

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

In the Matter of:)
)
CONTINUATION HEARING, STATUS)
OF ACTIONS RELATED TO)
UNRESOLVED TECHNICAL SAFETY)
ISSUES IN THE DESIGN OF WTP)

Suite 300
625 Indiana Avenue, N.W.
Washington, D.C.

Tuesday,
May 22, 2012

APPEARANCES:

On behalf of the Defense Nuclear Facilities
Safety Board:

- Dr. Peter S. Winokur, Chairman
- Ms. Jessie H. Roberson, Vice Chairman
- Dr. John E. Mansfield, Board Member
- Mr. Joseph F. Bader, Board Member
- Mr. Timothy J. Dwyer, Technical Director
- Mr. John Batherson, Associate General Counsel
- Ms. Debra Richardson, Deputy General Manager

APPEARANCES: (Cont'd.)

Also Present:

The Honorable Daniel Poneman
Deputy Secretary of Energy

Mr. Glenn Podonsky
Chief Health, Safety, and Security Officer
DOE-HSS

Mr. David Huizenga
Senior Advisor for Environmental Management
DOE-EM

Mr. James Hutton
Chief Nuclear Safety Advisor
DOE-EM

P R O C E E D I N G S

(9:01 a.m.)

CHAIRMAN WINOKUR: Good morning. My name is Peter Winokur, and I am the Chairman of the Defense Nuclear Facilities Safety Board. I'll preside over this public meeting and hearing, which is a continuation of the hearing initially convened in Kennewick, Washington, on March 22, 2012.

Today's focus concerns the status of actions related to the Department of Energy's implementation plan for the Board's Recommendation 2011-1, Safety Culture at the Waste Treatment and Immobilization Plant.

I'd now like to introduce my colleagues on the Safety Board. To my immediate right is Ms. Jessie Roberson, the Board's Vice Chairman. To my left is Dr. John Mansfield. Next to him is Mr. Joseph Bader. We four constitute the Board.

The Board's General Counsel office is represented by Mr. John Batherson, seated to the left of Mr. Bader. Our Deputy General Manager, Ms. Debra Richardson, is seated to my far left. The Board's Technical Director, Mr. Timothy Dwyer, is seated to my far right.

Several members of the Board staff closely

1 involved with oversight of the Department of Energy's
2 Defense Nuclear Facilities are also here. Today's
3 meeting and hearing was publicly noticed in the
4 *Federal Register* on March 8, 2012. The meeting and
5 hearing is held open to the public per the provisions
6 of the Government in the Sunshine Act.

7 In order to provide timely and accurate
8 information concerning the Board's public and worker
9 health and safety mission throughout the Department of
10 Energy's defense nuclear complex, the Board is
11 recording this proceeding through a verbatim
12 transcript, video recording and live video streaming.

13 The transcript, associated documents, public notice
14 and video recording will be available for viewing in
15 our public reading room in Washington, D.C. In
16 addition, an archive copy of the video recording will
17 be available through our website for at least 60 days.

18 Per the Board's practice and as stated in
19 the *Federal Register* notice, we will welcome comments
20 from interested members of the public at the
21 conclusion of testimony at approximately 11:30 a.m.
22 this morning. A list of those speakers who have
23 contacted the Board is posted at the entrance to this
24 room. We have generally listed the speakers in the
25 order in which they have contacted us or if possible

1 when they wish to speak. I will call the speakers in
2 this order and ask that speakers state their name and
3 title at the beginning of their presentation.

4 There is also a table at the entrance to
5 this room with a sign-up sheet for members of the
6 public who wish to make a presentation but did not
7 have an opportunity to notify us ahead of time. They
8 will follow those who have already registered with us
9 in the order in which they have signed up. To give
10 everyone wishing to make a presentation an equal
11 opportunity, we ask speakers to limit their original
12 presentations to five minutes. The Chair will then
13 give consideration for additional comments should time
14 permit.

15 Presentations should be limited to comments,
16 technical information or data concerning the subjects
17 of this public meeting and hearing. The Board members
18 may question anyone making a presentation to the
19 extent deemed appropriate. The record of this
20 proceeding will remain open until June 23, 2012.

21 I would like to reiterate that the Board
22 reserves its right to further schedule and regulate
23 the course of this meeting and hearing to recess,
24 reconvene, postpone or adjourn this meeting and
25 hearing and to otherwise exercise its authority under

1 the Atomic Energy Act of 1954, as amended.

2 Let me provide some additional background
3 for today's hearing. The Board chose to hold two
4 hearings in the last 18 months at the Hanford site
5 because of the essential role the Waste Treatment
6 Plant will play in processing the large volume of
7 toxic and radioactive waste now stored in 177
8 underground tanks at Hanford.

9 The first hearing was held in October 2010
10 to better understand the project's progress towards
11 resolving technical issues dealing with mixing,
12 hydrogen control and safety basis development that
13 would jeopardize the safe and efficient operation of
14 the plant unless solved.

15 The Board's concerns with these technical
16 issues were broadened in December of 2010 to include
17 an investigation into the project's safety culture
18 after the Board received a letter from Dr. Walter
19 Tamosaitis, a former engineering manager at the
20 project. In this letter, Dr. Tamosaitis alleged that
21 he was removed from the project because he identified
22 technical issues that in his view could affect safety.
23 He further alleged that there was a flawed safety
24 culture at the project.

25 The Board's investigation concluded that the

1 Waste Treatment Plant project suffered from serious
2 problems in safety culture and in the management of
3 safety issues. As a result, the Board issued
4 Recommendation 2011-1, Safety Culture at the Waste
5 Treatment and Immobilization Plant, on June 9, 2011,
6 identifying the need for prompt, major improvement in
7 the safety culture of the project.

8 From the Board's perspective, the flawed
9 safety culture at the Waste Treatment Plant is an
10 indicator that significant organizational weaknesses
11 may be adversely impacting the project's ability to
12 identify, address and resolve critical technical
13 issues which directly impact the ability of the plant
14 to treat waste safely and efficiently.

15 The Department of Energy accepted the
16 Board's recommendation and is executing a plan to
17 fully characterize and address the problems in safety
18 culture at the Waste Treatment Plant. The Department
19 has already taken several significant actions to
20 address the recommendation.

21 On December 5, 2011, Secretary Chu and
22 Deputy Secretary Poneman issued a memorandum to heads
23 of all Department of Energy elements that described
24 their expectations for nuclear safety in the
25 Department, including the roles and responsibilities,

1 safety culture, standards and directives and
2 integrated safety management. The memorandum clearly
3 stated their commitment to "a strong and sustained
4 safety culture where all employees, from workers with
5 shovels in the ground to their managers, all the way
6 up to the Secretary and everyone in between are
7 energetically pursuing the safe performance of work,
8 encouraging a questioning work environment, and making
9 sure that executing the mission safely is not just a
10 policy statement but a value shared by all".

11 Additionally, DOE's [Department of Energy]
12 Office of Health, Safety, and Security [HSS] completed
13 a major independent assessment of safety culture and
14 the management of safety concerns at the waste
15 Treatment Plant. The HSS team issued its report,
16 entitled "Independent Oversight Assessment of Nuclear
17 Safety Culture and Management of Nuclear Safety
18 Concerns at the Waste Treatment Plant," in January
19 2012. It provides substantial insight into the
20 project's safety culture, its management of safety-
21 related issues and the relationship between the two.

22 The report gives an extensive list of
23 conclusions and recommends numerous specific
24 corrective actions. Earlier this month DOE provided
25 the Board with a detailed plan for addressing the

1 findings of the HSS assessment as they relate to
2 safety culture at DOE's Office of River Protection at
3 Hanford. DOE is currently reviewing the equivalent
4 action plan that the Waste Treatment Plant contractor
5 has submitted.

6 As part of an effort to evaluate the safety
7 culture across all of DOE's defense nuclear
8 facilities, DOE's health, safety, and security
9 organization is also performing independent
10 assessments of four other major design and
11 construction projects, the Pantex plant and DOE's
12 Office of Environmental Management.

13 The review of the Chemistry and Metallurgy
14 Research Replacement project at Los Alamos is already
15 done and documented. Other sites, facilities and DOE
16 headquarters' offices will use training and guidance
17 developed under the implementation plan to perform
18 self-assessments with oversight by DOE's health,
19 safety, and security organization.

20 The Board held a second public hearing and
21 meeting on March 22, 2012, in Kennewick, Washington,
22 where the Board received testimony from the Department
23 of Energy and its contractors concerning several
24 issues that included the significance of the timely
25 integration of safety into the Waste Treatment Plant's

1 design, the relationship between the resolution of
2 safety issues and development of a sound nuclear
3 safety strategy and the Department of Energy's
4 progress towards implementing the Board's
5 recommendation on fixing flaws in the project's safety
6 culture.

7 A significant conclusion of this hearing was
8 the strong linkage between safety culture and the
9 ability of a project like the Waste Treatment Plant to
10 surface, accept and resolve outstanding technical
11 issues that impact the plant's ability to clean up
12 legacy waste while ensuring adequate protection of the
13 public and the workers during its 40-year operational
14 life.

15 Today we will continue these discussions by
16 receiving testimony from senior Department officials
17 regarding their approach to addressing the broader
18 policy and programmatic issues associated with
19 Recommendation 2011-1 and their efforts to evaluate
20 the safety culture and other design projects, sites
21 and programs within DOE.

22 We will begin this session by receiving
23 testimony from the Honorable Daniel Poneman, Deputy
24 Secretary of Energy. In recognition of the
25 significance of the safety culture issues at the Waste

1 Treatment Plant project, Secretary Chu designated
2 Deputy Secretary Poneman as the responsible manager
3 for the implementation of Recommendation 2011-1.

4 It's important to remember that safety
5 culture is an organization's values and behaviors
6 modeled by its leaders and internalized by its members
7 that serves to make safety culture an overriding
8 priority. Leaders are the designers, modelers and
9 teachers of the culture. It's what the leaders say
10 and do that matters. So we are pleased to have the
11 Deputy Secretary with us today.

12 This morning we invite Deputy Secretary
13 Poneman to provide his views on the importance of a
14 healthy and robust safety culture, his assessment of
15 the state of safety culture across the DOE defense
16 nuclear complex and his views on what needs to be done
17 to address problem areas.

18 We will then hear testimony from Mr. Glenn
19 Podonsky, head of DOE's Office of Health, Safety, and
20 Security. Mr. Podonsky has testified many times
21 previously in public meetings held by the Board on
22 important topics such as federal safety management and
23 oversight policies, safety in design, and DOE's system
24 of safety directives.

25 Mr. Podonsky chartered the major independent

1 assessment of safety culture and the management of
2 safety concerns at the Waste Treatment Plant project
3 that his health, safety, and security organization
4 completed in January of this year. This review is
5 serving as the model for the extent of condition
6 reviews of the safety culture at DOE's other major
7 facilities and projects.

8 Today we hope to hear from Mr. Podonsky
9 regarding the actions and assessments being undertaken
10 by DOE's health, safety, and security organization to
11 characterize safety culture across the DOE defense
12 nuclear facilities complex and the role that HSS,
13 Health, Safety, and Security, will play in evaluating
14 the effectiveness of the corrective actions being
15 implemented by DOE and its contractors.

16 We will then receive testimony from Mr.
17 David Huizenga, DOE's Senior Advisor for Environmental
18 Management, and Mr. James Hutton, the DOE
19 Environmental Management Chief Nuclear Safety Advisor,
20 to hear DOE's senior line management's view of the
21 causes of the identified problems with safety culture
22 and the management of safety issues and the path
23 forward to develop and carry out corrective actions.

24 Lastly, we are interested in lessons learned
25 thus far and line management's end-state vision for

1 sustaining a healthy safety culture throughout the
2 DOE's defense nuclear complex.

3 This concludes my opening remarks. I will
4 now turn to the Board members for their opening
5 remarks. Ms. Roberson.

6 VICE CHAIRMAN ROBERSON: None, Mr. Chairman.

7 CHAIRMAN WINOKUR: Dr. Mansfield.

8 DR. MANSFIELD: None at this time.

9 CHAIRMAN WINOKUR: Mr. Bader.

10 MR. BADER: None.

11 CHAIRMAN WINOKUR: This concludes the
12 Board's opening remarks. We have several
13 distinguished Department of Energy headquarters'
14 personnel with us today. At this time, I would like
15 to invite Deputy Secretary Poneman to provide his
16 statement on behalf of the Department of Energy.
17 Welcome, Mr. Secretary. If you have written
18 testimony, we'll be happy to enter it into the record.

19 MR. PONEMAN: Thank you, Mr. Chairman, Vice
20 Chairman Roberson, Dr. Mansfield and Mr. Bader. It is
21 a pleasure to be here today before you. Thank you for
22 inviting me and my colleagues here today to address
23 the Department of Energy's ongoing corrective actions
24 regarding safety culture concerns at the Waste
25 Treatment and Immobilization Plant and more broadly

1 our ongoing effort to improve our safety culture
2 across the DOE complex.

3 Later I will be joined here by Glenn
4 Podonsky, director of the Office of Health, Safety,
5 and Security; Dave Huizenga, Senior Advisor for
6 Environmental Management; and Jim Hutton, Chief
7 Nuclear Safety Advisor in the Office of Environmental
8 Management. And my colleagues will elaborate later in
9 these proceedings on our efforts on our safety culture
10 as well as answer any other technical questions that
11 you all may have for them.

12 I would like to thank each and every one of
13 them not only for their willingness to testify today
14 but also for their leadership on responding to the
15 Board's recommendations and having done so much more.

16 I think in the interest of time, I may summarize my
17 written statement and appreciate your offer to have it
18 entered into the record, and I will proceed with a
19 little more dispatch.

20 In my time here with you today, I would like
21 to assure you of two things. First, the Secretary and
22 I are fully aware of the significant safety culture
23 concerns that have been raised at the Waste Treatment
24 Plant. As you know, I've been there several times
25 myself. Second, we are engaged in and are fully

1 committed to the timely resolution of any and all
2 nuclear safety deficiencies within the Department, be
3 they cultural, managerial, contractual, design or
4 operational in origin. This holds true across the DOE
5 complex, including the National Nuclear Security
6 Administration and Office of Environmental Management,
7 and I reaffirm the Department's commitment here today.

8 As you know, in his response to Board
9 Recommendation 2011-1, the Secretary named the Deputy
10 Secretary as the official directly responsible for the
11 implementation plan, which as you indicated in your
12 opening remarks is testimony to the seriousness with
13 which the Secretary takes these issues. It shows his
14 level of commitment, and I can assure you that I take
15 the responsibility with the utmost seriousness.

16 The commitments made in the implementation
17 plan are significant and specific, and I hold myself
18 and our senior DOE managers accountable for making
19 sure that these commitments are met. After years of
20 safety culture review and discussion, I can say with
21 confidence that we have learned much and are committed
22 to taking action to rectify problems while applying
23 lessons learned from around the complex so that we can
24 prevent other problems from arising.

25 To achieve that end, we still have work to

1 do in communicating our priorities and training
2 employees from top to bottom so that they always think
3 of safety as an integral part of our mission rather
4 than as an add-on to the mission, I think a view that
5 was well reflected in your opening statement, Mr.
6 Chairman.

7 To that end, I have directed HSS to review
8 our safety culture thoroughly and objectively in order
9 to obtain an accurate and comprehensive understanding
10 of the situation. We have been studying their reviews
11 and have taken a number of actions, including the
12 following steps: First, directing our senior managers
13 to encourage an open and questioning safety culture
14 and to fully solicit and welcome questions and
15 concerns. Second, assuring that we measure and
16 understand safety status and have current and reliable
17 data for informed decision-making to allow us to
18 identify when we have achieved success and when we
19 have not. And if I may add, this is always a
20 continuous journey of continuous improvement, as our
21 management principles make clear.

22 Third, reviewing our contracting and
23 technical issue resolution processes to understand how
24 they may be affecting safety and what changes are
25 necessary to promote a strong safety culture. And

1 fourth, developing training for Department of Energy
2 federal and contractor senior leaders on establishing
3 and maintaining an open and collaborative work
4 environment within the Department.

5 Having reviewed the Board's Recommendation
6 2011-1 as well as our own analysis, the Department has
7 embraced the need for an intensified effort to assess
8 the Department's safety culture and to embed a strong
9 safety culture in all Department policies, programs
10 and personnel. I'd like to take this opportunity to
11 highlight our safety culture review and to describe
12 some specific steps we're taking to cultivate and
13 reinforce a strong safety culture, and I'm sure that
14 my colleagues will provide added detail and
15 reinforcement on these points.

16 The Board Recommendation 2011-1 and HSS's
17 January 2012 report, which is entitled "Independent
18 Oversight Assessment of Nuclear Safety Culture and
19 Management of Nuclear Safety Concerns at the Hanford
20 Site Waste Treatment and Immobilization Plant", are
21 complementary in many respects. Taken together, they
22 provide both a useful critique of safety culture at
23 WTP [Waste Treatment and Immobilization Plant] and
24 clear, definitive recommendations for corrective
25 action.

1 I agree with that assessment. And the
2 Department will act on these recommendations. The HSS
3 report is a comprehensive investigation that
4 identifies meaningful opportunities to improve our
5 safety culture. The assessment focused on the two DOE
6 organizations with site-level line-management
7 responsibility for WTP, the Office of River Protection
8 and the DOE WTP project office, and a site contractor,
9 BNI [Bechtel National, Inc.], and its subcontractors.

10 Results of the assessment indicated that
11 most WTP personnel believe that safety is a high
12 priority. However, the expert review team cited three
13 significant safety culture deficiencies that must and
14 will be corrected. First, there is a reluctance to
15 raise safety concerns at ORP [Office of River
16 Protection] and BNI, and within some groups at BNI
17 there is fear of retaliation. Second, the approach to
18 safety and safety culture is highly proceduralized
19 across WTP and not yet internalized at all levels of
20 the organization. And third, WTP managers do not have
21 a full appreciation of the current safety culture or
22 the level of effort needed to foster a healthy safety
23 culture.

