



OFFICE OF INSPECTOR GENERAL

U.S. Department of Energy

INSPECTION REPORT

DOE-OIG-22-28

March 2022

**ALLEGATIONS REGARDING
MANAGEMENT OF THE SUBSTANCE
ABUSE PROGRAM AT THE HANFORD
WASTE TREATMENT AND
IMMOBILIZATION PLANT**



Department of Energy
Washington, DC 20585

March 24, 2022

**MEMORANDUM FOR THE MANAGER, RICHLAND OPERATIONS OFFICE/OFFICE OF
RIVER PROTECTION**

**SUBJECT: Inspection Report on Allegations Regarding Management of the Substance Abuse
Program at the Hanford Site's Waste Treatment and Immobilization Plant**

The attached report discusses our review of allegations regarding the management of the substance abuse program at the Hanford Site's Waste Treatment and Immobilization Plant. This report does not contain recommendations or suggested actions. Therefore, no management response is required.

We conducted this inspection from July 2021 through March 2022 in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*. We appreciated the cooperation and assistance received during this evaluation.

A handwritten signature in black ink, appearing to read "Anthony Cruz".

Anthony Cruz
Assistant Inspector General
for Inspections, Intelligence Oversight,
and Special Projects
Office of Inspector General

cc: Deputy Secretary
Chief of Staff



Department of Energy
Office of Inspector General
Allegations Regarding Management of the Substance
Abuse Program at the Hanford Site's Waste
Treatment and Immobilization Plant
(DOE-OIG-22-28)

**WHY THE OIG
PERFORMED THIS
REVIEW**

The Office of Inspector General received allegations regarding management of the substance abuse program at the Waste Treatment and Immobilization Plant (WTP) at the Hanford Site. The allegations included: (1) Bechtel National, Inc. (Bechtel) management was unresponsive to and under-reported a growing trend of substance abuse, and (2) drug testing protocols were inadequate. During our inspection, a subsequent concern arose that (3) Bechtel had not met annual drug testing requirements.

We conducted this inspection to determine the facts and circumstances regarding alleged substance abuse at the Hanford Site's WTP.

What Did the OIG Find?

We did not substantiate the allegation that Bechtel management at the Hanford Site's WTP was unresponsive to and under-reported a growing trend of substance abuse, and we did not substantiate the allegation that drug testing protocols were inadequate to prevent cheating. Specifically, we found that management had taken several actions to address drug-related concerns. Drug-related incidents declined since mid-2019, and drug test failure trends were relatively stable since May 2019. We also found that management had implemented drug testing protocols that were consistent with Federal requirements.

In addition to these allegations, during our inspection we received another allegation that Bechtel had not met annual drug testing requirements. However, we did not substantiate this allegation.

What Is the Impact?

A compliant workplace substance abuse program provides managers and the Department of Energy with reassurances that employees can adequately perform their jobs. Lapses or failures in this program could affect employee safety, performance, and operations at the WTP.

What Is the Path Forward?

We did not identify any issues that need to be addressed. Therefore, we made no recommendations or suggested actions.

BACKGROUND

The Hanford Site (Hanford) was established during World War II to produce plutonium for the nation's nuclear weapons. Hanford's mission is now primarily site cleanup and environmental restoration to protect the public and the environment. The mission of the Department of Energy's Office of River Protection is to retrieve 56 million gallons of radioactive and chemical waste stored in Hanford's 177 underground tanks and prepare the waste for permanent disposal. As such, it is responsible for the management and oversight of the design, construction, and commissioning of the Waste Treatment and Immobilization Plant (WTP). When completed, WTP will process and stabilize most of the tank waste. The design and construction of WTP is contracted to Bechtel National, Inc. (Bechtel). Under the terms of its contract, the Department requires Bechtel to take certain actions to maintain a drug free workplace and implement a random drug testing program.

In May 2021, we received allegations concerning Bechtel's management of drug-related issues at WTP. Specifically, the complainant alleged: (1) management was unresponsive to and under-reported a growing trend of substance abuse at WTP, and (2) WTP employees could readily cheat on random drug tests because the testing protocols and deterrence measures were inadequate. While conducting our inspection, we also received another allegation that Bechtel had not met annual drug testing requirements.

We conducted this inspection to determine the facts and circumstances regarding alleged substance abuse at Hanford's WTP.

MANAGEMENT'S RESPONSIVENESS TO SUBSTANCE ABUSE TRENDS

We did not substantiate the allegation that management was unresponsive to and under-reported a growing trend of substance abuse at WTP.

We found that Bechtel had been responsive to drug-related issues at WTP. For example, Bechtel had communicated both drug-related incidents and drug testing failures to the Department. Specifically, we noted that Bechtel's Safeguards and Security (SAS) office had reported drug-related incidents to the Department and local law enforcement. According to Bechtel's procedure, *Incidents of Security Concern*, drug-related incidents are reportable to SAS management but are not reportable to the Department. Nevertheless, the SAS manager regarded drug-related incidents as violations of law subject to law enforcement jurisdiction. Therefore, the SAS manager also notified the Department and local law enforcement. The responsible Department security official stated that these notifications were a courtesy to keep the Department informed. Furthermore, Bechtel formally provided the Department with annual drug testing figures, including all failures.

