

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
Public Hearing and Meeting on Pantex Plant,

Amarillo, Texas

Thursday, March 14, 2013

Session I

1:00 p.m.

Amarillo Civic Center

401 S. Buchanan Street

Amarillo, Texas 79101

1 BOARD:

2 Dr. Peter S. Winokur, Chairman
3 Ms. Jessie H. Roberson, Vice Chairman
4 Dr. John E. Mansfield, Board Member
5 Mr. Joseph F. Bader, Board Member
6 Mr. Sean Sullivan, Board Member
7 Mr. Steven Stokes, Acting Technical Director
8 Mr. David S. Jonas, General Counsel
9 Mr. Dan Ogg, Group Lead Nuclear Weapons Programs
10 Mr. Ben Laake, Board Technical Staff

11 ALSO PRESENT:

12 Mr. Glenn S. Podonsky, Chief Health, Safety and
13 Security Officer, Office of Health Safety and
14 Security, Department of Energy
15 Mr. Thomas R. Staker, NNSA Acting Director Office of
16 Safety and Emergency Management Evaluations,
17 Office of Enforcement and Oversight
18 Honorable Neile Miller, NNSA Acting Administrator and
19 Principal Deputy Administrator, National Nuclear
20 Security Administration
21 Dr. Don F. Nichols, NNSA Associate Administrator for
22 Safety & Health and Chief of Defense Nuclear
23 Safety
24 Mr. James J. McConnell, NNSA Acting Associate
25 Administrator for Infrastructure and Operation
26 Mr. Steven C. Erhart, Manager, NNSA Production Office
27 Mr. John D. Woolery, General Manager, B&W Pantex
28 Mr. James D. Stevens, Manager, Environment, Safety,
29 Health & Quality, B&W Pantex
30 Mr. Alonzo Campbell, Department Manager, Emergency
31 Management, B&W Pantex
32 Dr. Donald L. Cook, Deputy Administrator for Defense
33 Programs, National Nuclear Security
34 Administration
35 Mr. Dennis E. Huddleston, Division Manager, Projects,
36 B&W Pantex

1	TABLE OF CONTENTS	
2	SESSION I	4
3	Chairman's Opening Remarks	5
4	Introduction of DNFS Board	5
5	Introduction of Board's Staff	5
6	Statement of Mr. Sullivan	13
7	Statement of Ms. Miller, NNSA	17
8	Statement of Mr. Ogg (written)	27
9	Introduction of First Panel	28
10	Statement of Mr. Podonsky (written)	29
11	Introduction of Second Panel	74
12	Introduction of Third Panel	124
13	PUBLIC COMMENTS:	
14	Clarence Rashada	162
15	Charles Thomas	165
16	Gary Molberg	168
17	Frank George, Jr.	170
18	Scott Kovac	174
19	Allen Finegold	175
20	Recess	179
21		
22	SESSION II	179
23	Chairman's Opening Remarks	179
24	Introduction of DNFS Board	179
25	Introduction of Fourth Panel	186

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TABLE OF CONTENTS (continued)

Statement of Mr. Laake213
Introduction of Fifth Panel221
PUBLIC COMMENTS:
Judge Lewis Powers283
Kevin Starbuck285
Kay Peck292
Adjournment296
Reporter's Certificate297

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

CHAIRMAN WINOKUR: Good afternoon. My name is Peter Winokur, and I am the Chairman of the Defense Nuclear Facilities Safety Board. I will preside over this public meeting and hearing.

Allow me to introduce my colleagues on the Safety Board. To my immediate right is Ms. Jessie Roberson, the Board's Vice Chairman. To her right is Mr. Sean Sullivan. To my immediate left is Dr. John Mansfield. Next to him is Mr. Joseph Bader. We five constitute the Board.

The Board's General Counsel, Mr. David Jonas, is seated to my far left. The Board's Acting Technical Director, Mr. Steven Stokes, is seated to my far right.

Several members of the Board's staff closely involved with oversight of the Department of Energy's defense nuclear facilities at the Pantex Plant are also here.

Today's meeting and hearing was publicly noticed in the Federal Register on January 22nd and February 19th, 2013. The meeting and hearing are held open to the public per the provisions of the Government in the Sunshine Act. In order to provide timely and accurate information concerning the Board's public and worker

1 health and safety mission throughout the Department of
2 Energy's defense nuclear complex, the Board is recording
3 this proceeding through a verbatim transcript, a video
4 recording and live video streaming.

5 The transcript, associated documents,
6 public notice, and video recording will be available for
7 viewing in our public reading room in Washington, DC. In
8 addition, an archived copy of the video recording will be
9 available through our web site for at least 60 days.

10 Per the Board's practice and as stated in
11 the Federal Register notice, we will welcome comments from
12 interested members of the public at the conclusion of
13 testimony, which will be at approximately 4:30 p.m. for
14 Session I and approximately 8:30 p.m. for Session II.

15 A list of those speakers who have contacted
16 the Board is posted at the entrance to this room. We have
17 generally listed the speakers in the order in which they
18 have contacted us or, if possible, when they wish to
19 speak. I will call the speakers in this order and ask
20 that speakers state their name and title at the beginning
21 of their presentation.

22 There is also a table at the entrance to
23 this room with a sign-up sheet for members of the public
24 who wish to make a presentation but did not have an
25 opportunity to notify us ahead of time. They will follow

1 those who have already registered with us in the order in
2 which they have signed up.

3 To give everyone wishing to make a
4 presentation an equal opportunity, we ask speakers to
5 limit their original presentations to five minutes. The
6 Chair will then give consideration for additional comments
7 should time permit.

8 Presentations should be limited to
9 comments, technical information, and data concerning the
10 subjects of this public meeting and hearing. The Board
11 Members may question anyone making a presentation to the
12 extent deemed appropriate.

13 The record of this proceeding will remain
14 open until April 15, 2013.

15 I would like to reiterate that the Board
16 reserves its right to further schedule and regulate the
17 course of this meeting and hearing to recess, reconvene,
18 postpone, or adjourn this meeting and hearing and to
19 otherwise exercise its authority under the Atomic Energy
20 Act of 1954, as amended.

21 I would now like to discuss why the Board
22 chose to hold a public hearing concerning safety at the
23 Pantex Plant. The Board's statutory charter is to advise
24 the Secretary of Energy regarding actions that may be
25 necessary to ensure adequate protection of public health

1 and safety, including safety of the workers. Pantex is a
2 unique site where workers perform nuclear explosive
3 operations to assemble, disassemble, dismantle, and
4 conduct surveillances on nuclear weapons. These
5 activities must be performed with the utmost regard for
6 safety because the consequences of failure could include
7 release of radiological material to the environment or
8 inadvertent nuclear detonation.

9 The Board intends to discuss three topics
10 during today's meeting and hearing that are critical for
11 maintaining the highest levels of safety at Pantex. The
12 first topic is the safety culture at Pantex. The second
13 topic is site emergency preparedness and response.
14 Finally, the Board will consider the status of key safety
15 programs and the aging infrastructure of defense nuclear
16 facilities at Pantex. Let me briefly describe each topic.

17 During this afternoon's session,
18 significant time and focus will be directed at the safety
19 culture at the Pantex Plant. Although the Department of
20 Energy's Nuclear Safety Policy, that's DOE Policy 420.1,
21 explicitly calls out the need to establish and maintain a
22 strong safety culture, the Board became increasingly
23 concerned in 2011 about the harmful effects of a weak
24 safety culture on the design and construction of the Waste
25 Treatment Plant at the Hanford site in Washington State.

1 The Waste Treatment Plant is a chemical
2 waste processing facility that will treat radioactive
3 liquid waste and turn it into a stable, glass form
4 suitable for permanent, safe disposal.

5 On June 9th, 2011, the Board issued
6 Recommendation 2011-1, Safety Culture at the Waste
7 Treatment and Immobilization Plant, after investigating
8 the circumstances surrounding allegations of retaliation
9 for raising concerns on that project. In that
10 Recommendation the Board is concerned that "both DOE and
11 contractor project management behaviors reinforce a
12 subculture at the Waste Treatment Plant that deters the
13 timely reporting, acknowledgment and ultimate resolution
14 of technical safety concerns." In early 2012, two Pantex
15 employees reported similar instances of perceived
16 retaliation for raising safety concerns. Using the same
17 independent team of safety culture experts that had
18 assessed the safety culture at the Waste Treatment Plant,
19 DOE's Health, Safety and Security Office conducted a
20 review of safety culture at Pantex during the summer of
21 2012.

22 The results of this review were troubling.
23 The team found that "there is a strong perception that
24 retaliation exists for 'rocking the boat' and an
25 environment where the raising of questions or

1 identification of problems is not the consistently
2 accepted way of doing business." The report also cited
3 employee observations of poor facility conditions, lack of
4 focus on meeting personal needs, and a sense of cronyism
5 as factors that undermine the workers' belief that the
6 organization places a high priority on safety.

7 The team concluded that the Pantex Plant
8 has not been successful in understanding the
9 organizational and programmatic behaviors that are
10 necessary for a healthy safety culture. The team
11 recommended that, and I'm quoting here again, "significant
12 efforts are needed by Pantex Senior Management to gain the
13 respect and trust of the employee population including
14 demonstrating the commitment to the principles and values
15 of a high reliability organization and taking prompt
16 actions to improve the quality of life at Pantex."

17 DOE (Department of Energy) and B&W Pantex
18 management appear committed to dealing head-on with the
19 safety culture issues identified by the Health, Safety and
20 Security Team. However, the Board will closely track the
21 National Nuclear Security Administration and contractor
22 efforts to implement the necessary corrective actions that
23 will be required to establish Pantex's safety culture as
24 the "gold standard" for the safety of its operations.
25 Accordingly, this afternoon the Board will hear testimony

1 from senior DOE officials and separately, from senior B&W
2 Pantex officials, on their perceptions of safety culture
3 and the need for improvement.

