

Revise the FRN as shown in the attached document. The revisions delete all references to a meeting and the Government in the Sunshine Act.

Justification

The Board Procedures specify that all public hearings shall be noticed as a combined meeting and hearing. However, in recent memory all events noticed as combined meetings and hearings have been executed as hearings only. The General Accounting Office found that the Board's practice regarding noticing may confuse the public and recommended that the practice be discontinued.

Further, a necessary predicate to making a combined notice has not been completed. Specifically, the Board procedures provide:

Combined Meeting and Hearing. When any hearing has a quorum in attendance, the hearing shall be considered a combined meeting and hearing, *and the procedures of a meeting specified above shall be followed.* (Italics added for emphasis)

The Board has not complied with the procedure for a meeting which provides, "The Board shall approve the meeting agenda by vote prior to giving notice, as required by 10 C.F.R. Part 1704." The Board has not approved a meeting agenda. Without an approved agenda the Board would be unable to execute a meeting because the meeting procedure specifies, "The Chairman shall conduct the meeting as prescribed in the agenda," and "The business of the meeting shall be limited to items listed on the agenda." Finally, the procedure for a meeting provides, "The public will be provided the opportunity to comment at open meetings." The proposed FRN and associated hearing agenda provide for public comment during the hearing portion of a combined event, but no provision has been made, and no notice is proposed for, public comment during a meeting portion of the event.

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: Amendment by Chairman Sullivan to YELLOW FOLDER Doc#2017-300-106, Request for Board Action by OGC to Approve & Publish 9.26.17 Federal Register Notice

Doc Control#2017-300-106A

The Board, with Board Member(s) Sean Sullivan, Bruce Hamilton, Joyce L. Connery *approving*, Board Member(s) Jessie H. Roberson *disapproving*, Board Member(s) Daniel J. Santos *abstaining*, and Board Member(s) none *recusing*, have voted to approve the above document on September 6, 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"/>	09/06/17
Bruce Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	09/06/17
Jessie H. Roberson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	09/06/17
Daniel J. Santos	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	09/06/17
Joyce L. Connery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	09/06/17

*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: Amendment by Chairman Sullivan to YELLOW FOLDER Doc#2017-300-106, Request for Board Action by OGC to Approve & Publish 9.26.17 Federal Register Notice

Doc Control#2017-300-106A

Approved X Disapproved Abstain

Recusal – Not Participating

COMMENTS: Below Attached None X



Sean Sullivan

9/6/17

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Bruce Hamilton

SUBJECT: Amendment by Chairman Sullivan to YELLOW FOLDER Doc#2017-300-106, Request for Board Action by OGC to Approve & Publish 9.26.17 Federal Register Notice

Doc Control#2017-300-106A

Approved X Disapproved Abstain

Recusal - Not Participating

COMMENTS: Below Attached None X


Bruce Hamilton

6 SEPT 2017
Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOTATIONAL VOTE RESPONSE SHEET

FROM: Jessie H. Roberson

SUBJECT: Amendment by Chairman Sullivan to YELLOW FOLDER Doc#2017-300-106, Request for Board Action by OGC to Approve & Publish 9.26.17 Federal Register Notice

Doc Control#2017-300-106A

Approved _____

Disapproved *X*

Abstain _____

Recusal – Not Participating _____

COMMENTS:

Below _____

Attached _____

None *X*



Jessie H. Roberson

 Sept 6, 2017
Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOTATIONAL VOTE RESPONSE SHEET

FROM: Daniel J. Santos

SUBJECT: Amendment by Chairman Sullivan to YELLOW FOLDER Doc#2017-300-106, Request for Board Action by OGC to Approve & Publish 9.26.17 Federal Register Notice

Doc Control#2017-300-106A

Approved _____

Disapproved _____

Abstain X

Recusal – Not Participating _____

COMMENTS:

Below _____

Attached _____

None X



Daniel J. Santos

9/6/17

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOTATIONAL VOTE RESPONSE SHEET

FROM: Joyce L. Connery

SUBJECT: Amendment by Chairman Sullivan to YELLOW FOLDER Doc#2017-300-106, Request for Board Action by OGC to Approve & Publish 9.26.17 Federal Register Notice

Doc Control #2017-300-106A

Approved

Disapproved

Abstain

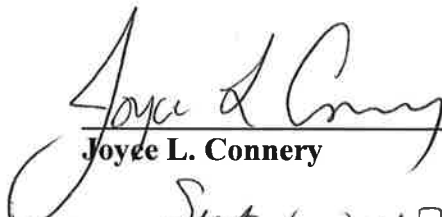
Recusal – Not Participating

COMMENTS:

Below

Attached

None



Joyce L. Connery
Sept 6, 2017

Date