

Sean Sullivan, Chairman

Bruce Hamilton, Vice Chairman

Jessie H. Roberson

Daniel J. Santos

Joyce L. Connery

**DEFENSE NUCLEAR FACILITIES  
SAFETY BOARD**

Washington, DC 20004-2901



The Honorable James Richard Perry  
Secretary of Energy  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585-1000

Dear Secretary Perry:

On September 26, 2017, the Defense Nuclear Facilities Safety Board (Board) closed Board Recommendation 2014-1, *Emergency Preparedness and Response*. In the Recommendation, the Board expressed concerns with: (1) the Department of Energy's (DOE) ineffective implementation and oversight of emergency preparedness and response requirements at defense nuclear facilities; and (2) the outdated baseline emergency management directive, DOE Order 151.1C, *Comprehensive Emergency Management System*.

The remaining deliverable in the DOE implementation plan is the development of a Criteria and Review Approach Document that aligns with the revised directive, DOE Order 151.1D, *Comprehensive Emergency Management System*. However, DOE has not standardized and improved implementation of its review approach, and it is our view that DOE has not succeeded in identifying and understanding deficiencies at its defense nuclear sites to ensure appropriate corrective actions are taken.

We are closing the current Recommendation because we have concluded that DOE's implementation plan will not adequately address the concerns raised in the Recommendation. A summary of the Board's concerns is enclosed.

Pursuant to 42 U.S.C. § 2286b(d), the Board requests that you provide the Board a briefing addressing the issues identified in the enclosure and DOE's assessment of the progress made to date to address Board Recommendation 2014-1, within 90 days of receipt of this letter.

Yours truly,

Sean Sullivan  
Chairman

Enclosure

c: Mr. Joe Olencz

### **Summary of Board's concerns with DOE's response to Board Recommendation 2014-1**

- DOE's implementation plan (IP) assigned the responsibility for all but one deliverable to DOE's Office of Emergency Operations (NA-40), which does not have authority to ensure implementation of the IP actions in the field at DOE's defense nuclear sites.
- DOE has not demonstrated the ability to consistently review and adequately identify deficiencies in its emergency preparedness and response programs across the complex nor ensure appropriate corrective actions are taken.
  - As stated in the enclosure to the Board's letter of February 8, 2016, regarding the first version of DOE's implementation plan, "The IP does not include how recurring program issues will be identified, critiqued through common cause analysis, and addressed by corrective actions."
  - The Board has not observed that DOE analyzed or leveraged information from the deficiency report produced under the IP to inform senior leaders about vulnerabilities in emergency preparedness and response. Therefore, the Board concludes that the report did not serve its intended purpose.
- In Recommendation 2014-1, the Board expressed concerns about the effectiveness of DOE's criteria and review approach in identifying deficiencies with emergency preparedness and response, conducting causal analysis, developing and implementing effective corrective actions to address these deficiencies, and evaluating the effectiveness of these actions. Contrary to its IP, DOE declared its corrective action procedures and risk-based oversight approach milestones as complete based on the sites' intentions to implement DOE's existing directives. The deficiencies identified by the Board developed and persisted under the existing directives; therefore, the Board has little confidence that this approach will address the deficiencies.
- The Board has observed some improvements in the field with respect to implementation of the requirements of DOE Order 151.1C, *Comprehensive Emergency Management System*. However, the improvements are not consistent across all the defense nuclear sites, so the Board concludes that Recommendation 2014-1 is not driving improvements in implementation at the sites. Without assistance from DOE headquarters, sites that struggled to implement the requirements of Order 151.1C will likely continue to struggle with implementing the improved requirements in Order 151.1D.

**AFFIRMATION OF BOARD VOTING RECORD**

**SUBJECT: Regarding Closed Board Recommendation 2014-1**

**Doc Control#2018-200-002**

The Board, with Board Member(s) Jessie H. Roberson, Daniel J. Santos, Joyce L. Connery *approving*, Board Member(s) Sean Sullivan, Bruce Hamilton *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *not participating*, have voted to approve the above document on December 11, 2017.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Sean Sullivan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12/11/17
Bruce Hamilton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12/07/17
Jessie H. Roberson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12/08/17
Daniel J. Santos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12/07/17
Joyce L. Connery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12/07/17

\*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:** Regarding Closed Board Recommendation 2014-1

**Doc Control#**2018-200-002

**Approved** \_\_\_\_\_ **Disapproved** X \_\_\_\_\_ **Abstain** \_\_\_\_\_

**Recusal – Not Participating** \_\_\_\_\_

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

The letter contains as an attachment a page of “Board concerns” that I do not share. The letter also invokes inappropriately the Board’s power to levy reporting requirements by demanding a briefing addressing the “Board concerns.” The reporting requirement exists to extract information. No new information will be obtained at this briefing. DOE officials will explain, again, what they have done and some officials from DNFSB will, again, make known their dissatisfaction.