4 During this evening's session, the Board
5 will address issues dealing with emergency preparedness
6 and response, which is a crucial part of the overall
7 safety posture. Recent events like the Deepwater Horizon
8 oil spill in 2010 and the reactor accidents following
9 Japan's devastating 2011 earthquake and tsunami have
10 reminded the world of the catastrophic impact of severe
11 accidents.

12 The flooding of Pantex plant facilities in
13 2010, and perhaps, to a lesser extent, the blizzard
14 several weeks ago, demonstrates that even the Panhandle of
15 Texas is susceptible to natural disasters.

16 The Board acknowledges the work that has
17 been done by the Department and its contractor at Pantex
18 to respond to both natural events and operational
19 accidents whose impacts may cascade in consequence, affect
20 multiple facilities, or be beyond the design basis of its
21 facilities.

22 The Board sees ample opportunity for Pantex
23 to improve and during this session will examine potential
24 areas where site planning and recovery can be enhanced.

25 During this evening's final topic, we will

1 discuss NNSA's strategy to ensure safe nuclear explosive
2 operations within defense nuclear facilities at the Pantex
3 Plant. The Nuclear Explosive Safety Program must ensure
4 the prevention of a main charge high explosive detonation
5 or an unintended nuclear detonation. If Pantex is
6 continued -- is to continue to meet its commitments in
7 support of the nuclear weapons stockpile, the safety of
8 nuclear explosive operations must be guaranteed. During
9 this hearing, the Board will examine if the Nuclear
10 Explosive Safety Program is adequately fulfilling this
11 mission. Additionally, we will discuss concerns regarding
12 safety systems and infrastructure at Pantex that are aging
13 or require upgrades to meet modern safety requirements.
14 More specifically, the Board will examine issues related
15 to several fire protection systems and facility
16 structures.

17 This concludes my opening remarks. I will
18 now turn to the Board Members for their opening remarks.
19 Ms. Roberson?

20 VICE CHAIRMAN ROBERSON: No, thank you, Mr.
21 Chairman.

22 CHAIRMAN WINOKUR: Dr. Mansfield?

23 DR. MANSFIELD: No remarks.

24 CHAIRMAN WINOKUR: Mr. Bader?

25 MR. BADER: Not at this time.

1 CHAIRMAN WINOKUR: Mr. Sullivan?

2 MR. SULLIVAN: Yes, Mr. Chairman, I would
3 like to make some opening remarks. And good afternoon to
4 everyone.

5 While we have three separate topics here
6 today, I believe there's a great deal of overlap between
7 them. In particular, I believe that today's third topic
8 on the National Nuclear Security Administration's strategy
9 to ensure safe nuclear operations likely has a direct and
10 significant bearing on the day's first topic, the safety
11 culture here at the Pantex Plant. As a result, my
12 questions at times may cross over between these topics.

13 I want to emphasize from the start that I
14 say I believe that there is a likely overlap. I do not
15 have any direct evidence of a connection between NNSA's
16 actions in the area of nuclear explosive operations and
17 the safety culture here at Pantex. But since joining the
18 Board, I've been troubled by a particular tendency at NNSA
19 (National Nuclear Security Administration) to interpret
20 ambiguities in their own directives and standards in a
21 non-conservative manner.

22 To cite just one example, the directive on
23 Nuclear Explosive Safety Studies says that such studies
24 must be performed within five years of the last study, and
25 it even suggests that the studies be scheduled at the

1 four-year point to ensure that five years is not exceeded.
2 Nevertheless, since the directive does not say that the
3 five-year-old studies actually expire, the five-year
4 anniversary is exceeded on a regular basis with no
5 apparent consequences; that is, there is no interruption
6 in production, no apparent concern for the deadline
7 established by the directive, and no management individual
8 held to account for allowing the deadline to be missed.

9 Such non-conservatism is foreign to me. My
10 background is in Navy submarines. I recall vividly one
11 occasion on a submarine where a crew member on my ship
12 made a valve lineup error causing seawater from the ocean
13 to backflow into the pipe for air intake to the ship's
14 emergency diesel engine. Now, our rules said that because
15 water was found in the pipe, we had to assume that water
16 had gotten into the engine until we had a certified diesel
17 inspector say otherwise. The diesel had to be placed out
18 of commission and prepped immediately for an inspection.
19 If you have ever seen a diesel engine try to compress
20 water, you know that the two don't mix. Diesel inspectors
21 were not crew members, so the ship had to go into port.
22 And since the diesel provided emergency power to cool the
23 reactor in the event of a reactor accident, the ship had
24 to proceed into port and shut down the reactor without
25 delay.

1 Now, these were the rules. They were
2 designed for safety, safety of the equipment, safety of
3 the crew, safety of the ship and safety of the public, and
4 we followed the rules. Never mind that the ship had --
5 and crew had other important things to be done at sea.
6 Never mind that the water in the pipe still had one more
7 manual valve as a barrier, so it probably didn't get into
8 the engine, and as we later learned, in fact, it did not.
9 Never mind that the odds were infinitesimally small that
10 the reactor would experience an accident where the
11 services of the emergency diesel generator would actually
12 be needed. And never mind that an unscheduled trip into a
13 busy port carried its own risks. In short, we had ample
14 reasons, both technical and practical, to talk ourselves
15 out of the following of the rules, but we didn't. We
16 followed the rules, and we proceeded into port
17 immediately.

18 Navy submarines have an important mission,
19 war-fighting, just as NNSA does. But short of actual war,
20 safety is paramount in the submarine force. The safety
21 rules get followed religiously, and if there's an
22 ambiguity, submariners assume that the more conservative
23 approach is the correct one, unless directed otherwise
24 from the very top of the chain of command. Doing so sends
25 a consistent signal to everyone in the organization, down

1 that chain of command to the most junior sailor, that
2 safety is important. Now, that's my experience on how a
3 strong organizational safety culture is established.

4 Returning now to the five-year Nuclear
5 Safety Study example, I hope it's clear why these examples
6 such as this trouble me. If five years is the right
7 periodicity, then stick to it. Move heaven and earth to
8 get subsequent studies done in five years. If the
9 periodicity is exceeded, hold people accountable. Make
10 the consequences obvious and painful.

11 On the other hand, I say to NNSA, if a
12 longer periodicity can be justified, then change your own
13 requirement. But do not leave the requirement in place
14 while using ambiguities and loopholes to get around it.
15 Doing so, I suspect, sends a signal to the worker here
16 that safety is not important. Don't be surprised then
17 when the workforce safety culture is not what it should
18 be. Let me close these remarks by stressing again that I
19 have no direct evidence that decisions made by NNSA in
20 nuclear explosive safety operations contributed to the
21 poor safety culture found last year among the B&W Pantex
22 workforce. Perhaps it did not. But all my years of
23 experience tell me that the two are likely connected. As
24 a result, during the day's first session, I will be
25 interested in hearing from NNSA officials to what extent

1 they have considered the possibility that the
2 Administration's own nuclear explosive operations safety
3 strategy is driving, perhaps, in whole or in part, the
4 safety culture here at Pantex. Similarly, during the
5 day's second session, I will be interested in hearing
6 whether the nuclear explosive operations decision-making
7 process, which necessarily factors technical
8 considerations into the mix of decision making, also
9 considers the potential impact of those decisions on
10 safety culture.

11 This concludes my opening remarks, and I
12 look forward to hearing from our distinguished panelists
13 here today on these important matters.

14 CHAIRMAN WINOKUR: Thank you for those
15 remarks. This concludes the Board's opening remarks.

16 At this time I would like to invite the
17 Honorable Neile Miller, Acting Administrator and Principal
18 Deputy Administrator of the National Nuclear Security
19 Administration, to the witness table to provide a
20 statement on behalf of the National Nuclear Security
21 Administration.

22 Welcome, Ms. Miller. I want you to know
23 that we will accept your full written testimony into the
24 record, and I would appreciate it if you would be able to
25 summarize your comments now in about ten minutes.

1 MS. MILLER: Thank you. Thank you for
2 inviting us here today to address the National Nuclear
3 Security Administration's ongoing work to improve the
4 safety culture at the Pantex Plant and more broadly our
5 ongoing efforts to improve our safety culture across the
6 complex.

7 I will be joined here today by Dr. Don
8 Nichols, Associate Administrator for Safety and Health and
9 Chief of Defense Nuclear Safety, Mr. James McConnell,
10 Deputy Associate Administrator for Infrastructure and
11 Operations, and Mr. Steve Erhart, Manager of the NNSA
12 production office. My colleagues will be available at a
13 later time to discuss safety culture efforts and answer
14 additional technical questions from you.

15 While I hold the responsibility for
16 operations and specifically the safety culture in the
17 NNSA, Steve Erhart is directly responsible for daily
18 operations at the NPO (National Production Office) and has
19 been diligent in his commitment to bringing improvements
20 in the safety culture at the Pantex Plant and the NPO, as
21 well as sharing his insights and knowledge with the
22 remainder of the enterprise.

23 Dr. Nichols supports me as the NNSA Central
24 Technical Authority, and James McConnell serves as the
25 Cognizant Secretarial Officer for Pantex. In that

1 capacity, he leads and manages operations for the
2 enterprise facilities that support the program mission.

3 This is a strong team and one that has both
4 the technical capability and the professional and personal
5 commitment to execute our mission safely.

6 In my time here with you today, I want to
7 assure of you two things. First, I am fully aware of the
8 significant safety culture concerns that have been raised
9 by our workers here at the Pantex Plant. Second, we are
10 engaged in and fully committed to the resolution of any
11 and all nuclear safety deficiencies within the department,
12 be they cultural, managerial, contractual, design, or
13 operational in origin. This holds true across the NNSA,
14 as well as the broader DOE complex, including
15 environmental management.

16 I reaffirm the Administration's and the
17 Department's commitment to safe and secure work
18 environments for all federal and contractor employees.

