

Energy Department, Mason & Hanger Reach Agreement on Contractor's Possible Safety Violations

For Immediate Release
Release Date: June 28, 2000

WASHINGTON, DC The Department of Energy and Mason & Hanger Corp., the contractor at the Pantex Plant outside Amarillo, Texas, have resolved a potential nuclear safety violation with a \$75,000 payment by Mason & Hanger to the government.

Specific terms of the agreement are outlined in a consent order signed last week by the Energy Department and Mason & Hanger. The order covers activities from January 1998 to November 1999 involving fire suppression valves not performing as intended. While there was no accident and no workers were injured or exposed to radiation, an internal investigation by Mason & Hanger revealed programmatic problems with work process procedures at the site.

"We were concerned that these work process problems seemed to reappear at Pantex, but the contractor has made every effort to voluntarily disclose, fully investigate and effectively fix the problems," said Dr. David Michaels, Department of Energy Assistant Secretary for Environment, Safety and Health. "We use the consent order instead of formal enforcement proceedings where we want to recognize and encourage that kind of behavior while ensuring that important safety problems are fixed."

The Department of Energy signed the consent order after determining that Mason & Hanger promptly and accurately disclosed the potential violation to the department, conducted a comprehensive review of the matter in which all relevant facts were evaluated and implemented appropriate and effective corrective actions.

The \$75,000 payment to the Treasury Department is less than the amount of a civil penalty that could have been levied through the formal enforcement process.

The use of a consent order is reserved for cases where it is clear to the Energy Department that the contractor has acted aggressively and thoroughly to identify and correct potential violations. The only previous use of a consent order was in April 1998 with Kaiser Hill Company, LLC, at the department's Rocky Flats Environmental Technology Site near Denver, Colo.

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Release No. R-00-172