

APPENDIX 4

REQUEST FOR BOARD ACTION BY A BOARD MEMBER

Requester: Mary Buhler July 18, 2025

Brief description of Requested Action:

The Board approves the issuance of the attached Sense of the Board: Policy Statement.

The Board, consisting currently of Acting Chairperson Thomas Summers and Dr. Patricia Lee, is currently without quorum. Since January 31, 2025, the Acting Chairperson has carried out certain functions and powers of the Board, pursuant to 42 U.S.C. § 2286(e)(2), in conjunction with Dr. Lee. The DNFSB technical staff has proposed the attached “Policy Statement on Nuclear Safety Oversight.” The new Policy Statement would consolidate and replace the following existing Board Policy Statements:

- PS-2: Transmittal of Trip Reports and other Safety Information to the Secretary of Energy dated December 31, 1992.
- PS-3: Oversight of Decommissioning Activities at Defense Nuclear Facilities dated August 19, 1996.
- PS-6: Oversight of Design and Construction of Defense Nuclear Facilities dated July 24, 2017.
- PS-7: Communication and Disposition of Safety Items dated May 22, 2018.
- PS-8: Oversight of Department of Energy Defense Nuclear Facility Standards dated June 28, 2018.
- PS-9: Resident Inspector Program of the Defense Nuclear Facilities Safety Board dated May 9, 2018.

The intent of the new Policy Statement on Nuclear Safety Oversight is to modernize, strengthen, and consolidate historic Board Policy Statements. The new Policy Statement reflects longstanding DNFSB operations and memorializes improvements and efficiencies that have already been incorporated into the DNFSB’s technical staff work.

The current Board lacks the necessary quorum to fully rescind the existing outdated Board Policy Statements enumerated above and replace them with the new Board Policy Statement on Nuclear Safety Oversight. However, Acting Chairperson Summers and Dr. Lee agree with the Executive Director of Operations (EDO) and the Board’s technical staff that the current efficient and effective practices of the staff should continue until such time as the Policy Statement on Nuclear Safety Oversight can be ratified by a restored quorum of the Board.

Accordingly, the Acting Chairperson directs that the Policy Statements identified above be removed from the public website. The Acting Chairperson further directs the EDO, upon restoration of a quorum, to provide a briefing to the Board and submit the new Policy Statement for ratification by a vote of the Board. The DNFSB technical staff should continue their current efficient and effective practices in the conduct of their nuclear safety oversight.

Attachments 1

APPENDIX 4

Summarize any time sensitive considerations:

Requestor signature On File July 18, 2025

Assistant Executive Secretary On File July 18, 2025

Defense Nuclear Facilities Safety Board

Washington, DC 20004

Sense of the Board: Policy Statement

Date: August 12, 2025

Subject

Nuclear Safety Oversight

Summary

This Policy Statement establishes the Board's policy on executing nuclear safety oversight consistent with its statutory mission to provide independent analysis, advice, and recommendations to the Secretary of Energy regarding public health and safety at the Department of Energy's defense nuclear facilities, including the safety of employees and contractors at such facilities.



Thomas A. Summers
Acting Chairman

I. Purpose

This Policy Statement establishes the Board's policy on executing nuclear safety oversight consistent with its statutory mission to provide independent analysis, advice, and recommendations to the Secretary of Energy regarding public health and safety at the Department of Energy's (DOE) defense nuclear facilities set forth in 42 U.S.C. § 2286a. This Policy Statement consolidates and replaces the following policy statements:

- PS-2: *Transmittal of Trip Reports and other Safety Information to the Secretary of Energy* dated December 31, 1992.
- PS-3: *Oversight of Decommissioning Activities at Defense Nuclear Facilities* dated August 19, 1996.
- PS-6: *Oversight of Design and Construction of Defense Nuclear Facilities* dated July 24, 2017.
- PS-7: *Communication and Disposition of Safety Items* dated May 22, 2018.
- PS-8: *Oversight of Department of Energy Defense Nuclear Facility Standards* dated June 28, 2018.
- PS-9: *Resident Inspector Program of the Defense Nuclear Facilities Safety Board* dated May 9, 2018.

II. Scope

This Policy Statement outlines the Board's expectations for prioritizing, conducting, and communicating its nuclear safety oversight activities. It also addresses how the results of these oversight activities are communicated within the DNFSB, to DOE, and to the public.

III. Policy

Prioritization of Oversight

It is the Board's policy that the DNFSB prioritizes independent nuclear safety oversight activities using a systematic and graded approach that:

- Incorporates safety priorities that have been articulated and established in the DNFSB's strategic plan and performance goals to support annual safety oversight planning activities.
- Considers the risk of DOE activities, including hazards that may lead to accidental radiological uptake or exposure; new, aging, unique, or complex operations; and schedule.
- Accounts for the DNFSB's resource limitations by informing plans with feedback from previous efforts; making effective use of sampling; and weighing applicability to multiple DOE activities.
- Considers input and feedback from stakeholders to the defense nuclear complex, including federal, state, tribal and local entities, as well as members of the public and the DOE workforce.

