

July 31, 1998

Mr. R. D. Hanson
[]
Fluor Daniel Hanford, Inc.
P.O. Box 1000
MS/H5-20
Richland, WA 99352-1000

Subject: Enforcement Letter
Noncompliance Number NTS-RL--PHMC-PHMC GENL-1998-0003

Dear Mr. Hanson:

This letter refers to the Department of Energy's (DOE) evaluation of the facts and circumstances surrounding the failure of Fluor Daniel Hanford, Incorporated (FDH) to effectively complete corrective actions for Enforcement Action 96-02 (EA 96-02), although FDH informed the DOE Richland Operations Office (DOE-RL) that such work had been completed.

10 CFR 830.120 (c)(1)(iii) (Quality Improvement) mandates processes to detect and prevent quality problems be established and implemented. 10 CFR 830.120 (c)(2)(i) (Work Processes) requires that work be performed to established technical standards and administrative controls using approved instructions.

DOE issued EA 96-02 to Westinghouse Hanford Company on July 16, 1996, which involved an aggregate Severity Level II violation and civil penalty in the amount of \$37,500. DOE took that enforcement action ATo emphasize the need to develop and fully implement meaningful corrective actions to assure the proper control of radiological work-related activities at the facility level.≡

In a letter to DOE-RL on December 17, 1996, FDH committed to actions to correct the violations identified in EA 96-02. Among the actions committed to was (Action 3) AThe work planning process will be reviewed and upgraded by incorporating radiological planning features to develop a site-wide standard for enhanced radiological planning. Each major nuclear or radiological subcontractor under Project Hanford Management Contract will compare the site-wide standard against existing work planning processes and develop an implementation plan with milestones and schedules for adopting appropriate elements of work planning from the site-wide standard.≡

In October 1997, FDH notified DOE-RL in writing that FDH and its major subcontractors had completed the remaining EA 96-02 action and that FDH Radiation Control had reviewed the information provided by its major subcontractor, FDH Nuclear Safety and Regulatory Compliance had validated the information, and Project Direction had reviewed and approved the adequacy of the corrective action implementation. However, a March 23, 1998, self-assessment of its Enhanced Radiological Work Planning as applied in the [] Plant by the operating contractor, B&W Hanford Company, identified numerous areas of noncompliance with the site-wide Enhanced Radiological Work Planning Standard. It concluded, AThe overall program will require considerable (emphasis from the original report) upgrading to achieve compliance with current standards.≡

In April 1998 according to NTS report NTS-RL--PHMC-PFP-1998-0007, two [] Finishing Plant individuals received an uptake of [radioactive material] while calibrating a differential gauge attached to a glovebox. Based on a subsequent investigation final report requested by PFP management, noncompliances with WHC-SP-1131, Hanford Quality Assurance Program and Implementation Plan and HNF-SP-1145, Hanford Radiation Protection Program were identified for the following areas: (1) Personnel Training and Qualification - Lack of process system knowledge of contamination history needed to adequately plan the radiological; (2) Work Processes - Ineffective planning and work instruction documents; and (3) Planning of Radiological Work - The effectiveness of the administrative controls selected during the planning of the radiological work were not verified to ensure their effectiveness in reducing potential radiation exposure. In May 1998 FDH requested, and B&W Hanford Company responded with, an investigative report and corrective actions concerning the EA 96-02 compliance deficiencies.

The steps taken to assure implementation of EA 96-02 related corrective actions at the [] Finishing Plant were not fully successful. The objective of implementing the enhanced radiological work planning standard was to ensure that qualified radiological professionals reviewed work plans early in the planning process to assure higher risk jobs benefited from appropriate efforts to maintain personnel exposures as low as reasonably achievable. The failure to effectively assure comprehensive implementation of corrective actions is of particular concern because DOE is entitled to rely upon your formal assurances that corrective actions are sufficiently comprehensive and are completed as stated.

Based on your self-assessment, subsequent discovery, and ongoing investigation of these problems DOE's Office of Enforcement and Investigation (EH-10) has concluded that no further enforcement action is warranted. Our decision not to pursue further enforcement action at this time, however, should not be construed that this office is diminishing the significance of these noncompliances or lessening our concern that these noncompliances be corrected. Our determination to defer subsequent enforcement actions is contingent upon your successful completion of remaining open

corrective actions identified to correct and prevent recurrence of this non-compliant condition. EH-10 and the Price-Anderson Coordinator for DOE-RL will continue to monitor your implementation progress to ensure the corrective actions have been effective before closing this issue.

If you would like to discuss this matter further, please contact Mr. Dick Trevillian of my staff at (301) 903-3074.

Sincerely,

R. Keith Christopher
Director
Office of Enforcement and Investigation

cc: P. Brush, EH-1
M. Zacchero, EH-1
D. Trevillian, EH-10
G. Podonsky, EH-2
O. Pearson, EH-3
J. Fitzgerald, EH-5
V. Reis, DP-1
D. Minnema, DP-45
B. Fiscus, RL
G. Bell, RL
B. Sherman, FDH
A. Wagner, BWHC
Docket Clerk-EH-10