19 As you know, the Office of Health, Safety
20 and Security recently completed an assessment of the
21 safety culture at the Pantex Plant. The results were
22 sobering, so sobering, in fact, that my staff immediately
23 convened to discuss options that could be quickly
24 implemented to address these findings, even as we
25 contemplate longer term actions to fully implement the

1 recommendations from the HHS report.

2 After a detailed, forthright and open
3 discussion of the situation, we decided to immediately
4 implement a set of corrective actions that Steve Erhart
5 was instrumental in executing. We also developed a
6 detailed plan for both correcting and contributing issues,
7 as well as establishing the controls and processes to
8 ensure -- to keep us on a road to continuous safety
9 culture improvement.

10 A strong safety culture is essential to
11 ensure work is performed properly at the Pantex Plant, as
12 it is to perform work at any of our facilities. There is
13 no other way, and there is no substitute. The contractor
14 Babcock & Wilcox Pantex knows that I expect them to take
15 the findings and recommendations of this report, as well
16 as the other reviews related to this report, very
17 seriously, and that I and my staff will hold them, as well
18 as ourselves, accountable for making measurable
19 improvements in the culture and operations here at Pantex.

20 I would like to discuss the potential
21 impact of a flawed safety culture on our nuclear explosive
22 safety operations. Let me say unequivocally that the
23 negative impact due to such flaws is intolerable.

24 I would like to continue by addressing both
25 the short and long-term corrective actions which we've

1 taken here to ensure the continued safe execution of the
2 NNSA mission at the Pantex Plant, specifically to nuclear
3 explosive safety.

4 B&W Pantex initiated an investigation to
5 address the issues identified in your March 2nd letter.
6 The investigation generated eight judgments of need.
7 Following a review of these results, the NPO requested
8 additional causal analysis to address the management
9 issues that directly affect Pantex personnel. This
10 analysis resulted in the expansion of seven of the
11 original corrective actions associated with judgments of
12 need and one additional action.

13 NNSA then commissioned an independent
14 review of this analysis to confirm the results. The
15 independent review identified a number of weaknesses and
16 provided 13 recommendations. I believe that on both the
17 federal and the contractor's side, we are making progress
18 in addressing these matters, but my expectations are high
19 and much remains to be done until we can consider
20 ourselves to be where we must be.

21 I have personally taken action to increase
22 the independence of the oversight of NES (Nuclear
23 Explosive Safety) processes. In a memorandum dated 30
24 January, 2013, I directed the realignment of NES oversight
25 processes. The responsibility for NES policy will now

1 reside with the Associate Administrator for Safety and
2 Health. This was formerly a responsibility of the Deputy
3 Administrator for Defense Programs.

4 I have also transferred the responsibility
5 for oversight of the implementation of NES requirements to
6 the Office of Safety and Health, along with the
7 contracting authority and the staff authorizations to
8 execute this function.

9 The transfer of NES oversight
10 responsibility will be fully effective once funding and
11 reporting relationships have been realigned. In the
12 interim, the Associate Administrator for Safety and Health
13 and the Deputy Administrator for Defense Programs will
14 direct actions as appropriate to ensure a smooth
15 transition of this responsibility.

16 These actions will help to address our
17 concerns with the process and ensure direct access to me
18 regarding any issues that may arise.

19 Immediately following the out-briefing of
20 the HSS (Office of Health, Safety and Security) report
21 regarding safety culture findings at Pantex, NNSA issued a
22 letter to B&W Pantex directing immediate focus at all
23 management and working levels to a safety-conscious work
24 environment for all ongoing activities and operations.

25 This focus included the investigation and

1 correction in any real potential or perceived lack of
2 clarity for all activities approved under applicable NES
3 evaluations.

4 NNSA also directed B&W Pantex to evaluate
5 the process used to identify, assess and resolve matters
6 to ensure clarity and traceability regarding the
7 decision-making process in these cases.

8 We also directed the contractor to conduct
9 an extent of review condition for other NES evaluations.

10 Other immediate actions included the
11 development of a single stop/pause work process, which was
12 provided to all employees and discussed at daily work
13 planning meetings.

14 The Employee Concerns Program, an equal
15 opportunity office reporting chain was immediately
16 elevated to a direct report to the general manager's
17 office, providing the highest level accesses for any
18 employee concerns in these areas.

19 Additionally, the Differing Professional
20 Opinion Process was reinstated, providing a formal
21 mechanism for recognition and resolution of differing
22 views on technical matters.

23 Further, this letter directed B&W Pantex to
24 prepare a comprehensive, long-term Corrective Action Plan
25 mentioned previously, taking into account the Institute of

1 Nuclear Power Operations paper on The Principles of a
2 Strong Nuclear Safety Culture.

3 Our initial actions serve the needed goal
4 of quickly bringing this issue to the front and center of
5 attention to our federal and contractor management at the
6 Pantex Plant. They also demonstrated to the plant
7 personnel the commitment of management to correct the
8 problems identified and the need to rebuild a culture of
9 trust between the workforce and management at the plant.

10 NNSA's NPO will be closely monitoring these
11 changes and assessing the progress throughout the
12 completion of this plan. I can report to you that the
13 execution of this plan commenced prior to the completion
14 of the HSS final report on November 29th, 2012.

15 In the development of the long-term plan
16 for improvements of the safety culture, the key elements
17 identified in the Nuclear Regulatory Commission Procedures
18 and documented in the HSS Report were used as a guideline
19 for our actions.

20 The final and complete results of the HSS
21 Safety Culture Review were communicated to all plant
22 personnel when the final report was received. Plant
23 management accepted ownership of the identified issues and
24 engaged their workers to develop the immediate and
25 long-term plans to rectify the situation and to ensure all

1 personnel were aware of the actions being taken.

2 This was the first step in a longer
3 communication plan developed in December 2012 to foster
4 more open communications between management and plant
5 personnel. A key element to this communications included
6 the development and issuance of a consolidated NPO,
7 Pantex, Y-12 (National Security Complex), joint nuclear
8 safety culture policy. Having reviewed DNFSB (Defense
9 Nuclear Facilities Safety Board) Recommendation 2011-1, as
10 well as our own analysis, the NNSA and DOE have embraced
11 the need for an intensified effort to embed a strong
12 safety culture in all departmental policies, programs and
13 personnel.

14 Also, at a corporate level, we are
15 reviewing our contracting and technical issue resolution
16 processes to understand how they may be affecting safety
17 and what changes are necessary to promote a strong safety
18 culture.

19 We're also developing training for
20 Department of Energy federal and contractor senior leaders
21 on establishing and maintaining an open and collaborative
22 work environment within the department.

23 Drawing on the lessons from the safety
24 culture reviews across DOE and NNSA, we have established
25 within NNSA a corporate board led by Jim McConnell

1 responsible for coordinating our efforts to improve safety
2 culture within NNSA. One of our principal initiatives is
3 to conduct a safety culture survey of NNSA Headquarters.

4 During the week of February 19th, we
5 trained 23 NNSA personnel from a wide variety of offices
6 on safety culture principles and the process of conducting
7 safety culture surveys. The training was led by the same
8 expert who has been leading the safety culture surveys for
9 the Department.

10 I consider it essential that we understand
11 the extent to which leadership may be unintentionally
12 undermining the very culture we are trying to promote and
13 areas where we can improve. I expect the actual review of
14 NNSA Headquarters to be conducted this Spring.

15 Let me close with a few additional
16 thoughts. As an organization tasked with one of the
17 nation's most critical missions, we at NNSA understand the
18 fundamental make-or-break challenges that our work
19 entails. The safe and successful execution of our mission
20 greatly affects our nation's safety and security and
21 demands the very best of all of us, year in and year out.
22 That is why it is so important to embed the commitment to
23 safety deeply in the culture of the NNSA enterprise so
24 that it will be embraced by all of those who succeed us.

25 Our safety culture is critical to

1 protecting and improving the NNSA legacy, and we cannot
2 and must not fail in this effort. But we must also see
3 safety culture and any deficiencies that we find in our
4 safety culture to be part of the overall picture of how we
5 do what we do.

6 If people are our most important asset, as
7 we proudly state and truly believe, then we cannot be held
8 to any lesser standard than the one that clearly
9 demonstrates the truth in this statement: We must walk
10 the talk with every employee at every site in every
11 activity.

12 I will continue to discuss with you our
13 progress and your concerns in our regular interactions.
14 As always, I invite you to contact me directly if you have
15 any concerns about our activities involving our safety
16 culture improvements.

17 Thank you again for the opportunity to
18 discuss NNSA's safety culture improvement efforts at the
19 Pantex Plant.

20 CHAIRMAN WINOKUR: I want to thank you for
21 your comments, Administrator Miller, and I think we'll be
22 chatting with you later during one of the panel sessions.

23 Now our agenda calls for Mr. Ogg of the
24 Board's staff to provide testimony on the subject of the
25 safety culture at the Pantex Plant. However, in the

1 interest of time, I would like to ask Mr. Ogg to submit
2 his written testimony for the record.

3 I would also like to enter into the hearing
4 record the following three reports and one memorandum
5 which the Board will be discussing today.

6 First, the B&W Pantex Nuclear Explosive
7 Safety Change Control Investigation Report dated March 19,
8 2012.

9 Second, the NNSA Independent Review of the
10 Pantex Nuclear Explosive Safety Change Evaluation Process
11 dated September 2012.

12 Third, the DOE Office of Health, Safety and
13 Security Independent Oversight Assessment of Nuclear
14 Safety Culture at the Pantex Plant dated November 2012.

15 And, fourth, a memorandum from the Acting
16 Administrator of the NNSA concerning the revision of
17 Nuclear Explosive Safety Responsibilities dated
18 January 13th, 2013.

19 At this time, I would like to invite the
20 first panel of witnesses from the Department of Energy's
21 Office of Health, Safety and Security to discuss safety
22 culture at the Pantex Plant.

