

The Honorable Ernest J. Moniz
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Moniz:

Representatives from the Department of Energy (DOE) provided the first briefing to the Defense Nuclear Facilities Safety Board (Board) on the status of DOE's actions in response to Recommendation 2014-1, *Emergency Preparedness and Response*, on November 23, 2015. Follow-on communications with DOE staff have indicated that DOE is revising the Implementation Plan (IP). The enclosure to this letter details the Board's current concerns and is provided to assist DOE in refining the path ahead.

The Board looks forward to receiving the revised IP and will again review it using our Policy Statement PS-1, *Criteria for Judging the Adequacy of DOE Responses and Implementation Plans for Board Recommendations*. The Board appreciates your prioritization of accomplishing the Recommendation and your dedication to expeditiously improving emergency management. The Board and its staff look forward to continued engagement with DOE to ensure improved emergency management at DOE's defense nuclear facilities.

Sincerely,

Joyce L. Connery
Chairman

Enclosure

c: Mr. Joe Olencz

Enclosure

Implementation Plan Concerns:

| Recommendation Subsection | Corresponding Implementation Plan (IP) Section |
|---|---|
| All | <p>Section 6. The IP relies heavily on working groups but it does not specify working group membership or deliverable guidelines nor indicate how the products will flow together to accomplish the Recommendation. Working group tasks in Section 6 of the IP include:</p> <ul style="list-style-type: none"> • Define oversight guidelines • Develop a single Criteria and Review Approach Document (CRAD) • Establish procedures for tracking and closing corrective actions • Determine habitability and equipment reliability criteria • Create guidelines to ensure safe shut-down |
| 1. Standardize and improve implementation of DOE’s criteria and review approach | <p>The IP does not cover how the oversight approach and CRAD deliverables will cover the subsections of sub-Recommendation 1. IP Section 6.1.1 indicates DOE will revise its oversight structure and approach to be risk- and performance-based oversight approach, but concerns remain of this meeting the intent of the Recommendation. The plan for sites to rate their own performance is likely to result in inconsistent ratings.</p> |
| 1.b and 2.c. Training and drill program | <p>The IP does not commit to establishing criteria for training and drill programs and including these in the emergency management directive.</p> |
| 1.d. Identifying deficiencies in emergency preparedness and response | <p>Section 6.1.3. The IP does not specify how a thorough and unbiased assessment of emergency preparedness and response capabilities at defense nuclear facilities is being determined. The Deputy Secretary sent a memorandum to the sites requesting a listing of issues, limited exclusively to open deficiencies. The IP does not include how recurring program issues will be identified, critiqued through common cause analysis, and addressed by corrective actions.</p> |

Deliverables that are past due:

| IP Section | Milestone (per IP Section 7) | Deliverable | IP Date |
|------------|--|---|-----------|
| 6.1.1.1 | Draft Risk Based Oversight Approach | Copy of Approach | 10/1/2015 |
| 6.1.1.2 | Establish training for use of CRAD | CRAD training schedule | 11/1/2015 |
| 6.1.1.2 | Develop CRAD | Draft CRAD | 1/4/2016 |
| 6.1.2 | Draft Revised Corrective Action Procedures | Draft procedures | 12/1/2015 |
| 6.1.3 | Report of Current Deficiencies. | Copy of Report (only a printout of the Sharepoint Database has been received) | 12/1/2015 |
| 6.2.1 | Criteria for reliability and habitability | Copy of Report | 12/1/2015 |
| 6.2.2 | Criteria for safe facility shutdown and requirements for testing readiness | Copy of Technical Paper | 12/1/2015 |
| 6.2.3 | Draft of DOE Order 151.1D | Copy of Draft Order | 1/4/2016 |

RECORDS CONCURRENCE FORM

| | | | |
|---|--------------------|--------------------|--|
| NUMBER | FY2016- 041 | SUBJECT | Recommendation 2014-1 Implementation Plan Concerns |
| GROUP LEADER CONCURRENCE (Signature and Date) | | <i>[Signature]</i> | |
| DNFSB STRATEGIC ACTION PLAN REFERENCE: | | 2 | |

| TECHNICAL CONCURRENCE | |
|-----------------------|-------------------------------|
| TECHNICAL EDITOR | <i>for</i> TECHNICAL DIRECTOR |
| NAME: | NAME: S. A. STOKES |
| INITIALS: <i>NA</i> | INITIALS: <i>RET</i> |
| DATE: | DATE: <i>12/4/15</i> |

| GENERAL MANAGER CONCURRENCE | |
|-----------------------------|--|
| GENERAL MANAGER | |
| NAME: M. T. WELCH | |
| INITIALS: <i>N/A</i> | |
| DATE: | |

