

**Statement**

**By**

**The Honorable Joseph F. Bader**

**Member**

**Defense Nuclear Facilities Safety Board**

**Presented**

**at the**

**Department of Energy's  
13<sup>th</sup> Annual Facility Representative Workshop**

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Good morning. It is good to be here for a second year at the Thirteenth Annual Facility Representative Workshop. I was very happy to hear Dr. Ines Triay (Chief Operating Officer for the Department of Energy (DOE) Office of Environmental Management and Keynote Speaker) talk about one of my favorite subjects, MBWA or "Management By Walking Around," because it represents a clear indicator of senior field managers' attention to facility safety.

The Facility Representative Program continues to be the "point of the spear" for safety and technical competence. I would like once again to extend my compliments to Mark Whitaker, John Evans, and the others who help make this forum possible. Right behind MBWA in importance is the gathering of people like this to share their experiences from the field.

Let me first give sincere congratulations to the 2006 Facility Representative of the Year, Mr. Dary Newbry from the Idaho Operations Office. This is an honor and recognition among your peers of your outstanding accomplishments out in the field! Well done! I saw Dary in action out in Idaho in the Pu-238 Fuel Facility during one of my recent trips. Beth Sellers (DOE Idaho Operations Office Manager) should be very proud with two winners in a row of the Facility Representative of the Year.

About two years ago, the Defense Nuclear Facilities Safety Board (Board) highlighted areas that warranted strengthening in the Facility Representative Program, primarily a better evaluation of Facility Representative staffing levels at the sites, and continuing training directed at changing facility or activity conditions. Since the issuance of the Board's letter, John Evans and his team have done a good job in revising the Facility Representative Program Standard and have addressed the bulk of the Board's concerns. This is particularly true in determining appropriate staffing levels and having rigorous continuing training. Now, you need to implement the standard effectively at the sites. One area, in particular, needs your attention and that is the aggressive hiring to fill vacant Facility Representative positions to get to staffing levels that site offices have determined are needed. The main source of Facility Representatives should be technically capable personnel from within DOE and from relevant external sources, such as Navy nuclear trained personnel, NRC inspectors, or naval shipyard personnel. The DOE Technical Intern programs, such as the National Nuclear Security Administration (NNSA) Future Leaders Program, can be an effective supplemental source of candidates, if the proper training, education, and mentoring occur. Senior Facility Representatives should be expected, as part of their duties, to be assigned new Facility Representative candidates to coach, challenge, and mold, that is, "show them the ropes."

DOE has been busy working on its oversight responsibilities and practices in response to Board Recommendation 2004-1. Facility Representatives play a large role in the DOE field element line management oversight processes, such as inspections, reviews, surveillances, surveys, operational awareness, and walkthroughs. So you collectively are an important key to determining if the contractor organization is accomplishing work in a safe manner. As I mentioned last year, your position of oversight responsibility requires careful balancing and prioritization of your primary responsibilities in order to maintain the primary intent of this key position...being the "eyes and ears" for DOE and providing that valuable operational awareness. However, we have observed that some Facility Representatives are still spending too much time on collateral or special project duties, thereby leaving some facilities without a critical look. The improved staffing analysis methodology should help to identify any workload imbalances, or point to the need to re-assign certain collateral duties to others, or to add another Facility Representative to the site. This issue will continue to require a concerted effort by you and your management to ensure the balance is maintained. Also, when I go from site to site, I ask, "how many Facility Representatives have been promoted to senior positions?" I noted that there has been a good promotion rate of Facility Representatives.

The Board continues to keep a wary eye on oversight activities at DOE and NNSA. You may have heard Ambassador Brooks announce that a 2-year pilot of NNSA's oversight model will begin in the near future at Los Alamos. The thrust of the pilot is stated as encouraging the contractor to establish a strong contractor assurance system and to allow NNSA to reduce its direct oversight. There are three points that I would like to make concerning the pilot. First, Ambassador Brooks has stated that this initiative "does not apply to nuclear operations or, for that matter, to security." Therefore, it should have no impact on much of the work that Facility Representatives perform "in nuclear facilities." Second, consistent with 10CFR830, we view nuclear operations to be not only Hazard Category 2 and 3 facilities, but also radiological facilities. Third and an important point to understand, we are strongly interested in key support facilities and activities, such as emergency operations, power supply systems and fire protection, that are typically shared between nuclear and non-nuclear facilities and operations, but which are vital to supporting nuclear safety.

