Department of Energy
Washington, DC 20585

July 6, 2022

Mr. Kenneth J. Rueter
President and Chief Executive Officer
URS | CH2M Oak Ridge LLC
Attn. 90 Union Valley Road A-4-16
P.O. Box 4699
Oak Ridge, Tennessee 37830

WEL-2022-03

Dear Mr. Rueter:

The Office of Enterprise Assessments' Office of Enforcement conducted an investigation into events involving subcontracted hazardous material abatement workers performing Class I asbestos abatement that revealed concerns with asbestos air sampling methods and the accuracy of asbestos air sampling data. The events occurred from July 13 through 16, 2020, and involved personnel performing work while wearing personal air sampling pumps that were placed in the "HOLD" mode during deactivation and decommissioning activities at the Y-12 National Security Complex (Y-12) Biology Complex (Building 9210). The onsite portion of the investigation was conducted April 20 through 23, 2021.

These events were initially reported into the Department of Energy's (DOE) Occurrence Reporting and Processing System under EM-ORO—UCOR-YENVRES-2020-0002, by URS | CH2M Oak Ridge LLC's (UCOR) as potentially involving deception or willful misconduct by a second-tier subcontractor, in that the subcontractor attempted to bias personal asbestos samples during Class I asbestos abatement activities. The Office of Enforcement was not able to substantiate or disprove any allegations of willful noncompliance.

Based on the investigation, the Office of Enforcement identified concerns with UCOR's implementation of 10 C.F.R. Part 851 (Part 851) *Worker Safety and Health Program* requirements that warrant management attention. The Office of Enforcement investigation determined that UCOR did not implement an effective process to monitor and track sampling media throughout the asbestos abatement project.

Specifically, UCOR did not implement an approved process to equip subcontractor workers with personal sampling pumps; accurately record pump run times; adequately denote asbestos abatement work practices performed in regulated asbestos work areas; and develop a suitable chain-of-custody process for sample retrieval and analysis. For example:

1. Subcontracted abatement workers donned and removed their own personal air sampling pumps and recorded sample collection information when entering and exiting asbestos regulated areas. UCOR's procedures required these functions to be performed by assigned asbestos project managers to prevent errors in sampling results and to develop effective exposure controls.

2. Subcontracted abatement workers were instructed by UCOR to place air sampling pumps in the "HOLD" mode and to deposit both the air pump and the attached sample cassette (uncapped) on a table adjacent to the decontamination line in Building 9207. This process increased the possibility for errors in the sampling data, (e.g., due to contamination or fouling of the sampling media).

3. Subcontracted workers wearing short-term excursion samples (30-minute durations), placed their personal air sampling pumps in the "HOLD" mode, and remained inside the asbestos regulated areas with the completed sample (uncapped). This practice increased the likelihood that the sample could produce inaccurate exposure data due to debris entering the cassette during subsequent abatement work. Short-term air sample cassettes should be immediately capped and collected once completed, as noted in UCOR's procedures, to prevent fouling or damage to the sample.

4. Industrial hygiene field notes linking abatement techniques (means and methods) to specific worker samples were not adequately documented. The work observations for Building 9210 were not recorded in sufficient detail to determine how each sample result matched a specific abatement task or worker. The lack of task specificity in abatement field notes limited the ability of UCOR to evaluate abatement techniques or develop controls to reduce worker exposures to airborne asbestos fibers.

5. An appropriate chain-of-custody process was not employed for retaining control of air sample cassettes through the duration of the sampling and analysis process. The chain-of-custody for asbestos air samples was not established until delivery at the analytical laboratory. Without adequate documentation to demonstrate that sample custody passed immediately from the abatement worker to the abatement project monitor, and ultimately to the analytical laboratory, the validity of the sampling data is questionable. The accuracy and reliability of sampling data is paramount to establishing in situ exposure prevention controls (for the duration the abatement project), and to record the actual exposures incurred during asbestos abatement work.

The Office of Enforcement has elected to issue this Enforcement Letter to convey concerns with improper asbestos exposure monitoring within asbestos regulated areas. Issuance of this Enforcement Letter reflects DOE's decision not to pursue further enforcement activity against UCOR at this time. In coordination with the

DOE's Office of Environmental Management, the Office of Enforcement will continue to monitor UCOR's efforts to maintain a safe workplace.

This letter imposes no requirements on UCOR, and no response is required. If you have any questions, please contact me at (301) 903-4033, or your staff may contact Mr. Robert Hailstone, Director, Office of Worker Safety and Health Enforcement, at (301) 903-0100.

Sincerely,

Anthony C. Pierpoint
Director
Office of Enforcement
Office of Enterprise Assessments

cc: John Mullis, EM-90
Mark Holowczak, URS | CH2M Oak Ridge LLC