24 This independent report identifies the
25 issues the Department and its contractors must

1 resolve. Plans for doing so are now in place, and we
2 will continue to take in data on the situation at WTP
3 and around the complex. As noted in Mr. Huizenga's
4 April 23 letter to you, Mr. Chairman, DOE will review
5 the approved HSS plans to determine if any additions
6 to the IP [Implementation Plan] are needed and will
7 develop any necessary additions with a goal of having
8 an addendum to the implementation plan reviewed for
9 consideration by the Secretary with a view towards
10 transmission to the Board by this coming July.

11 At WTP, both the Department and its
12 contractors are now working aggressively on the
13 corrective actions and necessary improvements in a
14 comprehensive, effective and timely manner. I have
15 directed BNI to address the HSS assessment report
16 recommendations and to update its nuclear safety and
17 quality culture plan accordingly in a letter I sent to
18 them in February. I will review the draft revision of
19 that plan to assure that it addresses the HSS
20 findings.

21 As described in Recommendation 2011-1, a
22 highly robust safety culture is critical to successful
23 design, construction, commissioning and long-term
24 operation of this vitally important waste remediation
25 program. I agree and am confident that a robust,

1 questioning safety culture is critical to mission
2 success.

3 We have also initiated both independent
4 reviews and self-assessments at additional selected
5 large construction project sites, which you noted in
6 your opening remarks, Mr. Chairman. We will also more
7 fully evaluate DOE headquarters' organizations. An
8 expert team will gather additional information about
9 the role of headquarters' line-management
10 organizations and the safety culture and management of
11 safety issues at WTP and throughout the complex,
12 including NNSA [National Nuclear Security
13 Administration] activities. The result of these
14 assessments will include recommended next steps for
15 continuous improvements.

16 I would like with your permission, Mr.
17 Chairman, to address just a few additional topics.
18 The implementation plan for 2011-1 and any future
19 supplement is of course at the forefront of our
20 strategy for a strong safety culture, but there are
21 others that are worthy of note. In December of
22 2011 -- and I think you indicated this as well, Mr.
23 Chairman -- the Secretary and I cosigned a nuclear
24 safety memorandum to the heads of all departmental
25 elements and encouraged its broad dissemination

1 throughout the department. A copy of this memorandum
2 was transmitted to the Board in January. In promoting
3 nuclear safety, the memorandum addresses the
4 Secretary's and my expectations for roles and
5 responsibilities, safety culture, safety through
6 standards and managing risk and integrated safety
7 management.

8 The Secretary and I have been very clear and
9 will continue to be that when a safety concern is
10 raised, it is not enough to consider it and move on.
11 We must respond back to the individual or individuals
12 raising a concern and let others know what action was
13 taken, if any, so that our employees and contractors
14 know that we take their concerns seriously and are
15 committed to responding to them.

16 The Secretary is also scheduled to return to
17 WTP this summer, where he will deliver remarks, meet
18 with workers and reiterate the importance of a robust
19 and questioning safety culture.

20 Last September, we revised our ISM
21 [Integrated Safety Management] guide, and I also well
22 recall, Mr. Chairman, the discussions that you and the
23 Secretary have had on the important subject of ISM.
24 The revised guide now includes a new section 6.4,
25 which first provides dedicated safety culture guidance

1 for DOE line managers and contractor organizations
2 having responsibility for ISM systems and, second,
3 reinforces the issuance of clear and specific safety
4 culture attributes.

5 Appendix 10 to that guide derives from the
6 experiences of the commercial nuclear industry,
7 including the Institute for Nuclear Power Operations.

8 Analysis of this experience and research over the
9 past decade has identified supplemental safety culture
10 elements that may be helpful to focus attention and
11 action in the right areas to create a stronger safety
12 culture at the Department.

13 These elements also promote a shift from
14 compliance to excellence. They emphasize continuous
15 improvement and long-term performance, and they are
16 entirely consistent with the original intent of ISM.

17 In 2006, the Department established a formal
18 process for DOE and DOE contract employees to submit
19 Differing Professional Opinions. In July of last
20 year, we issued DOE Order 442.2 on Differing
21 Professional Opinions for technical issues involving
22 environmental safety and health technical concerns to
23 update this so-called DPO [Differing Professional
24 Opinion] process.

25 The revised order documents the DPO process

1 for employees to raise professional opinions on
2 environmental safety and health technical issues that
3 may differ from prevailing staff or management views
4 or from current practices. To emphasize the
5 importance of the DPO process, in March 2012, I issued
6 a memorandum to all DOE employees and contractors.
7 That memorandum reiterated that DOE expects its
8 federal and contractor managers to actively foster
9 complete and open evaluation and discussion of
10 technical issues related to the environment, safety
11 and health of employees and the public.

12 As part of our commitment to promote a
13 robust, open and questioning safety culture, we will
14 continue to actively encourage DOE employees and
15 contractors to take advantage of the many avenues
16 available to raise technical or other issues. For
17 example, we have established a new DOE DPO webpage
18 which lists the DPO managers to whom Differing
19 Professional Opinions should be sent and provides an
20 online DPO submittal process.

21 In early 2012, HSS completed the
22 establishment of the HSS nuclear safety site lead
23 program, which I'd now like to comment on. This
24 program facilitates improved targeting of safety-
25 related oversight activities based on operational risk

1 and facility conditions. HSS site leads are carefully
2 selected, experienced nuclear safety professionals
3 assigned to monitor operations and activities at each
4 DOE nuclear facility. The knowledge obtained through
5 site lead operational awareness is utilized to make
6 informed decisions in selecting and prioritizing
7 independent oversight reviews that are tailored to the
8 site's conditions.

9 And finally, I would like to speak about the
10 Office of the Ombudsman. And in anticipation of our
11 hearing today, I just had an excellent session last
12 evening with our newly appointed Ombudsman, and I'm
13 very pleased to announce that this new office, which
14 is located in the Office of Economic Impact and
15 Diversity, is now up and running. It promotes the
16 early identification and resolution of issues to
17 promote the morale and productivity of the DOE
18 workforce. It provides informal dispute resolution
19 services to employees, supervisors and management
20 personnel regarding work-related concerns.

21 The office also proactively identifies areas
22 of systemic concern and makes recommendations on how
23 they can best be addressed. And I would like to note
24 with satisfaction that although it's a new office,
25 they're getting a lot of business, which is a good

1 sign I think.

2 Now let me close with some personal
3 thoughts. As an organization tasked with one of the
4 nation's most critical missions, we at the Department
5 of Energy understand the fundamental make-or-break
6 challenges that our work entails. The safe and
7 successful execution of our mission greatly affects
8 our nation's safety and its security, and it demands
9 the very best of all of us year in and year out. That
10 is why it is so important to embed the commitment to
11 safety deeply in the culture of the DOE enterprise so
12 that it will be embraced by all who succeed us. Our
13 safety culture is critical to protecting and improving
14 the DOE legacy. We must not fail in this effort.

15 I will continue visiting the sites and
16 meeting stakeholders face to face to listen carefully
17 to the comments and concerns of both federal and
18 contractor employees as well as to reinforce to them
19 our message on safety culture. During these visits, I
20 will continue to seek out workers and encourage them
21 to give me firsthand unbiased opinions of our
22 performance, and we do this by asking their managers
23 not to be present to encourage candor. And I will
24 share those opinions without attribution of course
25 with the Secretary and our senior managers so that we

1 can learn from them and respond accordingly.

2 The Secretary's message is clear, and our
3 senior managers and I will reinforce it whenever we
4 meet with stakeholders. And I'm now citing directly
5 with the Secretary's words, and I quote, "The
6 Department has an unwavering commitment to maintain
7 safe and secure work environments for all federal and
8 contractor employees. Furthermore, we will ensure
9 that the Department's and contractors' operations do
10 not adversely affect the health, safety or security of
11 the surrounding communities or the nation".

12 I will continue to discuss our progress, Mr.
13 Chairman, with you, with the Vice Chairman, with the
14 distinguished members of the Board, and recognize the
15 Vice Chairman's role in her capacity as the Board's
16 lead for Recommendation 2011-1 in our regular
17 interactions. And as always, I invite you to contact
18 me directly if you have any concerns about these or
19 other activities falling under your jurisdiction that
20 involve our safety and our safety culture.

21 I would like to thank you, Mr. Chairman,
22 Madame Vice Chairman, distinguished members of the
23 Board, distinguished colleagues, for taking the time
24 to listen to these remarks on something that is of
25 pivotal importance to us all, and with that, I would

1 like to conclude, and I'm very happy to answer any
2 questions you may have.

3 CHAIRMAN WINOKUR: Well, first let me thank
4 you for your opening statement, and we're very
5 appreciative that you'll be available to answer some
6 questions from the Board. And the first question will
7 come from Ms. Roberson.

8 VICE CHAIRMAN ROBERSON: Good morning,
9 Deputy Secretary. Thank you. The letter that you
10 issued together with Secretary Chu in December of 2011
11 powerfully stated your intent to make sure that -- and
12 I want to quote -- "executing the mission safely is
13 not just a policy statement but a value shared by
14 all". How do you make sure that that communication
15 gets from the top floor of the Forrestal Building to
16 the contractors in the field? And how do you expect
17 that message will be reinforced over time so that they
18 understand it is not just a statement but an
19 expectation?

20 MR. PONEMAN: Thank you for the question,
21 Vice Chair Roberson. It is a challenge that requires
22 constant effort and reinforcement. We do it by the
23 Secretary and me, the Deputy Secretary, going out to
24 the field. We do it by having regular meetings of our
25 senior management. Every two weeks I host a meeting

1 of all of our safety managers and reinforce it. Those
2 views are very clearly communicated to the contractor
3 as well. We are in direct and frequent contact with
4 our Federal Project Director out at WTP, with the ORP
5 leadership, and it's something that has to be
6 therefore repeated at each and every level.

7 So what the Secretary and I do at our level
8 then has to be repeated by the organizational leads
9 within headquarters and then out at the site. It is
10 not a job that is ever complete. It is a job that
11 requires constant reinforcement. And one of the most
12 powerful things to reinforce it is something that
13 actually I think was made very clear in the Chairman's
14 opening comments, which is our success in the mission
15 will not be achieved absent the full internalization
16 of the safety issue because if we can't do the job
17 safely, we have not done the job at all.

18 And so I think what you will see is a
19 continuous communications flow, and because it's very,
20 very important continually to assess what we are doing
21 to make sure that those things that were in that memo
22 are fulfilled, we will continue to do what we have
23 done before in terms of getting independent reviews,
24 making sure that there are multiple channels for
25 people to express their concerns. And this is

1 something that we really focused on out at Hanford, so
2 there ought not to be just one channel. People ought
3 to feel a number of opportunities, whether it's a
4 matter of a Differing Professional Opinion, as we
5 spoke to a few minutes ago, or a matter of an
6 industrial safety concern.

7 So we have to communicate the message
8 continuously and clearly we have to continually assess
9 it. And we must never I think fall into the
10 complacency that says we're done, we can now move on
11 because we're never done because safety is inherently
12 a permanent feature of our effort.

13 VICE CHAIRMAN ROBERSON: So, Deputy
14 Secretary, you spoke about a couple of tools, the
15 Ombudsman's office, the HSS assessments for
16 construction projects. As we will both have different
17 jobs in years to come, what are the mechanisms that
18 you expect to be institutionalized as a result of your
19 efforts now to make sure that as time goes on the
20 Department can sustain the investment that's being
21 made now?

22 MR. PONEMAN: Madame Vice Chair, you've
23 cited a couple of them, and the institutionalization
24 part is critical because by nature, in these jobs, you
25 have people who continue for years and years, but you

1 have people who come and go, so you have to have
2 something that has sunk its roots into the
3 organization. And I would say we would
4 institutionalize it through some of the mechanisms
5 that were cited in my opening remarks. The ISM
6 system, which already has I think developed robust
7 institutional momentum, is something that we've
8 refreshed and revived and have to keep teaching. And
9 as I've heard the Chairman remark in other instances,
10 it boils down to some very simple elements that are
11 consistent with common sense but need repeating
12 nonetheless.

13 So things like an ISM guide is very
14 important. Institutionalized ways to raise those
15 Differing Professional Opinions so it's not seen as
16 some kind of heterodox challenge to authority but
17 rather very much part of the warp and woof of a
18 questioning culture.

19 Part of the institutionalization is by what
20 the British would just call common law, by having it
21 become part of the routine activity on the site where
22 people are always feeling comfortable to go to their
23 first-line supervisors or even beyond if they're not
24 getting the kind of responses that they need.

25 Finally, we have to make sure that we

1 continue to set the direction from the top and that
2 the directions that we give aren't just sent out like
3 bread upon the water but that we continuously go back
4 and check. And so that is why, for example, we have
5 thus at this point institutionalized biweekly meetings
6 of the whole Department's senior leadership on safety
7 matters so that people are used to bringing things
8 forward.

9 So I have great confidence that something
10 like this which actually works and people end up
11 feeling addresses the concerns that have been raised
12 will then sink roots into the system because when
13 something works, people will continue it, no matter if
14 a particular incumbent comes or goes.

15 Those are a few of the things, Madame Chair,
16 that we are doing. But in no case would we even say
17 in terms of the institutionalization that we're done
18 because even the institutionalization itself could
19 become sclerotic if we don't renew it. So, to take an
20 example, if these biweekly meetings became ritualistic
21 recitations of things that just have been coming
22 through the inbox, that would not be what we're
23 talking about.

24 I guess one other thing I would say is in
25 terms of institutionalization, one of the things that

1 we did after the HSS report and after Recommendation
2 11-1 came in was to set up a system whereby any
3 concerns could be expressed blindly through a variety
4 of channels, and we made sure that the Chief Nuclear
5 Safety Officer of the Department was responding to
6 these questions when they'd come up.

7 Without making any preliminary judgments on
8 the merits of the case, any concern that's expressed
9 to a first order has to be treated responsibly.
10 That's another institutionalized mechanism by which
11 right down to the deck plates, we make sure that there
12 are channels available to each and every individual in
13 our complex, not just at WTP but across the complex to
14 make sure their concerns not only can get expressed
15 but that there is a meaningful response to it that we
16 will follow up on.

17 VICE CHAIRMAN ROBERSON: Thank you. Thank
18 you, Mr. Chairman.

19 CHAIRMAN WINOKUR: Mr. Bader.

20 MR. BADER: Mr. Secretary, one of the things
21 that's intrigued me over my career is it's always been
22 obvious that you can have the best training, you can
23 have the best program in terms of safety culture, but
24 what is most important is what leaders actually do.
25 And you've mentioned a number of things that you and

1 the Secretary are planning to do. It would seem to me
2 that one of the most important early indicators of
3 what you're planning to do is this effort to seek out
4 workers and encourage them, as you said in your
5 testimony, to give you firsthand unbiased opinions of
6 our performance and your willingness to share those
7 opinions. Could you describe a little bit how you
8 will be seen to perform this effort and to keep it --
9 how will you select people? Will they self-select?
10 How will you keep it completely anonymous?

11 MR. PONEMAN: Yes. That's a great question.

12 Well, I don't have to do this merely describing a
13 prospect because this is exactly what I did on my last
14 visit to Hanford, which was after we received 11-1.

15 First of all, this addresses only part of
16 what you were talking about, but I'll come back to the
17 other part. I went out to that park right in the
18 middle of the city on the river and they got a little
19 bandshell called the Fingernail or something like
20 that. There were like 2,000 people, 2,000 people who
21 came out there just to hear me talk about safety.
22 That told me right there that there was a hungry
23 audience for the message.

24 I then went to the site and I talked to on
25 the order of 1,500 workers or more to convey the same

1 message, and I was very, very clear in those remarks,
2 Mr. Bader, about the importance of an open and
3 questioning culture and the importance of being able
4 to step forward without fear of retribution.

5 Then I had two separate sessions with two
6 different kinds of workers. One were just absolutely
7 the frontline workers, and one was one level up in
8 terms of supervision because we wanted to have a
9 different opportunity because the concerns that are
10 felt at the different levels may not necessarily be
11 the same, and it may not be that the people at the
12 absolute frontlines would even be comfortable in front
13 of their first-line supervisors.

14 There are a lot of different trades out
15 there, as you know, at the site, and so one of my
16 lessons learned out of that is we have to make sure
17 that in terms of the selection of the workers that it
18 is a sufficiently representative/random process so
19 that you're actually getting frontline comments. And
20 that's something to be honest that I think we're going
21 to have to keep working on to make sure that there is
22 not any kind of unintended bias in terms of the
23 demographic of the people who are brought into these
24 groups. But to a first order, if you have five or six
25 different trades there, you get a handful of people

1 from each, that should give you a fair representation.

2 Finally, there is an old phrase -- I think
3 it may go back to the time of President Lincoln --
4 called management by walking about. If you're just
5 walking around getting tours, which I get all the
6 time, I always do this. You just ask questions to
7 whoever you see. And then I think you are getting a
8 pretty decent chance of getting an unscripted response
9 from somebody who has not been preselected.

10 But again, like everything else, Mr. Bader,
11 that I'm talking about this morning, there is no
12 single-point solution to this, but it's a matter of
13 iteration and continually striving to make sure that
14 we're meeting with a broad cross-section of people.

15 I guess the final thing I would say is that
16 it's not necessarily in the face-to-face sessions
17 only, but when people -- I found this actually
18 encouraging when I made these comments in the park.
19 There were, you know, a flurry of comments and
20 concerns that came in. To me, you know, the good news
21 in that was that people would step forward. They
22 apparently believed they were able to do so without
23 retribution. But the fact that they may have felt up
24 until that point some inhibition in doing so told me
25 that in fact we do have work to do.

