

Doc#2016-083A

**Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER: Doc#2016-083,
Confinement Capabilities of the Uranium Processing Facility**

Amendment: Add a new 3rd paragraph that reads - "Based on the Board's staff review, in order for the UPF project to comply with DOE Order 420.1C, the project could upgrade the exhaust portion of the confinement system to ensure its functionality after a design basis seismic event, otherwise it may require the National Nuclear Security Administration (NNSA) to grant an exemption from the above requirement. Aside from our concern regarding UPF, the Board is concerned that this deviation from compliance with the DOE's nuclear safety requirements, without adequate justification may set a precedent for other NNSA nuclear facilities and projects to allow unfiltered release of radioactive materials to the outside environment during and following accidents. Within 90 days of this letter, pursuant to 42 USC 2286b(d), we request in writing: 1) your assessment of our conclusions and 2) additional technical justification and performance characteristics for the exhaust portion of the UPF confinement system during and following accidents."

Justification: To clearly articulate the conclusions based on the Board's staff review and provide an opportunity for NNSA to provide the Board in writing with how NNSA interprets and applies nuclear safety requirements to UPF and justifies the impact on safety of the selected design strategies.

AFFIRMATION OF BOARD VOTING RECORD

**SUBJECT: Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER:
Doc#2016-083, Confinement Capabilities of the Uranium Processing Facility**

Doc Control#2016-083A


The Board, with Board Member(s) Joyce L. Connery, Jessie H. Roberson, Daniel J. Santos *approving*, Board Member(s) Sean Sullivan, Bruce Hamilton *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *recusing*, have voted to approve the above document on May 3, 2016.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Joyce L. Connery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/02/16
Jessie H. Roberson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	05/03/16
Sean Sullivan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/02/16
Daniel J. Santos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	05/02/16
Bruce Hamilton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/02/16

*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.



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: Joyce L. Connery

SUBJECT: Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER:
Doc#2016-083, Confinement Capabilities of the Uranium Processing Facility

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Approved Disapproved Abstain

Recusal - Not Participating

COMMENTS: Below Attached None

While I approve this amendment, I am not sure the letter is ready for sending given our conversations with NNSA last week. I believe there can be more staff to staff discussions to resolve.


Joyce L. Connery

Date

5/2/16

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Jessie H. Roberson

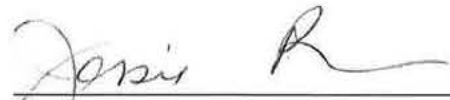
SUBJECT: Amendment by Board member, Daniel J. Santos to YELLOW FOLDER:
Doc#2016-083, Confinement of the Uranium Processing Facility

Doc Control#2016-083A

Approved Disapproved Abstain

Recusal - Not Participating

COMMENTS: Below Attached None



Jessie H. Roberson
May 3 2016

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Sean Sullivan

SUBJECT: Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER:
Doc#2016-083, Confinement Capabilities of the Uranium Processing Facility

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Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

The amendment adds language expressing a concern of the Board and seeking information via application of the Board's statutory power to levy a reporting requirement.

I have no concerns regarding the safety of the new Uranium Processing Facility design.



Sean Sullivan

5/2/16

Date

Lotus Smith

From: Daniel J. Santos
Sent: Monday, May 02, 2016 2:11 PM
To: Lotus Smith; Shelby Qualls
Subject: RE: Notational Vote: Doc#2016-083A Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER: Doc#2016-083, Confinement Capabilities of the Uranium Processing Facility

Approved without comments.

From: Lotus Smith
Sent: Monday, May 02, 2016 1:29 PM
To: Bruce Hamilton <[REDACTED]>; Daniel J. Santos <[REDACTED]>; Jessie Roberson <[REDACTED]>; Joyce Connery <[REDACTED]>; Sean Sullivan <[REDACTED]>
Cc: Shelby Qualls <[REDACTED]>; Nora Khalil <[REDACTED]>; Lotus Smith <[REDACTED]>
Subject: Notational Vote: Doc#2016-083A Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER: Doc#2016-083, Confinement Capabilities of the Uranium Processing Facility

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: Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER: Doc#2016-083, Confinement Capabilities of the Uranium Processing Facility

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Office Directors have provided their input. This amendment includes OGC's input (highlighted in the amendment).

Approved _____
Disapproved _____
Abstain _____
Recusal – Not Participating _____

COMMENTS:

Below _____
Attached _____
None _____

Lotus Smith
Executive Secretary
Office of the Chairman

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Bruce Hamilton

SUBJECT: Amendment by Board Member, Daniel J. Santos to YELLOW FOLDER:
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Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

This Amendment, and the underlying forwarding letter and Staff Issue Report, address DOE's failure to meet its own standards in reducing dose consequences of the design basis accident to negligible levels. There is no suggestion that the UPF, as designed, challenges the adequate protection of public health and safety.

While it is appropriate for the Board to identify to DOE when it deviates from its own nuclear safety requirements in the design of defense nuclear facilities, whether DOE chooses to address those deviations, when adequate protection is not challenged, is at DOE leadership's discretion. The use of a 90 day reporting requirement under 42 U.S.C. § 2286b(d) could be viewed as the Board's using its authority for persuading or inducing certain behaviors or actions by the DOE and NNSA rather than for obtaining information.

I therefore disapprove this amendment.


Bruce Hamilton

2 MAY 2016
Date