At the public meeting in Los Alamos on March 22 of this year, we heard testimony from Ambassador Brooks and from Ed Wilmot, the manager of the Los Alamos Site Office. They said that nuclear operations should, in fact, be strengthened by the oversight pilot because resources would be freed from non-nuclear oversight activities. We are watching intently the new

oversight model. We are interested in how it actually performs. Again, don't just tell me how good it is, show me.

Last year, I discussed some of my thoughts on how a Facility Representative's expertise could help in facility design and construction. So in answer to Dr. Triay's question on whether the Facility Representatives should be plugged into the Federal Project Director's portfolio - I say absolutely! Facility designers, project directors, and safety system oversight personnel need to have the Facility Representatives' thorough understanding of operations to design facilities to operate safely. As an example of this already occurring, Ted Sherry has Jerry Lipsky (who was the Facility Representative of the Year at Los Alamos Site Office three years ago) working at HEUMF (Highly Enriched Uranium Materials Facility at Y-12). Projects, including substantial refurbishments, need the experienced operational presence of a Facility Representative on each Integrated Project Team. The Facility Representative's experience is unique in DOE and prepares you to bring knowledge of operations to the development of newly designed facilities. In the commercial nuclear industry, getting operational personnel in the design phase was critical. Such experience is critical to the success of future design projects, in particular when reviewing design deliverables to ensure that operational safety requirements are addressed. Only through a thorough understanding of operations can effective engineered safety controls be incorporated into the design. As I said last year and I'll say it again, the best way to design and build a facility which can be operated safely is to design safety into it from the beginning. That is a mantra with the Board, and starting to be a mantra with DOE, which is a good thing.

The operationally-oriented perspective of DOE Facility Representatives should also play a major role in the oversight of quality in nuclear facility construction. As DOE undertakes an increasing number of large complex nuclear construction projects, there is an increasing need to ensure that the requisite quality is rigorously constructed into these facilities. Proper design and construction relies on personnel being trained in and adhering to established methods and procedures of nuclear facility construction and on proper execution of quality requirements and quality control inspections. However, the substantial skill base and supplier base in the commercial nuclear industry do not exist as they did in the past. Nuclear design and construction experience is however painfully being gained at DOE sites. It will be a challenge for DOE to maintain these skill bases and suppliers as the commercial nuclear industry revives.

Right now, Facility Representative roles, responsibilities, and qualifications are well-defined for operating facilities. DOE should explore and better define the Facility Representatives' roles and any specific training needed such as building codes, construction

practices, concrete, new industrial hazards, QA, welding, startup testing for design and construction. New facility projects such as the Waste Treatment Plant at Hanford or the Highly Enriched Uranium Materials Facility at Y-12, may serve as good case studies to review in helping to determine the role and training needs for Facility Representatives in reviewing design deliverables to ensure that operational safety requirements are addressed and in overseeing construction of new facilities. I am not advocating pulling Facility Representatives away from their assigned operating facilities, nor should this type of job be a collateral duty. Instead, DOE needs to consider factoring into your staffing analysis dedicated Facility Representative billets during the planning phase for new facilities. It will fall to personnel such as DOE Facility Representatives to perform as part of the “demanding owner” function of DOE in establishing quality nuclear construction through insisting that the quality requirements, procedures and practices are maintained and improved upon.

As a whole, the Facility Representative community continues to enjoy a well-deserved reputation for excellence. The challenge is not to become complacent with this status but to strive to improve your technical capability in all dimensions of your job. It is always advisable to get more technical education and formal technical training such as advanced technical degrees and professional certifications. The Board is in the same business of oversight and 96% of our technical staff have advanced technical degrees (the remaining 4%, which amounts to two technical staff members, are enrolled in graduate degree programs). 21% of our technical staff have PhDs. Opportunities to get advanced technical degrees exist in several different venues (local universities to online graduate degree programs), so take advantage of them. DOE is a highly technical organization, involved in unique and hazardous work activities—many are a first-of-a-kind. You can and should continue to lead in striving for technical excellence. The Board encourages DOE to sustain the vigor of the current Facility Representative Program and look for ways to transfer lessons learned to build technical competence throughout the DOE workforce. One final note, the Facility Representatives serve as a good pool for future managers in the DOE Complex.

Thank you.