



Department of Energy
Washington, DC 20585

October 4, 2004

Mr. Greg Underberg
[]
CH2M Hill
P.O. Box 9147
Niskayuna, NY 12309

Subject: Separations Process Research Unit Enforcement Letter

Dear Mr. Underberg:

The Office of Price-Anderson Enforcement (OE) has conducted a preliminary evaluation of the deficiencies described in Noncompliance Tracking System (NTS) report NTS-OAK-CH2M-SPRU-2004-0001. Our evaluation included a review of the causal analysis, the results of the CH2M HILL Corporate Assessment 04-03, and discussion with Department of Energy (DOE) SPRU Project Office (SPO) personnel.

Title 10 CFR 835, *Occupational Radiation Protection*, requires that external dose monitoring programs implemented to demonstrate compliance with 835.402(a) be accredited (or excepted from accreditation) by the Department of Energy Laboratory Accreditation Program (DOELAP). The subject NTS report describes a situation in which CH2M HILL unknowingly allowed the DOELAP accreditation for the external dosimeter in use at SPRU to expire in August 2003, without making application for re-accreditation. Work activities requiring the wearing of external dosimeters were initiated in late March 2004, following a CH2M Hill readiness assessment. On April 8, 2004, the lack of DOELAP accreditation for the SPRU dosimeter was identified, and on April 9, 2004, you suspended SPRU radiological field operations. These operations were briefly resumed on April 13, 2004, without first resolving the unaccredited dosimeter concern. Radiological field operations were suspended again on April 14, 2004, pending resolution of the issue.

OE recognizes that, based on the work being performed during March and April 2004 and the consequent low potential for occupational exposure, worker monitoring to comply with 835.402 would probably not have been required. However, the SPRU formal Radiation Protection Program (RPP) and supporting procedures reflected CH2M Hill's intent to use a DOELAP accredited dosimeter for worker monitoring during radiological work activities. Failure to use such a dosimeter represents a violation of the RPP and supporting procedures. OE is particularly concerned with the following aspects of the event:

1. The lapse in accreditation was identified to you by the local DOE representative, rather than through your own processes. The CH2M Hill readiness assessment

conducted in March 2004 failed to identify the lack of current DOELAP accreditation even though the assessment specifically looked at the area of dosimetry.

2. The CH2M Hill decision on April 13, 2004, to return to work using an unaccredited dosimeter involved several managers and reflects a poor understanding of and attitude towards compliance with DOE and local requirements. This decision was not communicated to local DOE in a forthright manner prior to resuming the work.

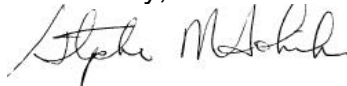
With respect to your investigation into the event, OE acknowledges that CH2M Hill expended significant effort in conducting a corporate assessment and causal analysis of the event. OE also notes that the scope of the corporate assessment appropriately reviewed the lapse of the accreditation and the failure of the readiness assessment to identify the lapse. OE did note, however, the following concerns with the findings of the assessment and effectiveness of the corrective actions:

- The corporate assessment identified that the March 2004 CH2M Hill readiness assessment lacked appropriate depth to identify the accreditation lapse. This finding raised a question (“were other areas overlooked or inadequately reviewed during the readiness assessment?”) that was not formally addressed in the corporate assessment report. It can be inferred that the corporate assessment team had additional concerns, since they progressed to reviewing selected project areas and identified additional areas for improvement. It is not clearly stated, however, whether the corporate team performed this additional review to compensate for the readiness assessment, or whether the fundamental conclusion of the readiness assessment was in question.
- The causal analysis and corporate assessment both identify that the lack of an effective project action-tracking system was an underlying cause of the lapse of accreditation. The corporate assessment indicates that the SPRU Project Action Tracking System (SPATS) was subsequently updated to capture the current status of the project’s issues prior to resuming work. Our followup indicates that, subsequent to your return to work, the local DOE Price-Anderson coordinator identified two 10 CFR 835 related milestones that were not reflected in the SPATS. These milestones included the expiration date of your internal dosimetry DOELAP accreditation, and the milestone for completion of the 835.102 triennial audits.

With respect to the above event, OE has concluded that violations of 10 CFR 830 and 835 may have occurred. OE has determined not to pursue further enforcement action, however, in light of the minimal safety significance of the underlying violation. OE remains concerned, nonetheless, regarding the CH2M Hill management attitude and lack of communication expressed as part of the decision to return to work on April 13, 2004. Consequently, my office intends to maintain close communication with the DOE SPRU representatives and will continue monitoring nuclear safety performance at SPRU.

No response to this letter is required. Should you have any questions, please contact me at (301) 903-0100 or have your staff contact Tony Weadock at (301) 903-4283.

Sincerely,



Stephen M. Sohinki
Director
Office of Price-Anderson Enforcement

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