1 MR. BADER: I think if you are making
2 yourself available on an individual basis in a
3 controlled situation where the workers feel free and
4 comfortable to come and talk to you and explain any
5 issues they have, I think that is a powerful
6 statement. Is that something you embrace?

7 MR. PONEMAN: That is what I did when I was
8 out there, and I will encourage Secretary Chu when he
9 goes to have the same kind of session.

10 MR. BADER: And you plan to continue to do
11 that when you go out again?

12 MR. PONEMAN: We view this as a journey, and
13 it's a continuous effort.

14 MR. BADER: Have you taken any actions to
15 try and determine for yourself what impact has
16 actually occurred already in terms of changes to the
17 safety culture at WTP?

18 MR. PONEMAN: I still think we are in early
19 phases of implementing. But part of our plan going
20 forward, Mr. Bader, is in fact a continuous repetition
21 of assessments. There I think it's very important
22 that we not only have questions coming directly from
23 the leadership but that we do what we did, for
24 example, at the last HSS review, which is to bring
25 professional outside people who have expertise in the

1 area. It's not enough for us to check ourselves,
2 although we are responsible for doing so and we will
3 continue to do so aggressively, but precisely to make
4 sure that we're getting an unvarnished view, we will
5 also continue to use neutral third parties to review
6 our efforts, and this will measure the extent to which
7 the message we're communicating is received.

8 Many people will ask about a particular
9 report and say what is your conclusion. I view each
10 of these reports as a data point, as a snapshot. I
11 think it was perhaps Santayana who talked about, you
12 may stick your toe in the river and, you know, feel
13 the water there, and you may wait 10 minutes and you
14 put your toe in the river, it's a different river
15 because the molecules keep flowing by.

16 So we have to keep monitoring from time to
17 time directly. We have to keep checking the inbox for
18 the places that people are putting in and expressing
19 their concerns to our chief nuclear safety officer.
20 We have to keep doing the vox populi sessions where
21 we're talking to people face-to-face, eye-to-eye. And
22 we've got to keep validating any and all of those
23 impressions by neutral third-party assessments.

24 MR. BADER: Thank you, Mr. Secretary.

25 CHAIRMAN WINOKUR: Welcome again. I'd like

1 to talk a little bit about NNSA, the National Nuclear
2 Security Administration. And I think in your opening
3 comments you did mention that this is about more than
4 just the Environmental Management folks in the Waste
5 Treatment Plant. It's a complex-wide issue. And
6 certainly NNSA has incredible responsibility and also
7 a lot of production pressures. I mean, they're making
8 pits at Los Alamos and secondaries at Y-12, and
9 they've got the basic assembly and disassembly,
10 surveillance of weapons at Pantex.

11 So I guess the first question might be any
12 sense so far about NNSA in terms of safety culture.
13 Do you think the efforts are going to have to be
14 equivalent there as they are in EM [Environmental
15 Management], or any particular concerns or challenges
16 you see in terms of the safety culture at the NNSA?

17 MR. PONEMAN: Mr. Chairman, one of the
18 elements of the vantage of being in a situation of
19 viewing the full complex is although there are unique
20 elements to each aspect of the challenge, I think the
21 overall safety challenge and the cultural issues that
22 accompany it I think are department-wide. So I would
23 say a) there continue to be and will always be safety
24 issues in the NNSA complex, just as they are in EM;
25 b) that therefore the importance of the same kind of

1 open questioning culture is as important there as it
2 is in the EM portfolio.

3 And I can tell you that in my conversations
4 with -- and I will say in this context --
5 Undersecretary for Nuclear Security Tom D'Agostino,
6 which is the way in which he is now responsible for
7 the EM portfolio, as well as Administrator D'Agostino
8 of the NNSA, same guy, and very committed to both
9 safety per se and to safety culture.

10 CHAIRMAN WINOKUR: So NNSA obviously is
11 clearly very engaged in this activity.

12 MR. PONEMAN: Yes.

13 CHAIRMAN WINOKUR: One of the challenges I
14 see and I wanted to know if you've given any thought
15 to is a place like Los Alamos, incredibly important
16 place. And yet it's got production responsibilities
17 building pits. At the same time, it's a great R&D
18 organization. Do you think there will be any
19 particular challenges with building a safety culture
20 in an organization that that's diverse?

21 MR. PONEMAN: There always are, Mr.
22 Chairman, and, you know, there are always those kinds
23 of challenges. That's why on a tough challenge like
24 this I always think it's important to go back to first
25 principles, and the first principle here is that

1 safety is not a bolt-on. Safety is an integral part
2 of the mission. The objective isn't to simply extend
3 the life of the W76. It's to extend the life safely.

4 And one thing that one learns is equally true if not
5 more true in a production situation than any other is
6 there is nothing that can shut down your production
7 faster than encountering a serious safety problem.

8 So in fact, to embed the safety culture in a
9 production complex is not only the right thing to do,
10 but it's actually the efficient and effective thing to
11 do if you're trying to advance the mission. Safety is
12 an integral part of the mission, and only by treating
13 it that way do you maximize your prospects of living
14 up to the demands that, as you indicated, the
15 President and the nation put upon you in terms of
16 continuing to defend the nation with a safe, secure
17 and effective nuclear deterrent.

18 CHAIRMAN WINOKUR: Do you think it will be a
19 tad more difficult, though, on the R&D side of the
20 house to build this safety culture?

21 MR. PONEMAN: I think it's challenging
22 everywhere. I think the challenges are probably
23 unique. You know, it's interesting because just
24 within the last week I was having a discussion with
25 Secretary Chu and we were talking about the unique

1 safety challenges faced in a situation where you're
2 dealing with accelerators. So even in a pure science
3 space, the consequences for inattention to safety can
4 be grave and immediate. And so I think while there
5 are unique challenges, whether it's in the research
6 side or the production side, I think that we're going
7 to have to be equally attentive in making sure we
8 promote a strong safety culture right across the
9 board, whether it's environmental, science, NNSA.

10 CHAIRMAN WINOKUR: Now one of the things
11 that Mr. Bader spoke to you about and I know you
12 understand very well is this need for leaders to say
13 things and then follow up with actions. And one of
14 the potential opportunities for that might be programs
15 that the Board's been very supportive of, like
16 facility representatives, safety system oversight
17 officers. There's a lot of talk in today's budget
18 environment about cutting back and where cuts should
19 be made. Do you feel it's going to be important to
20 make sure that the people who are out in the field,
21 the boots-on-the-ground kind of folks who are looking
22 at safety, that at least that cadre of people be
23 strongly supported and that they get that message?

24 MR. PONEMAN: Mr. Chairman, I have not heard
25 any suggestion about -- although it's true that we are

1 dealing in very challenging budgetary circumstances, I
2 have heard no suggestion that somehow the thing that
3 is expendable or less of a priority than other aspects
4 of our mission is the safety piece. So I would very
5 much expect our focus on safety and safety culture to
6 persist. And to the extent that we build in
7 mechanisms to support that, I would not expect them to
8 be disadvantaged relative to other mission priorities
9 of the Department as we go through these challenging
10 budgetary cycles.

11 CHAIRMAN WINOKUR: Well, I think your
12 commitment to that would be extremely important. I do
13 appreciate that very much. I have one more question.
14 It's always something I raise, so forgive me. But
15 the mantra of NNSA is getting the job done. I've
16 always been uncomfortable with that. I believe it's
17 very much of a get 'er done. I've read a lot of books
18 and things. People don't think it's the best message.
19 It does not in my view, and I know you'll share
20 yours, provide the kind of balance we're looking for
21 between mission and safety. Do you have any thoughts
22 on that that you're willing to share?

23 MR. PONEMAN: Mr. Chairman, I actually have
24 not heard that as a mantra, but when I hear the
25 statement getting the job done, to me, I'm hearing

1 safety. And to me, the reason is that safety is part
2 of the job. So when I'm getting the job done, I think
3 it's very clear in our little management principles,
4 you know, many of us wear on our lanyards that the
5 safety piece is integral to getting the job done.

6 So I would not necessarily see saying
7 getting the job done as something that is even
8 implicitly undermining a strong safety message because
9 precisely that safety is integral to our mission.

10 CHAIRMAN WINOKUR: Thank you. Dr.
11 Mansfield?

12 DR. MANSFIELD: Thank you, Mr. Chairman.
13 Turning the discussion back toward Hanford, when you
14 visited the site last year and in your recent visit,
15 would you comment on the change in your views and the
16 relationship of the change in your views to the Office
17 of Health, Safety, and Security studies? I mean, was
18 this a shocker to you?

19 MR. PONEMAN: Which one?

20 DR. MANSFIELD: Did you see change at
21 Hanford between the time you visited it last year and
22 your assessment now?

23 MR. PONEMAN: Well, I think there's always
24 change, Dr. Mansfield. I think there's always a bit
25 of surprise when you see a third-party assessment, and

1 so we had in the last year and a half or so three
2 different snapshots, as I was calling them earlier.
3 The first was an earlier HSS report. The second was a
4 report you all had done. And the third was a second
5 HSS report.

6 I suppose that I found things to learn from
7 each of them, and because it was last in time and
8 that's therefore the one that's most important in
9 terms of our immediate action, and I noted this in my
10 opening remarks, I think the things that we found in
11 terms of areas of improvement in the second HSS report
12 were indeed for me an eye-opener. And it's not to say
13 that there weren't some positive things that were
14 found, but there were clear, clear areas identified
15 that needed improvement. So I would say I was
16 probably very much informed by that one.

17 DR. MANSFIELD: When the Secretary makes his
18 visit I believe it's in July for the town meeting at
19 Hanford, what do you think he'll think of how Hanford
20 has changed from the time these issues were raised?

21 MR. PONEMAN: I don't know that a specific
22 date has been set, Dr. Mansfield. One thing I know
23 about the Secretary is he is a scientist and he is
24 therefore very data-sensitive. So I would not presume
25 to project what he will think except to think that he

1 will respond to what he sees and senses and hears. I
2 know that he is the kind of person when he is doing a
3 walkabout tour of a site, he has, you know, 360
4 sensory inputs in terms of there's a lot you can
5 learn, as you all know here, just by walking around a
6 site and seeing how things are neatly stored or not,
7 if there are dangerous areas that are not roped off
8 and so forth.

9 So I think he'll be using all of his senses,
10 and I'm sure that he's going to be listening very
11 carefully to what he hears. As I said a little
12 earlier, I will certainly recommend that he find ways
13 in which to hear directly from small groups of people
14 who can be assured of confidentiality. And I'm sure
15 he will want nothing more than to hear a very
16 unvarnished assessment of people with the bark off and
17 without any kind of worry about what anyone might say.
18 So I think he will take guidance from what he hears
19 from them.

20 DR. MANSFIELD: Okay. Thank you, Mr.
21 Chairman.

22 CHAIRMAN WINOKUR: Ms. Roberson?

23 VICE CHAIRMAN ROBERSON: Deputy Secretary,
24 we'll take a short trip in history and come back to
25 the future. We had lots of reviews relative to the

1 WTP safety culture. We've seen lots of reviews,
2 whether it's our own, the two HSS reviews you spoke
3 of, their contractor reviews, their contractor
4 independent reviews, their construction health
5 reviews.

6 MR. PONEMAN: Right.

7 VICE CHAIRMAN ROBERSON: You've seen a lot
8 more than we've seen. And even though there are
9 common strings through all of those reviews, the
10 conclusions did diverge quite a bit. In your
11 implementation plan for 11-1, the construction project
12 safety culture assessments are going to be conducted
13 by HSS, but generally speaking, all the others will be
14 self-assessments. How will you assure yourself that
15 these self-assessments depict a real and objective
16 picture upon which decisions, informed decisions, can
17 be made?

18 MR. PONEMAN: Well, I would say, Vice Chair
19 Roberson, I would say there are two things. One is we
20 need to continue -- and it's in the IP, as you've
21 seen -- our own internal training so that the things
22 that I am testifying before you here today in terms of
23 safety being an integral part of the mission, not a
24 bolt-on and so on, is not just a platitude or a
25 talking point. It's actually how we ourselves view

1 it. And so it will not do simply to rely on an
2 external third party to discipline that. The
3 discipline has got to start from within. The
4 expectations that we do view, as I was just telling
5 the Chairman a few moments ago, safety as integral to
6 and part of getting the job done and not in any way
7 subversive to that objective.

8 So we have to start right at home in terms
9 of the internal training we use. And I personally
10 have found a lot of that inside our own system. And,
11 of course, we have very healthy discussions at these
12 biweekly meetings. And having people who have that
13 kind of both core competence of like our chief nuclear
14 security office people like Dr. Lagdon and so forth is
15 an important part of it. But it's only part of it,
16 and therefore this other role that we have described
17 for HSS, which in the last few years has provided a
18 lot of across-the-enterprise expertise to support line
19 management has got to be supplemented by a
20 continuation of HSS itself and HSS in bringing outside
21 reviewers like we did just this last time in January.

22 That will frankly be part of the discipline,
23 part of the system of checks and balances, just as the
24 Defense Board is the third leg of that stool. So we
25 view this -- and I think this is quite clearly spelled

1 out in that memo that the Secretary and I cosigned.
2 We view this as integral parts of a coherent whole.
3 So each leg has to be internally strong and have
4 internalized not only the technical but also the
5 cultural aspects of safety excellence, but then the
6 existence of them in this structure of holding the
7 line accountable, but then having oversight from
8 within the Department through HSS, and then from
9 without the Department, part of the larger fabric from
10 the Board. That creates an overall system.

11 And you reminded me and I was remiss I think
12 perhaps in not emphasizing earlier we do not view this
13 as purely a federal function, okay, because -- and
14 I've often told at many, many conferences we all of us
15 work for the President. We all of us work for the
16 nation, whether we're federal employees or contractor
17 employees. And so we welcome the fact that the
18 contractor out there took the initiative. Partly it
19 was in response to directives that came out of our
20 response in the implementation plan to 11-1, but
21 partly it was on their own initiative to do their own
22 self-assessment, and they went out and, as you know,
23 they got external experts and they did their own
24 review and they came up with a set of internal
25 guidance for themselves.

1 We welcome that. We welcome contractors
2 taking the initiative. Obviously it has to be within
3 the four corners of the overall DOE directives and ISM
4 and so forth, but it's important that everybody,
5 whether fed or contractor, whether executive,
6 midlevel, middle manager or right down to the deck
7 plates, everyone has to own a piece of this. If you
8 look at the old posters from Admiral Rickover, you
9 will see the importance attached to individual
10 responsibility. You can never just say, hey, I'm not
11 the safety guy. That's Joe's job over there. Not
12 you, Mr. Bader, but speaking metaphorically.

13 (Laughter.)

14 MR. PONEMAN: And so that is a very
15 important part of this. And so those assessments also
16 should provide data that we can all of us take into
17 account.

18 CHAIRMAN WINOKUR: We have one additional
19 question. Mr. Bader?

20 MR. BADER: You made a comment that the
21 Secretary is very data-sensitive, and that leads me to
22 the question, what kind of metrics do you think,
23 specific metrics you expect to see coming out of the
24 implementation plan for Recommendation 2011 that you
25 and the Secretary will actually pay attention to?

1 MR. PONEMAN: I think there are a variety of
2 metrics, and even though we have been primarily
3 talking in terms of safety culture here, a very
4 important metric is safety at the site and that people
5 aren't getting hurt and that the job continues to be
6 performed well and safely. But in addition, we need
7 to clock the data of what actually happens when
8 someone expresses a Differing Professional Opinion.

9 MR. BADER: So you'll look at things like
10 Differing Professional Opinions, numbers of them.

11 MR. PONEMAN: Absolutely, absolutely. Yes.
12 And this is a very tricky thing because, you know,
13 the old line about absence of evidence is not evidence
14 of absence, okay? So we will look at what comes into
15 the system by way of people expressing concerns, what
16 happens to those concerns when they get expressed, how
17 they're responded to professionally, respectfully and
18 so forth.

19 But that will be necessary but not
20 sufficient to review the data on what's coming in. We
21 need to have assays and probes that continually check
22 it. And that's why you will continue to see us both
23 in terms of line management -- and it's not just the
24 Secretary and me. Obviously Mr. D'Agostino, Dave
25 Huizenga, Glenn Podonsky. Everybody is part of this

1 process and each of us is going to be receiving data
2 from our own interactions. And, you know, 11-1 is a
3 huge part of what we're doing obviously, but again,
4 and I think this is consistent with the scientific
5 method, not to rely solely on the issues coming before
6 us but also to be active in soliciting third-party and
7 outside reviewers to independently check is going to
8 be an important part of the process.

9 MR. BADER: I understand you're famous for
10 your deep dives on this project.

11 MR. PONEMAN: Really?

12 (Laughter.)

13 MR. BADER: Does that mean that you would in
14 the future plan to also look at things like the DPOs,
15 like the action plans and how they're being
16 implemented to track these safety culture issues?

17 MR. PONEMAN: Yes.

18 MR. BADER: The other thing that I'm most
19 interested in is how safety culture relates to solving
20 the issues, the technical issues and problems, of this
21 project. Is that also something that you would track
22 in your deep dives in the future, or have you been
23 tracking them already?

24 MR. PONEMAN: Well, the deep dives have
25 tended to be about a particular project in all of its

1 aspects. That's what makes it a deep dive. Certainly
2 things of this character would be part of that. I'll
3 give you one real-life example. It was not in
4 Forrestal, but I was out at one of the sites meeting
5 with actually a number of people, including the chief
6 executive of the contractor. And there was an episode
7 involving a worker where it turned out the worker was
8 fine, but there was a safety concern that was
9 registered. Everyone stopped and made sure that the
10 situation was safe and secure. Nobody said, you know,
11 we're on the clock, we've got to keep going. And what
12 I'm saying is although the deep dives are important,
13 it's not only through the deep dives that we'll get
14 the kind of information we need to see if actually on
15 the ground we're getting the results that we're
16 looking for.

