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From: Meredith Brown <racer@lanl.gov>  
Subject: Blue Alert: Transportation Issue

**TITLE: Radiological Materials Transported Offsite Without Approval**

IDENTIFIER: (Occurrence Report No) NVOO-BNLV-NTS-1998-0009

DATE: May 14, 1998

**LESSONS LEARNED STATEMENT:** Managing and operating (M&O) contractors engaged in off-site response and recovery of hazardous materials should have a well-documented and understood response protocol.

**DISCUSSION:** On 5/8/98, BN received a phone call from the Nevada Test Site (NTS) Fire Department requesting radiological control technician (RCT) support at Tonopah. An unknown material was seeping out of a tank and radiological survey information was required immediately. A crew of RCTs was dispatched from Area 25 to support the request. The team gathered the appropriate equipment, instrumentation, and check sources and drove a government vehicle to Tonopah. An exemption certification was required for the off-site transportation of the sources. An exemption exists for the transportation of sources on the NTS, but it does not apply to off-site transportation. In their haste to respond to the request for assistance, the RCTs violated U.S. Department of Transportation (DOT) regulations when they transported radioactive materials on public highways without first obtaining required DOT documentation.

A similar incident occurred on May 4, 1995, when at the request of the State of Tennessee, the Department of Energy-Oak Ridge Operations (DOE-ORO) instructed Lockheed Martin Energy Systems (LMES) personnel to recover and transport a radioactive source from an off-site, private residence to temporary storage at the Oak Ridge National Laboratory (ORNL). Under the direction of the Tennessee Department of Environment and Conservation and the Tennessee Emergency Management Agency, Lockheed Martin Energy Systems (LMES)/ORNL transported the source to temporary storage using front and back vehicle escorts in lieu of conformance within DOT regulations. This decision resulted in a potential noncompliance with DOT regulations. Because LMES/ORNL management's information about the source activity, its containment, and the extent of potential contamination were sketchy, LMES/ORNL management determined that an emergency existed. Under the circumstances, the State of Tennessee, DOE-EOC, and LMES/ORNL mutually determined that DOT requirements would be waived. The DOE Region II Radiological Assistance Program Team (LMES personnel under contract), LMES/ORNL Spill Response, DOE-EOC, and State personnel arrived on the scene. The source and a small amount of contaminated material were packaged for transport to the Oak Ridge Reservation. Subsequent surveys showed the residence, its inhabitants, and source recovery team to be contamination-free. Reference Occurrence L-1995-OR-LMESX10-0601, Dated 6/15/95.

**ANALYSIS:** The root cause of the Oak Ridge incident was the absence of an LMES protocol for personnel engaged in off-site response and the recovery of hazardous materials. There were no training requirements on DOT regulations for responsible LMES/ORNL personnel, nor standing

guidance for responsible personnel to contact LMES compliance oversight personnel for concurrence.

**RESOLUTION/RECOMMENDED ACTIONS:** Oak Ridge agreed to review policies and procedures for off-site hazardous material recovery/response. Contractors agreed to ensure that lines of authority are delineated in these situations; defining roles and responsibilities. Responsible contractor personnel on the scene needed to be cognizant of applicable federal regulations. When in doubt, they should consult their own compliance oversight staff for advice.

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REFERENCES: Occurrence Report No. L-1995-OR-LMESX10-0601

FOLLOW-UP ACTION: Information in this report is accurate to the best of our knowledge. As a means of measuring the effectiveness of this report, please notify Dawn M. Starrett by e-mail at [starredm@nv.doe.gov](mailto:starredm@nv.doe.gov) (or phone 702-295-4297) of any action taken as a result of this report or of any technical inaccuracies you find. Your feedback is important and appreciated.