

APPENDIX 2

REQUEST FOR BOARD ACTION

Title of Action Document:

Complete Review By:

Board Approval of Redaction for 2018-300-005 Notational Vote Package.

Brief Description of Purpose:

Pursuant to OP-11.1-3, OGC reviews notational vote packages for information that must or may be redacted prior to the vote package being made publicly available. With respect to information from the staff that is deliberative, the OP specifically provides:

In the case of all other material proposed for redaction, the General Counsel shall request Board approval via a Request for Board Action (RFBA). The proposed redaction and the reason for it shall be provided with the RFBA as background material. The General Counsel or designee shall make all redactions once approved by the Board.

The highlighted portion of the attached notational vote package meets the triggering criteria in the OP because it contains staff agenda information protectable under the deliberative process privilege held by the Board. Therefore, the General Counsel is providing this redaction to the Board for its consideration.

If the Board approves this RFBA without removing the highlight, the notational vote package will be posted online with the highlighted material redacted.

If the Board rejects this RFBA, it will be deemed to have waived its deliberative process privilege per the OP. In this case, the notational vote package will be posted without a redaction.


Relevant Background Information Attached (initial): CQB

Summarize any staff difference of opinion regarding the proposed action: None

Summarize any time sensitive considerations:

The Chairman has directed a one day turnaround for posting notational vote packages online. OGC will endeavor to clear the vote package for public posting within one business day of the Board decision on this RFBA.

Requester Signature: 

Responsible Office Director Signature: 

Executive Secretary Signature: 

Final Disposition of Proposed Action:

Executive Secretary Signature:

APPENDIX 4

REQUEST FOR BOARD ACTION BY A BOARD MEMBER

Requester: Sullivan November 3, 2017

Brief description of Requested Action: Revise the agenda for staff review of the UPF Preliminary Documented Safety Analysis, scheduled for November 29-30, 2017. Delete the follow-up discussion on Standard Industrial Hazards, paragraph A.2 of the agenda. For reference, paragraph A.2 is attached.

Justification

The cited standard industrial hazards are asphyxiation, freezing by liquid nitrogen, oxygen displacement by inert gases, and shrapnel/pipe-whip hazards. Congress formed the Board as “experts in the field of nuclear safety.” Enforcement of OSHA standards is not within the field of nuclear safety.

Attachments (init) agenda excerpt, paragraph A.2 .

Summarize any time sensitive considerations: the review is scheduled for later this month.

Requestor signature  November 3, 2017

Executive secretary  November 3, 2017

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICPATING	COMMENT	DATE
Sean Sullivan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Bruce Hamilton	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Jessie H. Roberson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Daniel J. Santos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Joyce L. Connery	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Final Disposition Summary						

Executive Secretary signature _____ Click here to enter a date.

2. [LOI #2] In response to the questions related to the Standard Industrial Hazards (SIH), Reference 2 states: “The SIHA is underway (approximately 50% complete) and the preliminary draft report is scheduled for completion in March 2017.”
 - a. Describe the status of this activity and provide a copy if completed.
 - b. Discuss (i) the results of the SIH hazard analysis related to asphyxiation, freezing by liquid nitrogen, oxygen displacement by inert gases, and shrapnel/pipe-whip hazards; (ii) any safety-significant controls that are identified; and (iii) justification if none are needed.
 - c. Reference 2 refers to Reference 8 for an analysis that was performed to determine the Oxygen Deficient Atmospheres (ODA) created by a leak from the pressurized gas systems. Reference 2 concludes that: “none of the current pipe configurations will result in a rapid release into a small volume that would create an immediate ODA for the worker. Therefore, none of the piping containing potential asphyxiants has been categorized as SDC-2.”

Reference 8 relies on small leaks from a single gas delivery system for its analysis and concludes (Appendix A) that many rooms meet its criteria for ODA, for example: SAB rooms S130 and S222; MPB rooms P173, P140, P153, P142, P120, and S222 exceed the proposed criteria for ODA.

Additionally, Reference 8 defines oxygen deficient as situations where oxygen concentration is below 17.2%, whereas OSHA, Reference 9, defines such condition when oxygen concentration is below 19.5%.

