.83%	897	13	1.45%
Followup	3,382	14	0.41%	4,560	39	0.86%	7,942	53	0.67%
Total	50,928	118	0.23%	115,662	1,014	0.88%	166,590	1,132	0.68%

Industry Performance – 2014

Results by Employment Type

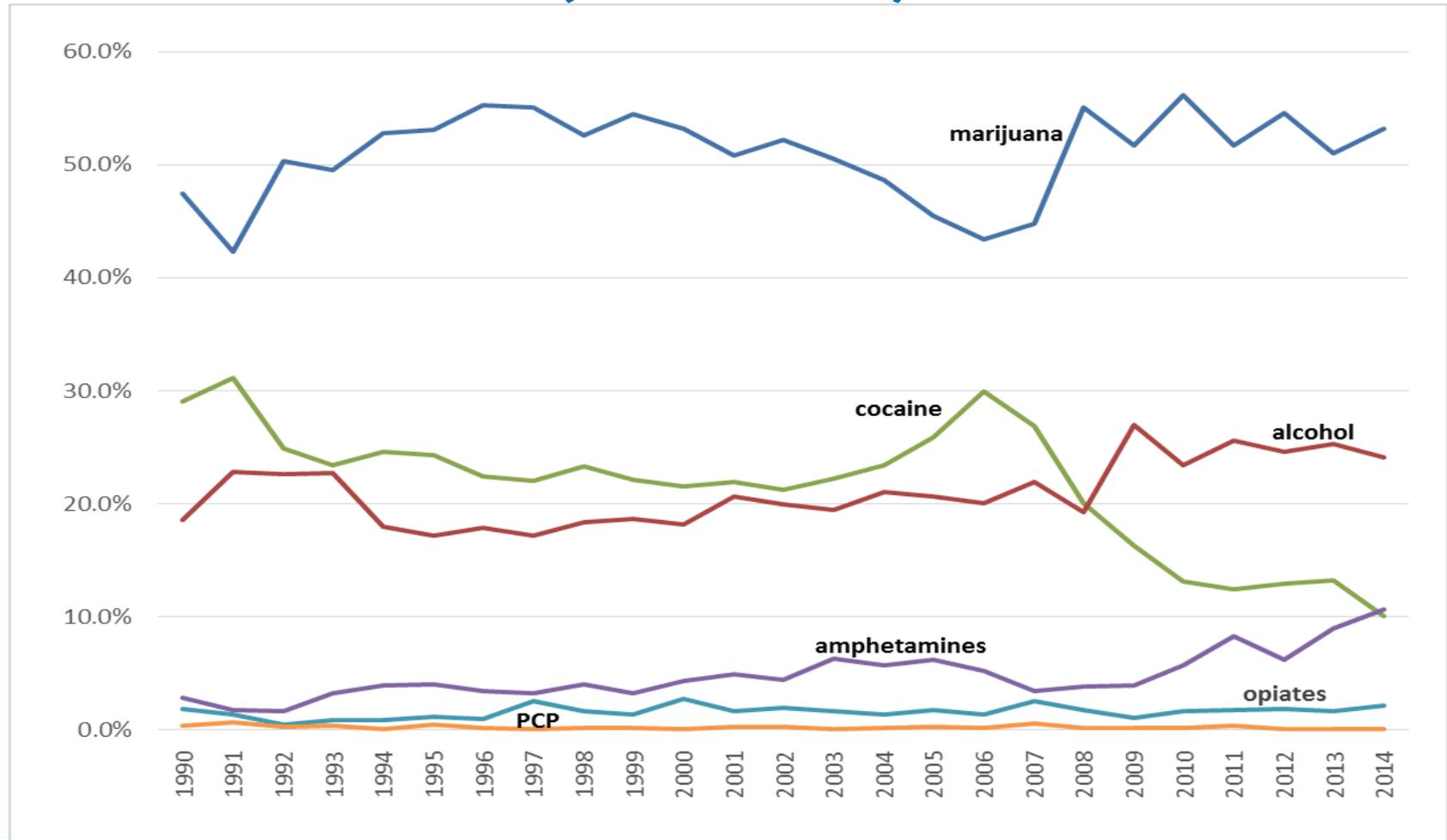
Licensee Employees
(50,928 tested, 119 positive)

Contractor/Vendors
(115,662 tested, 1,069 positive)



NRC Drug and Alcohol Testing Panel

Percentage of Total Positives by Substance Tested (1990-2014)



Subversion Attempts – 2012-2014

- Since 2012, electronic reporting of drug and alcohol test results has provided NRC with single event testing data for the majority of FFD programs (voluntary program)
- E-reporting standardized information collection on subversion attempts (“new” trends identified)

Subversion Attempts - 26.717(b)(7) and 26.75(b)

Did this collection involve a subversion attempt (Yes/No)?

