

MRO Verification in the Nuclear Complex: DOT Rules, HRP Safety Issues, and Stand-down

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Outline of this Presentation:

1. Overview of Drug Screening at Pantex
2. MRO Case Study #1
3. HRP Issues and Site Office Expectations
4. MRO Case Study #2
5. Learnings from Review and Cases
6. Alternatives to DOT/HHS Rules



1.0 Overview of Drug Screening at Pantex

- ❑ HRP: 85% of the 3550 employees at the Pantex site hold positions that fall under the Human Reliability Program (10 CFR 712)
- ❑ Random Pools
 - HRP and Cleared Subs (approx. 3000)
 - DOT Card Holders (approx. 70)
- ❑ MROs...Both AAMRO & MROCC
 - DOT/HHS rules are *de facto* basis for review
 - MRO performs verification behind “Chinese Wall”
 - Stand-down prohibited (*under DOT rules*)



1.1 Overview...(Continued)

- DERs (Designated Employee Representatives)
 - Visible and knowledgeable DER for DOT card holders
 - DOT DER has only 70 in his testing pool
 - Only recently was role of non-DOT DER clarified
 - Prior to that time, overlap in roles of HRP Management Official and non-DOT DER
 - HRP MO was (and still is) most visible
 - At Pantex, *Drug Screening is principally associated with HRP*



2.0 MRO Case Study #1

- ❑ Drug Screen collected Tues, 6/26/07
- ❑ Released by Certifying Scientist Sun, 7/1/07
- ❑ Reported to Pantex (fax) Mon, 7/2/07
- ❑ COC, delayed/donor offsite... to MRO Tues, 7/3/07
- ❑ Donor reached, Tues 7/3/07: denies use/ENT surgery
 - Donor requests test of split bottle B
 - Access/HRP restrictions imposed (*piggyback action*)
- ❑ HRP Management Official to change badge
 - Donor “discloses” (+) drug screen to HRP MO
 - HRP Management Official reports to Site Office



2.1 MRO Case #1 (cont'd)

- ❑ Donor allowed to choose SAMHSA lab for bottle B
- ❑ MRO does not notify DER...
 - *Because:* Donor has already disclosed to management
 - Site Office (Security organization) was already notified
- ❑ Site Office questions MRO procedures
- ❑ Pantex MROs discuss “stand-down” concerns
- ❑ Bottle B test report (+), received Mon, 7/16/07
- ❑ Donor contacted 7/17/07



3.0 HRP Issues & Site Office Concerns

- ❑ Site Office questions MRO procedures
 - Concerns about “timely reporting” by MRO
 - Advises that Donor should have been put “off site”
- ❑ Several Meetings plus a CAMP (Cause Analysis Mistake Proofing)
- ❑ CAMP Discussion Centered on...
 - Delays in Process
 - Notification: through DER versus HRP Management Official
 - Use of Stop Badge versus HRP Access Restrictions
 - Stand-down*= job removal action before MRO verification complete
 - Latitude of MRO*= Under DOT rules, must have a waiver
- ❑ Further Discussion (*) About Last Two Points
 - For DOT card holders, required action almost always requires a “stand-down”
 - For many others, depending on the case, “stand-down” broached
- ❑❑❑



4.0 MRO Case Study #2

- 8/17/07 (Fri) – Donor called for drug screen
- 8/21/07 (Tues) – Specimen to SAMHSA Lab (Day 4)
- 8/22/07 (Wed) - ELISA test (1st screen) performed
- 8/23/07 (Thurs) - Confirmation run with GC/MS
- 8/24/07 (Fri) - Batch reviewed/certified for reporting (with exception of our sample). This sample failed due to sample prep (Normal procedures)
- 8/26/07 (Sun) - Sample re-allocated, re-extracted. 8/27/07 (Mon) - Batch was re-run (Day 10)
- 8/28/07 (Tues) - Batch reviewed, certified for reporting and released



4.1 MRO Case Study #2 (cont'd)

- 8/28/07 – Late Tues PM results reported...MRO contacted employee (Day 11)
- 8/28/07 – Employee worked graveyard shift
- 8/29/07 (Wed AM)– Stop badge notice to HRP MO
- 8/29/07 – MO began stop badge action...
- 8/29/07 – Security management rescinded (*officer*)
- 8/29/07 – Donor met with MRO, produced Rx
- 8/29/07 – MRO (-), *but* HRP MO: failure to report medication, *HRP Review Committee... safety issue*



5.0 Learnings from Review & Cases

- ❑ PXSO expectations/reporting timelines at odds with DOT/HHS Rules (Stand-down)
- ❑ Expectations for removal from site: Unworkable in certain situations (e.g. Case#2)
- ❑ While Drug (and Alcohol) screening is...
 - A Key Element of HRP...Mostly Deters (vs Detects)
 - DOT/HHS Rules Don't *Always* Align with HRP Risk Paradigm
 - *At Least at Pantex* (May Differ Site to Site...)
- ❑ BWXT and PXSO Management...
 - Mandated MRO Checklist revisions
 - MRO Checklist:
 - Wanted *Published Form*
 - Maintained as *Deskaid* (*Didn't want it to be mandatory*)



5.1 Learnings from Review & Cases

- ❑ Stand-down (under DOT Rules)... Definition:
Removal of employee from job before MRO has made final determination about drug screen
- ❑ BWXT and PXSO mandate removal within 24 hrs
- ❑ Real vs. Perceived Risk Levels (*while MRO acts*)
 - Reporting Delays common (e.g. Case#2)
 - Test only for “SAMHSA Five”... (*Narrow scope*)
- ❑ Are MROs Indemnified by Company/DOE?
 - In “Stand-down” situations...
 - Should DOE request a DOT stand-down waiver?
 - No waivers granted by DOT (*yet, many applications*)



5.2 Learnings... (*continued*)

- MROs Indemnification Issue...
 - Many MROs obtain separate liability insurance...
 - Liability Policies typically require certification
 - Certification requires...
 - MRO affirm ethical statement
 - Practice in accord with consensus standards (DOT rules)
- Should DOE request a DOT stand-down waiver?
 - No waivers granted by DOT (*yet*, many applications)
 - If obtained, it would endorse Pantex requirement for MRO to “stand-down”, *otherwise, noncompliant...*
- Should DOE seek another MRO framework?



6.0 Alternative to DOT/HHS Rules

□ The Case for an Alternative:

- PXSO expectations/reporting timelines at odds with DOT/HHS Rules (Stand-down)
- Narrow scope of testing (SAMHSA Five)
- Expectations for removal from site:
Unworkable in certain situations (e.g. Case#2)

□ Issue...Can't Simultaneously Meet

- DOT/HHS Rules
- Pantex HRP Risk Paradigm
- Site Removal expectations



6.1 Alternatives to DOT/HHS Rules

- Approaches (*if expectations remain*):
 - Continue with DOT/HHS Rules (Apply for a Stand-down Waiver...*unlikely to be granted*)
 - Continue with DOT/HHS Rules (Formal Local mandate/indemnification of MROs... memo from Legal)
 - Consider *Alternative Scheme*...(e.g. NRC Rules)
- NRC Rules: Advantages:
 - Fitness for Duty paradigm...
 - More consistent with HRP risk paradigm
 - Stand-down permitted
 - May Test for More Substances
 - May Test at Different Thresholds



Questions? Further Discussion?

