

## Four Energy Department Contractors Cited for Nuclear Safety Violations

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For Immediate Release

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**WASHINGTON, DC** The Department of Energy today announced enforcement actions for nuclear safety violations against contractors operating at four of its sites: Idaho National Engineering and Environmental Laboratory, Los Alamos National Laboratory, Oak Ridge National Laboratory, and the Savannah River Site. The Price-Anderson enforcement actions proposed civil penalties ranging from \$55,000 to \$112,500. The Oak Ridge fine was waived because of corrective actions taken.

"We demand that contractors at our sites meet our high nuclear safety standards and we impose penalties on those who do not meet these standards," said Peter N. Brush, Acting Assistant Secretary for Environment, Safety and Health. "We also encourage our contractors to solve their safety problems and we mitigate penalties when they are successful. Our goal continues to be ensuring the safety of our workers and the communities surrounding our sites."

The four enforcement actions are:

Reactor Records Falsification - Idaho National Engineering and Environmental Laboratory Lockheed Martin Idaho Technologies Co.

In October 1997, two reactor operators at the Advanced Test Reactor Critical Facility in Idaho falsified records to indicate that the required testing of reactor safety systems had been performed, when in fact it had not. Additionally, the reactor supervisor, upon discovering that such testing had not been performed, failed to notify management representatives of the problem. The safety systems involved are relied on to automatically shutdown the reactor in an emergency. This enforcement action includes a \$55,000 fine. The contractor has taken disciplinary actions against the employees involved and has also undertaken formal measures to improve the conduct of operations at the site's nuclear facilities.

Nuclear Facility Operational Failures - Los Alamos National Laboratory University of California

In November 1996, an explosion occurred in the Chemistry and Metallurgy Research Facility that could have resulted in serious or fatal injuries. The department's investigation identified numerous deficiencies and weaknesses in work procedures and controls that led to the explosion and that could have resulted in enforcement action at the time. However, the department gave the contractor time to correct the problems and forgo enforcement action. The department issued a formal warning to the laboratory that continued similar failures would result in action. Over the next year, numerous deficiencies, such as unauthorized maintenance work and failure to restrict access to contaminated areas, continued to occur even though the facility had been shutdown to correct these problems. If the contractor was not statutorily exempt from fines, it would have received a \$112,500 fine for these violations.

Corrective actions already instituted by Los Alamos include: a seven month standdown of the CMR facility to ensure a greater safety margin in the 45-year-old building and to revise work control procedures; a change in senior management of the facility; increased presence of supervisors on the worksite; and a "CMR get well program" that includes emphasis on safety culture and performance.

#### Radiation Exposure - Oak Ridge National Laboratory

Lockheed Martin Energy Systems, MK-Ferguson of Oak Ridge

In 1995, several workers at the Oak Ridge site received significant radiation exposures that were not identified by the contractors' employee radiation testing program for two years. Additionally, 100 test results for workers that had previously been considered negative were actually positive. Ordinarily, a civil penalty would have been issued under such a circumstance, but in this case the department waived the fine because the contractors quickly established and implemented corrective actions once the problem was finally identified.

The corrective actions included: improvement of conduct of operations; standardization of bioassay sampling and records management; installation of laboratory automation that improved sampling integrity; and expansion and formalizing of the process for creating work permits for areas identified as having radiation hazards.

#### Improper Radiation Monitoring - Savannah River Site

Westinghouse Savannah River Co.

Beginning in late 1995 through 1997, the Savannah River Site contractor failed, for more than two years, to properly monitor -- in accordance with their established procedures -- over 250 employees who were potentially exposed to radiation during the course of their work. The DOE Field Office conveyed its concern to the contractor in November 1995, but the problem was not resolved. The action, which includes a \$75,000 fine, was issued to ensure that the problem is corrected and will not continue.

The Westinghouse Savannah River Company has added checks and balances to their job-specific personnel monitoring procedures to ensure compliance with the WSRC bioassay program. WSRC plans on further improvements to their program.

The enforcement actions announced today are Preliminary Notices of Violation. Each contractor is required to respond to the notice and document, in addition to the corrective actions already noted, additional actions taken or planned to prevent recurrence. DOE will then determine whether further action is necessary to ensure compliance with nuclear safety requirements. The notices will become final in 30 days unless the contractors provide sufficient justification and information to rebut the findings of the enforcement action.

The Price-Anderson Amendments Act of 1988 directed the Department of Energy to develop and enforce nuclear safety rules with its contractors. Since the program began in January 1996, the department has issued 30 Notices of Violation and civil penalties totaling more than \$1.5 million, including civil penalties waived due to statutory exemption. Additional information is available via the Internet at <http://tis.eh.doe.gov/enforce/>.

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