



Savannah River Site Watch

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For Immediate release
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Savannah River Nuclear Solutions Fined \$17, 650 by U.S. Department of Transportation for Two Violations for Improper Compliance with Hazardous Material Transport Regulations

Columbia, SC – The U.S. Department of Transportation has issued a monetary fine to Savannah River Nuclear Solutions (SRNS), the main contractor at DOE’s Savannah River Site, for two violations related to improper transport of hazardous materials at SRS.

A DOE “Occurrence Report” dated November 7, 2016 states the reason for a fine of \$17,560 for the violations of federal transportation regulations. The Occurrence Report does not detail what hazardous materials were being transported on site but it appears that the violations were discovered by chance during a “compliance review” on October 27, 2016.

The Occurrence Report provides some details about the discovered violations:

A compliance review was conducted at Aiken, South Carolina on October 27, 2016. The purpose of this review was to determine your compliance with the Federal Motor Carrier Safety Regulations (FMCSR), the Federal Hazardous Materials Regulations (HMR), and the Federal Motor Carrier Commercial Regulations (FMCCR).

As a result of this review, violations were discovered. This letter constitutes a Notice of Claim by the United States Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA) against Savannah River Nuclear Solutions LLC for the amount of \$17,650.

1. One (1) violation of 49 CFR 172.704(a)(5)- Failing to provide in-depth security awareness training.

2. One (1) violation of 49 CFR 385.415(c)(I)- Transporting a permitted material without maintaining a record of communication for six months as required.

More details about the violations were summarized in the Occurrence Report by DOE headquarters in the following way:

On November 7, 2016, a notice of violation was received from the United States Department of Transportation, Federal Motor Carrier Safety Administration against Savannah River Nuclear Solutions LLC, in the amount of \$17,650. A compliance review was conducted on October 27, to determine

compliance with the Federal Motor Carrier Safety Regulations, Federal Hazardous Materials Regulations, and Federal Motor Carrier Commercial Regulations. Two violations were discovered, they were violation of 49 Code of Federal Regulations (CFR) 172.704(a)(5) for failing to provide in-depth security awareness training, and violation of 49 CFR 385.415(c)(I) for transporting a permitted material without maintaining a record of communication for six months as required.

“While it does not appear that the violations were serious, it is reassuring that the Department of Transportation is attentive to transport of hazardous materials at SRS and is enforcing applicable regulations,” according to Tom Clements, director of Savannah River Site Watch. “Full compliance with all pertinent regulations is essential at every step as it is unpredictable what violation could result in an accident causing harm to workers or the environment.”

“While it is unknown if SRNS has yet paid the fine, the company must assure the public that the fine was paid by the company and not passed on to the tax payer,” added Clements.

SRS Watch has not seen the actual “compliance review” or the violations letter sent to SRNS by DOT.

Notes:

Occurrence Report (OR) number EM-SR--SRNS-MOGEN-2016-0010, November 9, 2016, from DOE’s Occurrence Reporting and Processing System (ORPS), linked here – if this doesn’t work, contact Tom Clements for information about how to find the OR:

<https://orpspublic.doe.gov/orps/reports/displayReport2.asp?crypt=%87%C3%95%9Ba%8Eugya%94%80%CA%B6%C2%8D%9B%B1%C1%BE%AB%85%A4%B5z%CC%9F%9A%7E%82%60%5Bsx%5D%80z%8D%7Crfkgn%88k>

Code of Federal Regulations 49 linked here:

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49tab_02.tpl

49 CFR 172.704(a)(5): *“In-depth security training. Each hazmat employee of a person required to have a security plan in accordance with subpart I of this part who handles hazardous materials covered by the plan, performs a regulated function related to the hazardous materials covered by the plan, or is responsible for implementing the plan must be trained concerning the security plan and its implementation. Security training must include company security objectives, organizational security structure, specific security procedures, specific security duties and responsibilities for each employee, and specific actions to be taken by each employee in the event of a security breach.”*

49 CFR 385.415(c)(I): (c) *Additional requirements.* A motor carrier transporting hazardous materials requiring a permit under this part must also meet the following requirements:

(1) The operator of a motor vehicle used to transport a hazardous material listed in §385.403 must follow the communications plan required in §385.407(b)(2) to make contact with the carrier at the

beginning and end of each duty tour, and at the pickup and delivery of each permitted load. Contact may be by telephone, radio or via an electronic tracking or monitoring system. The motor carrier or driver must maintain a record of communications for 6 months after the initial acceptance of a shipment of hazardous material for which a safety permit is required. The record of communications must contain the name of the driver, identification of the vehicle, permitted material(s) being transported, and the date, location, and time of each contact required under this section

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