

Department of Energy Fines Kaiser-Hill for Safety Violations

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WASHINGTON, DC The Department of Energy (DOE) has issued a \$385,000 civil penalty to Kaiser Hill Company, LC, operator of the Rocky Flats Environmental Technology site in Denver, Colorado, for violations of rules and procedures designed to assure nuclear safety.

The penalty was issued by DOE's Office of Price-Anderson Enforcement in coordination with the DOE Rocky Flats Field Office. While none of the violations presented a serious threat to worker health or safety, the events could serve as precursors to more serious incidents. The Preliminary Notice of Violation (PNOV) follows several months of investigation and focuses on four areas.

- **Repeated failures to assure the quality of materials procured for nuclear-related work.** Problems in the Kaiser-Hill procurement program have been the subject of previous DOE enforcement actions over the past two years, including two civil penalties and an Enforcement Letter. This PNOV cites an August 2000 event when the contractor procured 500 lids for 55-gallon drums that were to be used in nuclear waste interim storage. The waste would eventually be shipped to the Waste Isolation Pilot Program. Kaiser-Hill purchased the drum lids without conducting mandatory quality assurance reviews and also failed to establish appropriate criteria for inspecting the lids once they were received. Ultimately, all 500 drum lids had to be rejected due to damage and defects.

DOE expressed its concern that, after the enforcement conference for this action took place, Kaiser-Hill identified another procurement-related problem, this time with electrical circuit breakers. Because of the recurrent nature of procurement problems and to emphasize the need to effectively resolve these issues, DOE escalated a portion of the civil penalty.

In response to the findings, the contractor has reorganized the Procurement Systems Department to report directly to the Chief Operating Officer. In addition, Kaiser Hill hired a replacement for the Procurement Systems Manager (to report to the site on July 23) and strengthened internal procedures/requirements for documenting and disposing of suspect items that are identified during receipt inspections.

- **Criticality Safety and Work Controls.** A number of deficiencies were associated with a series of recent events involving resizing plutonium pieces into smaller pieces for packaging, loading of containers, and storage of waste containers after the nuclear material content was measured. While none of the events itself posed a serious threat to worker health or safety, DOE believes that the repeated nature of the problems demonstrates that these are fundamental concerns requiring serious management attention.

In response to these findings, Kaiser Hill has taken the following actions: completed a 'Safety Pause' in January-February 2001 in which waste management operations were

suspended during a detailed review of work requirements and procedures; reviewed/ revised procedures related to nuclear operations in Building 707; reviewed all Criticality Safety Evaluations for compliance issues; conducted a Senior Review Board to ensure operators were properly trained before resuming activities; and initiated a supervisory watch for restart of operations from the Safety Pause. In recognition of these corrective actions, DOE reduced the penalty by 25 percent from the maximum amount associated with a violation of this nature.

• **Building 771 Radiation Safety Program.** Several procedural violations regarding radiation safety were identified in both Kaiser-Hill and DOE investigations of worker uptakes of plutonium in a building that is being decontaminated and decommissioned. None received exposures high enough to be considered a health risk. The contractor's investigation of an October 2000 event identified additional concerns related to compliance with radiological procedures, adequacy of work controls, and effectiveness of management oversight.

In response to the findings of the investigations, Kaiser Hill has completed a number of corrective actions. These include: a complete survey of the building and continued monitoring to maintain an accurate record of the facility's condition to identify sources of contamination and areas where worker exposures could occur; completion of bioassay samples on a representative group of employees to determine potential exposures, in addition to the bioassays that were completed on the 11 workers initially identified; initiated a requirement that respiratory protection be worn during all waste handling and packaging operations; assigned additional management personnel and supervisors to the

Building 771 radiation protection program; and strengthened the Radiological Work Permit system required for entry in the building areas. In recognition of the corrective actions, DOE reduced the penalty by 25 percent from the maximum amount associated with a violation of this nature.

• **Failure to correct identified problems.** Kaiser-Hill was specifically cited for failing to take effective corrective actions for previously-identified problems in the areas of procurement, criticality safety, and authorization basis implementation. DOE determined that had effective corrective actions been taken, the majority of the deficiencies cited in this action may have been avoided.

The Price-Anderson Amendments Act of 1988 requires DOE to undertake regulatory enforcement actions against contractors for violations of its nuclear safety requirements.

Additional information can be found on the Internet at <http://www.eh.doe.gov/enforce>.

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