

Fact Sheet - LLNS Beryllium Consent Order

SUMMARY OF CONSENT ORDER

In November 2010, the U.S. Department of Energy (DOE) and the National Nuclear Security Administration (NNSA) issued a consent order to Lawrence Livermore National Security, LLC (LLNS) for deficiencies related to LLNS's implementation of DOE's Chronic Beryllium Disease Prevention Program (CBDPP) regulation at Lawrence Livermore National Laboratory. The consent order requires LLNS to implement corrective actions that will ensure LLNS meets DOE requirements for assessing and controlling beryllium hazards and minimizes potential worker exposures to legacy beryllium hazards in Laboratory buildings.

Under the terms of the consent order, LLNS agrees to implement corrective actions that address the potential violations identified in the DOE Office of Enforcement's July 7, 2009, Investigation Report and the noncompliances reported by LLNS to DOE, and to remit a \$200,000 remedy. DOE and NNSA will consider the matter settled upon completion and verification of all LLNS corrective actions to prevent recurrence of the potential violations and minimize further worker exposures to beryllium.

BACKGROUND INFORMATION

The DOE Office of Enforcement investigation determined that several incidents between November 2007 and February 2010 demonstrated deficiencies in LLNS's implementation of the Laboratory's CBDPP and LLNS measures to protect workers from legacy beryllium contamination hazards.

LLNS conducted investigations, critiques, and causal analyses in response to the events and an NNSA independent review of the Laboratory's CBDPP. LLNS also developed and implemented corrective actions for the individual events and issues including interim hazard controls for workers and activities that may have the potential for worker exposure to beryllium contamination. NNSA has concluded that the LLNS corrective action plan is comprehensive and should adequately address the deficiencies and noncompliances associated with the Laboratory's CBDPP and its implementation. NNSA and DOE's Office of Enforcement will validate the effectiveness of the corrective actions in addressing noncompliances to prevent recurrence and minimize further worker exposures to beryllium.

DOE and NNSA decided to exercise enforcement discretion and issue a consent order in recognition of LLNS's efforts to effectively manage activities with beryllium hazards that were impacted by the transition from nearly 40 years of the prior contractor's management of the Laboratory and the occurrence of several events immediately following the October 1, 2007, contractor change-over. LLNS assumed operating responsibility for Laboratory facilities with legacy beryllium contamination that were not well controlled, characterized, or properly abated at the time of transition. The CBDPP that LLNS accepted at contract changeover had significant deficiencies including failures to adequately complete a baseline inventory and integrate it with hazard assessment and abatement processes. Nonetheless, the terms and conditions of the settlement demonstrate that DOE and NNSA hold LLNS accountable for the potential violations associated with LLNS's management of the Laboratory.