| LEGAL CONCURRENCE | |
|------------------------------|--|
| ACTING GENERAL COUNSEL | |
| NAME: JAMES P. BIGGINS | |
| INITIALS: <i>JB w/ edits</i> | |
| DATE: <i>12/10/15</i> | |

| DEPUTY TECHNICAL DIRECTOR FOR SITE REPS | |
|---|--|
| NAME: R. E. TONTODONATO | |
| INITIALS: <i>RET</i> | |
| DATE: <i>12/18/2015</i> | |

| BOARD BRIEFING BRIEF TO BOARD MEMBERS | |
|---------------------------------------|--|
| NAME: S. A. STOKES | |
| INITIALS: | |
| DATE: | |

| CLASSIFICATION CHECK | | |
|-----------------------------------|----------------------|----------------------|
| DNFSB SECURITY MICHAEL LEGGETT | | |
| DOCUMENT #1 | DOCUMENT #2 | DOCUMENT #3 |
| DNFSB CONTROL NUMBER | DNFSB CONTROL NUMBER | DNFSB CONTROL NUMBER |
| DATE CLEARED BY DOE | DATE CLEARED BY DOE | DATE CLEARED BY DOE |
| INITIALS | INITIALS | INITIALS |
| DATE | DATE | DATE |

| |
|-----------------------------------|
| BOARD MEMBERS (5), W/ ENCLOSURE |
| OGC, W/ ENCLOSURE |
| OGM, W/ ENCLOSURE |
| OTD, W/ ENCLOSURE |
| SITE REPS, W/ ENCLOSURE (EMAIL) |
| ARCHIVES/CHRON.,(2), W/ ENCLOSURE |
| LOG KEEPER, W/ ENCLOSURE |

| | |
|------------------------------|---|
| TRANSFER FILE NAME | H:\Home\Transferotd\Letters\NPA\FY16\BL.FY16.NPA.Recommendation.2014.1.IP.Response.Letter.RP.Docx |
| SECRETARY/AUTHOR | Proctor ████████ |
| RELEASED FOR DISTRIBUTION ON | |

| STAFF CONCURRENCE/RECORD NOTE PAGE | | | | |
|---|---|------------------------------|------------------------------------|---------------------|
| SUBJECT: Recommendation 2014-1 Implementation Plan Concerns | | | | |
| AUTHOR: [REDACTED] | | REPORT: Letter | | |
| AFFECTED SITES: All | | | | |
| <u>Contributor(s):</u> | | <u>Date Received:</u> | <u>Concurrence Signature/Date:</u> | |
| [REDACTED] | | ON LEAVE | [REDACTED] | |
| [REDACTED] | | 12/3/15 | [Signature] 12/3/15 | |
| [REDACTED] | | ON LEAVE | [REDACTED] | |
| <u>Project Leader(s)/Cognizant Engineer(s):</u> | | <u>Date Received:</u> | <u>Concurrence Signature/Date:</u> | |
| | | | | |
| <u>Group Leader(s):</u> | | <u>Date Received:</u> | <u>Concurrence Signature/Date:</u> | |
| [REDACTED] | | 12/2/2015 | [Signature] 12/2/2015 | |
| <u>Outside Expert(s):</u> | | <u>Date Received:</u> | <u>Concurrence Signature/Date:</u> | |
| | | | | |
| <u>Document Number:</u> | | <u>Report File:</u> | Vines, D. | |
| STAFF RECORD NOTES | | | | |
| | <u>1st Edit Date</u> | <u>Return Date</u> | <u>2nd Edit Date</u> | <u>Return Date</u> |
| 1. To Technical Editor: | | | | |
| 2. Submitted for classification review on: | | 12/3/2015 | SB150621 | (Date/Number) |
| 3. DOE classification review completed on: | | | | (Date) |
| 4. Author agrees that document is ready for the Board: | | | | (Initials/Date) |
| 5. Copies provided to the Board members: | | | | (Date) |
| <u>Record Note:</u> | | | | |
| <u>DNFSB STRATEGIC PLAN REFERENCE NUMBER</u> | | 2.1, 2.2 | | |
| <u>AUTHOR'S LAST NAME</u> | [REDACTED] | <u>SECRETARY'S LAST NAME</u> | Proctor | <u>DATE</u> 12/2/15 |
| <u>FILE NAME</u> | H:\Home\Transferotd\Letters\NPA\FY16\BL.FY16.NPA.Recommendation.2014.1.IP.Response.Letter.R0.Docx | | | |

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: Recommendation 2014-1 Implementation Plan Concerns

Doc Control#2016-041

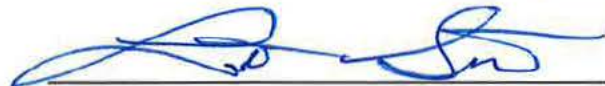
The Board, with Board Member(s) Joyce L. Connery, Sean Sullivan, Daniel J. Santos, Bruce Hamilton *approving*, Board Member(s) Jessie H. Roberson *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *recusing*, have voted to approve the above document on February 8, 2016.

