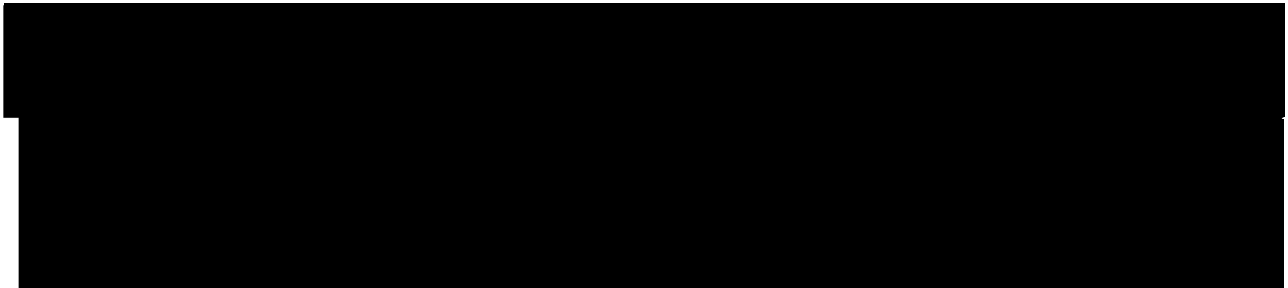


DOC#2016-077C

Amendment by Board Member, Daniel J. Santos to Yellow Folder Doc#2016-077 Plutonium Facility Seismic Qualification of Fire Suppression System, Los Alamos National Laboratory

Amendment: Revise the last part of the first paragraph of the cover letter to read – “We conclude that the FSS cannot be credited as a seismically qualified safety class control for post-seismic fires without further analysis, significant system modifications, or potential replacement. Taking our report under consideration, we request your written assessment of the FSS vulnerabilities **and their impact on the facility’s current and planned safety posture**, within 90 days of receipt of this letter, **pursuant to 42 USC 2286b(d).**”



AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: Amendment by Board Member, Daniel J. Santos to Yellow Folder Doc#2016-077 Plutonium Facility Seismic Qualification of Fire Suppression System, LANL

Doc Control#2016-077C

The Board, with Board Member(s) Joyce L. Connery, Jessie H. Roberson, Daniel J. Santos *approving*, Board Member(s) Sean Sullivan, Bruce Hamilton *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *recusing*, have voted to approve the above document on May 3, 2016.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Joyce L. Connery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	05/02/16
Jessie H. Roberson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	05/03/16
Sean Sullivan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/02/16
Daniel J. Santos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	05/02/16
Bruce Hamilton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/02/16

*Reason for Not Participating:

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



Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

cc: Board Members
OGC
OGM Records Officer
OTD

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Joyce L. Connery

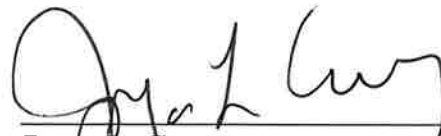
SUBJECT: Amendment by Board Member, Daniel J. Santos to Yellow Folder
Doc#2016-077 Plutonium Facility Seismic Qualification of Fire Suppression
System, LANL

Doc Control#2016-077C

Approved Disapproved Abstain

Recusal - Not Participating

COMMENTS: Below Attached None



Joyce L. Connery

Date 5/2/16

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Jessie H. Roberson


SUBJECT: Amendment by Board Member, Daniel J. Santos to Yellow Folder:
Doc#2016-077, Plutonium Facility Seismic Qualification of Fire Suppression
System, LANL

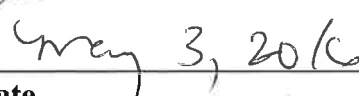
Doc Control#2016-077C

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

Recusal – Not Participating

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



Jessie H. Roberson


Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Sean Sullivan

SUBJECT: Amendment by Board Member, Daniel J. Santos to Yellow Folder
Doc#2016-077 Plutonium Facility Seismic Qualification of Fire Suppression
System, LANL

Doc Control#2016-077C

Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

The amendment revises the language imposing a reporting requirement on the Administrator. The revisions are not substantive.

I do not support a reporting requirement. The Board's statutory reporting power should be used as needed to obtain information necessary to make a determination regarding the adequate protection of the public health and safety. When sufficient information already exists, the reporting requirement is not appropriate. The reporting requirement should not be used as mechanism to convey a mandate for action by DOE/NNSA. A formal recommendation is the proper vehicle to convey a mandate if and when such a mandate becomes necessary for public safety.



Sean Sullivan

5/2/16

Date

Lotus Smith

From: Daniel J. Santos
Sent: Monday, May 02, 2016 2:09 PM
To: Lotus Smith; Shelby Qualls
Subject: RE: Notational Vote: Doc#2016-077C Amendment by Board Member Daniel J. Santos to YELLOW FOLDER Doc#2016-077, Plutonium Facility Seismic Qualification of Fire Suppression System, LANL

Approved without comments.

From: Lotus Smith
Sent: Monday, May 02, 2016 12:14 PM
To: Bruce Hamilton <[REDACTED]>; Daniel J. Santos <[REDACTED]>; Jessie Roberson <[REDACTED]>; Joyce Connery <[REDACTED]>; Sean Sullivan <[REDACTED]>
Cc: Shelby Qualls <[REDACTED]>; Nora Khalil <[REDACTED]>; Lotus Smith <[REDACTED]>
Subject: Notational Vote: Doc#2016-077C Amendment by Board Member Daniel J. Santos to YELLOW FOLDER Doc#2016-077, Plutonium Facility Seismic Qualification of Fire Suppression System, LANL

This email is an electronic record of Notational Vote. Voting ballot will follow shortly. Also, accepting electronic votes.

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

FROM: Members of the Board
SUBJECT: Amendment by Board Member Daniel J. Santos to YELLOW FOLDER Doc#2016-077, Plutonium Facility Seismic Qualification of Fire Suppression System, LANL

DOC# 2016-077C

Office Directors have provided their input in Doc#2016-077B. Doc#2016-077B was withdrawn by unanimous consent.

All Office Directors inputs have been incorporated in this amendment, Doc#2016-077C.

Approved _____
Disapproved _____
Abstain _____
Recusal – Not Participating _____

COMMENTS:

Below _____
Attached _____
None _____

Lotus Smith
Executive Secretary
Office of the Chairman

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Bruce Hamilton

SUBJECT: Amendment by Board Member, Daniel J. Santos to Yellow Folder
Doc#2016-077 Plutonium Facility Seismic Qualification of Fire Suppression
System, LANL

Doc Control#2016-077C

Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

This amendment proposes deleting the second paragraph of the cover letter and revising the last part of the first paragraph of the cover letter to read: “We conclude that the FSS cannot be credited as a seismically qualified safety class control for post-seismic fires without further analysis, significant system modifications, or potential replacement. Taking our report under consideration, we request your written assessment of the FSS vulnerabilities and their impact on the facility’s current and planned safety posture, and their impact on the facility’s current and planned safety posture, within 90 days of receipt of this letter, pursuant to 42 USC 2286b(d)”

This amended wording would be an improvement on the original letter, which applied the Board’s authority for reporting requirements too broadly. (My opinion on the use of reporting requirements is expressed in my Notational Vote Response Sheet comments for Doc#2016-077A.)

That said, I remained troubled that the Board has been using its authority for obtaining information as a way of persuading or inducing certain behaviors or actions by the DOE. While this amendment would provide wording which is not as direct as was the original, it still could be interpreted as reaching beyond information gathering and into influencing.

I therefore disapprove this amendment.


Bruce Hamilton

2 MAY 2016
Date