Additionally, we determined that Bechtel management's historical responsiveness to drug-related issues at WTP appeared reasonable. To determine this, we reviewed historical management responses and the incidents that preceded them. On multiple occasions, the actions taken by Bechtel appeared timely and appropriate. For example, after Bechtel identified significant numbers of failed drug tests and an increase in drug-related incidents in early 2019, it conducted

a mandatory drug test. This effort resulted in testing over 2,700 employees and disciplinary action for 21 employees for violations of Bechtel's substance abuse policy. Shortly after, Bechtel also began testing for fentanyl, based on a subsequent drug-related incident and discussions with local law enforcement. Furthermore, Department and Bechtel officials stated that local law enforcement trained WTP supervisors on identifying signs of drug use and associated paraphernalia. Lastly, SAS management stated that they have used local law enforcement narcotic detection dogs at WTP to conduct drug searches.

Further, we found that Department officials familiar with drug-related incidents at WTP were satisfied with Bechtel's performance. In July 2020, a Department Industrial Safety official conducted an assessment of Bechtel's substance abuse program. The official's report determined that program documents were "well written" and adequately addressed requirements. A Department security official expressed disappointment with the amount of drug use occurring at WTP but added that zero incidents was not a realistic expectation. The official expressed satisfaction that Bechtel had committed reasonable resources and demonstrated appropriate responses to serious problems in the past.

Finally, we did not identify a growing trend in either the amounts of drug-related incidents or drug testing failures at WTP. The complainant alleged that the growing trend was based on an increasing number of instances where drugs and drug-related paraphernalia were being found at WTP. In response to this concern, we reviewed drug-related incidents reported and maintained in G4S Solutions' (G4S) database and found that the records demonstrated a decreasing trend since mid-2019. G4S is the WTP subcontract security force. Furthermore, we did not identify an increase in the amount of drug testing failures at WTP. In October 2021, we reviewed Bechtel's trend analysis of drug testing failures that showed failures had been within control limits and were statistically stable since May 2019. We noted that the trend analysis showed drug testing failures had exceeded Bechtel's control limits in March 2019 and April 2019. As a result, Bechtel conducted a 100 percent drug test of WTP project personnel in May 2019. Since that 100 percent testing occurrence, drug testing failures have remained within control limits and were not statistically significant.

TESTING PROTOCOLS AND DETERRENCE MEASURES

We did not substantiate the allegation that Bechtel's drug testing protocols and deterrence measures were inadequate or that Bechtel had not met annual drug testing requirements.

The complainant alleged that inadequate drug testing protocols and deterrence measures contributed to employees cheating on drug tests. Specifically, the complainant alleged: (1) drug testing samples collected behind a solid door offered too much privacy; (2) testing protocols allowed employees to cheat; and (3) Bechtel did not meet annual random drug testing quotas. For this inspection, we defined cheating as an attempt to tamper, adulterate, substitute, or otherwise alter a drug test. We determined that the level of privacy afforded to employees during drug tests was consistent with Federal requirements in Bechtel's contract. Specifically, Title 10 Code of Federal Regulations 707, *Workplace Substance Abuse Programs at DOE Sites*, requires privacy for individuals providing urine specimens (with some exceptions). In addition, the Department of Health and Human Services' *Mandatory Guidelines for Federal Workplace*

Drug Testing Programs (Mandatory Guidelines) states that urine collection sites must give the donor visual privacy while providing the specimen. Drug testing at WTP is conducted by Bechtel's occupation medical subcontractor, Medcor, Inc. (Medcor). We observed that Medcor's WTP collection facility had a single person restroom with a full-length door. Therefore, the privacy afforded by Medcor is acceptable under the Mandatory Guidelines.

In addition, we determined that drug testing protocols were consistent with the Mandatory Guidelines. Specifically, the Mandatory Guidelines spell out requirements to minimize a donor's ability to adulterate or substitute a urine sample. For example, the specimen collector is required to ask the donor to remove unnecessary outer clothing, empty pockets, and wash hands. During a walkthrough of Medcor's facility, a staff member stated these actions were taken for drug tests, and we observed a location to hang excess clothing, a lockbox to store personal belongings, and a sink with soap for hand washing. Additionally, the Mandatory Guidelines require specific validity tests for appropriate temperature, pH, specific gravity, and oxidizing adulterants. We verified that Medcor's specimen cups tested for pH, specific gravity, oxidants, nitrite, and temperature, consistent with the Mandatory Guidelines. Furthermore, we learned that if the Medcor staff conducting a drug test suspects "cheating," they may conduct an observed test where the individual is visually observed during the entirety of the urine collection process. Lastly, Bechtel's procedure requires that employees selected for random drug testing be escorted to the Medcor facility. According to a Medcor staff member, if an individual reports for random testing without an escort, that individual is subject to an observed test.

