

Defense Nuclear Facilities Safety Board

Washington, D.C. 20004

Policy Statement

PS-2

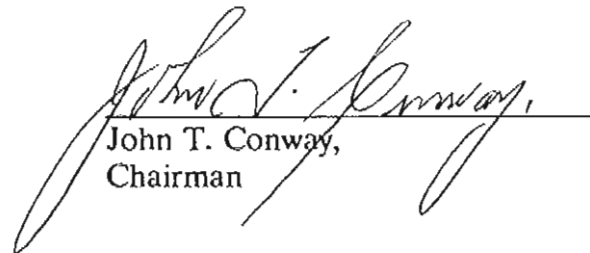
Date: December 31, 1992

Subject

Board policy on transmittal of trip reports and other safety information to the Secretary of Energy

Summary

This policy statement establishes procedures for Board transmittal of trip reports and other safety information to the Secretary of Energy in those cases where (1) the information will be of assistance to the Secretary; and (2) the information does not warrant issuance of a Board recommendation.



John T. Conway,
Chairman

POLICY STATEMENT (PS-2)

The Board was established as an independent agency within the Executive Branch to advise and assist the Secretary of Energy in improving public health and safety at Department of Energy (DOE) defense nuclear facilities. Most importantly, the Board's enabling statute provides that the Board "shall make such recommendations to the Secretary of Energy with respect to Department of Energy defense nuclear facilities, including operation of such facilities, standards, and research needs as the Board determines are necessary to insure adequate protection of public health and safety." 42 U.S.C. § 2286a(5). The Secretary of Energy is required to respond by transmitting "to the Board in writing, a statement on whether the Secretary accepts or rejects, in whole or in part, the recommendations ...a description of the action to be taken in response.... and his views on such recommendations." Id. at § 2286d(b). The Board obtains information used in developing recommendations through site visits by the Board and its staff, review of documentation, formal investigations, inspections, and other fact-gathering activities.

As stated above, the Board is required to issue recommendations if the available safety information demonstrates that issuance of a formal recommendation is necessary to assure adequate protection of public health and safety. The Board and its staff often obtain valuable safety information which, while insufficient to justify issuance of a recommendation, would assist the Secretary of Energy, his staff, and site contractors in their joint pursuit of safer conditions and practices at defense nuclear facilities.

Site visits to DOE defense nuclear facilities are a major fact gathering activity of the Board and staff. During such visits briefing materials are frequently provided by DOE and contractor personnel, facilities are toured and facility operations observed. The Board's staff routinely summarizes information obtained as a result of such visits in trip reports. Information in these reports represent part of the data files that the staff accumulates on defense nuclear facilities regarding matters having public health and safety implications. The Board routinely reviews these reports and periodically requests staff briefings relative to

matters of particular interest. While trip reports serve principally as internal working papers and a vehicle for facilitating Board/staff communication, the Board recognizes that information gathered pursuant to Board interest could at times prove useful to DOE.

In the past, the Board has transmitted trip reports to DOE if, in the Board's view, the reports contain safety information which might assist the Secretary of Energy, his staff, and site contractors in their joint pursuit of safer conditions and practices at defense nuclear facilities. The Board has been most interested in conveying information that will either: (1) stimulate line management self-assessment of questionable practices or operations, (2) assist in determining the root causes of specific safety problems, or (3) aid in identifying generic problems at facilities that might benefit from cross-transfer of remedial know-how from other facilities that faced similar problems.

This practice of transmitting technical information to the Secretary for further distribution is fully consistent with the congressional intention that the Board provide assistance to the Secretary of Energy and DOE's health and safety activities, Senate Report No. 100-232, 100th Cong., 1st Sess., Nov. 20, 1987, page 10. Therefore, it will continue to be the policy of the Board to review staff-generated trip reports and other technical assessments to determine whether or not they would be of assistance to the Secretary of Energy. The Board will continue its flexible approach in determining whether or not the information should be transmitted to DOE, and in what form. In some instances, the Board will transmit trip reports, or highlights contained in those reports, to the Secretary of Energy, without further comment by the Board, for the Department of Energy's use as it sees fit. In other instances the Board, in its cover letter, may want to highlight certain safety issues and suggest ways in which the information may be used, even though a formal recommendation is not made. For example, the Board may suggest transmittal of such information directly to the relevant defense nuclear facility and the individuals who are most interested in the issues. The Board may also request that it be apprised of any action DOE takes on the information. Finally, in some instances, the Board may transmit the report to DOE for

immediate use and indicate that the information contained in the report will be considered as the possible basis for a formal recommendation.

Trip reports or other documents that are provided to DOE pursuant to this policy will be placed in the DNFSB public files subsequent to any appropriate reviews, and clearance, such as for classified or unclassified controlled nuclear information.