



**Leo W. Gerard**  
International President

July 1, 2011

Sent via e-mail to: [the.secretary@hq.doe.gov](mailto:the.secretary@hq.doe.gov)

The Honorable Steven Chu  
Secretary of Energy  
1000 Independence Ave., SW  
Washington, D.C. 20585

Dear Secretary Chu:

I am writing today to raise a variety of serious concerns related to the conduct of the Department of Energy toward USW members in the nuclear fuel sector and policy steps the DOE has taken in recent months that could adversely impact those workers.

As you know, the USW is the largest union in the U.S. nuclear fuel sector, representing workers at numerous sites that deal with research, fuel production and the clean-up of shutdown sites. This work is, as you well know, vitally important both to our nation's energy economy and to national security.

It is my expectation that your consideration of this list of the USW's concerns will allow you and I to meet in person as soon as practical so that we can discuss these issues in more detail and perhaps outline steps to resolve of many of them.

First, there is the very serious problem of the ongoing transition of the cleanup contract at Piketon. This is the first time in the history of the U.S. nuclear sector that the DOE has not supported the successor contractor honoring the existing collective bargaining agreement and the workers' benefits, wages and seniority as guaranteed under it.

It is my understanding that the DOE specifically instructed the new contractor consortium at the Piketon site NOT to honor the terms of the collective bargaining agreement as they related to seniority and benefits. Again, this is the first time this has happened. In my view it is unconscionable for a Democratic administration elected with labor support to take such a position and to treat workers as much-used equipment to be discarded at will. If this is the case, no previous administration in history has been this callous toward unionized DOE workers.

It is my hope that if the DOE has taken such a position, it will reverse course promptly and support the continuation of the terms of the previous collective bargaining agreement at the Piketon site. Specifically, the USW calls on the DOE to mandate to the new contractors that they honor the terms of the previous collective bargaining agreement at the site, particularly in respect to benefits and seniority.

Second, I ask that the DOE not oppose a program to re-enrich the usable fraction of the uranium tails existing at the Paducah and Piketon sites. I call on the DOE to simply institute a re-enrichment program of its own volition. Such a program will help plug the supply gap that will open up if the Paducah site ceases to enrich natural uranium at the end of 2012 as currently scheduled, and provide much needed, family supportive jobs to a region that desperately needs them.

As you know, the Urenco/LES project in New Mexico is nowhere near full capacity and is expanding slowly. The proposed Areva project in Idaho has not yet even broken ground. And the ACP project in Ohio is stalled due to financial considerations. Hence, the only way a viable uranium tails re-enrichment process can take place in practice in the next decade is if the Paducah plant is tasked with the work.

Furthermore, it is clear that at current uranium prices, **such a project will be a net positive to the U.S. Treasury**, and the resulting funds could readily be made available to DOE cleanup projects at a time when such funding is sorely needed to ensure the cleanup process is carried out effectively at the numerous sites where it is active. I strongly urge the DOE to embark on the uranium tails enrichment project at the earliest possible opportunity, that it site the work at Paducah where capacity to do it currently is available, and that it use the revenue from the project to help fund its ongoing cleanup efforts at the various cleanup sites.

Third, I believe the DOE must make a commitment to ensure there is sufficient funding in all its nuclear programs so that the benefits due to the workers in the program, particularly their retirement benefits, can be fully funded and maintained as guaranteed by statute, regardless of the contractor and whether or not a transition process is underway. To do any less for the men and women who have served our government's nuclear sector is unconscionable.

Fourth, I want to make clear the USW's support for the resumption of private sector funding to the decontamination and decommissioning (D&D) program. It is important that private entities that have benefitted from America's commitment to nuclear energy pay their fair share of the costs to the nation of that commitment.

The next two matters relate to communication between the DOE and the USW. As you know, the USW and its predecessor union have for many years played a constructive role, both in making sure that the workers and retirees at the sites had their rights upheld, but also in the realm of ensuring sound policy in this sector.

To date the USW has had frequent and useful meetings and conversations with the top officials in the DOE's Environmental Management (EM) section and in its Health, Safety & Security section. Our union and our members appreciate these important opportunities.

However, our union has had only one meeting with the DOE's Nuclear Energy (NE) section that deals with core issues connected with all the sites where we represent workers. I want to ask specifically that you direct the Nuclear Energy section to begin meeting with the USW regularly at a sufficiently high level so there is an open channel of communication on issues in which the NE has purview.

Also, in previous administrations there has been a senior official in the Secretary's office assigned as a liaison to the labor community at the DOE nuclear sites. This line of communication, when it existed, prevented many misunderstandings and minimized the potential bad effects of some others. I urge you to re-open this line of communication and appoint a senior official in your office, whether current or new senior staff, to undertake this important function.

Furthermore, I would like to point out that during his campaign for president in September 2008, President Obama wrote to then Governor Strickland of Ohio and made specific commitments on the continuation of workers' wages, benefits and working conditions from one contractor to another, and on adequate funding for all the DOE cleanup programs. We want to ensure that this Administration lives up to its commitments to these dedicated workers and this vital segment of the nation's energy portfolio, and look forward to working constructively with you to that end.

I want to thank you in advance for your very careful consideration of these extremely serious concerns.

Sincerely,

A handwritten signature in cursive script that reads "Leo W. Gerard".

Leo W. Gerard  
International President

c: Daniel B. Poneman, Deputy Secretary of Energy  
Dr. Ines Triay, Assistant Secretary of Energy, OEM