



## Department of Energy

Washington, DC 20585

September 8, 2025

Dr. Paul K. Kearns  
Laboratory Director  
Argonne National Laboratory  
UChicago Argonne, LLC  
Lemont, Illinois 60439

WCO-2025-02

Dear Dr. Kearns:

The Office of Enforcement has completed its investigation into the facts and circumstances associated with the finger crush injury to a UChicago Argonne, LLC (UChicago Argonne) worker during decommissioning and demolition work in building 361 at the Department of Energy's (DOE) Argonne National Laboratory on August 16, 2024. UChicago Argonne documented this event in DOE's Noncompliance Tracking System under report NTS-SC-ASO-UCA-ANLENOD-2024-0011027 dated October 30, 2024.

DOE considers the finger crush injury event to be of high safety significance. The event occurred when a UChicago Argonne employee was assisting others with manually removing a 241-pound aluminum deck plate by lifting and sliding it across the top of an elevated platform's supports. During one of the evolutions, the employee's left index finger was crushed between an angle iron cross beam and deck plate as it was lowered, resulting in a fingertip amputation requiring surgical intervention followed by 19 days away from work and 43 days of job transfer/restriction.

In accordance with 10 Code of Federal Regulations (C.F.R.) § 851.41, *Settlement*, the Office of Enforcement has elected to resolve any potential noncompliances with requirements enforceable under 10 C.F.R. Part 851, *Worker Safety and Health Program*, through execution of a Consent Order. In deciding to enter into this Consent Order, DOE placed considerable weight on UChicago Argonne's post-event response, which included a comprehensive extent of conditions review and effective corrective actions.

DOE reserves the right to re-open this investigation if DOE later becomes aware that UChicago Argonne provided any false or materially inaccurate information. Further, if there is a recurrence of worker safety and health deficiencies similar to those identified in this Consent Order, or a failure to comply with the terms and conditions prescribed in the Consent Order (or other related actions that UChicago Argonne subsequently determines to be necessary) to prevent recurrence of the identified issues, then the Office of Enforcement may pursue additional enforcement activity. The Office of Enforcement, Office of Science, and Argonne Site Office will continue to closely monitor UChicago

Argonne's implementation of worker safety and health requirements until the issues associated with this Consent Order are fully resolved.

Enclosed please find the Consent Order for your signature. Within one week from the date of receipt, sign and return the Consent Order to the Office of Enforcement. Please follow all instructions specified in the enclosure and keep a copy for your records. By signing this Consent Order, you agree to comply with all of the terms, including payment of the monetary remedy, specified in section IV of the Consent Order and in the manner prescribed therein.

If you have any questions concerning this Consent Order, please contact me at 301-903-7707, or your staff may contact Ms. Shannon Holman, Director, Office of Worker Safety and Health Enforcement, at 301-903-0100.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin M. Keeler". The signature is fluid and cursive, with the first name "Robin" and last name "Keeler" being the most prominent parts.

Robin M. Keeler  
Acting Director  
Office of Enforcement  
Office of Enterprise Assessments

Enclosure: Consent Order (WCO-2025-02)  
Electronic Funds Payment Instructions

cc: Mouna Soumahoro, UChicago Argonne, LLC  
Whitney Begner-Romozzi, SC-ASO

In the matter of ) NTS-SC-ASO-UCA-ANLENOD-2024-0011027  
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University of Chicago Argonne, LLC)  
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) Consent Order WCO-2025-02

CONSENT ORDER INCORPORATING AGREEMENT BETWEEN THE U.S.  
DEPARTMENT OF ENERGY AND THE UNIVERSITY OF CHICAGO ARGONNE, LLC

I

The University of Chicago Argonne, LLC (UChicago Argonne) is responsible for the management and operation of the Department of Energy's (DOE) Argonne National Laboratory (ANL). UChicago Argonne is the prime contractor under Contract No. DE-AC02-06CH11357 (Contract) entered with the DOE Argonne Site Office (ASO).

II

On August 16, 2024, a waste management project specialist (WMPS) was seriously injured during a manual material handling task at ANL. UChicago Argonne was conducting decommissioning and demolition (D&D) activities to bring building 361's accelerator facility to permanent shutdown.

The WMPS supervised and assisted a team of three riggers to manually lift and slide a 241-pound aluminum deck plate supported by a scissors-type lift. The workers were positioned under the plate and manually lifted it up to move it across the platform's support frame. The injury occurred when the WMPS's left index finger was crushed between an angle iron cross beam and deck plate as it was lowered, leading to a partial finger amputation, resulting in 19 days away from work and 43 days of job transfer/restriction.

