



## **Nuclear Fitness For Duty (FFD) Rule Changes Are Coming by November 2023 Why are these changes occurring?**

The NRC has published an update to 10 CFR 26, Fitness For Duty Program in November 2022. All nuclear licensees must implement the updates by November of 2023.

### **Who will be affected?**

Everyone holding Unescorted Access (UA) or Unescorted Access Authorization (UAA) or otherwise included in the Nuclear FFD program.

### **What will Change?**

The following will be added to the list of currently tested drugs:

**Amphetamine drugs** MDMA and MDA, also known as Ecstasy.

**Opioids** drugs typically used for pain under a medical prescription including:

- Hydrocodone
- Hydromorphone
- Oxycodone
- Oxymorphone

If you have any questions about the Fitness-for-Duty program at Constellation, contact your Site or Corporate AA/FFD team member.

## **Constellation already tests for the following:**

- Marijuana
- Cocaine
- Opiates
- Phencyclidine
- Amphetamines

Since several of these drugs can be prescribed by physicians it is important that you self-report these prescription medications to your supervisor and the site Occupational Health Services (OHS) Representative (SY-AA-102-206 Reporting Use of Medication). Additionally, the cut off levels for the drugs currently prohibited will be getting more stringent.

### **Additional details:**

Last November, the Nuclear Regulatory Commission (NRC) announced changes to the Fitness For Duty (FFD) rule that expands the number of illegal and prescription drugs screened and lower cutoff levels for certain drugs already screened. The drugs added to the panel include amphetamine drugs MDMA and MDA, also known as Ecstasy. Also added were opioids typically used for pain under a prescription including hydrocodone, hydromorphone, oxycodone, and oxymorphone. These drugs have fueled the opioid epidemic over the past 20 years.

The addition of opioid medications to the routine FFD testing program make the current requirement for self-reporting prescription medications even more important. The Medical Review Officer will check for a current prescription when these drugs are detected. If the MRO discovers these drugs without a prescription, additional review will be required. The NRC changes also lowered cutoff levels for drugs such as Amphetamine, Methamphetamine, and Cocaine. Cutoff levels determine whether a specimen tests positive or negative for the use of a specific drug. Nuclear stations must implement these changes by November 2023. The new rule further ensures that 10 CFR Part 26 drug testing programs are effectively strengthened by increasing the overall level of protection for plant personnel, public health and safety or the common defense and security. As a result of these changes, the new rule maintains reasonable assurance of a drug-free workplace through the enhanced detection of individuals who are not fit for duty, not trustworthy or reliable because of illegal drug use, legal drug misuse or an attempt to subvert the drug testing process. Requirements for Constellation's Fitness for Duty program are included in the NANTel Generic Fitness-for-Duty and Behavioral Observation training along with the contents contained in this briefing sheet.



**Things to consider prior to arrival:**

1. Individuals should be 100% complete and accurate with statements on the Personnel History Questionnaire (PHQ)
2. There is no guarantee that stopping consumption of alcohol 5 hours before reporting to work will ensure you are fit to work and may result in a FFD program violation.
3. Federal regulations are followed in Nuclear Power facilities not State regulations. Marijuana is an illegal drug in accordance with Federal guidelines.
4. Contraband (i.e. weapons, alcohol, illegal drugs, incendiary devices etc.) are not allowed on site. Local law enforcement will be contacted when appropriate.
5. Individuals on "Temporary Hold" are Required to Contact Constellation Security Prior to Reporting to a Site. Do Not Report for In-Processing unless your Temporary Hold Has Been Resolved. Responding to Your Letter Placing You on Temporary Hold Will Assure Prompt In-Processing the Next Time You Request Unescorted Access.

Constellation Generation uses two reactor designs: Pressurized Water Reactor (PWR) and Boiling Water Reactor (BWR) at its various facilities in the Mid-West, Mid-Atlantic, and Northeast regions.