Describe (i) the rationale for Reference 2 conclusion that there was no concern due this hazard despite Reference 8 conclusions, (ii) the rationale for assuming a small leak in the analysis and not a full rupture of the pipe, considering that the pipes do not appear to be credited safety features or designed to not rupture during an earthquake, (iii) the consequences of common-cause events (e.g., earthquake) on rooms like P140, Special Oxide in MPB (W), where Nitrogen, Helium, and Argon gas delivery systems exist in one room (iv) the rationale for deviation from OSHA standards and its implications (such as disorientation and lack of coordination before asphyxiation), and (v) any design changes or controls that have been identified to prevent the hazards.
 - d. Section 3.3.5.1 of Reference 7 (SDS) states the following regarding asphyxiation: “Asphyxiants will be addressed and controlled within UPF based on requirements associated with this type of hazard in 29 CFR 1910 and 29 CFR 1926, Safety and Health Regulations for Construction, along with 10 CFR 851 and the associated guide DOE G 440.1-1B.” Section 6.3 of the DOE Guide, regarding hazards abatement, states: “For hazards identified...in the facility design...controls must be incorporated in the appropriate facility design...hazards that pose a serious threat to employee safety and health should be either eliminated or effectively controlled [emphasis added].” Describe what controls have been implemented in the design of the UPF to prevent or abate asphyxiation hazards.

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: Board Approval of Redaction for 2018-300-005 Notational Vote Package

Doc Control#2018-300-008

The Board, with Board Member(s) Jessie H. Roberson *approving*, Board Member(s) Sean Sullivan, Bruce Hamilton, Daniel J. Santos, Joyce L. Connery *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *not participating*, have voted to disapprove the above document on December 7, 2017.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Sean Sullivan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12/06/17
Bruce Hamilton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12/06/17
Jessie H. Roberson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12/07/17
Daniel J. Santos	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12/06/17
Joyce L. Connery	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12/06/17

*Reason for Not Participating:

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Board Members.


Assistant Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

cc: Board Members
OGC
OGM Records Officer
OTD

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Sean Sullivan

SUBJECT: Board Approval of Redaction for 2018-300-005 Notational Vote Package

Doc Control#2018-300-008

Approved _____ Disapproved X _____ Abstain _____
Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

I do not believe the information should be subject to redaction. The information was unclassified, factual data contained in questions to be posed to NNSA staff and/or contractors regarding standard industrial hazards at UPF. Nor should it chill our agency in any way if such questions were to be made public.



Sean Sullivan

12/16/17

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Bruce Hamilton

SUBJECT: Board Approval of Redaction for 2018-300-005 Notational Vote Package

Doc Control#2018-300-008

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

Recusal – Not Participating _____

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

The majority of the highlighted portion of the notational vote package does not appear to be deliberative, and to the extent any does, the deliberative process privilege should be waived.

I therefore disapprove.


Bruce Hamilton

6 DEC 2017
Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOTATIONAL VOTE RESPONSE SHEET

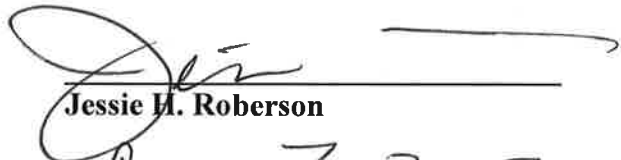
FROM: Jessie H. Roberson

SUBJECT: Board Approval of Redaction for 2018-300-005 Notational Vote Package

Doc Control#2018-300-008

Approved **Disapproved** **Abstain**
Recusal - Not Participating

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



Jessie H. Roberson
Dec 7, 2017

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOTATIONAL VOTE RESPONSE SHEET

FROM: Daniel J. Santos

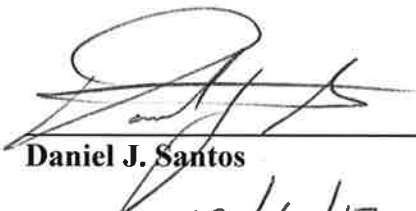
SUBJECT: Board Approval of Redaction for 2018-300-005 Notational Vote Package

Doc Control#2018-300-008

Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below _____ Attached _____ None X



Daniel J. Santos

12/6/17

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Joyce L. Connery

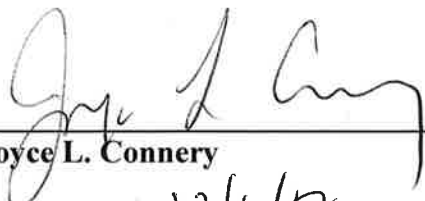
SUBJECT: Board Approval of Redaction for 2018-300-005 Notational Vote Package

Doc Control#2018-300-008

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

Recusal – Not Participating _____

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



Joyce L. Connery

Date

12/6/18