17 But certainly, Mr. Bader, the deep dives
18 would be an important place to have those kinds of
19 issues addressed. And independently of the deep
20 dives, at these biweekly meetings, we will certainly
21 check with our Chief Nuclear Safety Officer and see
22 what is in the hopper now in terms of concerns that
23 have been expressed, what has been the response to
24 those, and we will follow up in that respect as well.

25 MR. BADER: Thank you, Mr. Secretary.

1 CHAIRMAN WINOKUR: Mr. Secretary, I'd like
2 to thank you for your time this morning. I know
3 you're extremely busy. We appreciate it very much.

4 MR. PONEMAN: I'd like to thank the Board
5 for all of its efforts in promoting the safety culture
6 at WTP and beyond.

7 CHAIRMAN WINOKUR: Thank you, sir.

8 MR. PONEMAN: Thank you.

9 CHAIRMAN WINOKUR: Now the Board would like
10 to invite Mr. Glenn Podonsky, chief of DOE's Health,
11 Safety, and Security organization, to the witness
12 table to discuss his office's role in characterizing
13 the safety culture for key projects across the DOE
14 defense nuclear facilities complex and evaluating the
15 effectiveness of corrective actions by DOE and its
16 contractors.

17 Obviously we'll accept your full written
18 statement into the record. I can assure you we have
19 many questions for you, so hopefully you'll summarize
20 your opening statement in five minutes or so. But
21 either way, either way --

22 (Laughter.)

23 CHAIRMAN WINOKUR: The answer is obviously
24 no there. He's been counting the minutes that the
25 Secretary and I used. So, please, welcome.

1 MR. PODONSKY: Well, thank you, Mr.
2 Chairman. I know I'm a little bit right of the Deputy
3 Secretary. I don't think that's an indicator. But
4 the chair is much lower.

5 (Laughter.)

6 CHAIRMAN WINOKUR: Please feel free to move
7 over. There you go.

8 MR. PODONSKY: And I'm still to the right.
9 Mr. Chairman and members of the Board, I would like to
10 submit my written testimony for the record. I also
11 want to thank you for the first time in 17 years that
12 I appear before you I'm not the last witness. But I
13 will try to summarize within five minutes.

14 CHAIRMAN WINOKUR: But we've always saved
15 the best for last.

16 MR. PODONSKY: Just not this time. I
17 understand.

18 (Laughter.)

19 MR. PODONSKY: At the outset, I do want to
20 thank you. I want to thank you for holding this
21 hearing and for your role as overseer and providing
22 advice to the Secretary on matters concerning nuclear
23 safety. As I'm sure you understand, Congress
24 established the Board because it wanted additional
25 independent eyes on the Department at a time when

1 there was no check and balance on some of the most
2 hazardous operations facing the nation in a post-
3 Chernobyl year. In fact, as you know, it was at a
4 time that DOE relied almost entirely on its
5 contractors to identify safety concerns and to
6 recommend appropriate actions, in part because of the
7 imbalance in technical capabilities and experience
8 between the contractors and DOE staff.

9 The Congress, as Dr. Mansfield I'm sure
10 remembers, back then, back then held a belief that
11 protection of the public health and safety required
12 the end of continuing reliance on DOE contractors for
13 self-identification of safety problems. I certainly
14 hope the Board as well as workers and the public
15 throughout the DOE complex know that this Secretary of
16 Energy and the Deputy Secretary's commitment, as he
17 just spoke of today, as well as ours in HSS is strong
18 and sustained on safety culture, where all employees
19 pursue safe performance of work. They're encouraged to
20 have a questioning attitude; and are ensured of
21 executing their mission goals safely is not just
22 another bumper sticker.

23 The Secretary and the Deputy, as you talked
24 about in your statement and the Deputy talked about in
25 his, outlined a strong role for this Board in their

1 December 5 memo on nuclear safety at the Department of
2 Energy, and I would just like to quote, "The Defense
3 Nuclear Facilities Safety Board also plays a pivotal
4 role in providing recommendations as well as oversight
5 to the Department." That's key because I think it's
6 important to acknowledge and recognize that at WTP the
7 issues that were brought forward were the issues that
8 you all brought forward to the Department.

9 In my written testimony, I give a current
10 detailed status of the update of WTP. But in brief, I
11 would say that we believe that DOE leadership has
12 responded very positively to the HSS report that we
13 issued in January. At a hearing in March where David
14 Huizenga testified on the same panel as I did, he
15 pledged his full support for our recommendations, and
16 I personally know that he is fully engaged in all
17 matters regarding safety culture throughout the EM
18 community as well as at WTP.

19 Additionally, HSS will thoroughly review any
20 new allegations or indications that the safety culture
21 is not being taken seriously. As you mentioned, we
22 are, HSS, leading our extent of condition review at
23 other projects. There's a mixed story so far, which
24 we will roll out later in the fall.

25 In accordance with the IP for 2011-1, the

1 extent of condition reviews are progressing in two
2 avenues. One avenue is the HSS independent reviews of
3 the selected facilities and projects. The second is
4 the self-assessments by DOE sites and program offices,
5 which we intend to review just to confirm the efficacy
6 of those activities.

7 Both will focus on a Safety-Conscious Work
8 Environment, an important subset of safety culture.
9 We are leading the report, the Department, in a report
10 to Congress of five nuclear construction projects over
11 \$1 billion, looking at contracts, fee structures,
12 policies and management to see if they are having any
13 negative impact on safety culture, as mandated by
14 Congress in the 2012 budget, and I understand it's in
15 the language again for 2013.

16 HSS is attempting to lead by example. Our
17 National Training Center [NTC] is supporting the DNFSB
18 2011-1 implementation team in developing Safety-
19 Conscious Work Environment training for senior DOE and
20 contractor workers. The NTC is also working with
21 HAMMER, the Hazardous Materials Management Emergency
22 Response Training and Education Center, to develop a
23 training program with strong emphasis on safety
24 culture which can be utilized throughout the DOE.

25 We believe so strongly that safety culture

1 is vital to DOE missions to be successful that all HSS
2 managers have begun safety culture training sessions
3 this past month. I myself have also participated in
4 over five hours of such training.

5 In conclusion, if we take care of our
6 workers, we feel that they will take care of the
7 mission. That's what it is all about. I would like
8 to conclude my opening remark by making it clear to
9 the Defense Board and both the workers and the public
10 that we oppose any weakening of protection of workers
11 in the complex. That is why the President through a
12 May 15 statement of administration policy regarding
13 House of Representatives Bill 4310 said, and I quote,
14 "By lowering safety standards for nuclear weapons
15 complex and reducing requested funding for HSS, these
16 provisions would weaken protections for workers and
17 the general public."

18 As the independent organization for the
19 Department, the Secretary and the Deputy and most
20 other DOE leaders rely on us to conduct assessments of
21 safety and security programs and projects throughout
22 DOE, including NNSA. For the credibility of DOE with
23 the workers and the public, it's necessary to have a
24 viable, independent regulatory model. This has been
25 one of the significant lessons learned from the recent

1 tragic nuclear disaster at Fukushima. The regulatory
2 model currently employed by DOE with the Defense
3 Board, HSS and line management has served the DOE for
4 well over 23 years. Changes to the current check and
5 balance of operations, handling the most hazardous
6 materials and the most deadly weapons known to mankind
7 defies logic and potentially jeopardizes the health
8 and safety of thousands of workers, and this is
9 something that we should not tolerate.

10 CHAIRMAN WINOKUR: Thank you very much for
11 that statement. We'll turn to our questions now, and
12 I believe the first question will be Ms. Roberson
13 again.

14 VICE CHAIRMAN ROBERSON: Thank you. Good
15 morning.

16 MR. PODONSKY: Good morning. And how are
17 you?

18 VICE CHAIRMAN ROBERSON: Good, good. So
19 it's my understanding that HSS, although the reports
20 may not have been completed yet, you've essentially
21 done your field work on your safety culture
22 assessments of three construction projects, is that
23 right?

24 MR. PODONSKY: Yes.

25 VICE CHAIRMAN ROBERSON: So can you share at

1 the summary level some of the results that you're
2 seeing, especially those that are common strengths --
3 we love to hear strengths -- common weaknesses? And
4 if you are detecting that differences -- I know DOE as
5 well, and you know, every activity is a unique
6 activity -- if uniqueness is contributing to safety
7 culture issues. Kind of give me the highlights of
8 strengths, weaknesses and commonalities or not.

9 MR. PODONSKY: Well, the greatest strength
10 is something that if I look over the last 20 years,
11 the Department has just begun a very serious journey
12 along the safety culture continuum. It's premature to
13 be able to give you any conclusionary statement about
14 the sites that we've looked at. We actually just
15 published CMRR.

16 But what is common is like HSS, when we did
17 our first review of WTP, we too did not truly
18 understand the intricacies of safety culture in all
19 its implications. From a technical standpoint, the
20 Department of Energy, like the Defense Board, is
21 technically very competent, but when it comes to human
22 behavior and the understanding of what motivates
23 people and what demotivates people, that's where the
24 complexities come in, and that's where we heard the
25 Deputy talk about bringing in behavioral scientists.

1 So what we've seen overall is that while
2 it's not endemic, the extent that we saw at WTP so
3 far, we do believe it's going to be a concurrent
4 theme, an understanding of what is safety culture, how
5 do you infuse it, how do you get the trust of the
6 workers to believe that it's not just the bumper
7 sticker that we've often heard of.

8 I think we heard very convincingly from the
9 Deputy Secretary. And I do believe, and I've served
10 under nine Deputy Secretaries and Secretaries, I do
11 believe he is very sincere and the Secretary is
12 sincere about what they mean. I don't know how much
13 time they have left. So to institutionalize this, as
14 the Chairman had asked the question I believe, part of
15 it is continuing this journey, continuing the extent
16 of condition reviews, looking at the construction
17 projects and never stopping no matter what happens in
18 the fall election. We have to continue doing this.
19 The workers deserve it, and I think, as I said in my
20 opening statement, that's a little bit why you all
21 were created and that's why we are here as well.

22 VICE CHAIRMAN ROBERSON: I think your
23 challenge is great in that through these assessments,
24 you're important to the Department in ensuring that
25 the very thing the Department put in place to identify

1 and help correct an action does not in itself reflect
2 the original problem, that is, the willingness and
3 openness for those talented people in the Department
4 to raise safety issues and feel confident that those
5 concerns expressed will be responded to and addressed.
6 So how are you going to track and manage all these
7 issues from the assessments and organize them and then
8 feed back to the rest of the complex so that they can
9 feel confident? Really, it's the reinvestment of the
10 message.

11 MR. PODONSKY: Well, as you know -- and this
12 is not a paid-for political announcement, but as you
13 know, the position that I hold is a career position.
14 There was much controversy when it was created because
15 it was a political position. And I think the
16 sustainability of the safety, health, and security for
17 the workers and for the Department, it's critical that
18 it is not political. You should not politicize safety
19 and health of the workers.

20 So the constant reviews that we will be
21 doing that we are committed to in safety culture will
22 serve as a reminder on a regular basis, including when
23 the next administration comes in. And as the Deputy
24 Secretary mentioned, and I'll reiterate that point, it
25 is a constant. It is a journey. And it has to be

1 maintained at the same level, and it can't just be
2 something that comes and goes.

3 ISM is a great example. It was introduced,
4 as you recall, in 1994 by the Defense Board. And here
5 we are many years later, 18 years later, and we're
6 still very supportive of ISM. It's the only policy
7 that I have seen in my short 29 years at the
8 Department that has consistently been embraced by
9 every successive Secretary because it makes sense and
10 adds value. I believe that by putting safety culture
11 as part of the ISM guide, it will also stand a very
12 good chance of surviving many more Secretaries.

13 VICE CHAIRMAN ROBERSON: Okay. Are there
14 some key lessons learned from the reviews done so far
15 that you will make sure are incorporated in the future
16 HSS reviews as well as the self-assessments?

17 MR. PODONSKY: Yes, ma'am. One of the
18 things that we are learning, as I alluded to in terms
19 of behavioral science, is understanding how to reflect
20 what the people are telling us as opposed to
21 interpreting what they are telling us. We held
22 numerous focus group meetings across WTP and now
23 across the complex, and those focus group meetings are
24 where you get like people together in terms of at an
25 even level, not either supervisors or non-supervisors

1 in the same organization. And what you're eliciting
2 from them is their feelings and beliefs of an
3 organization, and it's critical that you use proven
4 survey methodologies to get at that hard core.

5 Mr. Bader was talking about metrics to the
6 Deputy Secretary, and if you'll allow me, I was
7 somewhat amused by the question because I remember
8 being asked by Frank Blake, our former Deputy
9 Secretary a few years ago who's now the Chairman of
10 the Home Depot and doing quite well, but he had asked
11 us at the time, the independent oversight, to do a
12 metric development, performance metrics, for NNSA and
13 then also one for Energy at the time, in which
14 Undersecretary Bob Card was the Undersecretary and
15 John Gordon was the Administrator at NNSA.

16 And my point here is that when I went to
17 both of them, they both had different metrics of value
18 to them and they were completely different than what
19 Frank Blake had. So, in terms of how do you measure
20 where we're going in terms of how do you document and
21 how do you impress upon it, I think it's going to be
22 tailored to the individual mission, the individual
23 site. But above everything else, it's going to be
24 totally up to the leadership of the Department to
25 embrace, like they did ISM, embrace the safety culture

1 concept.

2 VICE CHAIRMAN ROBERSON: Well, as we sit
3 today -- just one last question, Mr. Chairman.

4 CHAIRMAN WINOKUR: Sure.

5 VICE CHAIRMAN ROBERSON: As we sit today,
6 what is it that you expect will be HSS's role in
7 assuring that these actions are implemented that are
8 resulting from these assessments?

9 MR. PODONSKY: Well, I have every
10 expectation that HSS will continue to be the
11 independent arm for oversight for environment, safety,
12 health, safeguard security, cybersecurity. And we
13 will continue on this journey with safety culture
14 because we believe safety culture is key to making
15 sure that the missions actually are going to be
16 completed on time within cost because, as I said in my
17 opening statement, if you take care of the people, the
18 people will take care of the mission. If the people
19 believe that the leadership is really behind their
20 being able to go home safely every night from their
21 project, then they will be not distracted and be able
22 to work on the projects, knowing that they're working
23 in a safe environment and have no fear of raising
24 issues.

25 And one other point if I might. It wasn't

1 so much a fear that we found at WTP. It was the
2 concern that people didn't care to listen, and that is
3 almost as bad as being afraid to raise an issue.

4 VICE CHAIRMAN ROBERSON: Thank you. Thank
5 you, Mr. Podonsky.

6 CHAIRMAN WINOKUR: Mr. Bader.

7 MR. BADER: Mr. Podonsky, based on what
8 you've seen from these different reviews so far, can
9 you make a determination of what the role the contract
10 plays in the safety culture, in other words, how it's
11 incentivized?

12 MR. PODONSKY: As I said earlier, it's a
13 little early to tell as to all of the contracts. But
14 what we have seen thus far is it doesn't give us
15 concern that the contractual basis is driving safety
16 culture down. And some of this is conjecture on
17 limited data points, but it goes back to leadership.
18 It goes back to expectations. And I think that if you
19 look at the Department of Energy over the last 30
20 years, that's been a precept throughout, and that is
21 what is the leadership at the sites, the site offices,
22 the contractors? What are they motivated by? Are
23 they encouraged for focusing on safety, or is the
24 encouragement meeting the contract on cost and
25 schedule?

1 And if the message isn't clear from the very
2 top of the Department, then there's confusion in the
3 field. When the message is crystal-clear, we don't
4 see that confusion. Part of the issue over the years
5 in the Department has been what are the roles and
6 responsibilities in the Department. And I realize
7 this is adding more to your question, but I think if
8 you're going to get at those types of questions that
9 you're posing, you really have to understand that it's
10 much more complicated than just is the contract being
11 incentivized to ignore safety.

12 We haven't seen any evidence of that. We
13 believe thus far -- and again, we're just beginning on
14 this journey. We're realizing that it really is about
15 leadership throughout the entire chain because what
16 the managers and the leaders, both contractor and fed,
17 say and what they see and what the workers see is how
18 they're going to carry the work out.

19 But to the point directly, we haven't seen
20 any evidence that would give us concern thus far that
21 the contracts are the problem.

22 MR. BADER: Do you think conversely that
23 incentivizing the contracts would be helpful to
24 leadership?

25 MR. PODONSKY: That's a very difficult

1 question because then the question becomes what do you
2 really believe. Is that your belief, or are you just
3 following the contract? Incentivizing means what,
4 meaning a greater financial remuneration? I'm not
5 sure that that's where it comes from. I think it
6 comes from the individual desire and values. And if
7 your values are as I believe the Deputy -- as he
8 expressed today, if those are your real values, your
9 incentive comes from within.

10 We had a Secretary of Energy out of one of
11 the nine that I worked for, who I won't mention, who
12 believed in safety as such a core value that when they
13 came to the Department, the first thing they did is
14 they were inspecting the Forrester. I don't know what
15 he was inspecting for, but he took it upon himself to
16 go inspect because I understand that during a previous
17 part of his career somebody died in one of his
18 organizations and that made a lasting impression. So
19 it goes beyond the contract incentivizing. I think it
20 has to be the core value of the individual.

21 MR. BADER: Thank you.

22 CHAIRMAN WINOKUR: Dr. Mansfield.

23 DR. MANSFIELD: Thank you, Mr. Chairman.
24 Mr. Podonsky, I paid particular attention to your
25 second study. It demonstrated to me that there's

1 probably always going to be a dramatic difference
2 between studies of safety culture done by self-
3 assessment and studies of safety culture using the
4 best available external experts to move things along.
5 So my question is will the upcoming assessments,
6 safety culture assessments at site offices and
7 facilities and headquarters, program offices, will
8 they be carried out with external help as well?

