

Bruce Hamilton, Acting Chairman
Jessie H. Roberson
Daniel J. Santos
Joyce L. Connery

**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



The Honorable James Richard Perry
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Perry:

The National Nuclear Security Administration Office of Stockpile Management is developing an interim revision to DOE-NA-STD-3016-2016, *Hazard Analysis Reports for Nuclear Explosive Operations*, with an implementation goal within fiscal year 2018. The interim revision would redefine the categories of accident consequences used to evaluate whether safety controls are required to perform nuclear explosive operations safely at the Pantex Plant.

Pursuant to 42 U.S.C. §2286b(d), the Board requests a briefing prior to the implementation of the interim revision, but no later than within 45 days, detailing how NNSA will implement the revision and on any changes—planned or taken—to the safety control strategies of nuclear explosive facilities as a result of the revision.

Yours truly,

Bruce Hamilton
Acting Chairman

c: Mr. William Handy
Mr. James McConnell
Mr. Joe Olencz

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: HEVR Redefinition

Doc Control#2018-100-060


The Board, with Board Member(s) Jessie H. Roberson, Daniel J. Santos, Joyce L. Connery *approving*, Board Member(s) Bruce Hamilton *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *not participating*, has voted to approve the above document on August 23, 2018.

The votes were recorded as:

| | APRVD | DISAPRVD | ABSTAIN | NOT PARTICIPATING* | COMMENT | DATE |
|--------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|----------|
| Bruce Hamilton | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 08/23/18 |
| Jessie H. Roberson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 08/23/18 |
| Daniel J. Santos | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 08/23/18 |
| Joyce L. Connery | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 08/22/18 |

*Reason for Not Participating:

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


 Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

cc: Board Members
 OGC
 OGM Records Officer
 OTD

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

FROM: Bruce Hamilton

SUBJECT: HEVR Redefinition

Doc Control#2018-100-060

Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

42 U.S.C. § 2286b(d) authorizes the Board to, "... establish reporting requirements *for the Secretary of Energy ...*," (emphasis added). The Board should generally practice a narrow interpretation of its statutory authority to require reports. This authority should be used with discretion, such as when information has been difficult to obtain through informal staff-to-staff interaction or when periodic recurring reports on program status are warranted.

In this case, there is no indication that information is not forthcoming. Rather, the apparent purpose of this reporting requirement is to obtain information from the Secretary about a revision to a DOE standard and the associated implementation strategy that is forthcoming but has not yet been approved, so that, implicitly, the Board can determine *in advance* whether it agrees with them. While 42 U.S.C. § 2286a.(b)(4) specifically directs the Board to review facility design and construction in advance, 42 U.S.C. § 2286a.(b)(1) contains no parallel language that would imply the Board should evaluate standards *prior* to their approval and issuance. Given that, the Board should presume that DOE is completely competent to revise and implement standards on its own.

I therefore disapprove.


Bruce Hamilton

23 AUG 2018
Date

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

FROM: Jessie Roberson

SUBJECT: HEVR Redefinition

Doc Control#2018-100-060

Approved *X* Disapproved Abstain

Recusal – Not Participating

COMMENTS: Below Attached None *X*

 Jessie Roberson
Jessie Roberson
 August 23, 2018
Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

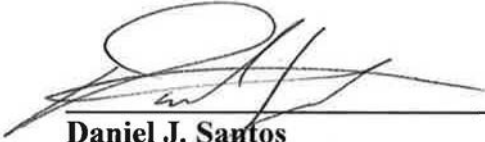
FROM: Daniel J. Santos

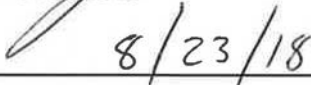
SUBJECT: HEVR Redefinition

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Approved Disapproved _____ Abstain _____
Recusal – Not Participating _____

COMMENTS: Below _____ Attached _____ None



Daniel J. Santos


Date

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

FROM: Joyce Connery

SUBJECT: HEVR Redefinition

Doc Control#2018-100-060

Approved X Disapproved _____ Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

I would prefer to be more specific in the letter with regards to the Board's concerns with the approach being considered by the Department and the potential to degrade safety controls, but I support the Board in requesting the Department to explain its views as this issue evolves.

Joyce Connery for

Joyce Connery

August 22, 2018
Date

Member voted by e-mail dated August 22, 2018