<u>Check List</u>	
Things to Bring:	
Valid Gov't Issued I.D.	_____
Dosimetry Records	_____
Legal Action Criminal History	_____
Work History for Past 3 yrs. (If you have not completed an ePHQ in advance)	_____

Due to Security Procedures and the presence of radioactive materials at Constellation Nuclear plants, access to the plants require extensive background screening, drug and alcohol testing and training beyond what is necessary at many other types of industrial facilities. This pamphlet provides information about the requirements and the documents or information you will need to furnish upon arrival if you would like to apply for unescorted access at a Constellation Generation Nuclear Plant.

## Security Access Requirements

Federal Regulations require careful screening of everyone who is granted unescorted access to a nuclear facility.

The following security access requirements provided are based on someone with no previous UAA. Requirements for individuals with previous UAA will be based on the last favorable UAA period at a nuclear facility.

An applicant is not eligible to apply for UAA when the individual reports Potentially Disqualifying Information (PDI) such as:

- Currently on Work Release, Supervised/Reporting Probation or on Parole
  - Pending Misdemeanor to include DUI, DWI, OWI, etc...
  - Pending Felony charge
  - Felony conviction within the last 5 years is not eligible until 5 years have passed
  - Three or more alcohol related convictions in the past 5 years is not eligible until 5 years have passed
  - One drug conviction in the past year is not eligible until a year has passed
  - Two drug convictions in the past 5 years is not eligible until 5 years have passed
  - An individual is not eligible for 10 years for any of the following legal actions
    - Three (3) misdemeanor drug-related offenses
    - Felony use/possession of controlled substance(s)
    - Prescription fraud or forgery
    - Unlawful dispensing of prescription drugs
    - Substances banned by DEA or other Federal Agencies—At the felony level
    - A legal action for the sale, delivery, distribution, trafficking or manufacturer of illegal drugs
- If you are in one of these categories and attempt to apply for UAA, you will be denied unescorted access and identified in the Personal Access Data System (PADS).

Generally, there are seven key activities you must complete to obtain Unescorted Access Authorization (UAA).

## Seven Key Activities

### **1. Positive Identification**

You must have current, valid (not expired) government issued photo identification (i.e., valid state issued photo driver's license, valid state issued photo non-driver identification card, or passport). You cannot be processed without one of these forms of photo identification.

### **2. Background Investigation**

Prior to arriving on site, you should complete an electronic Personal History Questionnaire (ePHQ). Once a request is submitted by your representative / employer (must include your name as it appears on your driver's license, SSN and personal email address), the applicant will receive an email from Illuminate with directions to complete the ePHQ. This link will bring you directly to the Constellation server and provide you with a unique ID. The ePHQ must be complete and accurate in accordance with NRC regulations. Any discrepancies discovered would need to be adjudicated which could either delay your access or result in denial of access to the site.

### **3. Drug and Alcohol Screening**

Regulation and site requirements mandate Fitness for Duty testing for alcohol and drugs. You will be required to complete a breathalyzer test and submit a urine sample for analysis. To ensure safe, reliable and trustworthy performance from all personnel, there is a ZERO tolerance with respect to drugs and alcohol. NRC regulation mandates permanent denial if there is an attempt to subvert or adulterate a specimen or a refusal to provide a specimen.

### **4. Fingerprint Verification**

Your fingerprints will be taken and sent to the FBI for screening and verification. Failure to list any legal action or arrest may result in denial of unescorted access.

### **5. Psychological Profile Test**

All initial and update personnel must complete psychological testing. Certain indications on this test may require a follow-up interview with a clinical psychologist. This interview may only be for clarifying or confirming information. Being selected for an interview does not necessarily indicate a problem of any kind.

### **6. Plant Access Training**

New applicants will receive about 8 hours of instruction and must pass a multiple-choice exam. Returnees or people who have worked recently at other nuclear facilities may be given condensed versions of this training. More training may be needed in the areas of Radiation Protection, Safety or job specifics.

### **7. Dosimetry Records**

If you have current year dose at another nuclear facility and have been furnished with copies of dose records, please bring this information with you. The nuclear industry has a computerized record transfer and storage system called PADS (Personnel Access Data System). If you do not have dosimetry records with you, it is important to provide the name of nuclear facilities where you have worked, as well as a lifetime dose estimate.