9 MR. PODONSKY: It's a two-part answer. We
10 have continued to use the expertise that we used at
11 WTP throughout, and we will continue to use that
12 expertise. We're even utilizing that same group to
13 provide training for HSS. We're also going to use
14 that expertise at our National Training Center to make
15 sure that that's available and we can start providing
16 that expertise throughout the complex.

17 Whether or not the programs individually
18 come to that same conclusion, I'm not certain, but I
19 believe that they're seeing the results. As the
20 Deputy mentioned in his answer to some of the
21 questions, he was in fact quite amazed at the
22 difference between the 2010 report results and the
23 results of 2011. So I do believe that because of the
24 expertise that the behavioral scientists are showing,
25 I believe that the program offices, the site offices

1 will use similar third parties to help them if they
2 don't have the expertise themselves. And where they
3 don't have it, we hope to provide some of it through
4 our National Training Center.

5 DR. MANSFIELD: Thank you, Mr. Chairman.

6 CHAIRMAN WINOKUR: Mr. Podonsky, your
7 organization obviously played an incredibly important
8 role in understanding the safety culture at the Waste
9 Treatment Plant. Let me say parenthetically something
10 I've never said publicly before, but the Board, which
11 deals with projects all over the Department of Energy
12 complex, knows what safety culture looks like too, and
13 we didn't really discuss this very much in terms of
14 the recommendation because we didn't, you know, want
15 this to be an issue of the Board's perspective versus
16 the Department's perspective.

17 But, you know, we understand what a good
18 safety culture of a project is just by dealing with a
19 project. But you brought some very new tools here and
20 new insights. You brought experts in. You made the
21 point that you don't just use nuclear experts, you use
22 nuclear safety culture experts to do things. Do you
23 have any feeling about other things you're going to do
24 to expand your ability to assess safety culture?

25 MR. PODONSKY: Well, you don't tinker with

1 success, so we're going to continue using that model
2 throughout, as well as, as I mentioned, that we are
3 doing our own training in the organization utilizing
4 the same experts.

5 The other thing we're doing is we're doing a
6 safety culture assessment on ourselves, on HSS, to get
7 a sense of where we are because, as you may recall,
8 HSS is a conglomerate of many offices over time and if
9 we're going to walk the walk, we need to examine
10 ourselves as well. So we're exploring lots of
11 different ways to better ourselves, to assist the
12 Department.

13 The Deputy the last time he appeared before
14 you all in public session, he talked about HSS having
15 a duality role, and that duality role is to provide
16 independent inspection capability for the Department
17 in the many areas that we're responsible but also to
18 provide assistance. And on the assistance part, this
19 is where we think that we need to redouble our efforts
20 in helping the field and the program offices
21 understand the a-ha moment that we received when we
22 went back out to WTP.

23 CHAIRMAN WINOKUR: Do you think DOE senior
24 leadership -- are they supportive of your activities,
25 fully supportive? Do you have the support you need to

1 continue to maintain this capability or perhaps grow
2 it?

3 MR. PODONSKY: The answer is yes, I believe
4 that's the case. No one has stopped us yet. That's
5 not a metric, but it's a reality. And I do believe,
6 as I said before, and I'll just iterate the point, I
7 believe the Deputy and the Secretary are in fact very
8 reliant on what HSS brings to the table. And like
9 many Secretaries before them, they don't always like
10 to hear the message simply because sometimes it comes
11 as a surprise. But we're still here, and I think,
12 like the Board still being in place, I think it's a
13 testament to the roles that our organizations serve.

14 So, in short, yes, I do believe we have the
15 support of the current administration.

16 CHAIRMAN WINOKUR: Okay. How about metrics
17 again, that question of how you're going to measure
18 the success of the safety culture? The Board's
19 hearings at Hanford were very focused on the
20 relationship between the safety culture and the
21 resolution of technical issues. And clearly, if you
22 don't have people raising issues and they're not
23 resolved, you know, we saw situations where issues
24 weren't being addressed for years, sometimes a decade,
25 at a project because they were just too difficult for

1 workers to get them in front of their management, who
2 had other priorities. So is that a metric that you
3 think is a good one, or are there other metrics that
4 we asked the Deputy this, that you're planning to use?

5 MR. PODONSKY: We don't have a defined set
6 of metrics that we are currently exploring. We're
7 trying to get our arms around the first part that I
8 mentioned, is making sure that the message and the
9 seriousness of safety culture gets out there. And the
10 reason I say that in terms of how we're going to
11 measure it -- it's still a journey that we're on -- is
12 because of just like I mentioned, giving the example
13 of Frank Blake and Bob Card and John Gordon, different
14 things are of different value to different managers.

15 Different metrics, whatever they might be,
16 are going to have a different value. If you don't
17 have people bringing issues forward, that's not
18 necessarily a good metric. That may be the complete
19 antithesis. So finding those metrics that you know
20 that you're achieving what you're achieving is going
21 to be very difficult. And to say anything otherwise I
22 think is a little naive in terms of how you're going
23 to measure whether you're successful or not, because
24 this is a very complex situation. It's taken decades,
25 decades for the Department to come to the realization

1 of the importance of safety culture and the subset of
2 the Safety-Conscious Work Environment to address
3 technical matters.

4 So I don't mean to be cavalier on the
5 question. It's just that I have a professional and
6 personal opinion that like economists you can lay them
7 all end to end. They don't come to a conclusion. And
8 metrics are important, but unless you get the right
9 ones, you might be chasing the wrong measure. To me,
10 it's going to be a constant being out there, not just
11 the all-hands meetings that the Deputy was talking
12 about, but it has to be the managers, the site
13 managers, the contract managers that are out there
14 actually walking the space with their workers.

15 In fact, if I can, if you'll allow me, I'll
16 give you an example. I talked to a manager recently,
17 a contract manager, who was experiencing a problem
18 with a worker, and when we talked -- and it doesn't
19 matter what site it was at, but when we talked, I had
20 suggested, you know, maybe you ought to just cut to
21 the chase and go ahead and talk to the worker yourself
22 and leave your lieutenants behind. And the individual
23 did that, the manager did that and called me back and
24 told me what a great experience it was because he
25 discovered that he could actually find truth in going

1 out and talking to the people. Not that he didn't
2 seek it before, but it's like everybody else in senior
3 management positions. We have filters and if those
4 filters are in place, you don't get to the
5 groundswell.

6 So the same thing with metrics. I have a
7 little bit of a problem having gone through that
8 experience with Frank Blake and Bob Card because I
9 discovered very early on just how varied those metrics
10 are and what they mean to other people.

11 CHAIRMAN WINOKUR: I had asked the Deputy a
12 question before about perhaps the challenges
13 associated with a lab like Los Alamos where you have
14 R&D efforts, a duality with R&D efforts on one side
15 and production on the other. Do you see that as an
16 especially difficult challenge?

17 MR. PODONSKY: I would answer it this way.
18 And with CMRR, I will tell you since we actually
19 issued the report we do have concerns with NNSA and
20 CMRR in terms of safety culture and their
21 understanding of it. But I would tell you when we
22 were doing WTP, one of the comments made out at the
23 site to our behavioral scientists was, well, you don't
24 understand the issues out here. We're a construction
25 site. We're not nuclear. And the response by our

1 expert was, after doing this for 30 years all around
2 the world, it doesn't matter what the expertise is.
3 It's what are your values.

4 So I will tell you, whether it's engineering
5 or research, it doesn't matter. It's what are the
6 values. And those values exist across the board, and
7 do they place safety as the highest value.

8 In the English language, it's very unique.
9 When you say safety is intrinsic to the work, does
10 that mean it's equal? Does it mean that it's more
11 important? In my vernacular, it has to be the number
12 one of importance. Some people will equate intrinsic
13 to equal. And regardless of whether it's a research
14 organization or an engineering, just to iterate, and
15 I'll reiterate the point, it's all about the values of
16 the people there.

17 CHAIRMAN WINOKUR: Let me just follow that
18 up very briefly. The INPO definition of safety
19 culture says safety is an overriding priority. It's
20 not the definition the Department has chosen. I mean,
21 the Department's vision is really one of the fact that
22 -- well, you know the words. Instead of an overriding
23 priority, it says the safe performance of work is
24 performed to protect the public, the workers and the
25 environment. Do you think that in any way says that

1 safety is not an overriding priority?

2 MR. PODONSKY: In listening to the
3 leadership of the Department, I believe, regardless of
4 the phrase, I believe they think it is a number one,
5 overriding priority.

6 CHAIRMAN WINOKUR: Okay.

7 MR. PODONSKY: Okay? We heard the Deputy
8 talk about it. He was here for an hour and 10
9 minutes. He answered all the questions. He didn't do
10 it reluctantly. I thought he did very well in his
11 answers and I thought he was very sincere. That's
12 what I was looking for.

13 CHAIRMAN WINOKUR: Thank you. Dr.
14 Mansfield.

15 DR. MANSFIELD: Thank you, Mr. Chairman. At
16 the March 22 hearing at Hanford, someone -- I believe
17 it was Mr. Hutton -- used the following words:
18 "Overall, there's a reluctance to raise safety
19 concerns at ORP and BNI, and within certain groups at
20 BNI, there's a fear of retaliation. The approach to
21 safety and safety culture, it is highly proceduralized
22 around WTP and not yet internalized at all levels of
23 the organization. WTP managers don't have a full
24 appreciation for the current culture or the level of
25 effort needed to foster a healthy safety culture."

1 I think that is captured somewhat in your
2 remark that you have to understand this was a
3 construction site, not a nuclear site. I thought
4 those were useful remarks, and I'd ask what progress
5 has been made identifying the root causes of these
6 safety culture problems in ORP and BNI.

7 MR. PODONSKY: Well, first, the number one
8 progress that has been made is -- who you'll be
9 hearing from shortly, I'm sure, Dave Huizenga. Dave
10 Huizenga -- and I'm not here to give him a
11 testimonial, but I will tell you that Dave Huizenga
12 embodies what we expect from Department's leadership
13 of such a major function like the EM organization. He
14 is sincerely interested in making sure that safety
15 culture is taken seriously by all of his staff at
16 headquarters as well as in the field and by the
17 contractor. He has been out multiple times to
18 Hanford, which in many Assistant Secretary equivalents
19 I have not seen that, multiple trips. And it's not
20 because the Secretary is sending him. It's because
21 he's taking the initiative.

22 So it starts with the leader, and you have
23 that in Dave Huizenga. And then when you carry it
24 right on through to ORP with Scott, I see the same
25 thing. And then you take it down to Frank Russo, it's

1 the same thing. The leaders get it. They understand
2 it. That's your number one change. They didn't all
3 get it previously, in the same way HSS did not fully
4 understand the magnitude of the problem.

5 Once that change gets inculcated in the
6 operation, that's when we're going to see real
7 changes. I know that the contractor in collaboration
8 with the site office, ORP, are doing their level best
9 to get to the heart and soul of what are at the root.
10 They're doing their own surveys. There's another
11 question on doing your own survey because you want
12 proven methodologies, not just what you think is good.

13 But the steps that they are taking is bar none what
14 you would expect after the types of reports that have
15 been written both by yourselves and our folks here.
16 But as I said earlier, it's a journey, and we've just
17 begun that journey. But I have every confidence that
18 with the leadership that we have both back here at
19 headquarters, there in the field and the contractor,
20 there's no reason for them not to be successful.

21 And I'm not one to predict, but I would say
22 that they will probably serve as a model for the other
23 sites that don't necessarily get it yet. And if they
24 don't serve as a model, then shame to the other sites
25 for not, you know, collaborating with them to

1 understand lessons learned.

2 DR. MANSFIELD: Good. Thank you, Mr.
3 Chairman.

4 CHAIRMAN WINOKUR: Mr. Bader.

5 MR. BADER: Mr. Podonsky, you've been around
6 a good 20 years plus. Can you summarize in your
7 opinion what you think the safety and the safety
8 culture trends are that you've seen over that period
9 in the Department?

10 MR. PODONSKY: Not to sound like a broken
11 record, but I would say we're just on this journey
12 now. Previously, to the last three or four years, we
13 had safety culture discussions within the EFCOG
14 [Energy Facility Contractors Group] community, and
15 you're familiar with EFCOG. We've had this ebb and
16 flow. We've had different Secretaries focus on it,
17 focus on security, which is also part of our
18 portfolio. As of the last three years and especially
19 the last year, we see a marked improvement in the
20 understanding and appreciation of what it takes to
21 have a safety culture in place.

22 That's not to say that we don't have a good
23 safety record. The Department has a good safety
24 record. We have some blemishes, and those blemishes
25 obviously, as I mentioned in my opening remarks, were

1 part of the reasons that the Board was created, to
2 make sure that we just didn't rely on contractor
3 assurance and that there was competent federal
4 oversight both at the line and at headquarters.

5 So we see the arrow going pointed up, that
6 we're in a better place today. And again, as I said
7 earlier, this is not a paid-for political
8 announcement, but the Board has played a significant
9 role in this in your 23 years of existence. There has
10 been many opinions written about the Board and you
11 didn't ask, but I'll give you mine. I think the Board
12 has provided some real value over your existence.

13 If we step back and look at what the role
14 is, providing advice to the Department and to the
15 Secretary and overseeing nuclear safety at defense
16 facilities, the aggregate is very positive. Not
17 everybody would agree with that. As we know, not
18 everybody agrees that HSS is a valuable asset right
19 now. But irrespective of that, I think that where
20 there are metrics that we would apply, we would see
21 that the arrow is up, and part of it is because of the
22 current governance model that we have, with the Board,
23 HSS and the line oversight functions.

24 MR. BADER: Would you care to project what
25 the future trend might be?

1 MR. PODONSKY: Well, if I believe everything
2 I've spoken about today, I think that the trend is
3 positive, and I think as long as the Defense Board
4 remains intact and HSS remains intact, I think we'll
5 be able to encourage the Department to continue that
6 positive trend.

7 MR. BADER: Well, I hope you're right
8 because I can remember 20-plus years ago when I was
9 astounded to find out there were some sites where DOE
10 personnel were not allowed on without an escort. So
11 that was then. Thank you.

12 MR. PODONSKY: May I make a comment?

13 CHAIRMAN WINOKUR: You may.

14 MR. PODONSKY: I actually had -- and I won't
15 mention the lab. I had a lab director tell me in 1985
16 during an inspection, Mr. Podonsky, if you were any
17 good, you'd work for the lab. So we fully understand
18 your experience.

19 CHAIRMAN WINOKUR: I don't think I'd touch
20 that one.

21 (Laughter.)

22 CHAIRMAN WINOKUR: You had your statement at
23 the beginning, and you did mention things that are
24 taking place today on Capitol Hill with bills and
25 legislation. There are new models being looked at,

1 the use of OSHA, whether it should be prescribed for
2 non-nuclear operations, discussions about performance-
3 based oversight and transactional oversight. Two
4 questions actually. I mean, any other thoughts you
5 have about that based upon your 30 or 40 years
6 experience in the Department? And in terms of safety
7 culture, what kind of a message would that send to
8 workers in the field? When workers are told that this
9 is the way we're going to do business now as opposed
10 to how we were doing it in the last 20 years, what do
11 you think that says to them?

12 MR. PODONSKY: Well, as you know, the
13 executive branch never really makes full comment on
14 pending legislation. However, since you're asking the
15 question, in my opinion, as I just stated, the current
16 governance model of the Department is the model that
17 serves both the American people and the workers quite
18 well. There is a check and balance between the
19 Defense Board, HSS, our predecessor organizations and
20 the line. When there are proposals, and this is not
21 the first time this has occurred, but when there are
22 proposals that you go back to the model of the 1980s,
23 what you're doing is you're sending a message that
24 worker health and safety is not as important. And so
25 that's why I'm sure that the administration took a

1 strong position in their SAP [Statement of
2 Administration Policy], as I quoted from, and is
3 opposed to the changes that are being discussed.

4 Previously, those changes were discussed
5 back in the '90s, going to an NRC model, going to an
6 OSHA model. And I've talked to many of the
7 Commissioners, most recently at NRC, and they also do
8 not believe that that is the way to go because we
9 don't license our facilities. We have a different
10 type of operation, different hazards. We went and
11 actually talked to the OSHA Administrator, who feels
12 the same way. They would like to move more towards
13 our model of worker health and safety than us going to
14 their model. So I think those people who are
15 knowledgeable and experienced and have seen this cycle
16 are of the same opinion as far as I can tell that this
17 is the best way to protect the workers and get the job
18 done.

19 You asked what would the workers think, and
20 I think I just said, but I'll just iterate, it is kind
21 of how WTP got into difficulties if they didn't feel
22 they could raise issues. And if we go to a new model
23 where the contractors are left to their own devices --
24 not that they're not well-intended, but if they're
25 left to their own devices, just human nature, if there

1 is no check and balance, we will have issues similar
2 to what we experienced back in the '80s.

3 CHAIRMAN WINOKUR: Thank you. Are there any
4 other questions?

5 (No response.)

6 CHAIRMAN WINOKUR: We really appreciate your
7 time. Thank you very much, as always. And I think
8 you're going to stay on this third panel. I believe
9 we're inviting you to do that perhaps.

10 (Laughter.)

11 CHAIRMAN WINOKUR: Perhaps you don't have
12 time, so we'll see.

13 MR. PODONSKY: Should I move further to the
14 right?

15 CHAIRMAN WINOKUR: Yes, that will be fine.
16 Thank you. So we'd like to invite the rest of the
17 panel of witnesses from the Department of Energy
18 headquarters to take their seats as I introduce them
19 for the topic of this panel session, which is Line
20 Management's Actions to Evaluate and Address Safety
21 Culture Issues Across DOE's Defense Nuclear Facilities
22 Complex.

