

The Board directs a change in designation to “discretionary” and a reduction in priority from 1 to 3 for the NPA review on government oversight (review 2.2.6.FY17.369, “Oversight: Inherently Governmental Functions Evaluation Pilot Studies”).

This change requires the following revisions to the draft Work Plan:

- Revise the Gantt charts (Figures 4 and 10) to delete the review from those charts.
- Delete the narrative on page 16 describing the “DOE Complex-Wide Oversight review.”
- Delete the second and third sentences from page 14 under the paragraph labeled “Highest Priority Activities.” Those sentences currently read: “In addition, the technical staff will implement a pilot approach to reviewing the effectiveness of DOE oversight. OTD will select three candidate reviews from those already planned to be performed in FY 2017. During the three reviews, the technical staff review teams will each review aspects of DOE oversight using a systematic approach.”

Justification

The review is currently designated “non-discretionary” based on a misinterpretation of the Board’s direction in the FY2016 Work Plan. The Board approved a planning effort for FY2016 but did not mandate performance of a review for FY2017.

There is no logical reason for this review to be assigned as a Priority 1. The review was given the highest scores (i.e., greatest impact on safety) for event frequency and safeguard effectiveness. Those scores reflect that safety could be significantly at risk anytime, anywhere in the complex should federal oversight be inadequate. However, the same is true of any cross-cutting issue (e.g., quality assurance; work planning and control).

A better priority scheme is needed for cross-cutting issues. In the meantime, the priority of cross-cutting issues should be assessed based on current evidence that the issue is a problem causing potential threats to the adequate protection of the public health and safety. No such issues have been brought to the Board’s attention.

NPA reviews with a priority higher than 3 are those generally related to emergency preparedness (R2014-1, R2015-1, and exercise reviews), those related to safety culture at Hanford (R2011-1), those of various directives of interest to the Board, and one criticality safety review. NPA has also assigned a high priority to support for the proposed public hearing.

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: Amendment by Board Member Sean Sullivan to YELLOW FOLDER Doc#2016-300-027, FY17 OTD Work Plan

Doc Control#2016-300-027D


The Board, with Board Member(s) Sean Sullivan, Bruce Hamilton *approving*, Board Member(s) Joyce L. Connery, Jessie H. Roberson, Daniel J. Santos *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *recusing*, have voted to disapprove the above document on September 26, 2016.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Joyce L. Connery	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	09/23/16
Jessie H. Roberson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	09/26/16
Sean Sullivan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	09/22/16
Daniel J. Santos	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	09/22/16
Bruce Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	09/22/16

*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 Sean Sullivan to YELLOW FOLDER
Doc#2016-300-027, FY17 OTD Work Plan

Doc Control#2016-300-027D

Approved _____ Disapproved X Abstain _____

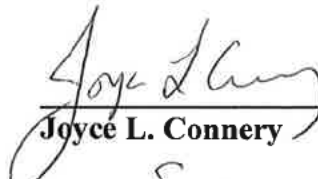
Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

While I agree with the notion that a better prioritization scheme is needed for cross-cutting issues (and encourage fellow Board members with ideas on how to do this to articulate those ideas to staff), I do not support this particular amendment.

I support the need for an approach to effective review of DOE oversight. In my view, the Agency should be asking three questions: (1) “Does DOE have the right rules, orders, directives in place to ensure adequate protection?”; (2) “Are the sites following the rules, or if not, do they have a solid technical justification, or risk acceptance approach?”; and (3) “Is DOE performing effective regulatory oversight?”

I believe that the Agency can be more effectively examining that third question.



Joyce L. Connery
Sept 23, 2016

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: **Jessie H. Roberson**

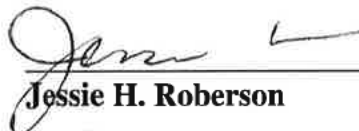
SUBJECT: Amendment by Board Member Sean Sullivan to YELLOW Folder Doc#2016-
300-027, FY17 OTD Work Plan
Doc Control#2016-300-0027D

Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

I support the Boar, as a whole, revisiting the prioritization approach approved for staff use but not reprioritizing specific activities based on individual Board Member's preference. It creates an unclear picture of what will actually get done and when. The Board could pursue other avenues to make sure an activity of interest to them actually got done in a timely period without challenging competing interests between Board Members.



Jessie H. Roberson
Sept 26, 2016

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOTATIONAL VOTE RESPONSE SHEET

FROM: Sean Sullivan

SUBJECT: Amendment by Board Member Sean Sullivan to YELLOW FOLDER
Doc#2016-300-027, FY17 OTD Work Plan

Doc Control#2016-300-027D

Approved X Disapproved _____ Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

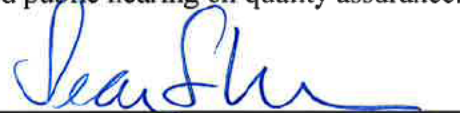
The amendment pertains to a review planned by the NPA group of DOE and NNSA federal oversight of its contractors.

The review is proposed for assignment as non-discretionary (i.e., mandatory), priority 1 (the highest safety priority). The amendment seeks a revision to discretionary, priority 3.

The review is currently designated “non-discretionary” based on a misinterpretation of the Board’s direction in the FY2016 Work Plan. The Board approved a planning effort for FY2016 but did not mandate performance of a review for FY2017.

There is no logical reason for this review to be assigned as a priority 1. The review was given the highest scores (i.e., greatest impact on safety) for event frequency and safeguard effectiveness. Those scores reflect that safety could be significantly at risk anytime, anywhere in the complex should federal oversight be inadequate. However, the same is true of any cross-cutting issue (e.g., quality assurance; work planning and control). A better priority scheme is needed for cross-cutting issues. In the meantime, the priority of cross-cutting issues should be assessed based on current evidence that the issue is a problem causing potential threats to the adequate protection of the public health and safety. No such issues have been brought to the Board’s attention.

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Sean Sullivan

9/22/16

Date

Lotus Smith

From: Daniel J. Santos
Sent: Thursday, September 22, 2016 3:57 PM
To: Lotus Smith; Shelby Qualls
Subject: RE: Notational Vote: Doc#2016-300-027D Amendment by Board Member Sean Sullivan to YELLOW FOLDER Doc#2016-300-027, FY17 OTD Work Plan

Disapproved.

From: Lotus Smith
Sent: Thursday, September 22, 2016 12:14 PM
To: Bruce Hamilton <[REDACTED]>; Daniel J. Santos <[REDACTED]>; Jessie Roberson <[REDACTED]>; Joyce Connery <[REDACTED]>; Sean Sullivan <[REDACTED]>
Cc: ExSec <[REDACTED]>
Subject: Notational Vote: Doc#2016-300-027D Amendment by Board Member Sean Sullivan to YELLOW FOLDER Doc#2016-300-027, FY17 OTD Work Plan

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 Sean Sullivan to YELLOW FOLDER Doc#2016-300-027, FY17 OTD Work Plan

DOC# 2016-300-027D

Office Directors have provided their input.

Approved _____
Disapproved _____
Abstain _____
Recusal – Not Participating _____

COMMENTS:

Below _____
Attached _____
None _____

Lotus Smith
Executive Secretary
Office of the Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Ave, NW, STE 700
Washington, DC 20004

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Bruce Hamilton

SUBJECT: Amendment by Board Member Sean Sullivan to YELLOW FOLDER
Doc#2016-300-027, FY17 OTD Work Plan

Doc Control#2016-300-027D

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

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


Bruce Hamilton

22 SEPT 2016
Date