23 Would the two panel members please take
24 your seats as I introduce you. They are Mr. Glenn
25 Podonsky, the Chief of Health, Safety and Security; and

1 Mr. Tom Staker, the Acting Director, Office of Safety and
2 Emergency Management Evaluations and the Office of
3 Enforcement and Oversight.

4 The Board will direct questions to either
5 panelist, who will answer them to the best of their
6 ability. After that initial answer, the other panelists
7 may seek recognition by the Chairman to supplement the
8 answer as necessary. If panelists would like to take a
9 question for the record, the answer to that question will
10 be entered into the record of this hearing at a later
11 time.

12 Does anyone on the panel wish to submit
13 written testimony at this time?

14 MR. PODONSKY: Yes, Mr. Chairman, I would
15 like my written testimony that I submitted to the Board to
16 go in for the record.

17 CHAIRMAN WINOKUR: It will be accepted into
18 the record. Thank you. I would like to thank each of you
19 for your testimony today. With that, we'll continue with
20 questions from the Board Members to the full panel. And I
21 believe I have the first question.

22 It is to you, Mr. Podonsky. Can you
23 describe why the Health, Safety and Security Office
24 performed the safety culture assessment at Pantex?

25 MR. PODONSKY: Yes, sir, I can. It

1 actually started in 2010 when the Assistant Secretary for
2 Environmental Management asked us to take a look at WTP
3 (Waste Treatment and Immobilization Plant) because there
4 was many concerns that you talked about in your opening
5 statement.

6 And we did that review, and we discovered
7 at the conclusion of that review that, while we had a very
8 capable team, we were missing some critical elements in
9 order to properly assess safety culture. And that was, we
10 had nuclear safety experts, nuclear safety engineers, but
11 we didn't have experts in behavioral organizational
12 expertise and on safety culture assessments.

13 It was the Defense Board that, as a result
14 of our 2010 review, I believe, you had a -- the Board
15 Recommendation 2011-1 that prompted us to take a look at
16 how we were going to take a good assessment across the
17 complex, and especially we did not want to replicate what
18 we did in 2010. So we benchmarked against INPO (Institute
19 of Nuclear Power Operations), NRC (Nuclear Regulatory
20 Commission) and other power commercial entities and
21 discovered that we really did need expertise that we
22 didn't have previously on our teams.

23 And we started with the direction of the
24 Secretary in his implementation plan that he sent to the
25 Board to do an extent of condition review at other

1 projects, and in the course of our doing that, the Board
2 also made us aware that there were issues here at Pantex
3 that we might want to take a look at, and through the
4 encouragement of the Defense Board, which we appreciate
5 immensely, because we are all on this journey together.
6 Then Mr. Staker scheduled a comprehensive safety culture
7 review here at the Pantex Site.

8 CHAIRMAN WINOKUR: Thank you.

9 Mr. Staker, can you give me a sense of how
10 you conducted this -- this assessment. I mean, what were
11 some of the key things about what you felt was important
12 in terms of putting this team together to conduct an
13 effective assessment at the Pantex Plant?

14 MR. STAKER: Okay. As Glenn indicated, we
15 went out and we benchmarked; we met with folks from NRC,
16 INPO, commercial nuclear power facilities, and we learned
17 from that and interface with some experts that we really
18 needed to have three fundamental elements to make sure
19 that this particular assessment was successful, and we
20 wanted to do the best we could, because we thought this
21 information was important to help the Department move
22 forward.

23 So those three essential elements really
24 are, first, we needed to have some expertise in
25 organizational culture and organizational behaviors. We

1 didn't have that. We're primarily a technical
2 organization. So we brought Dr. Sonja Haber who was
3 actually an individual who led a study that was
4 commissioned by the Nuclear Regulatory Commission back in
5 the mid-eighties after the Chernobyl event to better
6 understand how management and organization can impact
7 safety.

8 So she led that study. It went on for
9 about five years, and as a product of that study, there's
10 new reg that came out with certain methodologies that can
11 be used to go out and assess the culture of an
12 organization. So, first of all, we had to bring in the
13 expertise.

14 The second fundamental element was to use
15 validated methodologies. We didn't want to create, for
16 example, our own survey. We don't have expertise in that.
17 So we used, for example, a survey mechanism that had been
18 validated by experts in the area, had been tested, had
19 been used, actually, for over twenty years, to do this
20 type of assessment.

21 And the third essential element of this
22 type of assessment was to use multiple methods. There are
23 different methods that you can use to collect information
24 on organizational culture, safety culture. Each one of
25 those has some strengths and weaknesses, and we actually

1 employed several methods.

2 First of all, we used an organizational
3 culture survey tool which provided us with an opportunity
4 to capture the perceptions of a large number of
5 individuals at the plant.

6 We also then employed what we called a
7 functional analysis, where we looked at the papers, the
8 procedures, the policies that describe an organization.

9 We then went out and conducted interviews
10 and focus groups where you go out and actually talk with
11 individuals to capture their perceptions, their beliefs.

12 We also did observations -- and I'm sorry,
13 can everybody hear me okay? I'm not moving too much,
14 right? Okay. Sorry.

15 We did actual observations; we went out and
16 observed work; we went on rounds with folks; we went to
17 meetings, to actually see the behaviors that occurred
18 during those activities.

19 And we used another tool called a Behavior
20 Accurate Rating Scale, and that's a tool where it
21 fundamentally takes organizational behaviors that are
22 necessary for any organization to actually function and
23 continue to function, such as communications, problem
24 identification and resolution, and it has -- each one of
25 those areas there's a -- I'll call it a definition of what

1 that area is on top, and then there's five descriptions of
2 that particular area. And as we did our interviews and
3 focus groups, we asked individuals to select which one of
4 those areas best resembled their organization. So that
5 helps provide another set of quantitative data.

6 We collected all of that data, and through
7 that process, you know, we had actually gone through some
8 training of our technical staff so we could help collect
9 it. But once it was collected, we gave it to the experts
10 in organizational behavior, and they conducted the
11 analysis to come up with the results, the observations and
12 the recommendations that are in the report.

13 CHAIRMAN WINOKUR: Do you think this
14 approach that you're talking about provides a lot more
15 validity than, let's say, a self assessment, because at
16 times the Board hears that different organizations want to
17 do self assessments, and yet you formed this team with, a
18 seems like, a unique and a very powerful set of skills to
19 do these assessments. How would you rate the kind of
20 information and the data and the analysis you get from
21 this approach vis-a-vis some organization doing a self
22 assessment of themselves?

23 MR. STAKER: You know, I think this method
24 provided some advantage in that all of the folks on the
25 team had no interface or power over any individual that

1 was interviewed or part of a focus group, so it could
2 probably allow more free-flowing information.

3 But if an organization were to do a self
4 assessment, which we're doing a lot of those in the
5 department right now, I think they really need to adhere
6 to those three fundamentals to use validated methods, not
7 create a survey tool with a bunch of engineers, to have
8 some level of expertise on the team, and to use multiple
9 methods and look across the data that's collected across
10 those methods to see where it converges.

11 CHAIRMAN WINOKUR: Yes, Mr. Podonsky.

12 MR. PODONSKY: I'd like to capitalize a
13 little bit on Mr. Staker's statement. We have found over
14 three decades of independent oversight in the department
15 is that while we have often developed an expertise in
16 different technical areas, and we went around looking at
17 self-assessment programs, we always found that everybody
18 had good intentions, but we were not always there. In
19 this particular area, I fully agree with Mr. Staker that
20 it is vitally important that the Department learn from our
21 mistake in 2010 where we didn't have the expertise that
22 was required, and we didn't follow those procedures that
23 are necessary to get at the heart of what's going on at a
24 site.

25 We have a lot of good people in the

1 Department of Energy, a lot of dedicated workers, like
2 here at the Pantex Plant. We have a dedicated Secretary
3 who's committed to safety culture. But without the full
4 understanding that we have gone through ourselves, it's
5 going to be very difficult to get a really good under --
6 picture of how effective those self assessments are going
7 to be.

8 CHAIRMAN WINOKUR: One final brief
9 question. During the Pantex safety culture assessment,
10 was the contractor assessed? Was the federal workforce
11 assessed? Who was assessed during this?

12 MR. STAKER: During the Pantex assessment,
13 we only looked at the contractor. We did not look at the
14 federal organization. This was conducted as part of the
15 extent of condition reviews, based on information that you
16 all provided to us, which emphasized the importance of
17 coming to Pantex.

18 When we started the planning for it, we
19 talked with the federal part of the organization and asked
20 if they would like to participate, and they declined. You
21 know, in retrospect, perhaps we should have included them
22 and not asked that they participate. So that's my fault.

23 CHAIRMAN WINOKUR: All right. Thank you.
24 At this time Ms. Roberson has questions.

25 VICE CHAIRMAN ROBERSON: Good afternoon,

1 both of you.

2 MR. STAKER: Good afternoon.

3 VICE CHAIRMAN ROBERSON: Thank you.

4 Mr. Staker, can you kind of summarize the
5 high level findings or weaknesses from the Pantex
6 assessment that the team did?

7 MR. STAKER: Sure. I think one of -- you
8 know, we keep dwelling on some of the negative things, but
9 there were positives, too. One of the most important
10 observations or -- I don't know if that's the right
11 term -- was that the workforce at the Pantex Plant is very
12 patriotic, and they are very committed to the mission of
13 the Pantex Plant. And they want to do that right; they
14 want to get it done, and to them that's a very high level
15 of importance.

16 I think a second positive feature of what
17 we observed is that there has been a lot of effort here on
18 formalization, and I think when we think about the work
19 they do here at the Pantex Plant, it's very important that
20 they have good procedures and good training and all those
21 things that go along with formalization.