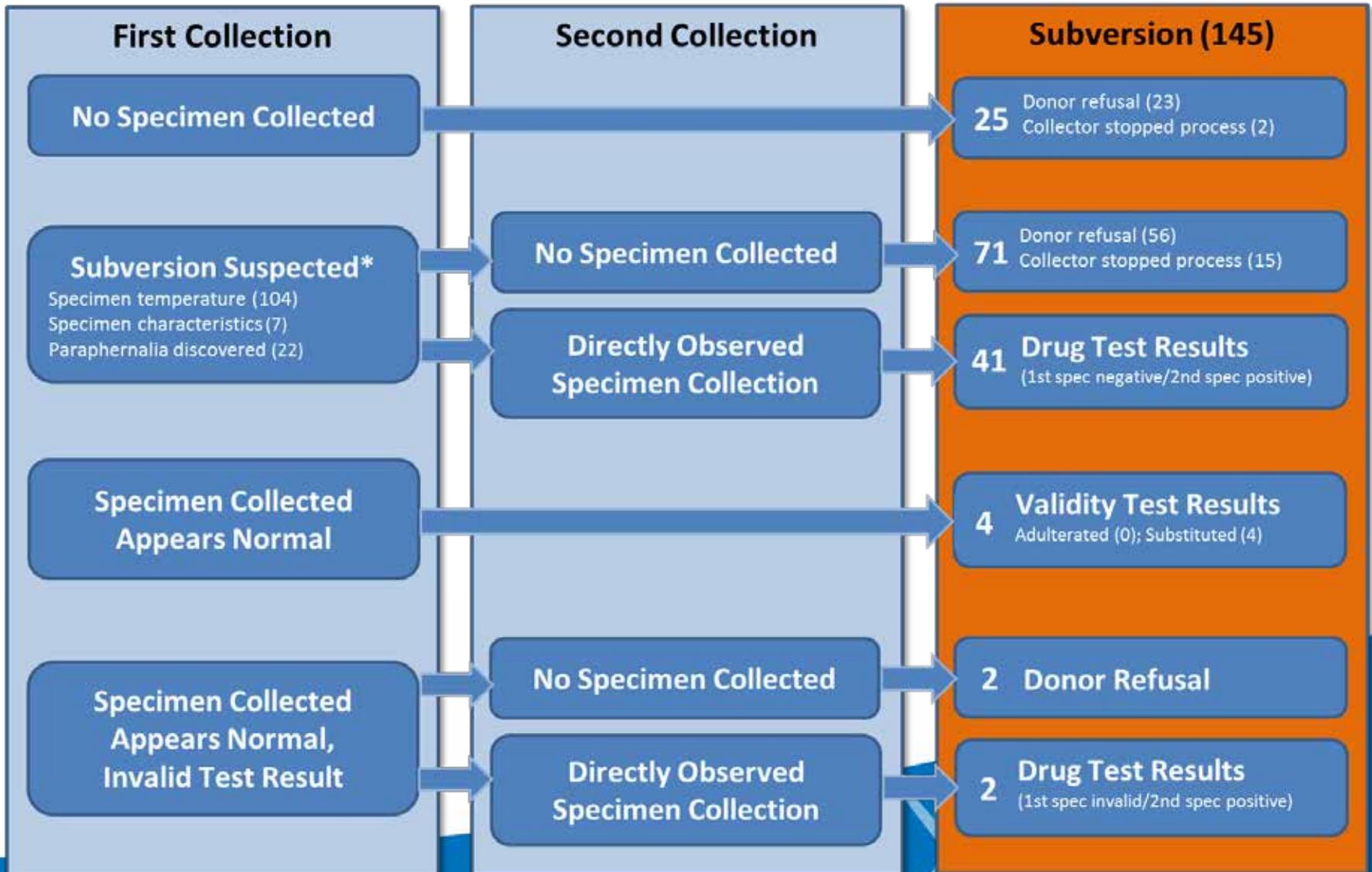
<input type="checkbox"/> Refused to provide initial specimen	<input type="checkbox"/> Specimen characteristics (e.g., color, odor, precipitant)
<input checked="" type="checkbox"/> Refused to provide second specimen	<input type="checkbox"/> Invalid test result (initial specimen collected) - 26.185(f)
<input type="checkbox"/> Specimen temperature (out of range)	<input type="checkbox"/> Refused to follow directions
<input checked="" type="checkbox"/> Specimen paraphernalia identified	<input type="checkbox"/> Other

