

Local No. 1455 International Brotherhood of Electrical Workers

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DOCKET NUMBER
PROPOSED RULE PR 26
(59FR24373)

July 21, 1994

OFFICE OF SECRETARY
DOCKETING BRANCH
NRC

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Docketing & Services Branch

Re: 10 CFR Part 26
Changes to Fitness-For-Duty (FFD) Requirements

Dear Sir/Madam:

The I.B.E.W., Local 1455 represents approximately 1300 clerical, technical and sales employees at Union Electric Company, 150 of which work at the Callaway Nuclear Power Plant and respectfully submit our comments regarding the notice in the May 11, 1994 Federal Register relating to 10 CFR 26, Fitness-For-Duty Programs.

Local 1455 does not support random drug testing and continues to view such testing of workers as an unreasonable invasion of one's privacy. The present random drug testing program cannot prove whether or not an individual was in any way impaired at the time the test was administered. There is no certainty that random drug testing has the deterrent effect the Nuclear Regulatory Commission is looking for. Well screened and trained employees at nuclear stations are normally under observation by supervisors and co-workers which serves as the real deterrent to drug and alcohol abuse or other inappropriate behavior.

The Nuclear Regulatory Commission (NRC) should not compel all personnel granted unescorted access to the protected area to submit to random drug and alcohol testing within the confines of 10 CFR 26. As the NRC has stated, there is no evidence or information which has led the NRC to believe modifying the rule would jeopardize the health or safety of the public due to sabotage or vandalism of nuclear power stations. The public's perception of "what ifs" should not influence the commission's decision. The numerous other screening requirements, which licensees use for the selection of employees is the acceptable process by which potential trusted workers or persons determined to pose any risk, may be denied access to the plant or vital areas.

Local 1455 urges the NRC to revise the scope of 10 CFR 26 to limit random drug and alcohol testing to only those workers who have unescorted access to vital areas at nuclear power plants (option 3). The "non-vital" access personnel will still be included in other FFD

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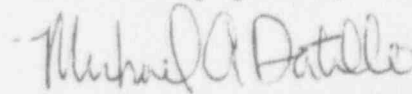
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programs for the monitoring and control of substance abuse in workers. Behavioral observation, for-cause testing, worker peer pressure and education concerning toxic and deleterious effects of substance abuse are the most effective deterrents for substance abuse in the workplace, including nuclear plants. Implementation of random drug testing as opposed to performance-based criteria for nuclear generation facilities is not cost beneficial to licensees or supportive of the many dedicated, well trained personnel.

Local 1455 believes that option 3, based on the random testing of only personnel capable of accessing vital/safety related equipment would lessen, but not eliminate, the present program's infringement on employee's privacy. The FFD program should continue for-cause testing and behavioral observation programs for the non-vital access workers. The proposed change to 10 CFR 26 should not increase the possibility of nuclear accidents that would affect the health or safety of the public.

Local 1455 would also like a committee formed to study the positive and negative effects of 10 CFR 26 on the workplace. The committee would include the NRC (regulator), licensees (management) and workers (unions). All three groups would work towards developing the safest work environment possible but also take into consideration employer costs, employee privacy and working conditions.

Sincerely yours,



Michael A. Datillo
Business Manager

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cc: IBEW Utility Department