22 And, you know, they have done some efforts
23 in this area. They were exploring it. They were working
24 on HRO (High Reliability Organization). So, I mean, I
25 give some credit to the organization. And I think another

1 positive feature of what we saw was that at the end of
2 this assessment, every assessment that we did, we asked --
3 we suggested to the management team that we not just brief
4 the management team on the results, that we also brief
5 staff, because they participated in it; they need to hear
6 the results. And, you know, that's all part of moving
7 forward.

8 We were not successful at getting some of
9 the other organizations to do that. Some were very
10 limited on who got briefed on the results, which was
11 somewhat disappointing.

12 At Pantex here, we gave the exact same
13 brief to staff in the largest room they had the next day,
14 and I believe they actually videotaped it and made it
15 available to individuals there to see.

16 So those are some good things.

17 VICE CHAIRMAN ROBERSON: Uh-huh.

18 MR. STAKER: Some of the concerns: One
19 was, you know, there's some fear of retaliation. And I
20 think when we look at safety-conscious work environment,
21 you know, there's a number of questions we had associated
22 with that: Do you feel responsible to identify concerns?
23 Are you encouraged? You know, are you willing to raise up
24 issues to your management? And do you fear retaliation?

25 The scores on the survey tools and the

1 information we heard in that area indicated that there's a
2 lot of work to be done here to encourage folks and make
3 folks feel comfortable in bringing up concerns, and that's
4 something that's pretty important at a place like Pantex.

5 Another observation was that, you know,
6 there were a lot of concerns identified by folks during
7 focus groups and interviews with the working conditions,
8 the life conditions there and the feeling that management
9 really wasn't paying attention to that, so there -- you
10 know, there's an importance here to what I'll call pay
11 attention to people and their needs, and people felt like
12 that wasn't being done. But if you're not doing that for
13 folks, then they don't feel as good about being part of
14 the organization.

15 VICE CHAIRMAN ROBERSON: Okay.

16 MR. STAKER: There had been a lot of work
17 on high reliability organization here. Our observation
18 was that it really didn't get into the organization. When
19 we looked at some areas like communications and
20 organizational learning, you know, a lot of folks felt
21 like, for example, the lessons learned program, we have
22 one, you know, there's things going on in that area, but
23 we really couldn't get down to, are we making meaningful
24 changes and using that?

25 There were some other areas, Different

1 [Differing] Professional Opinion Process, which is an
2 important tool in safety culture. They were actually
3 moving away from having a local process at the plant at
4 the time of the review, which they have changed back;
5 although, there are no DOE requirements for that. But
6 when we met with a lot of folks, even folks in the
7 engineering group, some of them weren't even aware that we
8 had a Different [Differing] Professional Opinion Process,
9 and others were somewhat confused on, you know, what it
10 was for or how it worked.

11 There were other mechanisms that are
12 associated with it; for example, Employee Concerns
13 Program. Again, there were some folks that didn't
14 understand that.

15 Stop Work Process. There was some
16 confusion with regard to that.

17 Open Door Policy. Some folks felt like you
18 couldn't go above your direct supervisor, unless you got
19 permission from that supervisor to go to the next level.
20 Well, that's not really the intent of an Open Door Policy.

21 So there were a lot of things that came to
22 light that I think gave good information to the folks here
23 on areas to work on.

24 VICE CHAIRMAN ROBERSON: Okay. Yes,
25 Mr. Podonsky.

1 MR. PODONSKY: I'm not going to make this a
2 habit, but I would like to emphasize something that I
3 think is important to this Board and it's important to the
4 Department of Energy and important to all of us.

5 Mr. Staker talked about the workers. And
6 it's vitally important to recognize when he says they are
7 patriotic and they are dedicated to the mission and doing
8 the best job they can, that is hugely important, and
9 that's the first step that this agency needs to capitalize
10 to take advantage of the willingness of the workers to do
11 the mission and do it safely.

12 And so as we go forward, and as you hold
13 the hearing, and as we continue with our extent of
14 condition review summaries, it's vitally important that
15 the workers realize that this agency really does care, and
16 we can demonstrate that through our actions, but we can't
17 lose sight of the fact that the first step is that we have
18 a dedicated workforce that's proud to do their mission,
19 and they are honored, actually, to have these jobs.

20 VICE CHAIRMAN ROBERSON: Thank you, Mr.
21 Podonsky. I guess what I want to do is pick a few of the
22 specific weaknesses from the team's report. And, I guess,
23 simply put, in my words -- it doesn't have to be anybody
24 else's words. We're talking a lot about safety culture,
25 and it sounds like this queasy thing, and I'm just -- I

1 just want to validate with you, at least my understanding
2 is, you can have mechanistic processes, but when you say
3 there are weaknesses in the safety culture, it means there
4 are weaknesses in how you make decisions about safety.
5 It's not supplemental; it's not a bifurcation. It
6 actually is how you make decisions about safety. Is that
7 the way the team views these assessments?

8 MR. STAKER: I think decision-making is a
9 key element of safety culture, and that influences what
10 people's beliefs, what their perceptions are. But there
11 are a lot of other factors that come into play there, too.

12 VICE CHAIRMAN ROBERSON: Okay.

13 MR. STAKER: You know, a lot of different
14 interactions. When people raise a concern, what kind of
15 reaction do you get from your supervisor, for example? Do
16 they act negativity towards it, or do they -- or are they
17 receptive to it? Are folks out there encouraging people
18 to raise concerns?

19 It's one thing to advertise a process like
20 an Employee Concerns Program.

21 VICE CHAIRMAN ROBERSON: Uh-huh.

22 MR. STAKER: It's another one to encourage
23 people to bring up concerns.

24 So decision-making, yeah, that's a key
25 element. That's a key organizational behavior that can

1 have a major impact on the underlying beliefs and
2 perceptions of the individuals that work in an
3 organization.

4 VICE CHAIRMAN ROBERSON: So you talk about
5 a few; let me quote a couple of more, and I would just
6 like for you to tell me, with the team of experts, how
7 these kinds of weaknesses can show themselves in an
8 organization when it comes to making decisions about
9 safety.

10 So one of them is -- and I'm going to
11 quote, "There is a strong perception that retaliation
12 exists for 'rocking the boat'." How does that show itself
13 in how an organization makes decisions about safety?

14 MR. STAKER: Well, I mean, I guess there's
15 decisions made at all different levels.

16 VICE CHAIRMAN ROBERSON: Uh-huh.

17 MR. STAKER: And if people bring up
18 concerns or, you know, question things, and they get
19 changes in their work assignments, they get treated
20 negatively by management, they even possibly get put in a
21 new position, that's certainly going to have a chilling
22 effect on other people that work in an organization.

23 VICE CHAIRMAN ROBERSON: Uh-huh.

24 MR. STAKER: And if people aren't bringing
25 up their concerns, questioning things, there's a potential

1 to miss out on something that's very important, and I
2 don't think we want to have that potential out there.

3 VICE CHAIRMAN ROBERSON: Uh-huh.

4 MR. STAKER: So anything to eliminate that
5 by improving the safety culture, by encouraging folks to
6 bring things up, is very important.

7 VICE CHAIRMAN ROBERSON: And just one more,
8 Mr. Chairman, at this time.

9 Another quote, "The belief that the
10 organization places a high priority on safety is
11 undermined by employee observations of poor facility
12 conditions, lack of focus on meeting personal needs and a
13 sense of cronyism."

14 MR. STAKER: Okay. Those are different
15 feelings, perceptions, beliefs that individuals had that
16 affect how they feel their management -- you know, they
17 are not invested in the people. They are treating certain
18 types of people differently. They can affect how
19 individuals interact in doing their work.

20 VICE CHAIRMAN ROBERSON: But when you
21 stop --

22 MR. STAKER: Because they don't believe in
23 the management team or the organization.

24 VICE CHAIRMAN ROBERSON: Okay.

25 MR. STAKER: They are not part of it.

1 VICE CHAIRMAN ROBERSON: And so when you
2 step back from it, if people have those -- and we can say
3 they are feelings and we can say they are beliefs -- this
4 is a delivered and received. Even though someone may not
5 intend it, from a management perspective, if it's
6 received.

7 When you step back from it, what are the
8 concerns about the potential impacts of these kinds of
9 issues on an organization's decision making about safety?

10 I mean, DOE clearly communicated in its
11 policy 420.1 that it wants a strong safety culture. So if
12 you don't have it, what are these kind of things -- what
13 can be the effect of that?

14 MR. STAKER: Again, if people don't feel
15 like they are part of the organization, that they are left
16 out, they might not participate in opportunities to raise
17 things up, to make things better, to make it a better
18 organization, to make it safer, because they are not part
19 of it.

20 I think that, you know, we do have that
21 policy, but what some of us have learned from this effort
22 to go out and look at safety culture at a number of
23 organizations in the department, I'm not sure if we really
24 understood what it meant. And I think we need to have a
25 big effort to inform and educate people before we can move

1 forward, because I'll -- you know, I'll just give you an
2 example.

3 I had someone, not at Pantex, come up to me
4 and say, why are y'all doing all of this stuff? People
5 like you and me, we've been around a long time; we can
6 just walk around and tell what the culture is.

7 Well, you know, that's not really a wise
8 thing to do. It's a little bit more sophisticated than
9 that. So we need a big educational effort to help us
10 understand what it is, to be more aware of it, so we can
11 move forward.

12 VICE CHAIRMAN ROBERSON: Yeah. I'm going
13 to stop there, Mr. Chairman.

14 CHAIRMAN WINOKUR: Okay. Dr. Mansfield?

15 DR. MANSFIELD: Thank you, Mr. Chairman.

16 Mr. Staker, do you believe that the
17 problems evidenced by the surveys developed in a short
18 time, or have they been around for a while?

19 MR. STAKER: Well, let me just say very
20 clear. I'm not an expert on organizational culture. I'm
21 on a steep learning curve. But based on my conversations
22 with individuals that have much more knowledge than me,
23 the culture of an organization isn't something that just
24 changes quickly. It occurs over a lot of time.

