

February 26, 1999

Ms. Mary Lou Brown  
[ ]  
International Technology Corporation  
2621 Losee Road, Building B-1  
Las Vegas, Nevada 89030-4129

EA-1999-01

Subject: Preliminary Notice of Violation

Dear Ms. Brown:

This letter refers to the Department of Energy's (DOE's) review of the facts and circumstances concerning a number of deficiencies in International Technology Corporation's (IT) radiological work controls at DOE's Salmon Site in Mississippi. DOE's Nevada Operations Office conducted a routine surveillance of IT's environmental monitoring activities at the Salmon Site in December 1998 to verify IT's adherence to its site-specific health and safety plan (HASP). The surveillance established that requirements in your HASP pertaining to the use of personnel dosimeters and radiation survey meters were not adhered to; a summarization of this report was provided to you by the Nevada Operations Office in late December 1998. DOE has reviewed your HASP and the December 1998 surveillance report and has concluded that a violation of 10 CFR 835, "Occupational Radiation Protection," occurred. This violation is described in the enclosed Preliminary Notice of Violation (PNOV).

The violation is the result of your failure to abide by IT's established safety procedures, i.e., obtaining and utilizing radiation safety equipment for exposure assessment, and occurred during IT's December 1998 presence at the Salmon Site to conduct environmental monitoring. This violation is of concern because (1) the failure to provide a radiation survey meter prevented personnel from conducting area monitoring to determine if the HASP's radiation action levels were exceeded, (2) the failure to provide a radiation survey meter prevented personnel from conducting radiation contamination surveys on soil samples and water sample containers, again as required by the HASP, (3) the violation reflects inadequate management attention to adherence to IT's regulatory safety requirements, and (4) the violation was identified by DOE rather than through IT's management controls. Furthermore, this violation occurred after your May 1998 presentation to DOE's Office of Enforcement and Investigation on IT's program for monitoring compliance with DOE's nuclear safety regulations; this presentation was in

response to DOE's expressed concern about the adequacy of IT's regulatory processes. Therefore, in accordance with 10 CFR 820, "Procedural Rules for DOE Nuclear Activities," Appendix A, this violation has been classified as a Severity Level III violation.

You are required to respond to this letter and you should follow the instructions specified in the enclosed PNOV when preparing your response. Your response should document any additional specific actions taken to date, any additional actions you plan to prevent recurrence, and the scheduled completion of such actions. After reviewing your response to the PNOV, including your proposed corrective actions and the results of future assessments or inspections, DOE will determine whether further enforcement action is necessary to ensure compliance with DOE nuclear safety requirements.

In the event there is an admission of the violation set forth in the enclosure, the PNOV will constitute a Final Notice of Violation in accordance with 10 CFR 820.25.

Sincerely,

David Michaels, PhD, MPH  
Assistant Secretary  
Environment, Safety and Health

## PRELIMINARY NOTICE OF VIOLATION

International Technology Corporation  
Salmon Site, Mississippi

EA-1999-01

As a result of a Department of Energy (DOE) evaluation of activities associated with International Technology Corporation's environmental monitoring at DOE's Salmon Site, Mississippi, a violation of DOE nuclear safety requirements was identified. In accordance with 10 CFR 820, Appendix A, "General Statement of Enforcement Policy," the particular violation is set forth below.

10 CFR 835.1001(b) requires that "[f]or specific activities where use of physical design features are demonstrated to be impractical, administrative controls and procedural requirements shall be used to maintain radiation exposures ALARA."

Contrary to the above, administrative controls and procedural requirements were not used to maintain exposures ALARA in that the Site-Specific Health and Safety Plan, approved on November 11, 1998, Section D, "Site Control," required thermoluminescent dosimeters and an NE Electra or equivalent radiation survey meter be provided as part of the necessary personal protective equipment. However, during conduct of the Salmon Site's December 1998 environmental monitoring activities, neither thermoluminescent dosimeters nor a radiation survey meter was made available.

This is a Severity Level III violation.

Pursuant to the provisions of 10 CFR Part 820, International Technology Corporation is hereby required to submit a written statement or explanation to the Director, Office of Enforcement and Investigation, Attention: Office of the Docketing Clerk, EH-10, 270CC, P.O. Box 2225, Germantown, MD 20874-2225, with copies to the Manager, DOE, Nevada Operations Office, and to the Cognizant DOE Secretarial Office for the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Preliminary Notice of Violation (PNOV). This reply should be clearly marked as a "Reply to a Preliminary Notice of Violation" and should include the following for the violation: (1) the reason for the violation or, if contested, the basis for disputing the

violation; (2) the corrective steps that have been taken and the results achieved, (3) the corrective actions that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. In the event you admit the violation set forth above, the PNOV will constitute a Final Notice of Violation in accordance with 10 CFR 820.25.

David Michaels, PhD, MPH  
Assistant Secretary  
Environment, Safety and Health

Dated at Washington, D.C.,  
this    day of February 1999