

Department of Energy Cites Fluor-B&W Portsmouth, LLC for Worker Safety and Health Violations

July 8, 2014 - 2:30pm

WASHINGTON, D.C. – The U.S. Department of Energy (DOE) has issued a Preliminary Notice of Violation (PNOV) to Fluor-B&W Portsmouth, LLC (FBP) for three violations of worker safety and health regulations associated with an incident at the Portsmouth Gaseous Diffusion Plant in Piketon, Ohio. The incident took place on October 9, 2012 in which a 60-ton mobile hydraulic crane tipped over onto its front end. The crane operator was not injured and was able to climb down from the crane cab onto the ground.

The Department places high priority on worker safety, and considers this incident to have high safety significance due to the potential for loss of life and/or serious injuries associated with crane operation and the violations that DOE identified. The PNOV cites three violations of DOE worker safety and health requirements enforceable under 10 C.F.R. Part 851, Worker Safety and Health Program, in the areas of hazard identification, assessment, prevention, and abatement; training and information; and crane operational safety. DOE has categorized the deficiencies as two Severity Level I violations and one Severity Level II violation. A Severity Level I violation is a serious violation that could present the potential for death or serious physical harm resulting from a workplace hazard. A Severity Level II violation is an other-than-serious violation that has a direct relationship to worker safety and health.

In response to the crane tip-over incident, FBP implemented comprehensive corrective actions that address its own findings and the violations cited in the PNOV. DOE reduced FBP's contract fee by \$150,000 for a negative safety performance trend during fiscal year (FY) 2012 and continuing into FY 2013, specifically citing this incident as one reason for the fee reduction. In accordance with DOE's statutory authorities, DOE is imposing no further penalty for the violations cited in this PNOV.

The Bob Stump National Defense Authorization Act for Fiscal Year 2003 authorizes the Department to take regulatory actions under 10 C.F.R. Part 851, against contractors for violations of DOE worker safety and health requirements. The DOE enforcement program encourages 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 on the Internet at <http://www.energy.gov/iea/services/enforcement>.