25 VICE CHAIRMAN ROBERSON: That's right,

1 uh-huh.

2 MR. STAKER: And there's probably a lot of
3 factors that come into play over a long period of time to
4 get where they are at this point.

5 DR. MANSFIELD: And to your knowledge, did
6 the contractor report any hints that he was collecting
7 that something was developing along these lines, that the
8 safety culture was in transit or in change, flux.

9 MR. STAKER: The contractor organization
10 had actually started conducting a survey of safety
11 culture, which they were working with Texas Tech.

12 DR. MANSFIELD: Uh-huh.

13 MR. STAKER: And, you know, they hadn't
14 really gotten to the end point of that, so -- you know.

15 DR. MANSFIELD: So they didn't have -- and
16 I'm going to speak -- I'm going to ask more questions when
17 we talk to B&W. But they didn't have any procedure for
18 hearing about the employee concerns about changes in
19 safety culture or barriers to communicating safety issues.
20 I'm putting answers in your mouth, I realize that. But is
21 it that there was nobody active in management, between the
22 top management and the workers that could communicate up
23 the chain that something was happening, something like
24 chief safety officer?

25 MR. STAKER: I think what we saw were more

1 like barriers --

2 DR. MANSFIELD: Uh-huh.

3 MR. STAKER: -- to individuals from
4 communicating potential concerns to challenging decisions,
5 those kind of things, and there were a lot of potential
6 barriers that we saw.

7 DR. MANSFIELD: Good. Thank you, Mr.
8 Chairman.

9 CHAIRMAN WINOKUR: Before I go to
10 Mr. Bader, let me ask for a brief answer from you about
11 that, Mr. Podonsky, because you're a gentleman who's been
12 involved with DOE for a fairly long period of time, and
13 you've seen a lot of things come and go. What's the time
14 scale in which you think culture changes in an
15 organization?

16 MR. PODONSKY: Well, Mr. Chairman, I
17 actually thank you for that question, because this is not
18 a flavor of the month. This is going to take a long,
19 concerted effort for the Department to sustain moving
20 forward to a good safety culture. HSS, in fact, we are
21 looking to contribute to that by revising some of our
22 oversight procedures so that we have more constant
23 surveillance going on and working with the sites. Because
24 if this is going to stick and actually grow to improve the
25 way we do business in the Department, it can't just be

1 safety culture reviews. That's only the first step.

2 So I see this as -- in talking to the
3 experts that we hired, in talking to -- in fact, I
4 would -- that reminds me.

5 We actually hired a new federal expert on
6 safety culture in one of our other organizations, and he's
7 going to go around and help the sites with his expertise
8 that he brings to the table. In fact, he's here this week
9 at Pantex, working with the folks here. That's part of
10 our assist mode.

11 But to conclude in my answer to your
12 question is that I know that this Secretary is very
13 dedicated to making a strong safety culture where people
14 have the absolute feeling that they have the right to be
15 encouraged to raise questions and issue concerns and it
16 has to transcend to the next administration and the next
17 and the next, just like we did with ISM (Integrated Safety
18 Management). It's going to take quite an effort to
19 sustain it.

20 CHAIRMAN WINOKUR: Thank you. Mr. Bader?

21 MR. BADER: Let me follow that up with one
22 -- one further question. We've been talking about
23 reviews, both the type that you conducted, Mr. Staker, in
24 your HSS independent reviews, and we've been talking about
25 self assessment. And I would address this question to the

1 two of you equally, whichever, whoever wants to respond.
2 Which do you think is more likely to provide an accurate
3 assessment of the safety culture? The self assessment or
4 the type you've conducted?

5 MR. PODONSKY: Go ahead.

6 MR. STAKER: I'll give my opinion. And my
7 opinion is, as long as it's done correctly, use validated
8 methods, you bring in some expertise, use multiple
9 methods, I think a self assessment can provide good
10 information.

11 I would be more worried about, you know,
12 creating a survey from scratch, getting a bunch of
13 engineers together that go out and just do this without
14 any expertise. That's what I worry about more than
15 whether it's a self assessment or an independent
16 assessment. I just want to make sure it's done correctly
17 so it provides valid information. So we're kind of
18 baselining to know where we are, and we want to get it
19 right.

20 MR. BADER: When you say that in terms of
21 doing a self assessment correctly, you didn't mention
22 independence. How would you do self assessment and assure
23 independence?

24 MR. STAKER: Well, one of the methods -- I
25 guess you can't assure independence. I mean, you can look

1 at independence different ways. If we look at the way
2 it's done in the commercial nuclear power industry, they
3 do do self assessments of safety culture. And, you know,
4 typically they bring in some outsiders to help out to do
5 the assessment, but their independence is at a different
6 level; whereas, they wouldn't have a manager or someone
7 above an individual in a focus group with that particular
8 individual. So if you're the maintenance manager, you
9 would be conducting focus groups of operators. So that
10 creates some level of independence, and -- but it's not
11 quite the same as a completely independent group.

12 But I'm more worried about the method and
13 the capability of the individuals doing it.

14 MR. BADER: Mr. Podonsky, would you like to
15 add to that?

16 MR. PODONSKY: Actually, I want to start
17 with your first question and then come to the second one,
18 as well.

19 I'm encouraged by what I hear and see from
20 NNSA going down the path of training their folks, bringing
21 in the experts, looking at the methodologies. That's very
22 encouraging, because that leads me to say that it doesn't
23 necessarily need to have an independent self assessment,
24 provided the leadership is, in fact, setting the stage and
25 the tone for what the expectations are.

1 And as we just heard Acting Administrator
2 Neile Miller say, she's very committed to this. And
3 that's very encouraging, because that's what it's going to
4 take.

5 So a little bit different from my colleague
6 Mr. Staker, I sometimes worry about the independence,
7 because then are we forcing the culture onto an
8 organization? And you can't do that and be successful.
9 It has to be coming from the leadership of the
10 organization and carried throughout all levels.

11 MR. BADER: Thank you. As noted in your
12 report, one of the things that struck me about the results
13 of this assessment was the widespread nature of the safety
14 culture concerns. This assessment was chartered in
15 response to some very specific concerns within one group
16 at the plant. However, your results clearly indicate a
17 concern much broader and deeper in scope. Further, the
18 assessment identified significant differences in values
19 and perceptions between the workers and the various levels
20 of management. Am I correct in these perceptions?

21 MR. STAKER: (Nods head up and down.)

22 MR. BADER: Is that a yes, Mr. Staker?

23 MR. STAKER: Yes.

24 MR. BADER: Thank you. Both you and --

25 Mr. Podonsky, both you and Administrator

1 Miller addressed the existence of barriers between
2 management and workers, between senior management and
3 workers, creating, and I'll use my word, a gap.

4 Could you discuss the barriers
5 specifically? What barriers did you see? I mean, we've
6 mentioned barriers in general, but what specific barriers
7 did you see?

8 MR. STAKER: Well, I think we go back to
9 some of these other observations. If I'm working
10 somewhere and I feel I'm going to be retaliated against,
11 am I going to go up to my manager and raise a concern? I
12 mean, that's a barrier to communications between an
13 individual and their manager.

14 The same with if I don't feel, for example,
15 it's my responsibility to bring up issues. There were
16 some folks that felt that here. That's a barrier. If I
17 feel like they don't want to hear it, that's a barrier.
18 So I think those are the kinds of things we're talking
19 about.

20 You know, we have to have communications
21 that work both ways, up and down, sideways. And when we
22 have these kinds of things out there, they can inhibit
23 those communications.

24 MR. BADER: Did you feel that these
25 barriers were clearly understood by the workers?

1 MR. STAKER: Clearly understood by the
2 workers? I mean, these were based on the workers' beliefs
3 and perceptions, so that's how they felt.

4 MR. BADER: Did you have a sense that at
5 some levels of management within the contractor there was
6 a sense of complacency?

7 MR. STAKER: No, I don't think we sensed
8 complacency. I think -- and again, this is my opinion as
9 a non safety culture expert or organizational culture
10 expert.

11 I think this is an area where we're all
12 still trying to learn in the department. We really
13 haven't engaged in it, although Pantex is engaged probably
14 more than most other sites, and we have a lot to learn.

15 And I think what I personally learned from
16 this was that, you know, we have a lot of engineers and
17 physical scientists, and I'm an engineer, and I've been
18 trained to fix things. And I fix things through design or
19 process. But what I was never trained on as an engineer
20 is how to deal with people, and a lot about what we're
21 talking about here is how you interface with people and
22 how you work those interfaces. And I just think we have a
23 lot to learn there.

24 MR. BADER: Mr. Podonsky, you now can head
25 it up conducting a number of these different assessments.

1 What do you think are the underlying
2 reasons for these differences in perception that we're
3 talking about?

4 MR. PODONSKY: I think, Dr. Bader, it goes
5 to how we treat people as a department, and I won't get
6 philosophical with you, but in a previous incarnation with
7 the Air Force, I learned, you take care of the people, the
8 people will take care of the mission.

9 And what we have is we have varying styles
10 at different parts of the Department of Energy at
11 different sites. First I want to go back to my earlier
12 add-on to one of Mr. Staker's statements, is that we have
13 a dedicated workforce throughout this complex. They want
14 to do the right job, just like here at Pantex.

15 And what we need, and we've had various
16 attempts at this, including currently, we need strong
17 leadership, focused on the importance of safety. But what
18 does that mean? That means that it becomes paramount to
19 mission. Mission is vital, but you can't do the mission,
20 unless you're going to do it safely. And so you have a
21 different interpretation at different sites in the
22 complex.

23 What I see here, if you'll allow me, I see
24 a golden opportunity for this department with the issues
25 that this Defense Board has raised in the last couple of

1 years, especially on safety culture, to once and for all
2 change this department so it can be all the things that it
3 can be that we oftentimes squander opportunities because
4 we don't fully understand the behavioral side of it.

