Rep. Phil Gingrey
Opening Statement for NIST Plutonium Spill Hearing
Subcommittee on Technology & Innovation
July 15, 2008

Mr. Chairman, thank you for calling today's hearing to review the details and causes of the June 9th spill of plutonium at the NIST labs in Boulder. First and foremost, I am very thankful that those in proximity of the spill have thus far shown no adverse side effects from their exposure to plutonium. That is not to say, however, that the sample containing 250 mille-grams of various plutonium isotopes posed no health or safety risks when it was mishandled.

I am very disappointed that the preliminary investigations of this incident to date have revealed not just a stunning lack of preparation, but also a complete lack of understanding of the potential risks involved in the use of encapsulated plutonium samples. It appears as though researchers were unaware of the potential risks and quickly went forward to obtain and use the samples without appropriate precautions in place. Of even greater concern, safety protocol was either not in place or not properly followed. That would have flagged this acquisition ahead of time or ensured that proper training and equipment were available.

Mr. Chairman, this incident is absolutely unacceptable. It could have been avoided, and it should have been avoided.

One of the NIST independent reviewers, Dr. Lester Slaback, notes in his report that, "[the incident] was the inevitable (or at least highly likely) and foreseeable end result" of numerous individual and organizational failures. I do applaud Dr. Turner for recognizing the gravity of the problem at NIST, and I am cautiously optimistic that employees throughout the agency will also heed this wake-up call. However, this incident makes clear that simply having safety policies on paper does not ensure that they will be adequately executed. I hope Dr. Turner recognizes that a fix will not come through onerous safety directives from top level officials. Rather, change must involve every employee or visiting affiliate at NIST adhering to documented safety procedures so that an incident like this does not occur again. I expect that during the Question and Answer portion of today's hearing, we will be able to discuss how NIST can ensure that their safety programs, including radiological safety, become examples of best-practices instead of examples of shortcomings and inadequate preparation.

The Nuclear Regulatory Commission's investigation of this incident is still ongoing, so I am sensitive to the need for the Commission to complete that work before discussing their findings. I am thankful, though, that Dr. Miller and Mr. Collins have made themselves available to explain the NRC's licensing requirements, safety guidelines, and process for responding to this event. Their expertise and insight will be extraordinarily useful to the Committee as we place this incident in context and seek ways to improve the safety systems at NIST.

Mr. Chairman, NIST has a scientific legacy of achievement for which we are rightfully proud. I think we all agree that equal effort must go into safety considerations at NIST. We cannot accept a cavalier attitude towards safety. We are not using plutonium as if we are trying to send a DeLorean back in time, like in the film *Back to the Future*. There are greater safety concerns for which our researchers at NIST should be prepared, and moving forward, this agency should be better positioned to implement better training and safety protocols.

With that, I yield back the balance of my time.