



**Department of Energy**  
Washington, DC 20585

March 31, 2011

Mr. Robert Kingsbury  
President and Chief Operating Officer  
LATA Environmental Services of Kentucky, LLC  
761 Veterans Avenue  
P.O. Box 280  
Kevil, Kentucky 42053

NEL-2011-01

Dear Mr. Kingsbury:

The Office of Health, Safety and Security's Office of Enforcement conducted an evaluation of the facts and circumstances associated with quality assurance deficiencies resulting from recent decontamination and decommissioning (D&D) activities on or near uranium hexafluoride (UF<sub>6</sub>) and hydrofluoric acid lines at the Department of Energy's (DOE) Paducah Gaseous Diffusion Plant in Paducah, Kentucky. On September 28, 2010, LATA Environmental Services of Kentucky, LLC (LATA Kentucky) reported to DOE noncompliances associated with these deficiencies in Noncompliance Tracking System (NTS) report NTS--PPPO-LATA KY-PAD-2010-0001.

On August 9, 2010, at the C-340 facility, three UF<sub>6</sub> instrument lines were inadvertently cut during asbestos abatement activities. As a result of these breaches, hydrogen fluoride and uranyl fluoride were released into the workplace. These materials are byproducts of the reaction between UF<sub>6</sub> and moisture in the air. A similar event occurred on July 21, 2010, with the previous contractor, at the C-410 facility, when a temporary polyvinyl chloride hot tap valve that was installed to vent residual UF<sub>6</sub> broke while operations personnel were moving the connected vent hose. The hot tap was designed to be a temporary device to vent UF<sub>6</sub> from the process line prior to the line being removed during D&D activities. These events are significant in that UF<sub>6</sub> and its byproducts can have adverse effects on worker safety. Furthermore, given the significance of this earlier event, LATA Kentucky missed the opportunity to capture lessons learned and take proactive measures to prevent recurrence.

Based on a review of the evidence associated with these events, DOE finds that potential violations of both 10 C.F.R. Part 830, *Nuclear Safety Management*, and 10 C.F.R. Part 851, *Worker Safety and Health Program*, occurred in the following areas:

- 10 C.F.R. Part 830: (1) designing items using sound engineering principles and appropriate standards; (2) ensuring hazard analyses are developed that enveloped the hazards associated with the work performed; and (3) performing work within the scope of the authorized work control documents (e.g., procedures).

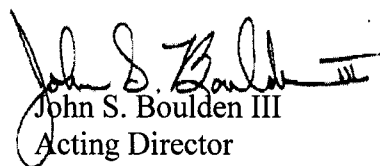


- 10 C.F.R Part 851: (1) properly assessing workplace conditions and identifying hazards including exposure to UF<sub>6</sub> and its byproducts; (2) implementing preventive measures for identified hazards; (3) adequately communicating hazard information and controls to workers; (4) instituting and communicating emergency response and egress procedures; and (5) performing work consistent with the hazards and controls identified in the work package.

The Office of Enforcement is aware that on July 26, 2010, a contract transition took place, transferring safety responsibilities from Paducah Remediation Services, LLC to LATA Kentucky and that the July 21, 2010, event discussed in this enforcement letter took place before the contract transition date. In light of this transition, LATA Kentucky's investigation and corrective action development to address these potential violations, and our understanding that the Portsmouth Paducah Project Office (PPPO) believes that LATA Kentucky has exhibited a strong concern for safety and has improved safety performance since the events have occurred, additional enforcement activity is not appropriate at this time. The Office of Enforcement, PPPO, and the Office of Environmental Management will continue to closely monitor nuclear and worker safety-related performance for this project to ensure that nuclear safety and worker safety are appropriately maintained.

No response to this letter is required. If you have any questions, please contact me at (301) 903-2178, or your staff may contact Mr. Steven Simonson, Acting Director, Office of Price-Anderson Enforcement, at (301) 903-7707.

Sincerely,



John S. Boulden III  
Acting Director  
Office of Enforcement  
Office of Health, Safety and Security

cc: Jennie Freels, LATA KY  
Barbara Mazurowski, LATA KY  
William Murphie, PPPO  
Richard Azzaro, DNFSB