

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

June 26, 1990

MEMORANDUM FOR: James M. Taylor, Executive Director
for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: SECY-90-053 - PROPOSED POLICY STATEMENT ON FITNESS FOR
DUTY AT NRC-LICENSED FACILITIES OTHER THAN NUCLEAR

This is to inform You that the Commission (with all commissioners agreeing) has approved Your recommendation for the development of a proposed rule on fitness for duty for Category I facilities and shipments. The rulemaking should be designed to ensure fitness for duty of employees (1) who have direct access to large quantities of special nuclear material; (2) who are directly responsible for protection of the material; and (3) who transport the Material. The rule should be developed and issued in final form within 2 years.

(EDO) (SECY Suspense - proposed rule 6/1/91)

The Commission has disapproved the proposed policy statement which would have addressed the need for fitness for duty proposed for other NRC licensee personnel. In lieu of such a policy statement, the Commission (with Chairman Carr and Commissioners Curtiss and Remick agreeing) directs the staff to develop an appropriate information notice which would inform these licensees of the Drug-Free Workplace Act and generally describe the NRC's considerations in promulgating the fitness for duty rule for licensees authorized to construct or operate nuclear power reactors. Commissioner Rogers, while not objecting to the information notice approach, would have preferred the policy statement approach. Commissioner Remick stated he was not so concerned with the form of NRC's notice as with getting the message out to the licensees.

(EDO) (SECY Suspense: 7/27/90)

cc: chairman Carr
Commissioner Roberts
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC

GPA

SECY NOTE: THIS SRM, THE SUBJECT SECY PAPER AND THE VOTE SHEETS OF COMMISSIONERS CURTISS, REMICK, AND WILL BE MADE PUBLICITY AVAILABLE IN 10 WORKING DAYS FROM THE DATE OF THIS SRM.