UChicago Argonne reported potential noncompliances associated with this event into the DOE Noncompliance Tracking System (NTS) under NTS-SC-ASO-UCA-ANLENOD-2024-0011027, dated October 30, 2024.

On December 4, 2024, the DOE Office of Enforcement notified UChicago Argonne of its decision to investigate the facts and circumstances associated with potential deficiencies related to this event and UChicago Argonne's implementation of its worker safety and health program.

The Office of Enforcement conducted the onsite investigation from February 18 through February 20, 2025.

On March 19, 2025, UChicago Argonne submitted a request for settlement to the Office of Enforcement by means of a Consent Order to resolve the matter under investigation.

UChicago Argonne's causal analysis, *Building 361 Finger Injury Event Debriefing Meeting Form*, dated November 6, 2024, identified one root cause for the event, eleven contributing factors, and the need for an extent-of-condition review. The Office of Enforcement found that UChicago Argonne's causal analysis appears adequate to address the root cause and contributing causes for this event.

UChicago Argonne's corrective action plan (CAP), *CAP for B361 Finger Injury Event*, dated November 15, 2024, identified three general corrective actions with detailed sub-actions to prevent recurrence of this event and to restart the D&D activities in building 361. At the time of the Office of Enforcement's investigation, UChicago Argonne had completed one corrective action with two remaining. Additionally, UChicago Argonne's settlement request documented twenty-two additional corrective actions to address issues identified in the extent of condition review and the Office of Enforcement's investigation.

### III

Pursuant to Title 10 Code of Federal Regulations (C.F.R.) § 851.41, at any time during enforcement proceedings, DOE may resolve any or all outstanding issues with a Consent Order if the settlement is consistent with the 10 C.F.R. Part 851, *Worker Safety and Health Program*.

To resolve potential noncompliances of worker safety and health requirements and in consideration of UChicago Argonne's investigation, causal analyses, and associated corrective actions taken since the submission of the NTS report identified above, DOE has elected to enter into this settlement. DOE and UChicago Argonne have reached agreement to resolve this matter through execution of this Consent Order.

### IV

Accordingly, the terms of this Consent Order are as follows:

In consideration of the mutual agreements set forth in this section, the sufficiency and adequacy of which are acknowledged by DOE and UChicago Argonne (hereinafter the "Parties"), the following terms represent agreement by the authorized representatives of the Parties to resolve by settlement the potential noncompliances at ANL, in lieu of an enforcement action that DOE may issue pursuant to 10 C.F.R. § 851.42 *Preliminary notice of violation*.

1. UChicago Argonne shall complete the following actions by August 31, 2026:
  - a. Update NTS report number NTS-SC-ASO-UCA-ANLENOD-2024-0011027 to include the detailed sub-actions associated with the three corrective actions documented in the

CAP and the twenty-two additional actions documented in the request for settlement dated March 19, 2025. Complete all corrective actions identified in the NTS report number NTS-SC-ASO-UCA-ANLENOD-2024-0011027 by the prescribed due dates specified for each and verify closure for all actions.

- b. Ensure that dismantling and removing equipment in preparation for selective interior demolition, whether performed by subcontractors or UChicago Argonne staff, are appropriately considered under 10 C.F.R § 851 appendix A(1) and 29 C.F.R. Part 1926. Update the *Integrated Safety Management System/Worker Safety and Health Program Description* (WSHP) as well as relevant supporting/implementing documents (e.g., *Manual of Construction*) to clarify that construction safety requirements apply based on the nature of the work itself.
- c. Implement UChicago Argonne's comprehensive improvement plan for the investigation, causal analysis, and corrective action process.
- d. Develop and execute a plan to improve the implementation of UChicago Argonne's processes for extent of condition reviews as documented in LMS-MNL-5, *Performance Improvement* when evaluating off-normal events. This review plan will include routinely evaluating the need for extent of condition reviews locally and across the Laboratory, tracking issues to closure, consistent documentation in the system of record, and minimizing time required to share information with responsible employees.
- e. Apply the critical characteristics of the *Excess Facility Work Instruction Sheet* (or equivalent) to include appropriate rigor, line management approval, and subject matter expert engagement when planning and releasing work evolutions to other work groups within Infrastructure Services and across the laboratory, as applicable.
- f. Implement improvements to the work planning and control program, including the "Skill of the Worker" program, to verify adequacy of key attributes such as defining limitations, boundary conditions, and the required rigor when applying this approach.
- g. Conduct an effectiveness review six months after the implementation of all the corrective actions detailed in the NTS report. Provide the Office of Worker Safety and Health Enforcement (EA-11), the Office of Science Safety Division (OSS-SAF), and the ASO with a copy of the results of the effectiveness review within 30 calendar days of completion.
- h. Provide quarterly written updates to EA-11, OSS-SAF, and ASO on the status of actions and associated milestones for items 1.a, 1.b, 1.c, 1.d, 1.e, 1.f, and 1.g, above until said actions are completed.
- i. UChicago Argonne will obtain ASO approval in writing at least 30 days before the specified due date for any changes or extensions to actions in items 1.a., 1.b, 1.c, 1.d, 1.e, 1.f, and 1.g, above and notify EA-11 and OSS-SAF of all approved changes.