Further, Bechtel demonstrated that it met or exceeded the 30 percent annual random drug testing requirements set forth in its contract. According to Title 10 Code of Federal Regulations 707 and its own internal procedure, Bechtel must conduct random drug tests on 30 percent of the total number of employees in drug testing designated positions for each 12-month period. Individuals occupying testing designated positions are those granted unescorted access to WTP field locations. According to Bechtel documentation, its annual random drug testing percentages ranged from 31.6 percent to 40.7 percent from January 2018 through September 2021.

Lastly, we found that the selection process for random drug testing was primarily independent of Bechtel. According to Bechtel's procedure and discussions with Medcor staff, Bechtel sends the names of employees in testing designated positions to Medcor's corporate office who then randomly selects 30 percent of the employees and a list of alternates for random drug testing. The Medcor WTP clinic receives the list and directly contacts the supervisors of selected individuals. The supervisors will escort the individuals to Medcor for testing. In addition to the required 30 percent random drug tests, Bechtel also conducts random drug tests to support Department of Transportation requirements, and non-random drug tests for various reasons such as reasonable suspicion or following a workplace accident.

ADDITIONAL CONTROLS

During our inspection, we identified some noteworthy elements of Bechtel's Workplace Substance Abuse Program. Specifically, we noted that Bechtel met or exceeded requirements for drug testing as well as maintaining a drug-free workplace. For example, per Title 10 Code of Federal Regulations 707, contractors must test for a minimum of five drugs and drug classes.

However, Bechtel exceeded that requirement by testing for 14 separate drugs and drug classes, as well as alcohol. Any amount of alcohol detected or a confirmed drug test failure results in termination of employment.

In addition, Bechtel conducted vehicle inspections for vehicles entering and exiting the WTP site. According to Department Order 473.3, *Protection Program Operations*, and Bechtel's *Safeguards and Security Plan*, vehicle inspections may be used to detect prohibited articles, including illegal drugs and paraphernalia, from entering the site and to protect government property from unauthorized removal. According to SAS, G4S conducted over 7,000 vehicle inspections from June 2018 through July 2021. However, we noted that during COVID-19, Bechtel curtailed the rigor of vehicle inspections for employee safety, which ran counter to the written desk instructions maintained by G4S. Following discussions with SAS on the outdated inspection procedures, G4S developed an interim desk instruction for conducting vehicle inspections consistent with COVID-19 protocols.

Appendix 1: Objective, Scope, and Methodology

OBJECTIVE

We conducted this inspection to determine the facts and circumstances regarding alleged substance abuse at the Hanford Site's Waste Treatment and Immobilization Plant.

SCOPE

We performed this inspection from July 2021 through March 2022 at the Department of Energy's Waste Treatment and Immobilization Plant located at the Hanford Site, and the Office of River Protection and Richland Operations Office in Richland, Washington. Our scope included Bechtel National, Inc. and applicable subcontractor substance abuse and security programs from June 2018 through June 2021. The inspection was conducted under Office of Inspector General project number S21LL021.

METHODOLOGY

To accomplish our inspection objective, we:

- Reviewed Federal, Department, and contractor requirements regarding workplace substance abuse, drug-free workplace, and physical protection programs.
- Conducted interviews with the alleging party to gain an understanding of the actual allegations.
- Reviewed related reports and documents regarding workplace substance abuse, drug-free workplace, and physical protection programs.
- Conducted interviews with staff from Richland Operations Office, Office of River Protection, Hanford Patrol, Bechtel National, Inc., Medcor, Inc., and G4S Solutions.
- Conducted observations and facility walk-throughs during multiple site visits to the Waste Treatment and Immobilization Plant.

We conducted our inspection in accordance with the *Quality Standards for Inspection and Evaluation* (December 2020) as put forth by the Council of the Inspectors General on Integrity and Efficiency. We believe that the work performed provides a reasonable basis for our conclusions.

Management officials waived an exit conference on March 8, 2022.

Appendix 2: Prior Report

Audit Report on [*The Department of Energy's Federal Employee Substance Abuse Testing Program*](#) (DOE-OIG-20-46, July 2020). The Office of Inspector General found that the Department of Energy had not always administered the Federal Substance Abuse Testing Program, as required by Department Order 343.1, *Federal Substance Abuse Testing Program*. The Office of Inspector General determined that the Department did not meet the annual random drug testing rate for Testing Designated Position Federal employees and found that Local Substance Abuse Program Coordinators did not always ensure that random drug testing was conducted. Lastly, the Office of Inspector General identified issues related to Testing Designated Position documentation, annual reporting, and training.

FEEDBACK

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