

1/15/2009

NFS alcohol incident draws ire of regulatory commission

By JIM WOZNIAK

Erwin Bureau Chief

jwozniak@johnsoncitypress.com

ERWIN - Nuclear Fuel Services has drawn the ire of the Nuclear Regulatory Commission for alleged incidents three years ago in which a senior executive came to the plant with alcohol on his breath and no action was taken by the company personnel.

The NRC also has accused NFS of supplying inaccurate information to the federal agency about that executive and not supplying needed information to a contract professional assigned to decide whether the executive was fit to return to duty.

NFS spokesman Jud Simmons said Wednesday that the company is evaluating the facts before it decides how it will respond to the NRC. He declined to name the executive but said all are either no longer in management or employed by NFS.

"Since we just received the letter last week, it's really only appropriate that we understand what issues are there and how we want to move forward," Simmons said.

A letter from Kriss M. Kennedy, director of division reactor safety for the NRC regional office in Atlanta, to new NFS President Dave Kudsin said the company can respond to the "apparent violations" within 30 days of the Jan. 7 letter or request a predecisional enforcement conference or alternative dispute resolution.

"In looking at that letter, we realize that that is not indicative overall of the approach and the way things typically are at NFS," Simmons said. "Certainly, NFS has made a lot of improvements in its fitness for duty program as well as a lot of other operational improvements overall. The NRC has certainly acknowledged improvements that they've made."

According to the letter, a security manager smelled alcohol on the breath of the executive on March 7, March 8 and March 9 of 2006 but did nothing to remove him or initiate removal for "cause testing" as required.

"On March 9, a senior security manager detected alcohol on the

employee's breath and observed the senior executive executive engage in an inappropriate angry outburst directed at an NRC inspector," Kennedy said. "On March 9, the senior executive made inappropriate comments of a sexual nature to a female radiation technologist employee in the presence of another radiation technologist employee and their supervisor."

Neither the technologists, who believed the executive was impaired or drunk, nor their supervisors took any action, according to Kennedy. She said a security guard also believed the executive acted and appeared impaired but the guard and the guard's supervisor did not act to remove him for testing.

On April 5, 2006, NFS gave the executive self-referral rehabilitation status and by the end of that month, a company executive told the NRC that the senior executive had entered a substance abuse rehabilitation program when that was not the case.

Another problem developed in May 2006 when NFS did not provide pertinent information to the contract professional, who later told NFS that the senior executive was fit to return to duty, Kennedy said.

Missing information included that the smell of alcohol occurred on three days, not one; that the March 9 consumption was less than five hours before a scheduled "working tour." Other elements were the sexual remarks and the incident in which the executive lost his cool occurred during an "important" meeting with regulators of the NRC, NFS and the U.S. Energy Department.

"Fitness for duty is something that we all take very seriously in this business," Simmons said. "And as I said, the fitness for duty program overall at NFS has improved significantly since that time."