23 Mr. David Huizenga is DOE's Senior Advisor
24 for Environmental Management. And Mr. James Hutton is
25 DOE Environmental Management's Chief of Nuclear Safety

1 Advisor. He is DOE Environmental Management's Chief
2 Nuclear Safety Advisor. And I've asked you, Mr.
3 Podonsky, to stay on the panel. We'll direct our
4 questions to individual panelists. If other panelists
5 want to seek recognition, please get the attention of
6 the Chair.

7 Does anybody here wish to submit a written
8 statement?

9 MR. HUIZENGA: I would like to, Mr.
10 Chairman. Is that better? I have something I
11 wouldn't mind submitting for the record, Mr. Chairman.

12 CHAIRMAN WINOKUR: Okay. Thank you very
13 much. With that, we'll begin the questioning with Mr.
14 Bader.

15 MR. HUIZENGA: I think he took a quick
16 break.

17 CHAIRMAN WINOKUR: Okay. Then I will do the
18 first question. We've seen the results of the
19 assessments by the HSS organization and the results of
20 the Board's recommendation, and I'm very encouraged in
21 terms of what I've seen by the Office of River
22 Protection. I see a renewed vigor out there. I think
23 issues are being raised. The federal workforce seems
24 very motivated. In my opening testimony, I talked
25 about the fact that they've submitted a plan for

1 improvement, which seems outstanding and excellent.

2 But I still am -- and I said this at the
3 hearing we had in March -- still a little bit hesitant
4 about the contractor. So I guess there's a few
5 questions. How do you feel right now about the
6 contractor's view towards safety culture, and have you
7 had a chance to review their plan that they're
8 submitting for improvement in the safety culture?

9 And, Mr. Huizenga, I'm sorry.

10 MR. HUIZENGA: Sure. I'll start, and then
11 if you don't mind, perhaps I'll ask Mr. Hutton to
12 help. I think we're making improvements. I don't
13 think we're probably completely there yet, but we see
14 evidence every day that the contractor is paying
15 attention to the safety culture issues. I personally
16 haven't read their recent report in response to the
17 HSS findings, but I've read the executive summary and
18 then thumbed through the other parts of it and I see
19 evidence there that they actually understand.

20 I think that we're on the road to recovery
21 in a sense because we're admitting we have issues, and
22 I think this came out clearly in the March 22 hearing.
23 You heard the Deputy Secretary again today and Mr.
24 Podonsky commit to accept the fact that we have some
25 issues that need to be dealt with and take the

1 challenge to try to address them.

2 CHAIRMAN WINOKUR: Have you reviewed the
3 testimony from the March 22 hearing where the Board
4 was asking questions of the contractor, Mr. Russo and
5 Mr. Kacich?

6 MR. HUIZENGA: I reviewed some of it, and I
7 was there of course.

8 CHAIRMAN WINOKUR: Okay. Once again, when I
9 read it, I didn't get the sense -- Mr. Russo
10 acknowledged that the HSS report was the definitive
11 report, but as the discussion went on, as the dialogue
12 continued, it wasn't as clear to me once again about
13 the contractor's sense of the project and its safety
14 culture, and so I'm just basically raising that to
15 you. And I know that you're looking at that.

16 MR. HUIZENGA: Yes. I can tell you that
17 these are complicated technical issues. Safety
18 culture is a difficult thing to put your thumb on in
19 my view. But I've had many personal conversations
20 with Frank and members of his staff. I've been in
21 meetings. We had a very productive meeting in the
22 preparation for the March 22 hearing where I got an
23 opportunity to watch him and his senior management
24 team in action, where the safety basis folks were
25 debating issues with the engineering team. And we

1 understood that there were some differences of opinion
2 and views. Mr. Russo and others were very frank about
3 the fact that there are issues that need to be
4 addressed, that nobody was sweeping them under the
5 rug.

6 CHAIRMAN WINOKUR: Have you seen the latest
7 contractor's plan for safety culture improvement?

8 MR. HUIZENGA: Again, I've looked at the
9 executive summary and am familiar with it.

10 CHAIRMAN WINOKUR: Okay. And it's
11 encouraging?

12 MR. HUIZENGA: Yes, it is.

13 CHAIRMAN WINOKUR: Thank you.

14 MR. HUIZENGA: And I guess if you don't
15 mind, just by way of opening remarks, to set the tone
16 for this, I listened to the discussion with the Deputy
17 and Glenn on metrics, and I would offer my own view on
18 metrics in addition to the fact that you might ask me
19 that question anyway.

20 I think that, you know, I've only been in
21 this particular role since last July, so it's all been
22 in a sense focused on safety culture since I came back
23 to EM. And I would offer that we actually feel as
24 senior managers, all the way down in the field,
25 empowered to make a difference on safety culture,

1 whether it's a combination of what you've done or
2 Glenn has done or other reviewers. But do you think
3 that if we weren't empowered by the Secretary and the
4 Deputy to actually have the freedom to raise these
5 issues that Glenn would have been able to actually
6 issue the January report? I doubt it.

7 I mean, he felt, you know, he had the green
8 light to do what needed to be done. I asked him to
9 accelerate the review. He went out there. We got a
10 review done, you know, perhaps a few months earlier
11 than we would have. I think that's evidence that
12 things are turning around.

13 On the sodium bearing waste facility at
14 Idaho, to their credit, the Federal Project Director
15 and the federal team and the contractor all decided
16 that they needed to take a pause, make sure they
17 understood because they were closing in on starting,
18 you know, getting ready to authorize startup of
19 operations. They needed to take a break and make sure
20 they got it right. That cost the contractor money.
21 It cost us some time. But in the long run, you know
22 now we're in the final stages of trying to bring it up
23 to full temperature and get going. I'm sure the
24 shortest distance between two points was actually to
25 take that pause.

1 In terms of slowing down and making sure you
2 know what you're doing, we're slowing down
3 pretreatment at WTP right now. The construction and
4 design issues are catching up with each other. Design
5 is, you know, proceeding well. We addressed some of
6 these technical issues, so we're not afraid to
7 actually take some time to work through these issues.

8 And of course we have a lot of pressure from
9 our regulatory agencies and from the state, as they
10 should, to keep us focused on dealing with 56 million
11 gallons of waste. But we're going to do it and we're
12 going to do it right.

13 And finally, I mean, I guess I'd just offer
14 a personal note. I shared this at an all-hands
15 meeting earlier this month. On the 9th of May, I was
16 at K-25 in Oak Ridge, and I had an opportunity to go
17 through the north tower for the last part of the
18 standing part of the K-25 gaseous diffusion plant, and
19 I have had a goatee or some kind of beard for most of
20 my adult life. Jessie knows probably I shaved it once
21 to go on Rocky Flats during one of Glenn's tiger teams
22 or somebody's tiger teams. I shaved it once on a
23 dare, and I was wondering what I'd be able to do to
24 get into the north tower. And I walked up there and
25 thought, I wonder if they'll make an exception for

1 Dave, you know. And when I got there, the Federal
2 Project Director handed me a can of shaving cream and
3 razor, and so, you know, I did what I needed to do and
4 we went in the facility with our masks on and we were
5 protected. But, you know, it starts from the top, and
6 we feel empowered to make a difference, and I think
7 we're on a path.

8 CHAIRMAN WINOKUR: Thank you for sharing.
9 Mr. Bader?

10 MR. PODONSKY: Excuse me. May I make a
11 clarification? We never did the tiger teams.

12 (Laughter.)

13 CHAIRMAN WINOKUR: All right. Thanks for
14 the clarification. Mr. Bader?

15 MR. BADER: Mr. Huizenga, one of the things
16 I think you've heard a theme today is talking not just
17 about safety culture but the practical impacts of not
18 having a good safety culture. And I wanted to ask
19 you, what is your view regarding the link between the
20 safety culture of an organization and its ability to
21 identify and resolve technical issues?

22 MR. HUIZENGA: I see a complete overlap and
23 a linkage between these two. As a matter of fact, I
24 think by largely what got us into the situation we're
25 in at WTP right now is we were faced with some

1 extremely difficult technical issues and we did a poor
2 job of explaining how we were working through them,
3 not necessarily -- I'm not saying that we weren't
4 actually doing a good job of working through them, but
5 we were not doing a very good job of explaining to
6 people how we were because people were raising issues,
7 and oftentimes people were working on those issues,
8 but the people who were raising them really didn't
9 have any clear, transparent understanding of what was
10 being done.

11 MR. BADER: Maybe I could ask the second
12 half of that to Mr. Podonsky as well. Are you seeing
13 unresolved technical issues related to poor safety
14 cultures in some of the other reviews that you're
15 doing?

16 MR. PODONSKY: I'm being pensive because I
17 want to make sure that I don't mischaracterize. But I
18 mentioned the focus groups that we did. It was
19 interesting. Out of 37 focus groups up at WTP and
20 another 50 around the complex, safety issues haven't
21 been raised. It's the process that people are talking
22 about, and that's where we're getting the information.
23 So as of right now, I don't have an affirmative to
24 give to you.

25 MR. BADER: Okay. Let me rephrase it. Then

1 I'd ask either to respond or maybe both. In the
2 converse, if you have an improved safety culture, does
3 that give you the confidence that a technically
4 complex large project would succeed?

5 MR. PODONSKY: If we accept that a Safety-
6 Conscious Work Environment is a subset of safety
7 culture --

8 MR. BADER: Or a facilitator.

9 MR. PODONSKY: -- then what you would have
10 is you would have an environment where people would be
11 willing to bring new dimensions and discussion about
12 technical issues and that you would have the
13 management receptive to that. So there's definitely
14 in our opinion a correlation between the ability for
15 people to raise technical issues or new innovative
16 ways of thinking of solving technical problems if
17 there's a strong Safety-Conscious Work Environment as
18 a subset of safety culture.

19 MR. HUIZENGA: Yes, I agree. And I think
20 maybe I wasn't very articulate before in trying to
21 explain. I think that these things, technical issues
22 and safety culture, are linked and are dependent on
23 each other. If you feel confident that you're not
24 going to have any retribution from raising what you
25 believe to be a technical issue that could ultimately

1 lead to a safety issue, then I believe that that type
2 of an environment where you feel free to raise these
3 issues is ultimately going to advance the program.

4 MR. BADER: Thank you.

5 CHAIRMAN WINOKUR: Ms. Roberson.

6 VICE CHAIRMAN ROBERSON: Thank you. Good
7 morning, Mr. Huizenga.

8 MR. HUIZENGA: Good morning.

9 VICE CHAIRMAN ROBERSON: In listening to the
10 last exchange, I guess it is important to me that
11 safety culture not appear as something esoteric or as
12 out there, that it actually is the way organizations
13 make decisions. And in this case, it's how they make
14 decisions about safety. It does say a lot about
15 leadership, as both the Deputy Secretary and the
16 Chairman said earlier. And so one of the conclusions
17 in the HSS report -- there were many that the Board
18 focused on and created concerns, but one of them I
19 want to talk about is the acrimony between engineering
20 and nuclear safety.

21 And I don't know. Maybe it's because of my
22 background. I think if you integrate safety early and
23 you have a quality engineering approach and good
24 design, construction is probably the easiest part of a
25 project. So to go back to the core of a disconnect

1 between nuclear safety and engineering was a bit
2 bothersome, and so one question I have for you, do you
3 believe that there is an improvement in that area at
4 WTP?

5 MR. HUIZENGA: I've been told there's an
6 improvement.

7 VICE CHAIRMAN ROBERSON: That wasn't quite
8 the question.

9 MR. HUIZENGA: No. I'm just being honest
10 with you. I witnessed the problem, and I haven't been
11 back to actually witness the improvement. Jim perhaps
12 has. Maybe I can ask him to help me.

13 VICE CHAIRMAN ROBERSON: Yes, that would be
14 great. Okay.

15 MR. HUTTON: Well, I would say -- is that on
16 or off? Is that on?

17 THE COURT REPORTER: Now it's on.

18 MR. HUTTON: Okay. I would say that they
19 might be headed in the right direction now. They
20 might have started to eliminate that barrier, that
21 gulf that existed there. We did see it at a meeting
22 that -- we saw it play out a couple months back.

23 Frankly, I guess almost a year ago when, you
24 know, I learned that there was this -- you used the
25 word acrimony.

1 VICE CHAIRMAN ROBERSON: Yes.

2 MR. HUTTON: Yes. I struggled with that,
3 you know, because of all my experience. The
4 engineering people that are doing the design are
5 always concerned about making sure about the safety
6 basis. In all my experience, I couldn't understand
7 how there could be a dichotomy there frankly. And
8 then I got a little smarter about how the organization
9 was structured and that sort of thing and some of the
10 other factors that played into WTP's history with the
11 implementation of 3009 and so on. Then it became
12 clear, you know, the kinds of things that might be
13 driving that I think.

14 And so I will say in the BNI plan that's one
15 of the things they know they need to address and they
16 call out as an area that they're going to address.
17 We'll see how that works out.

18 VICE CHAIRMAN ROBERSON: We really struggle
19 with this one because it's so core to everything that
20 is done in the Department, every activity. And, you
21 know, I understand you say -- I don't want to put
22 words in your mouth, but is it your view that there is
23 confusion about the expectations for safety in the
24 project? I mean, what do you think --

25 MR. HUTTON: I think there was clearly

1 confusion about the expectations for the use of 3009
2 in the design, and that was evident during the last
3 construction project review when we were out there.
4 You know, it surprised me greatly that that was a
5 point of confusion. I think that's on the way to
6 being resolved with the contract change that was done
7 last fall. It was November or December about that
8 included standard 3009 in the contract. I think that
9 was a big step forward. I think the letter that the
10 Federal Project Director wrote making clear that DOE
11 had not approved any alternative to 3009 under 830, I
12 think that was an important step. But as of last
13 week, the procedures are not in place that would have
14 the safety basis be developed strictly in accordance
15 with 3009. Those procedure revisions are not all yet
16 approved unless that's happened in the last couple of
17 days.

18 VICE CHAIRMAN ROBERSON: But that is
19 expected to occur?

20 MR. HUTTON: Yes. And that is also an item
21 in the BNI plan.

22 VICE CHAIRMAN ROBERSON: And I guess my last
23 question to you, Mr. Podonsky, is, is this a focus
24 area in your other assessments?

25 MR. PODONSKY: Yes. Yes, it is.

1 VICE CHAIRMAN ROBERSON: Okay.

2 CHAIRMAN WINOKUR: Well, before I turn it
3 over to Dr. Mansfield, are you going to take any
4 specific actions to assure yourself that that linkage
5 is working well? It is so critical to the project. I
6 get varying reports. I don't have your insight into
7 what's going on. It doesn't sound like things are
8 exactly moving in the right direction, but I may be
9 misunderstanding things. Is it your sense that
10 there's a good positive trend there that the
11 engineering and design organizations are now
12 communicating pretty effectively?

13 MR. HUTTON: I think they are communicating
14 better than they were clearly. There's no doubt about
15 that. I just don't think they're there yet.

16 CHAIRMAN WINOKUR: Well, I see the ORP
17 manager, Mr. Samuelson, shaking his head up and down,
18 so he also concurs with that. So that's also good
19 reinforcement.

20 MR. HUTTON: And one of the things that we
21 put in place is a safety basis review team, which has
22 membership from both our office at headquarters,
23 obviously Office of River Protection folks and some of
24 Mr. Lagdon's staff in order to review all the aspects
25 of the safety basis for WTP. And so I think that will

1 give us a good window into what's happening there.

2 CHAIRMAN WINOKUR: Okay. Thank you. Dr.
3 Mansfield.

4 DR. MANSFIELD: Thank you, Mr. Chairman.
5 Before I ask my real question, I'd like to make one
6 comment on what Mr. Hutton said. In my view, the
7 engineering and the nuclear safety organization don't
8 -- there is no requirement for them to easily reach
9 agreement. They don't even have to be nice to each
10 other. But, you know, they do have to understand that
11 they eventually have to come to an agreement and that
12 there is no guarantee to be easy.

13 I spent some time at NASA, and believe me,
14 they were at each other's throats all the time. But
15 these problems can be solved. So my question to Mr.
16 Hutton is you know our acceptance letter for the
17 implementation plan requested that DOE update the plan
18 to reflect what you've achieved so far. How is that
19 coming, and can you describe some of the changes that
20 you might make in the plan?

21 MR. HUTTON: Yes. And Mr. Huizenga did
22 write back and inform you of our thoughts on that. We
23 wanted to review the action plans that both ORP and
24 BNI developed. We also wanted to attend this meeting
25 because we thought there might be some insights out of

1 this meeting that would be useful in informing any
2 proposed, you know, additions to the IP. And I will
3 tell you one thing that crosses my mind as being
4 pretty important is that in the -- and it's the topic
5 we were just talking about actually. In the HSS
6 report, one of the things they pointed out was that
7 the safety basis development processes, because they
8 weren't, you know, fully aligned with 3009 was in fact
9 a driver of safety culture problems and was a driver
10 of some of this acrimony, as you say, between the
11 nuclear safety folks and the engineering folks. It
12 was a driver for that. And that's a candidate I think
13 for something that could be added to the IP because
14 it's not in there in that vein now. That's one thing
15 that I have on my radar screen right now.

16 DR. MANSFIELD: Mr. Chairman, I'm finished.
17 Thank you.

18 CHAIRMAN WINOKUR: Ms. Roberson.

19 VICE CHAIRMAN ROBERSON: Just a couple of
20 last questions. So, Mr. Huizenga, I understand you
21 encouraged and you rushed Mr. Podonsky along as he
22 went through all your books and talked to all your
23 people, and I sincerely believe your statement that
24 you welcome that as a manager. How is the rest of the
25 organizations and your contractor's view? Do you

1 think they've welcomed it?

