

Feds Settle Claims over Radioactive Waste Disposal

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LOUISVILLE, Ky. (AP) — The federal government and a U.S. Department of Energy contractor have reached a \$230,000 settlement over allegations that the company improperly handled and disposed of radioactive waste from a nuclear reprocessing plant in western Kentucky.

The settlement, unsealed Thursday in U.S. District Court in Paducah, does not require Bechtel Jacobs to admit fault related to the improper disposals from 1998 through 2004.

The settlement ends a 10-year legal battle started by two former employees at the Paducah Gaseous Diffusion Plant on behalf of the federal government. The employees sued in 2002, claiming Bechtel Jacobs mishandled waste from the plant over a six year period.

The plant produces enriched uranium for use at nuclear power plants.

Attorneys for the two men who brought the whistleblower lawsuit did not immediately return messages seeking comment. A message left for the media relations office of Bechtel Jacobs, which also handled cleanup at the Oak Ridge, Tenn., and Piketon, Ohio, facilities, was not immediately returned Thursday.

The case centered on allegations brought by two former Bechtel Jacobs employees, Gary Vander Boegh, who held different jobs for 14 years at the plant including landfill manager, and George Johnson, who worked in various capacities for 13 years.

The two men claimed in the lawsuit filed in 2002 that Bechtel Jacobs, which had contracted with the U.S. Department of Energy, improperly subcontracted with a company called Weskem to dispose of radioactive waste, even though Weskem did not have the proper licenses and permits to do so.

That resulted in the United State being billed for services related to waste removal that was improperly handled as "nonhazardous" when it should have been dealt with as hazardous waste from April 1996 through January 2002.

The company also improperly stored "no radiation added" waste at the Paducah plant and disposed of that material at a site designated for radioactive waste, even though disposing of it at the plant's sanitary landfill would have been cheaper, according to the settlement agreement.

The settlement agreement also covers allegations that Bechtel Jacobs disposed of

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waste at the plant's sanitary landfill even though those wastes contained excessive amounts of free liquids between February and July 2004.

Bechtel Jacobs worked at the plant through the end of 2005. The U.S. Department of Energy awarded the environmental management contract at Paducah to Paducah Remediation Services, a partnership between Shaw Environmental and Infrastructure and Portage Environmental.

Johnson was last listed in the lawsuit as working at the plant on Aug. 31, 2003. Vander Boegh lost his job at the plant in 2006. He sued, claiming the termination came about because of his whistleblowing activities.

U.S. District Judge Thomas B. Russell dismissed that lawsuit in May, ruling that Vander Boegh couldn't show that the current contractors at the plant knew about his prior activities.

Environmental issues at the plant have been the subject of litigation. A group of 70 to 80 residents who live near the plant about 10 miles west of Paducah reached a \$1.75 million settlement in April 2010 with Lockheed Martin Corp. over allegations that improperly disposed of waste and contaminated water that leaked from the plant devalued their properties.

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