

**AFFIRMATION OF BOARD VOTING RECORD**

**SUBJECT: RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1, Directive on Directives**

**Doc Control#2017-300-049**

The Board, with Board Member(s) Sean Sullivan, Bruce Hamilton, Jessie H. Roberson, Daniel J. Santos, Joyce L. Connery *approving*, Board Member(s) none *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *not participating*, have voted to approve the above document on April 28, 2017.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Sean Sullivan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/28/17
Bruce Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	04/28/17
Jessie H. Roberson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/28/17
Daniel J. Santos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/28/17
Joyce L. Connery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/28/17

\*Reason for Not Participating:

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Board Members.

  
Assistant Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

cc: Board Members  
OGC  
OGM Records Officer  
OTD

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**  
**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Sean Sullivan

**SUBJECT:** RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1,  
Directive on Directives

**Doc Control#2017-300-049**

**Approved**                           **Disapproved**                                 **Abstain**           

**Recusal – Not Participating**           

**COMMENTS:**      **Below**                 **Attached**                 **None**     



Sean Sullivan

4/28/17

Date

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**  
**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Bruce Hamilton

**SUBJECT:** RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1, Directive on Directives

**Doc Control#2017-300-049**

Approved   X                        Disapproved                             Abstain       

Recusal – Not Participating       

**COMMENTS:**      Below   X        Attached                             None       

Paragraph 10.B. of this Directive contains the ambiguous phrase, “No supplementary document may replace a Directive nor be a placeholder for a Directive or any item that constitutes a matter of policy without the approval of the Board.” Just what constitutes “... any item ...” is potentially open a wide range of interpretations.

42 U.S.C. § 2286 provides that the Board may establish policy, and it normally does so through the approval of Directives. While it is appropriate that a supplementary document not replace a Directive without Board approval, this phrase goes further, stating Board approval is required for supplemental documents relating to “... any item...” which is related to policy. It is easy to imagine myriad cases where supplemental documents may relate to policy about which the Board has not spoken.

This ambiguity will require care by the Board and staff, but it is not by itself, a fatal flaw of the Directive.

I therefore approve.

  
Bruce Hamilton

28 APR 2017  
Date

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**  
**NOTATIONAL VOTE RESPONSE SHEET**

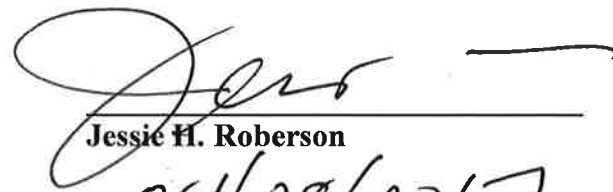
**FROM:** Jessie H. Roberson

**SUBJECT:** RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1, Directive on Directives

**Doc Control#2017-300-049**

~~Approved~~ \_\_\_\_\_      Disapproved \_\_\_\_\_      Abstain \_\_\_\_\_  
Recusal – Not Participating \_\_\_\_\_

**COMMENTS:**      Below \_\_\_\_\_      Attached \_\_\_\_\_      ~~None~~ \_\_\_\_\_

  
\_\_\_\_\_  
Jessie H. Roberson  
04/28/2017  
\_\_\_\_\_  
Date

**Cameron Shelton**

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**From:** Daniel J. Santos  
**Sent:** Friday, April 28, 2017 1:04 PM  
**To:** Cameron Shelton; Shelby Qualls  
**Subject:** RE: Notational Vote: Doc#2017-300-049, RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1, Directive on Directives - BLUE FOLDER

Approved.

**From:** Cameron Shelton  
**Sent:** Friday, April 28, 2017 9:33 AM  
**To:** Bruce Hamilton [REDACTED]; Daniel J. Santos [REDACTED]; Jessie Roberson [REDACTED]; Joyce Connery [REDACTED]; Sean Sullivan [REDACTED]  
**Cc:** Glenn Sklar [REDACTED]; Katherine Herrera [REDACTED]; James Biggins [REDACTED]; Richard Reback [REDACTED]; Steven Stokes [REDACTED]; Richard Tontodonato [REDACTED]  
**ExSec:** [REDACTED]; Adam Poloski [REDACTED]; Chris Roscetti [REDACTED]; John Pasko [REDACTED]; Timothy Dwyer [REDACTED]  
**Subject:** Notational Vote: Doc#2017-300-049, RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1, Directive on Directives - BLUE FOLDER

This email is an electronic record of Notational Vote. Voting ballot will follow shortly. Also, accepting electronic votes.

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD  
NOTATIONAL VOTE RESPONSE SHEET**

**FROM: Members of the Board**  
**SUBJECT: RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1, Directive on Directives**

**DOC#2017-300-049**

This item is ready for Notational Vote. The approved amendment(s) Doc#2017-300-049A has been incorporated in the final version. A redline-strikeout version is attached to document the approved changes.

**Approved** \_\_\_\_\_  
**Disapproved** \_\_\_\_\_  
**Abstain** \_\_\_\_\_  
**Recusal – Not Participating** \_\_\_\_\_

**COMMENTS:**  
**Below** \_\_\_\_\_  
**Attached** \_\_\_\_\_  
**None** \_\_\_\_\_

Cameron Shelton  
Assistant Executive Secretary  
Office of the Chairman

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**  
**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Joyce L. Connery

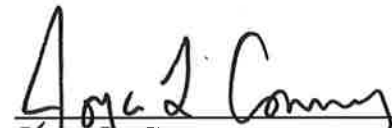
**SUBJECT:** RFBA by Deputy General Manager Katherine Herrera to Revise D-21.1, Directive on Directives

**Doc Control #2017-300-049**

**Approved**  **Disapproved**  **Abstain**

**Recusal – Not Participating**

**COMMENTS:** **Below**  **Attached**  **None**

  
\_\_\_\_\_  
Joyce L. Connery  
4/28/17  
\_\_\_\_\_  
Date