

**AFFIRMATION OF BOARD VOTING RECORD**

**SUBJECT: Proposal for a DNFSB Public Hearing on Emergency Preparedness Agenda  
and Goals and Objectives**

**Doc Control#2016-300-010**


The Board, with Board Member(s) Joyce L. Connery, Bruce Hamilton *approving*, Board Member(s) Sean Sullivan, Daniel J. Santos *disapproving*, Board Member(s) Jessie H. Roberson *abstaining*, and Board Member(s) none *recusing*, have voted to disapprove the above document on July 1, 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"/>	06/28/16
Jessie H. Roberson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07/01/16
Sean Sullivan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	06/29/16
Daniel J. Santos	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07/01/16
Bruce Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	06/28/16

\*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.

  
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:** Joyce L. Connery

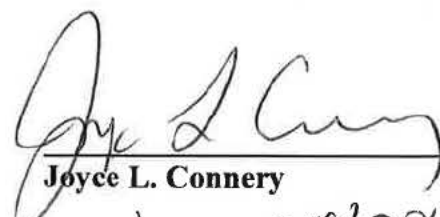
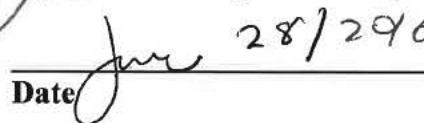
**SUBJECT:** Proposal for a DNFSB Public Hearing on Emergency Preparedness Agenda  
and Goals and Objectives

**Doc Control#2016-300-010**

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

**Recusal - Not Participating**

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

  
\_\_\_\_\_  
**Joyce L. Connery**  
  
\_\_\_\_\_  
**Date**

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Jessie H. Roberson

**SUBJECT:** Proposal for a DNFSB Public Hearing on Emergency Preparedness Agenda  
and Goals and Objectives

**Doc Control#2016-300-010**

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Abstain ~~\_\_\_\_\_~~

Recusal - Not Participating \_\_\_\_\_

**COMMENTS:**

~~Below~~ \_\_\_\_\_

Attached \_\_\_\_\_

None \_\_\_\_\_

I have reservations that the Board will have received and digested key documents (order, IP, etc) in a timely manner to support this proposed hearing. I do not, however, disagree that a hearing on ~~this~~ Emergency Preparedness should occur at some point in the future.

  
\_\_\_\_\_  
**Jessie H. Roberson**

  
\_\_\_\_\_  
**Date**

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Sean Sullivan

**SUBJECT:** Proposal for a DNFSB Public Hearing on Emergency Preparedness Agenda  
and Goals and Objectives

Doc Control#2016-300-010

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

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

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

I oppose holding a public hearing on the status of Recommendation 2014-1, *Emergency Preparedness and Response*. Public hearings consume a great deal of staff resources, both ours and the Department of Energy's. I anticipate that the public hearing will do little to improve the state of emergency preparedness throughout the weapons complex, despite the best of intentions by DNFSB and DOE.

Two years ago I opposed this Recommendation because I felt it took the wrong approach. It is too broad. I favor identifying specific issues for correction, allowing for measurable progress. I continue to believe that the DNFSB should focus our efforts on specific deficiencies at specific locations and leave the broad, cross-cutting leadership issues to the Secretary.

Recommendation 2014-1 is following a frustratingly predicable path. At the time that I opposed the draft Recommendation, we were not publishing our Board Member comments. Our comments were subsequently released in response to a Freedom of Information Act request, but they have never been published on our website. Therefore, to aid the public in understanding my current position on this Recommendation, I attach and incorporate here my July 2, 2014 comments.



Sean Sullivan

6/29/16  
Date

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Sean Sullivan

**SUBJECT:** Recommendation 2014-xx, Emergency Preparedness and Response

Doc Control#2014-092

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

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

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

I do not support the draft recommendation. This draft takes the wrong approach to the problem. I predict that over the next several years, our staff and DOE staff will spend countless hours debating specific proposed revisions to DOE emergency management directives. Meanwhile, I expect little progress will be made toward protecting the public from emergencies. A better approach would be to compare existing DOE emergency management requirements to NRC regulations governing production and waste handling facilities, and recommending specific measures to bring the DOE complex in line with the emergency management practices in the nuclear industry. We should also assess the unique situations at the various sites and make specific recommendations as necessary, tailored to the protection of the local population.

The approach taken here results in the broad identification of problems with few (if any) specific proposals for solutions. The draft essentially directs the Secretary to perform various assessments and to update the Department's directives. The draft includes such generalities as "(DOE should) confirm ... robust infrastructure" and "fully competent" personnel. There are no specifics regarding the meaning of "robust" or "fully competent". The draft implores the Secretary to create specificity in the directives (see page 4), without any guidance as to the level of specificity the Board will find acceptable. Specificity is inherently difficult in directives that cover multiple facilities performing multiple functions in multiple places. The entire subject is fertile ground for years of fruitless debate.

