United States Department of Energy
Office of Public Affairs
Washington, DC 20585

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FOR IMMEDIATE RELEASE
Thursday, March 20, 2008

DOE Cites Battelle Energy Alliance, LLC for Worker Safety and Health Violations

WASHINGTON, DC – The U.S. Department of Energy (DOE) today issued a Preliminary Notice of Violation (PNOV) to Battelle Energy Alliance, LLC (BEA) for violations of the Department's worker safety and health regulations. BEA is the managing and operating contractor for DOE's Idaho National Laboratory (INL), located approximately 40 miles west of Idaho Falls, Idaho. Today's PNOV is the first worker safety and health enforcement action under DOE's Worker Safety and Health rule that went into effect last February.

The PNOV cites a series of violations related to two events affecting worker safety and heath that occurred at INL in 2007. Violations include failures to identify and assess workplace hazards; establish controls to prevent and abate hazards; provide adequate training and information; adhere to procedures; and comply with fire protection and emergency response requirements. DOE elected to take contract action against BEA to constitute a penalty for the violations. The DOE Idaho Operations Office reduced BEA's fee for fiscal year 2007 by $250,000 for these events in the contractor's end-of-year performance evaluation.

The first event occurred in June 2007 when a fire occurred within a chemical fume hood where a worker was pouring finely-powdered red phosphorus from a plastic bag into a metal canister and the red phosphorus ignited. The chemist involved in this incident received minor burns to a hand and other workers were treated for exposure to smoke from the fire and cleared to work following medical examinations. Damage from the fire was limited to the fume hood. The second event occurred in July 2007 when two INL firefighters -responding to a wildland fire - were shocked by electrical energy from a sagging overhead power transmission line. Their emergency response vehicle, which was supplying water to their hoselines, was parked in close proximity to the power line and electrical energy traveled through heavy smoke to their vehicle, shocking the firefighters. One firefighter involved in this incident received sufficient energy from the shock to knock the individual to the ground and the other firefighter experienced muscle contractions that prevented him from releasing the fire hose. Both firefighters were cleared to work without medical restrictions following a medical examination.

The Bob Stump National Defense Authorization Act for Fiscal Year 2003 authorizes the Energy Department to take regulatory actions under 10 C.F.R. Part 851, *Worker Safety and Health Program,* against DOE contractors for violations of its worker safety and health requirements. DOE's Enforcement Program encourages Departmental contractors to identify and correct worker safety and health deficiencies at an early stage, before they contribute to or result in more serious events.

Additional details on this and other enforcement actions are available at: www.hss.doe.gov/enforce.

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