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PROPOSED RULE
(53 FR 7534)

(27)



AFL-CIO



SYSTEM COUNCIL U-4---IBEW

REPRESENTING LOCAL UNIONS: 359, 622, 627, 641, 759, 820, 1042, 1066, 1191, 1263, 1908

PHONE: (305) 737-8811 432 West Boynton Beach Blvd., Boynton Beach, Florida 33426-7888 ~~88~~ MAY 9 1988 P7:59

May 5, 1988

OFFICE OF THE SECRETARY
DOCKETING & SERVICE
BRANCH

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

Attn: Docketing and Service Branch

Re: 10CFR Parts 50 and 73, Nuclear Power Plant Access
Authorization Program: Policy Statement.

Dear Sir:

This office represents the Bargaining Unit group on the property of the Florida Power and Light Company which includes Turkey Point and St. Lucie Nuclear Generating Stations.

We are all too familiar with INPO, NUMARC, EEI and with the various groups and committees responsible to them. We recognize that these organizations were formed by the Utilities themselves, in part, for the purpose of monitoring, regulating and operating their own industry in an effort to minimize regulation by legislation. We do not disagree with this intent by the industry.

We do disagree with the results of these efforts in many instances, specifically as regards maintenance and operations of Nuclear generating stations.

We do not question the integrity of the management involved however we see various programs that fall short of their obvious goal, in part, because of insufficient manpower and time dedicated to make programs effective.

The most significant cause for the limited success of these programs is management's failure to include the Bargaining Unit in the discussion on an area of concern. A program is formulated and, in many cases, implemented without including Bargaining Unit Representatives in any phase of formulation or implementation. Obviously, this all too often, places the Union in dispute with management in those areas that conflicts with the negotiated contract.

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As the representatives of the Bargaining Unit members on this property, we find that "Policy" and/or "Guidelines" are subject to interpretation and/or application by individuals or varying circumstances. We are opposed to a policy statement as they are not definitively and consistently applied.

Based on our own experience, we urge that the Commission establish Access Authorization through the rule making procedure. The rule must be definitive. Each party must be responsible to jointly implement and administer the rule in a consistent manner applicable to all who are affected.

It is noted that Fitness For Duty is interrelated with Access Authorization and must be addressed with this same concern in this same rule. This would be consistent with other established Access Authorization rules.

System Council U-4, IBEW with some 5300 members, supports the objective of a drug free work place. We do advocate a reasonable and fair approach to accomplish this goal. In this regard, we positively oppose "Random Testing". We do support testing for reasonable cause.

In closing, we again wish to emphasize that we are firmly convinced that the public, industry and employee will be best served by an established Access Authorization Rule. Conversely, a "Statement of Policy" would be a disservice to all parties concerned.

Respectfully,

C. A. Holliday
C. A. Holliday
Business Manager

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