5 So the difference between management
6 perception and workers' perception has to do with the
7 different cultures at the different sites. It has to do
8 with the different messaging that comes out. And so what
9 we need -- and we've started on this path as -- just as
10 Mr. Staker said, it's the beginning of a journey. It's
11 going to be a long journey. But we need more than
12 messaging. We need actions that prove to the workers that
13 they can trust the management to follow through and that
14 we care.

15 And that in the same sense in one of the --
16 in Mr. Staker's report it said here at Pantex that the
17 workers were very dedicated to the organization, but there
18 was a perception that the organization was not as
19 dedicated to the workers. We have to turn that around
20 across the entire complex.

21 CHAIRMAN WINOKUR: I think we're going to
22 move on at this point. We may come back to other
23 questions later, Mr. Bader.

24 MR. BADER: Thank you.

25 CHAIRMAN WINOKUR: Mr. Sullivan?

1 MR. SULLIVAN: Thank you, Mr. Chairman.

2 Mr. Staker, a few moments ago in response
3 to a question from Dr. Mansfield, you alluded to this
4 prior survey done by the contractor Babcock & Wilcox
5 Pantex. And at the beginning here we entered into the
6 record a report from B&W Pantex that was dated, I think
7 actually, two months prior to your report. So I'm just
8 wondering if you had access to a report from the
9 contractor prior to doing your report?

10 MR. STAKER: What I was referring to is
11 they have an effort -- had an effort underway with Texas
12 Tech to do a survey of the culture of the site, which
13 actually had been going on for quite a while. That actual
14 effort had not been completed at the time of our
15 assessment, so we did not have the results of that.

16 MR. SULLIVAN: Okay. So I'm aware of this
17 other B&W Pantex report which was specific to the Nuclear
18 Explosive Safety Change Control process, and I believe
19 that your report actually does make a reference to that.

20 MR. STAKER: To the eight out of ten.

21 MR. SULLIVAN: Okay. So you're mentioning
22 there were eight out of ten employees that said that they
23 were concerned that it might be a career-limiting move --

24 MR. STAKER: Right.

25 MR. SULLIVAN: -- for them to actually say

1 something. So was that something that you under --
2 encountered in your discussion with the employees, or did
3 you simply get that out of the prior report that was done?

4 MR. STAKER: That section of our report was
5 based on the report you're referring to, which was
6 completed prior to our assessment.

7 MR. SULLIVAN: So you did not interview
8 these employees about these specific concerns? Is that a
9 true statement?

10 MR. STAKER: We interviewed a cross section
11 of the plant, and we interfaced with folks from every part
12 of the organization, and we surveyed folks from every part
13 of the organization. But our intent wasn't to further
14 pursue that particular report. Our intent was to go in
15 there I'll say pretty much, let's say, with a blank slate
16 to map out what is the culture of this organization.

17 MR. SULLIVAN: Okay. So in your report
18 where you said that it was an area that needed attention,
19 did you mean anything by that other than they should go
20 look at their own report?

21 MR. STAKER: No. It's just another data
22 point that indicates that, you know, we need to work on
23 this area, that people need to feel comfortable raising up
24 concerns.

25 MR. SULLIVAN: Okay. Thank you.

1 MR. STAKER: That's all that was.

2 MR. SULLIVAN: All right, thank you.

3 CHAIRMAN WINOKUR: Ms. Roberson?

4 VICE CHAIRMAN ROBERSON: So I'm a little
5 uncomfortable. I am an engineer, so I guess that makes
6 sense. But I think we've talked a lot about how employees
7 feel, but I guess even though I am an engineer and I've
8 had the benefit of discussion with the experts that you
9 guys have, it's the employees' feelings. It's a
10 reflection of their view of the desires of their
11 management and their leadership.

12 MR. STAKER: Uh-huh.

13 VICE CHAIRMAN ROBERSON: Is that not right?

14 MR. STAKER: Yes.

15 VICE CHAIRMAN ROBERSON: It's kind of the
16 result of, not the cause of?

17 MR. STAKER: Leadership helps establish the
18 culture.

19 VICE CHAIRMAN ROBERSON: Okay. I just
20 wanted to get to that.

21 And the problem is when employees react in
22 accordance with -- in a weak safety culture, information
23 may not get to the decision makers that are needed to make
24 good decisions? Is that right? That's why we're really
25 worried about this.

1 MR. STAKER: That's correct.

2 VICE CHAIRMAN ROBERSON: Okay. All righty.
3 So I want to go to another specific in the report. And
4 let me just read it, and then I'll ask my questions. Your
5 report states it is an area in need of attention that
6 interviewees expressed the belief that the Authorization
7 Basis Group should not be inside the engineering division
8 but outside the line, similar to what was done with the
9 Nuclear Explosive Safety Group.

10 So, first of all, if you can just tell the
11 audience, what does the Authorization Basis Group do?
12 What do they contribute to the operation?

13 MR. STAKER: They're the people that manage
14 and develop the documented safety analysis documents for
15 nuclear safety. They are critical for safe operation of
16 the site.

17 VICE CHAIRMAN ROBERSON: Okay. Pretty
18 important?

19 MR. STAKER: Very important.

20 VICE CHAIRMAN ROBERSON: It kind of worries
21 me if they're -- if they don't feel like they can bring
22 information forward to their leadership would be a
23 problem, right?

24 MR. STAKER: That's correct.

25 VICE CHAIRMAN ROBERSON: So why did the

1 team say this needs attention?

2 MR. STAKER: Well, the team put that in
3 there because that's something that should be looked at,
4 and it was brought up by some of the individuals at the
5 site --

6 VICE CHAIRMAN ROBERSON: Okay.

7 MR. STAKER: -- that that was their belief
8 that that organization should be moved, just like nuclear
9 explosive safety.

10 VICE CHAIRMAN ROBERSON: So, I mean, it
11 certainly was worrisome to me, and I'll offer this to
12 either you, Mr. Podonsky, or you, Mr. Staker. We had a
13 hearing at Hanford. We had a very similar concern, and we
14 had a lot of debate about there's healthy conflict, but
15 then there's a point at which it's not so healthy anymore.

16 And so I would kind of like to ask if the
17 team got a sense of if this is truly problematic at Pantex
18 and really more attention needs to be paid to addressing
19 whatever is driving this concern?

20 MR. STAKER: You know, we didn't get much
21 further into that concern. That was just something that
22 was pointed out by some individuals, and we didn't -- we
23 didn't get any information that there were problems from
24 that, just that they felt that it was important, and it
25 should be put in a different place in the organization.

1 VICE CHAIRMAN ROBERSON: So let me just
2 read to you from the transcript of our Hanford hearing.

3 MR. STAKER: Okay.

4 VICE CHAIRMAN ROBERSON: Mr. Podonsky, your
5 deputy, Mr. Eckroade noted that in the WTP project, the
6 HSS team had found a clear conflict between the group
7 responsible for developing the Authorization Basis and the
8 group responsible for design and engineering of the
9 project. And I'm going to quote him here, "This is such a
10 fundamental issue, as we're dealing with complex
11 technologies and very difficult issues in an environment
12 with difficult projects -- difficult project schedules and
13 milestones exist. Not to have the teamwork working
14 together to optimize solutions that optimize the mission,
15 optimize safety and budget, it was very difficult.

16 So this is -- and I don't know if you're
17 seeing this in others of your assessment, but that
18 certainly caught my attention, and I wasn't sure of the
19 extent of concern by the team itself.

20 Do you guys want to comment, either one of
21 you? Because you're not just somebody doing an -- doing
22 an assessment, Mr. Podonsky. You're the department safety
23 lead. Does that bother you?

24 MR. PODONSKY: Yeah, it's very disturbing.
25 And going back to Bill Eckroade's statement, I don't think

1 that it's the same here at Pantex. At WTP, there was --
2 there was a lot more conflict between groups, between --
3 in between engineers and non-engineers. There was a much
4 more pronounced friction, which is not healthy. So I
5 agree with you on your concerns about that this is
6 something that no part of the department can tolerate when
7 you have such an important mission.

8 I didn't hear or read in Mr. Staker's
9 report the same degree of conflict. And as he said, I
10 don't know how far they looked into it, but I know from my
11 own experience up there at WTP, on multiple trips, we saw
12 a great deal of friction, even between federal offices.

13 VICE CHAIRMAN ROBERSON: Okay.

14 MR. PODONSKY: Not acceptable.

15 VICE CHAIRMAN ROBERSON: Okay. All right.
16 Mr. Staker, B&W Pantex developed their Corrective Action
17 Plan, based on the draft HSS team report. Has your
18 organization seen that plan?

19 MR. STAKER: Yes, we have.

20 VICE CHAIRMAN ROBERSON: And are you
21 confident that it addresses the concerns that were
22 identified by the team and will be effective at sustaining
23 a strong safety culture once established?

24 MR. STAKER: Well, as I indicated earlier,
25 I'm not an expert in safety culture. I'm still learning.

1 But based on our look at the plan, at some of the actions
2 that they have already implemented, some of the actions
3 they have planned, at the level of management attention
4 it's getting, it appears to be appropriate. And it's
5 receiving the appropriate level of management attention;
6 it's addressing the areas that we pointed out in the
7 report. Will it be successful? I can't predict that.
8 But it will take a lot of management attention over a long
9 period of time to make sure that it is.

10 VICE CHAIRMAN ROBERSON: Okay. Okay, Mr.
11 Chairman.

12 CHAIRMAN WINOKUR: Mr. Bader?

13 MR. BADER: Sorry. Mr. Podonsky, you have
14 talked about the long-term nature of the fix. In other
15 words, the short-term activities are necessary, but
16 inadequate to fix the safety culture issue at Pantex.
17 What long-term steps do you believe are necessary?