The approach taken here is consistent with the Board's historic approach to recommendations – identify the problems and leave the solutions to the Secretary – but that approach has not worked very well over the past decade with issues affecting the entire complex. The approach does work for specific facility issues where the Department can investigate a specific problem and engineer a solution, such as is being done for the Hanford tank farm issue addressed in Recommendation 2012-2. But the recent history of recommendations covering broad, complex-wide issues is not good and calls for a new approach.

For example, Recommendation 2004-1 recommended DOE develop and apply criteria to ensure better oversight of complex nuclear operations, and to have the appropriate technical capability and experience in place to perform the necessary oversight. It further recommended

ARCHIVE: Doc#2016-300-010, Proposal for a DNFSB Public Hearing on  
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better application of Integrated Safety Management principles, clear lines of authority, and integrated development of safety technology. Ten years and many public hearings later (plus a technical report), the Board closed the Recommendation. We closed it not because we were satisfied with progress in these areas (I believe we were very unsatisfied), but because the recommendation had lost whatever ability it may have once had to spur change within the Department. At closure, the Secretary's Implementation Plan was still not complete. We gave up hope that it would be.

Recommendation 2010-1 stands as another example. The Board recommended the establishment of clear and unambiguous requirements needed to demonstrate adequate protection, including a host of sub-recommendations seeking criteria for analyses, controls, and federal approval of contractor submissions. Much like the draft recommendation before us today, Recommendation 2010-1 sought improved directives and greater specificity, without stating what amount of improvement or degree of specificity the Board would find acceptable. The recommendation is fast approaching its fourth birthday, and still no DOE standards have been revised. The quality of documented safety analyses continues to vary among contractors and sites. The recommendation has yet to prompt any action at facilities having accident analyses that exceed the evaluation guideline (some such as the Plutonium Facility at Los Alamos have seen action, but the action is not attributable to 2010-1 but rather to the facility-specific Recommendation 2009-2). In short, nearly four years after issuing Recommendation 2010-1, the recommendation has succeeded in generating a lot of hot air between our headquarters and DOE's, and little else.

This recommendation, if approved, will share the fates of 2004-1 and 2010-1. It will take DOE the better part of a year to create an Implementation Plan (the average time over the past seven recommendations for DOE to create an IP: eight months, twenty-four days). The Board may or may not like the IP (the Board never accepted the 2010-1 IP). Sometime thereafter the Department's emergency management directives will go into Revcom, and the real fun will begin. I foresee our staff insisting on greater specificity, and DOE staff insisting on needed flexibility to account for the unique differences around the complex. I foresee arguments over what it means for infrastructure to be "robust" and for response capabilities to be "fully demonstrated." Meanwhile, as the years tick by, the public will not be any more assured of protection during emergencies than they are today.

Even if DOE manages to make directives revisions the Board finds acceptable, we will then face the question of whether or not to close the recommendation absent proof the revisions are being implemented across the complex. Will this recommendation follow the path of Recommendation 2005-1 which sought technically justified criteria for nuclear material packaging, and remained open for nearly five years after the IP was complete whilst the Board staff sought assurance that the criteria was being uniformly applied across the complex? Will it follow 2010-1, which even before the completion of directives revisions, there is already debate over DOE's commitment to implement the revisions?

The history of 2004-1, 2005-1 and 2010-1 proves a new approach is needed. I asked the staff to take a different approach. I gave the staff a copy of the NRC's 10 CFR 50 regulations and asked for a comparison to DOE's emergency preparedness requirements. I also asked for an



**Shelby Qualls**

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**From:** Daniel J. Santos  
**Sent:** Friday, July 01, 2016 3:48 PM  
**To:** Shelby Qualls; Lotus Smith  
**Subject:** RE: Notational Vote: Doc#2016-300-010, Proposal for a DNFSB Public Hearing on  
Emergency Preparedness Agenda and Goals and Objectives - BLUE FOLDER

Disapproved without comments.

**From:** Shelby Qualls  
**Sent:** Tuesday, June 28, 2016 3:12 PM  
**To:** Bruce Hamilton <[REDACTED]>; Daniel J. Santos <[REDACTED]>; Jessie Roberson  
<[REDACTED]>; Joyce Connery <[REDACTED]>; Sean Sullivan <[REDACTED]>  
**Cc:** Lotus Smith <[REDACTED]>; Shelby Qualls <[REDACTED]>; James Biggins <[REDACTED]>;  
Katherine Herrera <[REDACTED]>; Nora Khalil <[REDACTED]>  
**Subject:** Notational Vote: Doc#2016-300-010, Proposal for a DNFSB Public Hearing on Emergency Preparedness Agenda  
and Goals and Objectives - 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:** Proposal for a DNFSB Public Hearing on Emergency Preparedness Agenda and Goals and  
Objectives

**DOC#2016-300-010**

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

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

Shelby Qualls  
Assistant Executive Secretary  
Office of the Chairman



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

**FROM:** Bruce Hamilton

**SUBJECT:** Proposal for a DNFSB Public Hearing on Emergency Preparedness Agenda  
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**Doc Control#2016-300-010**

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

**Recusal - Not Participating** \_\_\_\_\_

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

  
Bruce Hamilton

28 JUN 2 2016  
Date