- j. Notify EA-11, OSS-SAF, and ASO upon completion of all actions specified in items 1.a, 1.b, 1.c, 1.d, 1.e, 1.f, and 1.g, above within 30 calendar days of completion.
2. UChicago Argonne has developed a comprehensive corrective action plan to address items 1.a through 1.g., above. The CAP implementation and closure will be tracked through ANL's Issue Management System, which is available as one of the Contractor Assurance tools to the ASO.
  3. UChicago Argonne shall pay the amount of \$72,600 reflecting an agreed upon monetary remedy in lieu of the issuance of an enforcement action with the imposition of a civil penalty pursuant to 10 C.F.R. § 851.43.
  4. UChicago Argonne agrees to return a signed copy of this Consent Order, within one week from the date of receipt, via email, to the Acting Director, Office of Enforcement at [enforcementdocketclerk@hq.doe.gov](mailto:enforcementdocketclerk@hq.doe.gov).
  5. The effective date of this Consent Order shall be the date upon which UChicago Argonne signs this Consent Order.
  6. UChicago Argonne shall remit the monetary remedy of \$72,600 by electronic funds transfer (EFT) or automated clearing house (ACH) transfer to the Department of Energy through the U.S. Treasury within 30 calendar days after the effective date of this Consent Order. The Office of Enforcement must be copied at [enforcementdocketclerk@hq.doe.gov](mailto:enforcementdocketclerk@hq.doe.gov) when the electronic payment is submitted to the U.S. Treasury. Instructions for sending payments in U.S. dollars via EFT or ACH transfer are enclosed.
  7. This Consent Order shall constitute a full and final settlement of the potential noncompliances identified in the referenced NTS report, subject to the following: (a) UChicago Argonne's payment of the monetary remedy in accordance with item 6 above; and (b) UChicago Argonne's completion of all actions set forth in item 1, above, to the satisfaction of DOE.
  8. Neither the monetary remedy nor any costs, as defined in the Federal Acquisition Regulation, 48 C.F.R. § 31.205-47, incurred by, for, or on behalf of UChicago Argonne relating to coordination and cooperation with DOE concerning the investigation of matters covered by this Consent Order, shall be considered allowable costs under the Contract. However, costs incurred by, for, or on behalf of UChicago Argonne relating to the development and implementation of corrective actions, including costs associated with the effectiveness review required under item 1 above, may be considered allowable costs under the Contract.
  9. This Consent Order does not preclude DOE from re-opening the investigation nor preclude DOE from issuing an enforcement action under 10 C.F.R. § 851.42 with respect to a potential noncompliance if: (a) after the effective date (as defined in item 4 above), DOE becomes aware of any false or materially inaccurate facts or information provided by UChicago Argonne; (b) there is a recurrence of worker safety and health deficiencies similar

to those identified above; or (c) UChicago Argonne fails to complete all actions identified in item 1, above in a timely and effective manner to prevent recurrence.



10. Any modification to this Consent Order requires the written consent of all Parties.
11. UChicago Argonne waives any and all rights to appeal or otherwise seek judicial or administrative review of the terms of this Consent Order. DOE retains the right to judicially enforce the provisions of this Consent Order by all available legal means.
12. This Consent Order is issued pursuant to DOE's authority under Section 234C of the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2282c), and the implementing provisions of 10 C.F.R. Part 851 governing enforcement of worker safety and health requirements at DOE sites.
13. This Consent Order shall become a Final Order after the signed copy, referenced in item 4 above, is filed by the Office of Enforcement's Office of the Docketing Clerk.

On behalf of my respective organization, I hereby agree to and accept the terms of the foregoing Consent Order.

FOR Office of Enforcement

FOR University of Chicago Argonne, LLC

 Date September 8, 2025  
 Robin M. Keeler  
 Acting Director Office of  
 Enforcement  
 Office of Enterprise Assessments

 Date Sept 14, 2025  
 Dr. Paul K. Kearns  
 Laboratory Director  
 University of Chicago Argonne, LLC 

DOE SIGN 13001798-44818P21