



Department of Energy
Washington, DC 20585

April 16, 2002

Mr. Kent A. Campbell
[]
Fluor Federal Services
1200 Jadwin
Richland, WA 99352

Subject: Enforcement Letter

Dear Mr. Campbell:

This letter refers to an evaluation by the Department of Energy (DOE) of a December 18, 2001, report of noncompliances with the information requirement provision of 10 CFR 820.11. The noncompliances, described below, were identified by the Pacific Northwest National Laboratory (PNNL) and involve employees of your company.

10 CFR 820.11 requires that any information pertaining to a nuclear activity provided to DOE or maintained for inspection by DOE shall be complete and accurate in all material respects. This provision applies to documentation associated with personnel training requirements for access to nuclear facilities.

On September 27, 2001, two electricians employed by Fluor Federal Services (FFS) photocopied a copy of a completed but unsigned exam answer sheet for Course Number 1280, Radiochemical Processing Laboratory (RPL) Management System Description. The answer sheet photocopied by the electricians belonged to a supervisor who had placed the unsigned copy on his desk after completing the course and noting the answers. The electricians put their own signatures on the photocopied answer sheets and submitted the documents to FFS management representing the answer sheets to be their own work. FFS management transmitted the answer sheets to PNNL as part of a documentation package designed to obtain unescorted access for the two electricians to the RPL facility, a nuclear facility.

On October 4, 2001, PNNL staff questioned the validity of the two photocopied answer sheets. PNNL conducted a review of this matter and on December 18, 2001, reported noncompliances with 10 CFR 820.11 into the Noncompliance Tracking System (NTS). Both PNNL and FFS conducted reviews of the occurrence and developed corrective actions. DOE has reviewed these corrective actions and finds that the corrective action plans by PNNL and FFS appear to be comprehensive.

However, DOE considered the actions of FFS in submitting questionable answer sheets to PNNL to be a serious matter since PNNL and DOE relied heavily on the documentation provided by FFS in granting unescorted access to PNNL facilities. Furthermore PNNL staff, who questioned the validity of answer sheets showing original signatures on pre-completed photocopies, identified the problem. These red flags were obvious and should have been identified by FFS before it transmitted the answer sheets to PNNL.

DOE has concluded that potential violations of 10 CFR 820.11 did occur in association with the submission of answer sheets by FFS to PNNL. DOE recognizes that FFS took corrective actions upon learning of the occurrence and is not planning to take enforcement action at this time because the incidents involved lower level members of the workforce. DOE is concerned that supervisory level personnel did not identify this problem. DOE will closely monitor implementation of your corrective actions and will consider additional action if your corrective actions are shown to be ineffective. Please provide a response within three weeks of the date of this letter stating whether your corrective actions for the event have been verified for actual implementation and for effectiveness. A copy should be provided to the DOE Richland Field Office. If you have any questions please contact Sharon Hurley of my staff at 301-903-0110.

Sincerely,

R. Keith Christopher
Director
Office of Price-Anderson Enforcement

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Docket Clerk, OE