Means of Oversight

It is the Board's policy that the DNFSB maintain cognizance of DOE activities using a combination of assigned technical staff and resident inspectors. The DNFSB develops an annual work plan that identifies the formally structured safety oversight activities to be performed and periodically updates the plan during its execution.

It is the Board's policy that the DNFSB recruit and maintain technical expertise in the scientific, engineering, and operational disciplines required to perform safety oversight in areas such as nuclear safety analysis, safety management programs, design and construction, and operation of defense nuclear facilities.

The DNFSB annually evaluates its staffing requirements including the number of resident inspectors assigned to each DOE site and the number of engineers needed in specialty areas. The DNFSB develops and implements training and mentoring programs to ensure staff have the skills needed to perform their safety oversight duties.

Areas of Oversight

It is the Board's policy that the DNFSB ensures the adequacy of DOE's safety oversight to be of paramount importance and expects elements to be routinely evaluated as part of the agency's safety oversight activities.

For DOE's operating defense nuclear facilities, the DNFSB evaluates the adequacy of safety bases and the effectiveness of safety controls to protect the health and safety of the public and workers. The DNFSB also evaluates unusual or adverse events at operating defense nuclear facilities.

To ensure early integration of safety into facility design, the DNFSB evaluates the design and construction of defense nuclear facilities and other new infrastructure at logical points in the project lifecycle.

The DNFSB views the initial operations of new nuclear facilities, activities, and the resumption of existing operations to be important times to conduct safety oversight activities.

The DNFSB evaluates facilities during the entire decommissioning phase including deactivation, surveillance and maintenance, decontamination, and dismantlement. The DNFSB maintains its safety oversight activities until the residual quantities and forms of radioactive materials remaining do not—in the DNFSB's evaluation—pose a risk to public health and safety.

The DNFSB evaluates DOE directives, implementation of directives, and new or updated regulations that the DNFSB believes may affect nuclear safety at defense nuclear facilities. The DNFSB considers the word "standards," as used in its enabling statute, to include DOE directives, technical standards, and regulations that DOE including the National Nuclear Security Administration (NNSA) uses to promulgate policy, requirements, or guidance related to safety at

defense nuclear facilities. In this area, the DNFSB may evaluate DOE Policies, DOE Orders, DOE Notices, DOE Manuals, DOE Guides, DOE Handbooks, DOE Technical Standards, and NNSA Policies, Supplemental Directives, Business Operating Procedures, and other similar documents.

Communications

It is the Board's policy that the DNFSB routinely communicates the results of its safety oversight through regular progress reports, staff reports, and briefings.

Resident inspectors and assigned cognizant technical staff develop periodic site reports suitable for public release that document key developments at the DOE sites and their independent observations during the reporting period. It is the policy of the Board to make these site reports available to the public.

The DNFSB normally identifies safety issues with varying levels of significance, including valuable safety information that is insufficient to justify issuance of a formal Recommendation. It is the Board's policy to assist the Secretary of Energy, the Secretary's staff, and site contractors in our joint pursuit of safe conditions and practices at defense nuclear facilities. Accordingly, it is generally the policy of the Board to communicate safety issues to DOE at the lowest appropriate level. The Board promotes staff-to-staff interactions to resolve safety issues as early as possible.

The DNFSB may elevate the communication of safety issues to the appropriate level of DOE leadership. It is the policy of the Board to convey this information in the form of advice on safety issues, publicly when possible, that will:

- Stimulate DOE evaluation of safety observations and share best practices,
- Assist in determining the root causes of safety problems, and/or
- Aid in identifying cross-cutting safety issues affecting multiple facilities that might benefit from coordinated evaluation and remedy.

The Board may further elevate safety issues by imposing reporting requirements to obtain DOE's analyses on safety concerns and information on actions DOE plans to take (or has taken) to address such safety concerns, consistent with the Board's *Policy Statement on Access to Information*.

The Board communicates safety issues that challenge the adequate protection of public health and safety by issuing a formal Recommendation consistent with the Board's *Policy Statement on Recommendations*.

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: RFBA by Mary Buhler to Approve Sense of the Board Policy Statement on Nuclear Safety Oversight

Doc Control#: 2025-300-001

The Board acted on the above document on 2025-08-07 13:03:36. The document was Approved.

The votes were recorded as:

NAME	APRVD	DISAPRVD	ABSTAIN	DATE
Thomas Summers	X			2025-08-07 13:03:26
Patricia Lee	X			2025-08-06 13:57:26

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

Shelby Qualls

Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

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

FROM: Thomas Summers

SUBJECT: RFBA by Mary Buhler to Approve Sense of the Board Policy Statement on Nuclear Safety Oversight

Doc Control#: 2025-300-001

DATE: 2025-08-07 13:03:26

VOTE: Yes

Member voted by email.

Thomas Summers

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

FROM: Patricia Lee

SUBJECT: RFBA by Mary Buhler to Approve Sense of the Board Policy Statement on Nuclear Safety Oversight

Doc Control#: 2025-300-001

DATE: 2025-08-06 13:57:26

VOTE: Yes

Member voted by email.

Patricia Lee