

United States Senate

WASHINGTON, DC 20510

May 8, 1986

Mr. Nuzio J. Palladino
Chairman, Nuclear Regulatory Commission
1717 H Street NW
Washington, D. C. 20555

Dear Chairman Palladino:

It was with dismay that I learned recently of our Nuclear Regulatory Commission's continued deferral of prescriptive rulemaking for our nuclear power industry to deal with illegal drug use at our nuclear power installations. I understand from congressional testimony of Mr. James Taylor, the Director of the NRC's office of Inspection and Enforcement, that the NRC has also not yet promulgated a policy on drug testing in the nuclear workplace.

Recent press accounts of the drug abuse problem at our nuclear power plants, uncovered by drug testing programs at Florida Power's Crystal River nuclear plant and Georgia Power's Vogtle nuclear project, only serve to illustrate the urgency of the drug use problem in our nuclear industry.

Mr. Chairman, in the wake of the nuclear disaster at Chernobyl, it should be abundantly clear that the social consequences of human error in the nuclear industry can be stupendous. While the Federal Railroad Administration, and even Washington, D.C.'s METRO authority has issued rules on drug testing for employees in these industries in the interest of public safety, the NRC has left to the nuclear power companies to decide their own policy and practice on drug testing of employees. Consequently, while over 90% of our nuclear industry drug tests employees for cause, the rest of our nuclear industry does not, according to Mr. Taylor's testimony. Apparently very few nuclear power plants conduct the periodic, random and mandatory drug testing even of critical nuclear employees that would seem most appropriate for this highly sensitive industry.

In view of the delay and uncertainty concerning the NRC's rulemaking on drug testing since 1982, when the proposed rule was published, it is not altogether surprising that our nuclear power

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companies have failed to move decisively to adopt proper drug testing procedures. These companies are waiting for the situation to clarify before they commit to drug testing. They are also hesitant to, on their own, take on the aggressive and frustrating legal challenges mounted routinely by narrow interest advocacy groups like the ACLU and the union leadership.

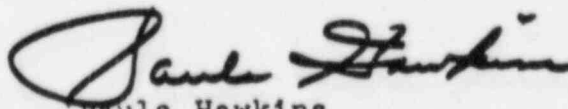
NRC leadership is urgently needed in adopting the proper, strong regulations calling for periodic random drug testing of at least all critical employees. Such an NRC rule would also centralize the litigation, or give the nuclear power companies a federal rule to point to, in support of their action.

An NRC rule would also serve to remove the issue of drug testing from the collective bargaining arena where companies are forced to negotiate and compensate unions for accepting drug testing as part of their union contract.

In view of the nearly four-year delay since the NRC initially published a proposed rule on drug use by nuclear power plant personnel, I think it is imperative to put into place, as soon as possible, appropriate rules concerning such a vital area as drug use by nuclear power plant personnel. We can't afford to fiddle any longer.

I would also like to request the results of the survey of drug testing practices in our nuclear industry which Mr. Taylor mentioned at the House hearing on May 7.

Sincerely,



Paula Hawkins
United States Senator

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