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 type="checkbox"/> | 02/08/16 |
| Jessie H. Roberson | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 02/04/16 |
| Sean Sullivan | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 02/08/16 |
| Daniel J. Santos | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 02/02/16 |
| Bruce Hamilton | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 02/01/16 |

*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

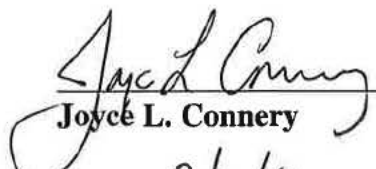
SUBJECT: Recommendation 2014-1 Implementation Plan Concerns

Doc Control#2016-041

Approved **Disapproved** **Abstain**

Recusal – Not Participating

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



Joyce L. Connery

2/8/16
Date

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

FROM: Jessie H. Roberson

SUBJECT: Recommendation 2014-1 Implementation Plan Concerns

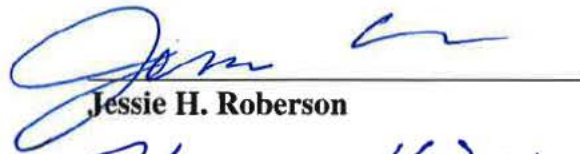
Doc Control#2016-041


Approved_____ Disapproved X_____ Abstain_____

Recusal – Not Participating_____

COMMENTS: Below X_____ Attached_____ None_____

The Board should establish or request a date for delivery of a revised IP that demonstrates resolution of the specific sub-recommendations the Board has concluded are necessary to ensure adequate protection of the public health and safety.



Jessie H. Roberson


Date

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

FROM: Sean Sullivan

SUBJECT: Recommendation 2014-1 Implementation Plan Concerns

Doc Control#2016-041

Approved X **Disapproved** _____ **Abstain** _____

Recusal – Not Participating _____

COMMENTS: **Below** _____ **Attached** _____ **None** X



Sean Sullivan

2/8/16

Date

Lotus Smith

From: Daniel J. Santos
Sent: Tuesday, February 02, 2016 10:05 AM
To: Lotus Smith; Shelby Qualls
Subject: RE: Notational Vote: Doc#2016-041 Recommendation 2014-1 Implementation Plan Concerns Blue Folder

Approved with the following comment:

We should learn from DOE the date for obtaining the revised implementation plan.

From: Lotus Smith
Sent: Monday, February 1, 2016 3:07 PM
To: Bruce Hamilton; Daniel J. Santos; Jessie Roberson; Joyce Connery; Sean Sullivan
Cc: Shelby Qualls; Nora Khalil; Lotus Smith
Subject: Notational Vote: Doc#2016-041 Recommendation 2014-1 Implementation Plan Concerns 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**

TO: Board Members
FROM: Members of the Board
SUBJECT: Recommendation 2014-1 Implementation Plan Concerns

Doc Control#: 2016-041

Please note that Amendment Doc#2016-041A was disapproved. The attached final version for notational vote is the Yellow Folder-24 Hour review version that was submitted to the Board for action on 01.22.16.

Approved_____
Disapproved_____
Abstain_____
Recusal – Not Participating_____

COMMENTS:
Below_____
Attached_____
None_____

Lotus Smith
Executive Secretary
Office of the Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Ave, NW, STE 700
Washington, DC 20004

Lotus Smith

From: Bruce Hamilton
Sent: Monday, February 01, 2016 3:14 PM
To: Lotus Smith; Shelby Qualls
Subject: RE: Notational Vote: Doc#2016-041 Recommendation 2014-1 Implementation Plan Concerns Blue Folder

I approve.
I have no comments.

From: Lotus Smith
Sent: Monday, February 01, 2016 3:07 PM
To: Bruce Hamilton; Daniel J. Santos; Jessie Roberson; Joyce Connery; Sean Sullivan
Cc: Shelby Qualls; Nora Khalil; Lotus Smith
Subject: Notational Vote: Doc#2016-041 Recommendation 2014-1 Implementation Plan Concerns 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**

TO: Board Members
FROM: Members of the Board
SUBJECT: Recommendation 2014-1 Implementation Plan Concerns

Doc Control#: 2016-041

Please note that Amendment Doc#2016-041A was disapproved. The attached final version for notational vote is the Yellow Folder-24 Hour review version that was submitted to the Board for action on 01.22.16.

Approved _____
Disapproved _____
Abstain _____
Recusal – Not Participating _____

COMMENTS:

Below _____
Attached _____
None _____

Lotus Smith
Executive Secretary
Office of the Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Ave, NW, STE 700
Washington, DC 20004