

*19,20,21 et al*  
(59FR 6792)

# International Union, UNITED PLANT GUARD WORKERS OF AMERICA (UPGWA)

INTERNATIONAL HEADQUARTERS: 25510 Kelly Rd., Roseville, Michigan 48065  
TELEPHONE: (313) 772-7250 FAX: (313) 772-9644

EUGENE P. McCONVILLE  
President

LOUIS R. SCOHY  
Vice President

RONALD L. WARFIELD  
Secretary Treasurer

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PROPOSED RULE **PR** *19,20,21 et al*  
(59FR 6792)

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

Attention: Docketing and Service Branch

RE: **Certification of Gaseous Diffusion Plants - Proposed Rule**

Dear Commissioners:

On behalf of the International Union, UPGWA and its affected Local Unions and members, I respectfully submit the following comments regarding the proposed rule published in the Federal Register, Volume 59, No. 29 on February 11, 1994.

At the outset, I wish to state that the occasion of DOE's lease of two gaseous diffusion plants at Paducah, Kentucky and Portsmouth, Ohio to the USEC should not be used to reduce or restrict the in-place security forces at each location. I have previously advised both NRC and DOE that a curtailment of operations does not justify any reduction in levels of security or training. Concerns for the public safety and external threats do not diminish with downsizing.

I am also concerned with the Exemptions set forth in Section 76.11 and 76.14. While exemptions are subject to the condition that they ". . . will not endanger life or property or the common defense and security and are otherwise in the public interest", I fear that the provision will not be strictly construed in an era of cost reduction irrespective of consequences.

Recognizing that many of my concerns are administrative rather than substantive, I recommend nonetheless that the proposed rule substantively reflect the need to maintain the efficiency and integrity of security forces and procedures at the subject plants.

I also recommend that Section 76.7(1) be amended to include those activities protected by the National Labor Relations Act, as amended. It is important to place the Commission's rules in harmony with overlapping protective federal legislation.

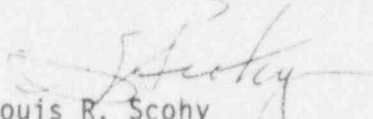
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April 7, 1994  
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Thank you for your consideration.

Respectfully submitted,

  
Louis R. Scohy  
International Vice President  
Director of Nuclear Affairs

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cc: E. McConville, International President  
G. Hartlage, Director, Region 3  
G. Squier, Director, Region 4  
T. Douglas, L-66, Portsmouth, OH  
W. Brien, L-111, Paducah, KY  
G. Gregory, Esq.