2 MR. HUIZENGA: I think the federal staff
3 actually is perfectly fine with it. The HSS people
4 are continuing their extent of condition reviews, and
5 they're reviewing Environmental Management
6 headquarters, or they recently completed the review.
7 I think they're probably writing things up now. And
8 we had a number of groups of people get together and
9 talk to Glenn's interviewers, and I heard that there
10 was some good back-and-forth interaction.

11 I was interviewed myself. I found it useful
12 to be able to share my views. So the contractors, I
13 can only tell you that, you know, my conversations
14 with both Frank and with Frank's boss are giving me a
15 sense that we're on the same team. The contractor nor
16 Jim or myself will pretend that we've got all the
17 problems solved and, you know, we're just kind of
18 tidying things up and moving on.

19 We have major technical issues that need to
20 be resolved. And as we talked before, those linkages
21 to safety culture now, I think people at the site --
22 I've been in meetings with people at the site who have
23 raised the technical issues and have also raised them
24 in conjunction with the safety culture linkage, and
25 we've had positive meetings that I've been personally

1 in, and more recently staff has been out there and had
2 very open two-day discussions of flowsheet changes,
3 technical issues that may be pursued in order to solve
4 some of the mixing and erosion/corrosion issues that
5 were brought up at your last hearing. So I'm
6 encouraged that at both the contractor level --
7 contractors are there as well as the federal staff --
8 that the team is actually focused on solving the
9 problem.

10 VICE CHAIRMAN ROBERSON: When you break
11 through, I would expect either your contractors or
12 your workforce would also be identifying opportunities
13 to even improve the effect and the conduct of Mr.
14 Podonsky's assessment. So have you got any
15 suggestions from either on how to improve them?

16 MR. HUIZENGA: Yes. No. I'm glad you
17 brought it up. I'm sorry, because the whole DPO
18 process and the employee concerns program -- Glenn's
19 folks again were out there recently helping us
20 identify -- and the employee concerns program -- some
21 additional issues. And Mr. Hutton has sent a team of
22 experts out there to work with Scott Samuelson and
23 others.

24 Again, this was an issue that again, as I
25 mentioned earlier, in terms of transparency and

1 communication, if people are raising issues, they need
2 to know what we're doing with them. And we're trying
3 to make some improvements in that regard. So the
4 people make those suggestions, we're taking those very
5 seriously. The DPOs, I think people are using the
6 process effectively now, and there's evidence of this
7 in the erosion/corrosion area. We probably can end
8 the DPO itself because it's been overtaken by events
9 and merged into just fundamentally an issue that
10 everybody agrees needs to be addressed.

11 VICE CHAIRMAN ROBERSON: Okay. Thank you.

12 CHAIRMAN WINOKUR: Mr. Bader.

13 MR. BADER: Mr. Huizenga, I note in your
14 written remarks that you plan to increase the award
15 fee in the contract for WTP. And I would go to the
16 same questions that I asked Mr. Podonsky before. Can
17 you describe the role that you feel the contract
18 played in driving the issues that developed at WTP?
19 Do you feel that the contract -- maybe a better way to
20 put it is do you feel the contract drove any of those
21 issues?

22 MR. HUIZENGA: You know, to be honest with
23 you, I'm not sure whether they --

24 MR. HUTTON: Maybe I can just comment just a
25 little bit if you don't mind.

1 MR. HUIZENGA: I'll just give you a hint of
2 what I think, and then Jim can correct me if need be.
3 I mean, we've made some adjustments now, and I think
4 that they're appropriate. We're going to put some
5 additional emphasis in the ORP on safety and safety
6 culture. I think that's as it should be. But I don't
7 know whether if we had made those adjustments two
8 years ago whether we wouldn't have had any issues. I
9 don't know. It's perhaps a little hard to say. Jim,
10 maybe you can help me.

11 MR. HUTTON: Yes. I guess I'm of the Aubrey
12 Daniels school that, you know, whatever we're getting
13 is what we're reinforcing. So I think that what we
14 found when we reviewed the contract and what we heard
15 from people is that some of the priorities that the
16 contract was establishing were a contributor to the
17 priorities not necessarily being appropriately
18 balanced the way we'd like them to be. And what we
19 found was not so much what was in the contract but in
20 some cases what wasn't in the contract. And that's a
21 little different. That's quite, as you think, a
22 little differently.

23 We did substantially change the -- I'll get
24 the title of this document correct -- performance
25 evaluation and measurement plan, which is an every-

1 six-month award fee breakdown, and we did
2 substantially change the incentive and added over
3 about a million dollars of available award fee focused
4 on nuclear safety and nuclear safety and quality
5 culture. It's much more balanced now than I think
6 that it was, and I think that's an important factor.

7 MR. BADER: I just remember when I used to
8 do things like read contracts and figure out what I
9 was going to do next, you read the contract to figure
10 out what the customer wanted.

11 MR. HUTTON: Yes, I don't disagree.

12 MR. PODONSKY: Mr. Bader, I'd like to
13 amplify on the witness from the second panel on the
14 question asked earlier on contracts, and that is the
15 WTP team did find in fact an extensive focus on cost
16 and schedule and nearly silent on safety, which we
17 hadn't seen at the other sites. So while I still
18 maintain and support the witness's answer to the
19 second panel, I just wanted to amplify that, that
20 there was evidence that the language, as Mr. Hutton is
21 saying, was absent in terms of safety. It wasn't as
22 apparent.

23 MR. BADER: Mr. Huizenga, let me go back to
24 you, thank you, and ask if you plan to evaluate future
25 contracts in light of this kind of an answer.

1 MR. HUIZENGA: Yes, we do. We'll be in the
2 award fee in the next six-month period. We'll pay
3 attention to it and make some adjustments similarly to
4 what we've made now. But more broadly, you know,
5 we're in the process of rebaselining the project, and
6 we'll be in some contract negotiations subsequent to
7 that, and we'll focus on safety at that time as well.

8 MR. BADER: Thank you.

9 MR. DWYER: Mr. Huizenga, I think actually
10 you answered the question on the focus --

11 THE COURT REPORTER: I'm not sure your mike
12 is on.

13 MR. DWYER: Is it on now? Mr. Huizenga, I
14 think you answered the question focused on WTP. What
15 about for the broader range of EM contracts? Is there
16 any plan to look at other contracts?

17 MR. HUIZENGA: Yes. We take this seriously,
18 not just at Hanford.

19 MR. DWYER: Thank you.

20 CHAIRMAN WINOKUR: So the project at WTP at
21 least had experience with its own self-assessment, one
22 that the contractor performed, and then independent
23 assessments by HSS where they used some outside
24 experts. And going forward in the implementation
25 plan, some of the sites, some of the activities will

1 initially begin with the self-assessments. Do you
2 have any sense of how confident are you based upon
3 your experience so far that that approach is going to
4 give you good results, results you're confident in, or
5 do you think you're always going to be in a position
6 where you're going to want to at least initially turn
7 to HSS or some other organization and say take a look
8 at this for me?

9 MR. HUIZENGA: I think it's going to be
10 important that HSS is there to help us when we need
11 it. But I also think it's very important that the
12 line management takes this responsibility seriously
13 and doesn't, you know, use Glenn as a crutch basically
14 to not do it ourselves. This is our job, and we need
15 to self-assess and make sure that we are on top of
16 these issues. So we do take this seriously. We might
17 not get it right the first time or every time, but
18 Glenn will be there to help us and his people will
19 help us if need be. But this is something that, you
20 know, we're going to do a good job of.

21 CHAIRMAN WINOKUR: So intermediate between
22 your line management and HSS, is EM going to develop
23 or devote any effort to developing any of its own
24 skills, any of its own expertise to become a little
25 bit shrewder, more capable in terms of actually

1 looking at these assessments?

2 MR. HUIZENGA: We're going to try to hire
3 Sonya.

4 MR. HUTTON: Well, I guess what I would say
5 is I think an important initiative is the training
6 that we're developing that's spoken to in the IP that
7 will be administered in the latter part of this year.
8 I think what this is all about is leadership
9 behaviors and the climate that management creates in
10 my view. And so, you know, it's important, frankly,
11 that we engage senior leaders both in the contractor
12 and the DOE in actively, continuously managing safety
13 culture and setting the climate. It's in my view
14 simply good management. The same behaviors that lead
15 to good safety culture management result in effective,
16 productive facilities. That's been proven clearly in
17 the commercial nuclear industry and many other
18 industries for a long period of time, as you know.

19 So, you know, I think we have to come at it
20 from a lot of different directions. We have to have
21 some written guidance, and so we have some now. We
22 have to have management, senior management, of the
23 Department sponsorship, and I believe we have that
24 now. We have to train the managers and we have to
25 involve them in managing safety culture at their

1 facility. And that's part of getting them to go out
2 and critically look at their own performance, just as
3 they should be critically looking at their own
4 performance in every aspect.

5 CHAIRMAN WINOKUR: Right. Well, you'll
6 always have the advantage of being able to provide a
7 more integrated view of things, which is what
8 headquarters folks can do. You can see things with
9 different sites. There's always the corrective
10 actions, the lessons learned, things of that nature
11 you can benefit from.

12 MR. HUTTON: And we always, you know, like
13 everybody, we need somebody to hold our feet to the
14 fire. That's the support system. That's what people
15 need at 3 a.m. to make them stop at the stop sign, you
16 know. There might be somebody watching, so you need
17 that. We all need that, being weak human beings.

18 CHAIRMAN WINOKUR: Okay. Dr. Mansfield.

19 DR. MANSFIELD: Fine. Thanks, Mr. Chairman.
20 Mr. Huizenga, I hope this is a big softball question
21 for you, but --

22 MR. HUIZENGA: So do I.

23 (Laughter.)

24 DR. MANSFIELD: You discovered, you, DOE,
25 discovered the problem when you looked and you're on

1 the way to fixing it. In the future, what will you
2 look for to see if things are going off the track and
3 similar problems are developing? I guess you can call
4 them indicators. But what behaviors would make you
5 suspicious?

6 MR. HUIZENGA: I suppose I'd be suspicious
7 if people told me yes all the time and everything was
8 okay. Obviously, you know, people need to feel
9 comfortable telling me that we've got some tough
10 things that need to be addressed and dealt with.

11 DR. MANSFIELD: Anybody else have a comment
12 on that?

13 MR. PODONSKY: From an oversight
14 perspective, we would be concerned if there were no
15 issues being identified. As we've all heard the three
16 panels talk, no program is perfect. So, to me, it
17 would be a great indicator if there are lots of
18 problems being identified, no matter how small,
19 because then people aren't afraid and they feel that
20 managers are going to pay attention.

21 MR. HUIZENGA: I think really what I look
22 for and I guess why I'm encouraged, even though we
23 mentioned that Jim and I witnessed some tension
24 between some of the contractor's folks in engineering
25 and safety, we also saw both taking some strong

1 positions but willing to talk. So I look for people
2 that are actually willing to share what's on their
3 mind, but listen, be an active listener, listen to
4 what the other person is saying.

5 DR. MANSFIELD: And one measure of that is
6 that everybody gets invited to all the meetings.

7 MR. HUIZENGA: Oh, yes, absolutely. Yes.
8 There's not any value in having some secret activities
9 going on over here that are uninformed by other
10 important information.

11 DR. MANSFIELD: Okay, good. That's all I
12 have, Mr. Chairman.

13 CHAIRMAN WINOKUR: Thank you. I would think
14 you'd also be sensitive -- well, at least you should
15 tell me whether you think you should be sensitive to
16 internal and external pressures. Obviously they're
17 going to play a very important role, whether it's a
18 huge design and construction project that needs to be
19 rebaselined, whether it's budget pressures, production
20 pressures. Do you think those are the kinds of things
21 that put a lot of stress on the culture?

22 MR. HUIZENGA: Oh, absolutely, absolutely,
23 yes. And you have to be on the lookout when you're
24 under some budget pressures, trying to do more with
25 less, that the safety doesn't suffer.

1 CHAIRMAN WINOKUR: Right. You had a
2 question, Mr. Dwyer?

3 MR. DWYER: Yes, sir. Mr. Podonsky, when
4 you were testifying before, I thought you had
5 indicated you were leaning towards, for the management
6 self-assessments, that there might be some need to
7 contract out for the specialized skills. And then,
8 Mr. Hutton, when you were talking, it wasn't clear to
9 me. Are you expecting that the site offices will
10 develop this as an inherent capability, or are you
11 expecting them to contract out for that? I just
12 wasn't clear on which was the focus.

13 MR. HUTTON: Well, what we say in the IP is
14 that we will do a self-assessment focused on Safety-
15 Conscious Work Environment, as you know, and look for
16 indications that would cause us to go deeper or more
17 broadly. And so what we're working on now is
18 developing the guidance that the sites will use, and
19 part of that guidance is what should be the
20 composition of the team.

21 MR. DWYER: So in the lines of inquiry that
22 you're developing you will include some guidance on
23 composition?

24 MR. HUTTON: Yes.

25 MR. DWYER: Okay.

1 MR. HUTTON: And we're actually working on
2 that right now.

3 MR. DWYER: Okay. Thank you.

4 CHAIRMAN WINOKUR: Any additional questions?

5 VICE CHAIRMAN ROBERSON: No.

6 CHAIRMAN WINOKUR: Well, we'd like to thank
7 the panel, Mr. Huizenga, Mr. Podonsky, Mr. Hutton.
8 Thank you very much. At this time, per the Board's
9 practice and as stated in the *Federal Register*
10 notices, we'll welcome comments from interested
11 members of the public. The only name I have on the
12 list is -- and I don't know if he's present here
13 today -- is Mr. John David. Is Mr. David here?

14 MR. DAVID: Yes, I am, sir.

15 CHAIRMAN WINOKUR: Okay. Please come up to
16 the table.

17 MR. DAVID: Yes, sir.

18 (Pause.)

19 CHAIRMAN WINOKUR: Let me just say before
20 you begin that presentations should be limited to
21 comments, technical information or data concerning the
22 subject of this public meeting and hearing. The Board
23 members may question anyone making a presentation to
24 the extent deemed appropriate. And with that, let's
25 begin, Mr. David.

1 MR. DAVID: Sir, how much time am I going to
2 have to speak?

3 CHAIRMAN WINOKUR: We have only one speaker
4 here today to the best of my knowledge, so let's
5 figure between five and 10 minutes, please.

6 MR. DAVID: Sir, I'd like to address
7 something. The first gentleman spoke for an hour and
8 10 minutes. The second gentleman spoke for 45, and
9 the last panel spoke for approximately 35. And you
10 all say you're very interested in finding out how
11 important it is for workers to help you find out what
12 the safety issues are, and then you immediately tell
13 us we only have five to seven minutes. I want you to
14 think about that, sir, please. Thank you very much.

15 CHAIRMAN WINOKUR: Okay. All right. Please
16 begin.

17 MR. DAVID: My name is John David. I want
18 to speak to you today -- and firstly, thank you very
19 much for giving me this opportunity -- about what
20 happens to a worker on the site, the vit plant site,
21 when they speak up in relationship to safety.

22 I spoke in March in Kennewick, and I stated
23 probably the only reason I was still there was because
24 I was a craft safety rep. That was on March 22.
25 Twenty-two days later I was fired for bringing up

1 safety concerns as a craft safety rep. I want you to
2 think about that.

3 We had a lot of opportunity on this project
4 to bring up safety concerns. And quite truthfully, as
5 craft safety reps, we didn't have any problem until we
6 decided to talk to Mr. Russo in February of 2011. We
7 canceled that meeting because my fellow craft safety
8 reps -- I set that meeting up -- were fearful of
9 retaliation if in fact we went to talk to Mr. Russo.

10 One of his subordinates came out and talked
11 to us and said we want you to understand, Frank
12 doesn't like it when people like you come and talk to
13 him and I want you to understand how you're going to
14 talk to him. And we told him, sir -- his name is Dick
15 Nugen -- what script would you like us to speak to,
16 the one we planned on speaking to him about or your
17 script? Now I think you can easily understand how
18 serious that is when somebody is preliminarily sent
19 out to us to describe to us how to speak to Mr. Russo.

20 I stated that I -- and I was at the
21 forefront of my craft safety reps -- was typically
22 asked because of my experience, 11-1/2 years working
23 for my union and 33 years in the trade, to be the
24 front-runner to speak out. And I'll be quite
25 truthful. I have no problem with that. I stand by

1 everything I've ever done and I am proud to be a
2 representative of workers.

3 A week after March 22, I reached out to Mr.
4 Russo and I asked him, could we please meet. And you
5 can see this data that was submitted to you. And we
6 did. I asked him for he and I to meet eyeball to
7 eyeball ourselves. We didn't. He brought a gentleman
8 named Miles Stoffer, the head of field safety, who I
9 will speak very highly of. He is a tremendous man.
10 And in less than 15 minutes, I described to Frank and
11 to Miles what I thought would be a good idea.

12 We were in a ditch. We only had one
13 opportunity to get out, and that is work together. I
14 proposed that Frank start meeting with the president
15 and the leadership of the Central Washington Building
16 Construction Trades Council. I asked Frank to call
17 him right then. I had already preliminarily talked to
18 Dave -- Davis is his name -- and he was waiting for
19 Frank's call.

20 Frank said he'd call him. I said, no, you
21 didn't hear me. I'm asking you to call him right now.
22 He's waiting for you. He did. We talked. We met
23 the following Tuesday. That was on April 3, and we
24 had an incredibly awesome meeting. Frank, on April 29
25 as well as on April -- or March 29 and April 3 --

1 raved about me personally and how much guts I had and
2 how much he appreciated that. Mr. Bradford spoke the
3 same. So did Mr. Overton. We thought we had a really
4 good meeting.