Please elaborate on the choice(s) selected:

Specimen paraphernalia identified after completion of 1st collection, to include an electronic thermometer, small heating pad, and empty bottle with residual urine inside. Donor admitted substitution and refused to provide a sample under observed collection.

- 2012 – 177 of 1,114 violations (15.8% subversion rate)
- 2013 – 148 of 1,007 violations (14.7% subversion rate)
- 2014 – 187 of 1,132 violations (16.5% subversion rate)
- In 2014, 72% of subversion attempts occurred at Pre-Access testing
- In 2014, 96% of subversion attempts made by CVs

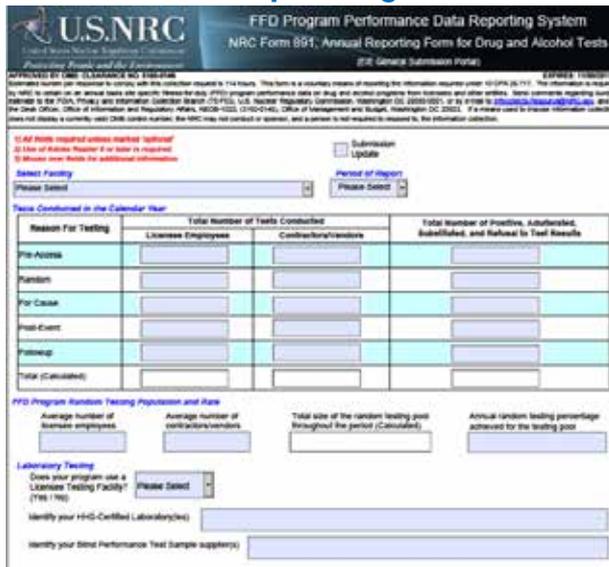
Subversion Attempt Road Map (2013)



Electronic Reporting

- Annual information reporting (10 CFR 26.717)
- All licensees using this voluntary system as of 2014 reporting; available since 2009
- Information is more uniform, robust, and event specific. Permits additional trending and analysis (see NRC Summary Reports on FFD Program Performance).
- E-forms (PDF forms) available at: <http://www.nrc.gov/reactors/operating/ops-experience/fitness-for-duty-programs/submit-ffd-reports.html>

Annual Reporting Form



FFD Program Performance Data Reporting System
NRC Form 891, Annual Reporting Form for Drug and Alcohol Tests
(2014 General Submission Portal)

APPROVED BY USER (Licensee) AND SENDER (NRC)
Estimated system user response to complete this collection required is 7-14 hours. This form is a voluntary means of reporting the information required under 10 CFR 26.717. The information is required by NRC to assist in an annual report on licensee performance for drug and alcohol testing programs from licensees and other entities. Some information regarding licensee performance is the FFD, Privacy and Information Collection Branch (315-015), U.S. Nuclear Regulatory Commission, Washington DC 20545-0001, or by email to ffd@nrc.gov. and to the Desk Office, Office of Information and Regulatory Affairs, HSCA-1023, 12150-1145, Office of Management and Budget, Washington DC 20503. If a licensee used to provide information collection does not display a currently valid OMB control number, the NRC may not collect or submit, and a licensee is not required to respond to, the information collection.