Additionally, the now-closed Recommendation 2014-1 was ill-fated from the beginning. The Recommendation attempted to cause the Department of Energy to improve emergency preparedness everywhere in its defense nuclear complex. The complex consists of hundreds of facilities at ten sites around the country run by various contractors. The facilities are unique, and the sites vary widely in location, proximity to population, and vulnerability to natural disasters. Some sites, such as Hanford the Savannah River Site, have multiple contractors at the same site. As I noted when this Recommendation was first brought before the Board in July 2014, “the recent history of recommendations covering broad, complex-wide issues is not good.” Such recommendations amount to advising the Secretary on how to best run his own department, but Secretaries understandably tend to run the department as they want to, not as we would have them do. A better approach, as I suggested in 2014 and still insist today, would have DNFSB assess the unique situations at the various sites and make specific recommendations as necessary, tailored to the adequate protection of the local population.

Recommendation 2014-1 has been a disappointment of our own making. We should move on, and we should do so without further burdening the Department of Energy with generalized concerns.



Sean Sullivan

12/11/17

Date

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

**FROM:** Bruce Hamilton

**SUBJECT:** Regarding Closed Board Recommendation 2014-1

**Doc Control#2018-200-002**

Approved \_\_\_\_\_ Disapproved  X  Abstain \_\_\_\_\_

Recusal – Not Participating \_\_\_\_\_

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

The proposed letter purports to close Recommendation 2014-1 (a practice of good housekeeping, but one that is in no way required), while simultaneously stating that DOE's response to the Recommendation is incomplete and inadequate. The letter further requires that the Secretary of Energy report to the Board on progress made to date to address the Recommendation.

Either there remains an issue of adequate protection or there does not. This letter attempts to have it both ways, by closing the Recommendation, stating that corrective action is incomplete, and then requiring additional reporting. These mixed signals serve only to add ambiguity to the situation.

I therefore disapprove.

  
Bruce Hamilton

7 DEC 2017  
Date

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


**FROM: Jessie Roberson**

**SUBJECT: Regarding Closed Board Recommendation 2014-1**

**Doc Control#2018-200-002**

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

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

  
**Jessie Roberson**  
Dec 8, 2017  
**Date**

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

**FROM: Daniel J. Santos**

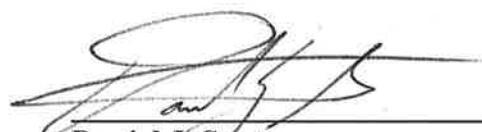
**SUBJECT: Regarding Closed Board Recommendation 2014-1**

**Doc Control#2018-200-002**

Approved X                      Disapproved \_\_\_\_\_                      Abstain \_\_\_\_\_

Recusal – Not Participating \_\_\_\_\_

COMMENTS:      Below \_\_\_\_\_      Attached \_\_\_\_\_      None X

  
\_\_\_\_\_  
Daniel J. Santos  
12/7/17  
\_\_\_\_\_  
Date

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

**FROM:** Joyce Connery

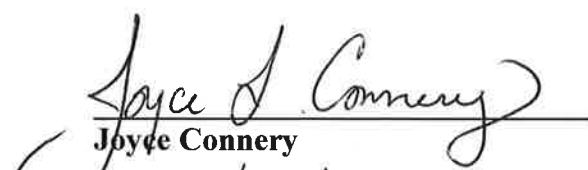
**SUBJECT:** Regarding Closed Board Recommendation 2014-1

**Doc Control#**2018-200-002

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

**Recusal – Not Participating**

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

  
\_\_\_\_\_  
Joyce Connery  
12/07/17  
\_\_\_\_\_  
Date