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NRC PROPOSES \$32,500 CIVIL PENALTY FOR BABCOCK & WILCOX IN LYNCHBURG

The Nuclear Regulatory Commission has proposed a \$32,500 civil penalty against the Babcock & Wilcox facility in Lynchburg, Va., for a violation of NRC requirements related to the company's emergency declaration for an event in July 2009.

The violation involved a failure of Babcock & Wilcox facility staff to declare an Alert emergency classification in a timely manner as required by their emergency plan. On July 15, 2009, company employees failed to declare the emergency for more than two hours after they discovered a band saw cooling reservoir did not have the proper criticality controls.

A "criticality" can occur when nuclear materials come together in sufficient quantity or in a container of correct shape to initiate a chain reaction resulting in either a "burst" or a sustained release of radiation. A small criticality event would not be expected to affect people or the environment outside the facility but could be serious for workers in the immediate area.

"Although this failure to declare the emergency in a timely manner did not have any adverse effects, the results could have been significant under different circumstances," said NRC Region II Deputy Administrator for Operations Victor McCree.

The NRC identified three other violations associated with the company's procedures but because of actions taken by Babcock & Wilcox to correct those issues, the NRC is not proposing civil penalties for those violations.

The company has 30 days to either pay the civil penalty or protest its imposition.

A copy of the letter and notice of violation will be available on the NRC Web site at www.nrc.gov/reading-rm/adams/web-based.html using the number ML100110209 or from the Region II Office of Public Affairs.

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