

DEPARTMENT OF ENERGY CITES NUCLEAR WASTE PARTNERSHIP, LLC AND LOS ALAMOS NATIONAL SECURITY, LLC FOR VIOLATIONS RELATED TO WORKER SAFETY AND HEALTH AND NUCLEAR SAFETY

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WASHINGTON, D.C. – The U.S. Department of Energy (DOE) today issued a Preliminary Notice of Violation (PNOV) to Nuclear Waste Partnership, LLC (NWP) for violations of DOE worker safety and health and nuclear safety requirements. Concurrently, DOE's National Nuclear Security Administration (NNSA) issued a PNOV to Los Alamos National Security, LLC (LANS) for violations of DOE's nuclear safety requirements. Issuance of these PNOVs marks the completion of DOE's investigations and enforcement process regarding two events in 2014 at DOE's Waste Isolation Pilot Plant (WIPP).

NWP is the management and operating contractor for WIPP, located in Carlsbad, New Mexico. LANS is the management and operating contractor for NNSA's Los Alamos National Laboratory (LANL), located in Los Alamos, New Mexico. Worker safety and health and nuclear safety are priorities for the Department, and DOE's enforcement program, implemented by the Office of Enterprise Assessments' Office of Enforcement on behalf of the Secretary of Energy, supports these priorities by holding contractors accountable for meeting regulatory requirements and maintaining a safe and healthy workplace.

The violations by NWP at WIPP are associated with two events that occurred in February 2014. The first event involved a fire in a salt haul truck in the WIPP underground, and the second event involved a radiological release. The violations by LANS at LANL are associated with processes used by LANS to package and remediate transuranic waste drums, one of which has been linked to the WIPP radiological release.

The NWP PNOV cites four Severity Level I violations and seven Severity Level II violations related to worker safety and health and nuclear safety requirements enforceable under Title 10 C.F.R. § 851, *Worker Safety and Health Program*; 10 C.F.R. § 820.11, *Information requirements*; 10 C.F.R. § 830, *Nuclear Safety Management*, and 10 C.F.R. § 835, *Occupational Radiation Protection*. The LANS PNOV cites two Severity Level I violations and two Severity Level II violations related to nuclear safety requirements enforceable under 10 C.F.R. § 830.

In FY 2014, actions taken by DOE and NWP's inability to earn fee resulted in NWP failing to receive 93 percent of the available fee, or approximately \$7.6 million. NNSA reduced the total contract fee that was awarded to LANS by more than 90 percent, or approximately \$57 million, with most of this reduction due to deficiencies in the processing and handling of transuranic waste and the resultant impact on operations at WIPP. NNSA also reduced the potential length of the LANS contract by a total of 2 years. Due to these significant adverse contract and fee actions taken against NWP and LANS, DOE is proposing no civil penalties for the violations cited in the two PNOVs.

DOE's Office of Enforcement promotes overall improvement in the Department's safety and security programs through management and implementation of the DOE enforcement programs for safety and classified information security, authorized by the Atomic Energy Act. The office is independent of the DOE offices that develop and implement policy and programs. The office conducts enforcement investigations and thoroughly evaluates operational events and conditions that represent potentially serious violations of the Department's nuclear safety, worker safety and health, and classified information security regulations.

DOE's enforcement program encourages contractors to identify and correct deficiencies in their worker safety and health and nuclear safety programs at an early stage, before they contribute to, or result in, more serious safety and health events.

Additional details on these PNOVs and other enforcement actions are available on the DOE website at: <http://energy.gov/ea/services/enforcement>.