5 Then on April 10, I brought up a safety
6 concern at an all-hands meeting. I had the audacity
7 of a craft safety rep to ask a management individual,
8 one of the top management individuals on the vit plant
9 site, to please tell us what he was going to do that
10 he had told us a month previously, that he was going
11 to get us an award because he was so proud of our
12 safety accomplishments, and I'll be danged if he
13 somehow or another didn't do that. He said he had
14 been on vacation last week, so therefore he wasn't
15 able to do that. And I said, well, sir, geez, that
16 leaves three weeks. So then I even offered to throw
17 down the first hundred bucks for whatever it was that
18 he proposed. He didn't want me to do that. He didn't
19 want to accept that.

20 I guess what I'm trying to say is that
21 there's a lot of nice commentary going on in this
22 room, and quite truthfully I purposely didn't put my
23 suit coat on because I tried to dress down. We're not
24 being listened to. Bechtel speaks out of both sides
25 of their mouth. I don't know any other way to tell

1 you that. Mr. Russo comes and tries to tell us that
2 he's this great individual that was a cement mason as
3 a young man in New York City at 14 and that he's one
4 of us. He doesn't understand us. He doesn't listen
5 to us. His team doesn't listen to us. They fire us.

6 After I was fired, my business agent and I
7 contacted Mr. Shapiro. Mr. Shapiro asked me to
8 contact Mr. Huizenga and Mr. Podonsky. I did so
9 twice. They never contacted me back. Neither did Mr.
10 Shapiro. I don't know why. We get a stick shoved in
11 our guts on the job. We get a stick shoved in our
12 guts from the people we're supposed to contact. The
13 only people that contacted me after I was fired for
14 standing up for the safety of workers on the vit plant
15 were the two local staff in Richland. No one else
16 called me back.

17 I never contacted Mr. Samuelson because,
18 quite truthfully, we as craft safety reps did not get
19 the impression from him that he was really concerned
20 about what we were talking to him about. He was an
21 excellent placater. We used to have a tremendous
22 relationship with Shirley Olinger. She interacted
23 with us. Mr. Samuelson has never, ever attempted to
24 meet with us. We went to meet with him. He never
25 contacted me after I got fired. All these people say

1 they really care about us. Don't you think if they
2 really cared about us they'd actually talk to us after
3 we got fired for standing up for safety concerns?

4 Now, when I got an opportunity to speak to
5 you in Kennewick, I stopped short of one thing. I
6 tried to talk about five minutes of positivity about
7 the project and two minutes of reality. I didn't say
8 something that I should have said then and I wish I
9 would have said. The only way you're going to turn
10 this project around -- and I have no personal issue
11 with this person. I have reached out to him more than
12 once. I reached out to him after I was fired to try
13 to talk to him, and he blew me off then too.

14 You have to remove Frank Russo and his team.
15 All this great conversation that they talk about that
16 they're having on a daily basis, really what fruition
17 has it developed? Mr. Knutson said that he was
18 talking to Mr. Russo on literally a daily basis over
19 the last year. Mr. Huizenga says he talks to him all
20 the time. The workers don't have time for decades of
21 process, as I have heard earlier today. They don't
22 have any more time, period.

23 Some of the commentary stated today is they
24 would know if in fact their assessment process was
25 working or not on whether or not they quit getting any

1 response from the workers. I was assigned to the
2 pretreatment building, which became the HLWPT [High
3 Level Waste Pretreatment] building. The workers don't
4 ask any questions anymore because all they get is
5 rhetoric. We're working on that. Yes, we'll get back
6 to you. Oh, that's in the form of a study. Yes, that
7 assessment that you are kind enough to participate in,
8 well, we're trying to put that together right now, but
9 we really can't tell you at this point in time when
10 you'll actually see it.

11 We ask management over and over and over
12 again for the feedback, a culmination of that that
13 they asked us to give them, and we get one circle
14 after another circle after another circle after
15 another circle.

16 I will tell you this. Probably the best
17 thing that ever happened to me in my life was getting
18 fired because it opened up my mind to the reality
19 that, you know what, I don't need to be on that job.
20 I gave my heart, my soul. I threw myself under the
21 bus. I took on any task any worker, manual, non-
22 manual, asked me to do because that was my job because
23 I believed that the company that I worked for actually
24 had some ethics, and what I have found is an absolute
25 total untruth.

1 Riley Bechtel says in his commentary over
2 and over and over again that they're based on ethics.
3 Most typically, as we all find out in life, is that
4 it's not the man at the top or the lady at the top.
5 It is the people down below them that get them in
6 trouble. Riley Bechtel's lieutenants are getting him
7 in trouble. I believe he does have some ethics. I
8 don't believe his lieutenants have any. They have
9 proven it to us. They have none.

10 They lie to us, they lie to us, they lie to
11 us and they lie to us. They lie to us about what they
12 lied to us about. And you see that in assessment
13 after assessment after assessment. And so I'm going
14 to give you -- I've spoke about some things that I
15 think are incorrect on behalf of the workers, and I
16 believe it is my duty to give you some solutions.

17 I spoke to Frank Russo about this. And if
18 you were to look at something that was on "Sixty
19 Minutes" on March 25, there was a segment on there
20 about a gentleman that is the head of Chrysler. He is
21 also the head of four other companies internationally.
22 He did something weird. He moved his office out of
23 the penthouse and he moved it into the factory. He
24 went out and talked to the workers. He didn't tell
25 them who he was. He just went out and talked to them.

1 He didn't ask for a red carpet. He didn't take his
2 lieutenants. He went and talked to them.

3 Then he grabbed 26 people within the company
4 and said, I want you to be part of the new leadership
5 team. Some of them were there already. Some of them
6 he moved up. And you probably have possibly read this
7 story of Chrysler. It has done another miraculous
8 turnaround. It isn't a new theory in life. It's been
9 tried over and over and over when companies finally
10 realize maybe we ought to do something weird and
11 actually go and talk to the people.

12 I'm going to give an example I had an
13 opportunity of, and it was with Kaiser Engineers, and
14 it was in the early '90s. I did this same type of
15 thing there. It's called behavioral-based safety
16 training. I got an opportunity to work and teach all
17 the people in the company, and through that, I met the
18 president, and I listened to him and I could tell he
19 didn't get it. So I asked him and his number two
20 person, why don't you do me a favor. Why don't you go
21 with myself and another fellow worker, Mary Walker,
22 and come with us and don't bring your lieutenants.
23 I'm not telling you where I'm taking you and nobody is
24 going to know. I'm going to come and pick you up in a
25 vehicle that doesn't have air conditioning. It was

1 the dead of summer. And we went out and they talked
2 to the people.

3 And the president of that company asked a
4 gentleman a question, and he gave him this very nice,
5 kind company message, and he said back to him, I know
6 BS when I've heard it, I'm going to ask you that
7 question again. And the gentleman responded
8 appropriately, and he thanked him. And then a second
9 gentleman also went out, and those two guys told us
10 they could not believe how they had been lied to by
11 their subordinates.

12 I mentioned to Mr. Russo this theory about
13 get out in the factory, get out in the field, move
14 your office out in the field. He said that was not
15 the way Bechtel does it. That's against their policy.

16 Well, I don't know what better time there would be to
17 go against your policy and actually go out and engage
18 yourself with the people that you're asking to do the
19 job. Their processes have got them in the ditch they
20 are in today, and they're not going to get out of that
21 ditch and none of us are going to get out of that
22 ditch until we open up our mind and our eyes and we
23 think about a different way to do it.

24 There was some commentary here about, geez,
25 we're so confident in the assessment method that we're

1 currently using that we think it's the greatest thing
2 in the world. How many times do you got to be told
3 it's not working? The craft don't believe in the
4 assessment process, and I'll give you a prime example.

5 There is an outfit that is contracted on a
6 yearly basis to come out and assess us, give us an
7 assessment. Excuse me. We give them feedback. At
8 the time of the last assessment by this company --
9 it's the same person. At the end of our all-hands
10 safety meeting, it was, oh, yes, Bob's in the back.
11 He'll give you some stuff to fill out. Why don't you
12 go ahead and fill it out. It's the end of a safety
13 meeting, over an hour. How many people do you think
14 went and saw Bob, picked up that paperwork and did
15 anything with it? I think you know the answer: very
16 few. And I'll be damned if we didn't get this report
17 that came out and said, wow, holy shit, everybody's
18 happy.

19 They never got an assessment. They got a
20 sham. So I'm telling you the only way you're going to
21 fix this is you've got to bring somebody in from the
22 outside, and you have got to reevaluate the way you're
23 assessing because your assessment process, the workers
24 again don't believe in it because they can't get any
25 answers back about it. They don't believe in it

1 because of the sham I told you about that happened in
2 the pretreatment building. They don't believe in the
3 process because management lies to them and placates
4 them. And I told you last time I got a chance to talk
5 to you that the answer we were given over and over and
6 over and over was I don't know.

7 Now, if these gentlemen right here that you
8 got a chance to talk to over the last couple hours
9 told you, I don't know, I don't know, I don't know, I
10 don't know, what would you think? And I'm going to
11 leave you with this. I'm a very positive person, and
12 I've got to believe I'm talking to some people with
13 some extremely bright minds. That's why you are in
14 the position you are in.

15 I'm not on that project anymore. And I'm
16 asking you to help those workers because those workers
17 need your help. I'm asking you to physically go out
18 there and see them. Take your suit coat off, put some
19 jeans on, a T-shirt, some work boots, and go out there
20 in the dead of summer and sweat with them and actually
21 talk to them and actually do something with what they
22 tell you. And I will guarantee you, experience tells
23 us that if you put faith in them, they will blow you
24 out of the water with what they will accomplish for
25 you and we won't be hearing about negative things

1 about that plant or other plants because hopefully
2 this could be a pilot for success in the future.

3 And I will lastly tell you about me
4 personally, positively. I told you that it was the
5 best thing that ever happened to me to get fired
6 there. I am starting a nonprofit side and a profit
7 side, a corporation with others, and we are going to
8 address community needs in the Richland area, in the
9 Benton and Franklin counties. Because I'm putting the
10 earnest money down on the properties, it's a project
11 labor agreement. That means it's 100 percent union.
12 I'm a union man. It's the only way I'll deal with
13 these people.

14 I've hooked up with a developer. We met
15 with an investment group, and they told us, don't
16 bring us any projects less than a million bucks. I
17 don't deal with them. Now I personally know because
18 in 2005 I engaged with that company or investment
19 group, and we secured a billion dollars for a project
20 that didn't develop fruition.

21 CHAIRMAN WINOKUR: Okay. I think --

22 MR. DAVID: And I lastly -- sir, please
23 allow me to wrap up.

24 CHAIRMAN WINOKUR: Okay. Please.

25 MR. DAVID: Thank you, sir.

1 CHAIRMAN WINOKUR: No. I just wanted to
2 make sure we just kept these comments germane to the
3 meeting. That's all.

4 MR. DAVID: Thank you, sir. I appreciate
5 the opportunity for meeting with you. And, sir, I'd
6 like to address one thing to you. When people are
7 trying to give you some feedback, sir, it is not a
8 very good idea to address them like you just did me.
9 And again, I thank you all very, very much. You're
10 asking for our feedback and now you're telling us
11 exactly how you'd like us to talk to you. And I want
12 to be positive. I flew out here on my own dime. I'm
13 proud of it. I took time off in that meeting in March
14 to do it on my own dime to show you how much I believe
15 in this. And I put everything in my heart and my
16 soul, and my workers do the same. We need your help.
17 Please help us.

18 CHAIRMAN WINOKUR: Let me make one or two
19 very brief comments. I certainly didn't mean you any
20 insult. I'm sorry if you took it that way. The only
21 reason I was commenting was that you were beginning to
22 talk about your own personal ventures, which I didn't
23 think were germane to the meeting. That's all.

24 MR. DAVID: Thank you, sir.

25 CHAIRMAN WINOKUR: We will certainly take

1 your input. We take everybody's input on the Board.
2 And I will certainly review the actions the Board has
3 taken with respect to what you said, and we certainly
4 will give careful consideration and thought to
5 everything you've told us here today. I think the
6 Board has demonstrated over the years that we are
7 willing to do that.

8 This is a meeting, you should know, where we
9 basically get input from a lot of people. That's why
10 we're asking questions and inviting people to be here.

11 I do appreciate your coming very much. And we have
12 spent countless hours reviewing things from the site,
13 input we've gotten. I think you know this. We've
14 also spent a huge amount of time on this effort to try
15 to understand it and devoted huge resources. So I
16 just want you to know it's an important issue for the
17 Board and we're continuing to work it. If you have
18 not received appropriate feedback from the Board from
19 whoever is on the Board, whoever is handling your
20 issue, I can promise you that we will do that. We
21 will get back to you. I appreciate your time very
22 much. Do you have anything else?

23 MR. DAVID: Yes. I just want to address one
24 other thing. And I'd ask that my termination notice
25 speaks of me being a person that says verbal threats,

1 is intimidating, creates a hostile work environment,
2 makes inappropriate comments, behaviors or actions and
3 is not eligible for rehire without management
4 approval. I was removed from the job on a Tuesday,
5 April 10. I was told to speak to some people about
6 why. They told me they couldn't tell me. I had to
7 talk to somebody the next day. My business agent and
8 I talked to the labor relations person. He completely
9 -- and excuse me. I was asked if I wanted a security
10 escort because my personal self, I was being
11 threatened. That's why they were removing me.

12 So then the next day -- actually it wasn't
13 they were removing me because somebody was threatening
14 me. It was because they thought I was threatening
15 somebody else. I brought up some things that they
16 needed to look into. The next day they decided I was
17 a good guy and they hired me back. And then the
18 following day they fired me.

19 Now think about that, folks. Now I talked
20 to you on March 22 about a Barney Fife operation. Now
21 just think about that. And additionally, the way they
22 fired me was they didn't go to my representation of my
23 union. They called me personally. They bypassed my
24 representation. This is how they deal with people
25 like me that bring up safety concerns. And then they

1 go through a character assassination, attempt to. And
2 when I applied for unemployment, because I was fired,
3 of course, there was a process you go through there.
4 They never disputed that. So I would say that the
5 information on this termination slip must not have had
6 any validity. Otherwise, don't you think they would
7 have fought it? That's what happens to us, sir.

8 CHAIRMAN WINOKUR: Thank you.

9 MR. DAVID: Thank you.

10 CHAIRMAN WINOKUR: Thank you for your input.

11 MR. DAVID: I appreciate your time.

12 CHAIRMAN WINOKUR: Absolutely. Are there
13 any other comments from members of the public?

14 (No response.)

15 CHAIRMAN WINOKUR: Seeing none, I'm going to
16 turn to the Board members for their closing comments,
17 and then I'll end with my comments. Ms. Roberson?

18 VICE CHAIRMAN ROBERSON: I trust you will
19 cover for me. No additional comments.

20 CHAIRMAN WINOKUR: No additional comments.
21 Dr. Mansfield?

22 DR. MANSFIELD: No additional comments.

23 CHAIRMAN WINOKUR: Mr. Bader?

24 MR. BADER: I'm good.

25 CHAIRMAN WINOKUR: Let me provide my closing

1 remarks. On behalf of the entire Board, I'd like to
2 thank the witnesses from the Department of Energy and
3 members of the public who participated in this hearing
4 and meeting. Safety culture can seem like an abstract
5 concept, but these discussions have clearly brought
6 out the fact that a poor safety culture can have a
7 tremendous detriment to the success of a complex
8 engineering project.

9 Workers need to be able to raise safety
10 issues and technical issues to effectively design and
11 construct new defense nuclear facilities and to enable
12 existing facilities to accomplish their mission. I
13 cannot overstate how important DOE's senior leaders
14 are in establishing and enforcing the safety culture
15 throughout the Department's defense nuclear facilities
16 complex. The safety culture is created and modeled by
17 its leaders. They set the policies and programmatic
18 imperatives that govern and drive work throughout the
19 complex. Their words and actions shape the values and
20 behaviors of the people and organizations that perform
21 the work.

22 The Board is encouraged by today's testimony
23 from the Deputy Secretary of Energy and other key
24 senior DOE officials. The Department is making
25 progress toward correcting safety culture problems at

1 the Waste Treatment Plant. The Board remains
2 convinced that a major improvement in safety culture
3 is needed to repair the Waste Treatment Plant's
4 project's ability to identify and resolve safety and
5 technical issues.

6 In recent months, we have seen DOE's Office
7 of River Protection vigorously pursue some of the
8 project's major technical issues, which is a very
9 positive development. However, it remains to be
10 demonstrated that this success will be translated into
11 similar progress on the part of the Waste Treatment
12 Plant contractor.

13 Let me be clear that the need to strengthen
14 safety culture is not unique to the Waste Treatment
15 Plant. The Board is looking forward to the results of
16 the remaining independent assessments by DOE's health,
17 safety, and security organization and to seeing what
18 conclusions and recommendations emerge once all
19 reviews are done. The Board is also looking forward
20 to seeing how the Department manages the challenging
21 task of orchestrating self-assessments that will
22 reliably determine the state of the safety culture at
23 its other sites, facilities and organizations.

24 Once again, I would like to thank our
25 witnesses from DOE today and the public for taking the

1 time to testify. The record of this proceeding will
2 remain open until June 23, 2012. I would like to
3 reiterate the Board reserves its right to further
4 schedule and regulate the course of this meeting and
5 hearing to recess, reconvene, postpone or adjourn this
6 public meeting and hearing and to otherwise exercise
7 its authority under the Atomic Energy Act of 1954, as
8 amended. This meeting is adjourned.

9 (Whereupon, at 11:58 a.m., the hearing in
10 the above-entitled matter was adjourned.)

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REPORTER'S CERTIFICATE

DOCKET NO.: N/A

CASE TITLE: Continuation Hearing, Status of
Actions Related to Unresolved
Technical Safety Issues in the Design
of WTP

HEARING DATE: May 22, 2012

LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Defense Nuclear Facilities Safety Board.

Date: May 22, 2012

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