

National Nuclear Security Administration Fact Sheet

Preliminary Notice of Violation: Worker Safety and Health Program Violations at Los Alamos National Laboratory

On December 20, 2018, the National Nuclear Security Administration (NNSA) issued a Preliminary Notice of Violation (PNOV) to Los Alamos National Security, LLC, (LANS) for violations of Department of Energy (DOE) worker safety and health program requirements. The violations are associated with employee exposure to low oxygen conditions at Technical Area 3, Building 40, at the Los Alamos National Laboratory (LANL) in September 2017. At that time, LANS was the management and operating contractor for LANL, located in Los Alamos, New Mexico.

The PNOV cites failures to comply with worker safety and health program requirements established at 10 C.F.R. Part 851, *Worker Safety and Health Program*. NNSA cited LANS for one Severity Level I violation and one Severity Level II violation in the areas of: (1) hazard identification, assessment, prevention and abatement; and (2) management responsibilities and training.

These violations have a potential civil penalty (before mitigation) of \$139,500; however, NNSA considered this event in the overall performance evaluation for fiscal year 2017 and the fee awarded to LANS. Therefore, in accordance with 10 C.F.R. § 851.5(c), NNSA proposes no civil penalties for the violations cited in the PNOV.

Section 234C of the Atomic Energy Act of 1954, as amended, authorizes NNSA to take regulatory actions under 10 C.F.R. Part 851 against NNSA contractors for violations of worker safety and health requirements. DOE's enforcement program encourages contractors to identify and correct worker safety and health program deficiencies at an early stage, before they contribute to, or result in more serious safety and health events.

Additional details on this and other enforcement actions are available on the DOE website at <http://energy.gov/ea/office-enterprise-assessments>.