1) All fields required unless marked "optional"
2) Use of white fields for additional information
3) Must use white fields for additional information

Select Facility: Period of Report:

Submit: Update: Cancel: Submission:

Tests Conducted in the Calendar Year	Total Number of Tests Conducted		Total Number of Positive, Substantiated, and Refused to Test Results
	Licensee Employees	Contractors/Vendors	
Pre-Access	<input type="text"/>	<input type="text"/>	<input type="text"/>
Random	<input type="text"/>	<input type="text"/>	<input type="text"/>
For Cause	<input type="text"/>	<input type="text"/>	<input type="text"/>
Post-Event	<input type="text"/>	<input type="text"/>	<input type="text"/>
Posting	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total (Calculated)	<input type="text"/>	<input type="text"/>	<input type="text"/>

FFD Program Random Testing Population and Rate

Average number of licensee employees	Average number of contractors/vendors	Total size of the random testing pool throughout the period (Calculated)	Annual random testing percentage achieved for the testing pool
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

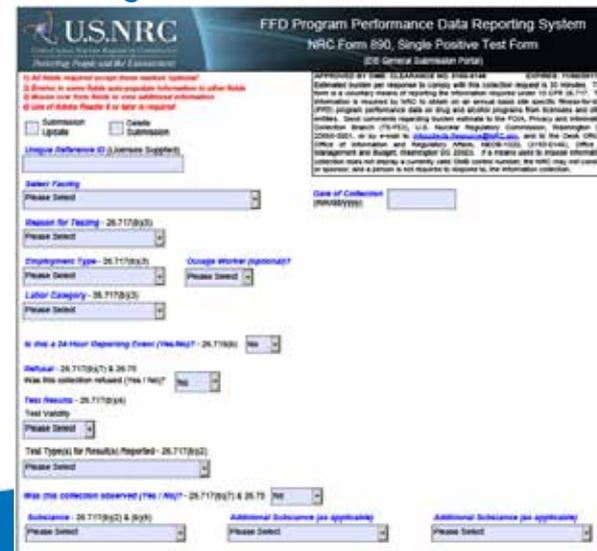
Laboratory Testing

Does your program use a Licensee Testing Facility? (Y/N)

Identify your HHC-Certified Laboratory(ies)

Identify your Best Performance Test Sample Supplier(s)

Single Positive Test Form



U.S. NRC
FFD Program Performance Data Reporting System
NRC Form 890, Single Positive Test Form
(2014 General Submission Portal)

APPROVED BY USER (Licensee) AND SENDER (NRC)
Estimated system user response to complete this collection required is 20 minutes. This form is a voluntary means of reporting the information required under 10 CFR 26.717. The information is required to NRC to obtain an up-to-date annual report on licensee performance for drug and alcohol testing programs from licensees and other entities. Some information regarding licensee performance is the FFD, Privacy and Information Collection Branch (315-015), U.S. Nuclear Regulatory Commission, Washington DC 20545-0001, or by email to ffd@nrc.gov, and to the Desk Office, Office of Information and Regulatory Affairs, HSCA-1023, 12150-1145, Office of Management and Budget, Washington DC 20503. If a licensee used to provide information collection does not display a currently valid OMB control number, the NRC may not collect or submit, and a licensee is not required to respond to, the information collection.

1) All fields required unless marked "optional"
2) Enter a white field with expansion information in other fields
3) Must use white fields for additional information
4) Use of white fields for additional information

Update: Cancel: Submission:

Unique Reference ID (Licensee Supply):

Salary Paying: Date of Collection (MM/DD/YYYY):

Reason for Testing: 26.717(b)(3)

Employment Type: 26.717(b)(3) Occupa worker (optional)?

Reason Detail:

Labor Category: 26.717(b)(3)

Is this a 24 Hour Operating Event (Yes/No)? 26.717(b)

Refusal: 26.717(b)(7) & 26.79

Was this collection refused (Yes/No)?

Test Results: 26.717(b)(4)

Test Validity:

Test Types(s) for Personnel Reported: 26.717(b)(2)

Was this collection observed (Yes/No)? 26.717(b)(7) & 26.79

Substance: 26.717(b)(2) & 26.79 Additional Substance (as applicable): Additional Substance (as applicable):

NRC Fitness for Duty Program Staff



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