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[Enforcement Actions](#)
[Enforcement Letters](#)
[Program Reviews](#)
[Press Releases](#)
[NTS Updates & Reporting](#)
[Program Plan Information](#)
[Annual Reports](#)
[Procedures & Guidance](#)
[Regulations & Standards](#)
[Interpretations](#)
[Training](#)
[Background Info](#)
[Associated Links](#)
[Staff](#)
[Comments](#)

Two DOE Site Contractors Cited for Safety Violations

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WASHINGTON, DC The Department of Energy (DOE) has issued civil penalties to the operators of the Rocky Flats Environmental Technology site in Colorado and the Idaho National Engineering and Environmental Laboratory (INEEL) for violating nuclear safety procedures associated with the fabrication and procurement of nuclear waste storage containers.

Kaiser-Hill Company was fined \$82,500 for the violations that took place in 1997 and 1998. The \$220,000 penalty to Lockheed Martin Idaho Technologies Company (LMITCO) covers problems with nuclear waste storage containers in addition to a number of other violations that took place over a period from 1995 to 1998. In both cases, the containers were to serve as the primary containment for radioactive waste materials stored on site, with eventual disposal at the Waste Isolation Pilot Plant (WIPP) near Carlsbad, New Mexico.

At Rocky Flats, the contractor purchased 69 nuclear waste containers without adequately evaluating the quality controls used by the supplier. After nine nuclear waste containers had been filled with radioactive waste, it was discovered that they were defective and not usable for their intended purpose. In the enforcement action, DOE cites several failures to properly follow administrative controls and procedures as significant factors in causing the problem. The potential penalty to Kaiser Hill was reduced by 25 percent in recognition of the contractor's initiative to identify quality problems in other purchases after the nuclear waste container problems were known.

The violations at INEEL involved procurement of waste containers and nuclear fuel storage buckets, along with other operational quality issues at INEEL nuclear facilities. In one case, 556 containers were procured and 29 were filled with radioactive waste before they were determined to have structural

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integrity problems including poor welds and inadequate leak tightness. Further inspection demonstrated that none of the 556 containers could be used as intended.

Another case involved the purchase of nuclear fuel storage buckets for handling of old reactor fuel. While LMITCO found that the vendor had an inadequate quality assurance program, the vendor was still allowed to fabricate the buckets. After the buckets were accepted, inspection revealed that 41 of 48 had inadequate welds.

Other issues involved in the LMITCO action were inadequate administrative controls to assure reliability of emergency notification and communications systems, failure to establish an adequate process to evaluate root causes and develop effective corrective actions (despite repeated warnings from DOE Idaho staff), and the contractor's failure to implement commitments made in a previous enforcement action.

DOE determined that no mitigation of the penalty was warranted in the INEEL case, citing that during the period involved in the citation, the contractor failed to establish a proactive process to identify and correct continuing and repetitive problems. Since 1998, INEEL has established more rigorous quality assurance controls and will obtain replacement boxes which meet DOE's quality expectations for transportation and disposal of nuclear waste material at WIPP. Current shipments from INEEL to WIPP do not require the use of the standard waste boxes.

The civil penalties accompany Preliminary Notices of Violation which require the contractors to identify appropriate and effective corrective actions and expected completion dates. DOE will then determine whether further enforcement action is required. The notice will become final in 30 days unless the contractor provides sufficient justification and information to rebut the findings of the enforcement action.

Copies of the Preliminary Notices of Violation which provide detailed information on each action and additional information are available via the Internet at: <http://tis.eh.doe.gov/enforce>.

News Media Contact:

Michelle del Valle, 202/586-5806

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