18 MR. PODONSKY: Well, for not just at
19 Pantex, but across the complex, we're doing the SCWE
20 training, (Safety-Conscious Work Environment) training for
21 the managers and the workers.

22 We have to have policies and procedures
23 clearly identified and articulated where everybody
24 understands what the expectations are.

25 The leadership from the local site office,

1 all the way through the program office, all the way to the
2 Secretary, the Deputy Secretary, and all the assistant
3 secretaries have to be on the same hymnal page on this.
4 This is going to take a concerted effort.

5 Ms. Roberson just asked about
6 sustainability. The sustainability is going to be that we
7 just don't put a corrective action plan together and move
8 forward. It's -- put it in the corrective action plan and
9 make it part of the fabric of what makes this site
10 operate, as well as every other site and every other
11 project across the complex.

12 So when we talk about the long term, it's
13 an investment, it's an education. It's making sure, as
14 Mr. Staker keeps on saying, he's not an expert, yet he's
15 been on all the extent of condition reviews, so he
16 probably has more information than many of us. But still
17 he brings up a point, that we need more expertise in this
18 area. We need to embrace the concept that while we have
19 strong technical engineers, we also have to have equally
20 as strong experienced people in behavioral, organizational
21 safety culture expertise so that that long-term fix is not
22 just going to fall off by the next crisis that we deal
23 with.

24 Because this is a crisis. This is a crisis
25 for the entire agency. Acting Administrator Miller talked

1 about bringing in a review on NNSA. EM (Environmental
2 Management), we reviewed EM headquarters.

3 We actually just had a review on HSS, and
4 I'm here to tell you, it was not a very pleasant
5 experience for me to understand where HSS is failing. But
6 it was an extremely sobering experience to understand for
7 even us as the Health, Safety and Security Officers of the
8 Department, to understand where our safety organizational
9 culture is not succeeding. It makes me realize that this
10 investment is going to be a long-term investment on many,
11 many levels.

12 MR. BADER: Well, my reaction is that I've
13 watched crisis corrective action plans and DOE get diluted
14 and delayed and eventually abandoned. So it will be very
15 interesting to watch the implementation of this Corrective
16 Action Program, and I hope there will be the efforts to
17 lay in place things that will help that not happen.

18 MR. PODONSKY: May I add to your statement
19 with an answer and remind the Board --

20 MR. BADER: Briefly, please.

21 MR. PODONSKY: Very briefly. You sound
22 like my wife.

23 Okay. So relative to HSS, we are retooling
24 our oversight so that we are part of the solution to
25 provide consistent observations on all these areas that

1 Mr. Staker and the extent of condition reviews have
2 conducted so that we will continue to focus and then put
3 that actually part of our independent oversight reviews,
4 as well.

5 MR. BADER: Thank you.

6 CHAIRMAN WINOKUR: Mr. Sullivan?

7 MR. SULLIVAN: Thank you. Hopefully some
8 simple follow-up questions.

9 So, Mr. Podonsky, we heard earlier that the
10 federal employees here at the production office were not
11 part of the earlier survey, and to paraphrase Mr. Staker,
12 perhaps on hindsight maybe they should have been. Are you
13 aware of any plans moving forward to do a survey that
14 would include the federal employees here?

15 MR. PODONSKY: I am not aware of that --

16 MR. SULLIVAN: And --

17 MR. PODONSKY: -- but Mr. Staker might be.

18 MR. STAKER: If I could add to that.

19 MR. SULLIVAN: Certainly.

20 MR. STAKER: Part of the implementation
21 plan for 2011-1 is for all of the organizations to do a --
22 conduct a self assessment. As part of that, we are doing
23 oversight of those self assessments, trying to ensure that
24 they are conducted to provide the right data, so we have
25 that level of involvement. There's not nothing going on.

1 MR. SULLIVAN: All right. So there is a
2 plan to do a self assessment that you will have oversight
3 of; did I understand that correctly?

4 MR. STAKER: Yeah. As part of the
5 implementation plan for 2011-1, all the defense nuclear
6 organizations have to do self assessments. And another
7 element of that is that our office oversees those self
8 assessments. So I just didn't want to give the impression
9 that we're just kind of not doing anything.

10 MR. SULLIVAN: I understand. But are you
11 aware of anything specifically scheduled, at this point?

12 MR. STAKER: I don't know. One of our
13 staff has the lead for that, and she has been in contact
14 with the lead for the NPO organization. In fact, I think
15 they just talked earlier this week. She gave some
16 comments on their plan.

17 MR. SULLIVAN: Okay. Thank you.

18 And, Mr. Podonsky, I heard Acting
19 Administrator Miller testify earlier that there was going
20 to be a self assessment on the NNSA organization at the
21 headquarters. Will you have oversight of that, as well?

22 MR. PODONSKY: No, what they have done,
23 appropriately, they have brought in the experts that we
24 have used as she said in her statement, and so we applaud
25 that effort. And we will, as part of the 2011-1, take a

1 look at what was done.

2 MR. SULLIVAN: Okay. So you will look at
3 it, but you won't have any active involvement in the
4 survey as it's performed? Did I --

5 MR. STAKER: We would have -- the problem
6 we have is we're a very small organization. There's going
7 to be scores of these self assessments, and we can't be
8 out there and engaged every time a self assessment is
9 conducted. So from what we understand, NNSA headquarters
10 has brought in the same Dr. Haber to help them with their
11 self assessment. If they do that and use those
12 methodologies, we wouldn't spend as much time on that as
13 we would on another organization that we don't have as
14 much confidence in the expertise and the methodologies,
15 because we can't do 100 percent.

16 MR. SULLIVAN: I understand. I think I
17 just asked a simple question, would you -- do you have
18 oversight, and I think the answer was no. And that's --
19 that was all.

20 MR. STAKER: Well, our -- it will be less
21 oversight. We plan on reviewing as a minimum all of the
22 reports that come out of the self assessments.

23 MR. SULLIVAN: Okay. Thank you very much.

24 CHAIRMAN WINOKUR: Let me end with a few
25 questions, perhaps, and then I'll ask other board members

1 if they have any. I know you're not an expert on safety
2 culture; I've learned that, but can you define safety
3 culture for the audience here, just what DOE's definition
4 of safety culture is? Do you guys have that written down
5 anywhere?

6 MR. STAKER: I didn't bring my --

7 CHAIRMAN WINOKUR: All right, so you don't.
8 So I'll give you my shot at it, would that help?

9 MR. PODONSKY: I'll give you my shot.

10 CHAIRMAN WINOKUR: Okay. What have you
11 got?

12 MR. PODONSKY: I wrote it -- I wrote it at
13 about 2:00 this morning, but I'll paraphrase it, because I
14 can't see it right now.

15 Safety culture is where you -- leadership
16 shows the organization through their behavior the
17 commitment to safety, and the organization internalizes
18 it. And together they go down the path to make sure that
19 everybody has the sense that anybody at any level can
20 raise questions or concerns about projects, activities,
21 and it doesn't matter what level, and they do it without
22 fear of reprisal of any form. That's what I understand
23 and believe safety culture is about. And the key is that,
24 not only do they not fear reprisal, but they also know
25 that management is welcoming the questions.

1 CHAIRMAN WINOKUR: Now, I'm not an expert
2 either, but my understanding of it, and I think it's very
3 consistent with what you said, is that it's modeled by the
4 leaders. It's created by the leaders, and we measure it
5 in the values and the attitudes of the workers.

6 So one of the key findings here that really
7 drew my attention that Ms. Roberson talked about was this
8 gap, the gap between the senior leaders and the workers
9 and is that -- Does that, in your opinion, provide an
10 incredibly strong signal that the safety culture isn't
11 where it needs to be in an organization? Would you
12 consider that one of the, you know, key hallmarks of a
13 flawed safety culture, the fact that management feels
14 everything is working pretty well, but the workers have a
15 very different perception?

16 MR. STAKER: Yes. Yes, it is. If you have
17 a serious misalignment between management and the
18 workforce, then you probably have a bigger problem than
19 just safety culture. So, yes, the answer is --

20 CHAIRMAN WINOKUR: And it isn't just that
21 management has poor intentions, it's just that this
22 linkage isn't being made?

23 MR. STAKER: Yeah. And the disconnect
24 between senior management and the workforce through our
25 extent of condition assessments wasn't just here at

1 Pantex; it was much broader than that, and that's
2 something that really needs to be understood and
3 addressed.

4 CHAIRMAN WINOKUR: If you asked me two
5 years ago who had the best safety culture in the
6 Department of Energy, I would have said Pantex. I would
7 have said it because this is where this incredibly
8 important work with this great workforce assembling,
9 disassembling, dismantling, performing surveillance on
10 nuclear weapons occurs, a very highly proceduralized
11 operation. Were you surprised to see the results of the
12 safety culture assessment of Pantex, either one of you?

13 MR. PODONSKY: Yeah, I will answer. I
14 would -- I would have come up with the same answer you did
15 in terms of this was the best in class, but I -- but I
16 also -- and so, yes, I was very surprised by the results.
17 But I would also say that doesn't mean that the site
18 doesn't plan to do things safely. It doesn't mean that
19 you don't have dedicated workers following procedures.
20 But what it does mean for all of us is a new awareness of
21 what the impact is on the behavior of people and what
22 their beliefs are.

23 And if I might, if you'll allow me, I won't
24 take long, Mr. Bader. The NRC has a list of nine traits
25 that I would just like to quickly read, very quickly.

1 They are one -- one words for coming up with a good safety
2 culture and promotes a healthy safety culture.

3 Number 1, leadership values safety; 2,
4 problems are identified and resolved; 3, there's personal
5 accountability; 4, there's work processes; 5, continuous
6 learning; 6, environment for raising concerns; 7,
7 effective safety communication; 8, respectful work
8 environment; 9, questioning attitude.

9 NRC developed that after years of
10 experience in the commercial sector, and it's something
11 that we need to embrace.

12 CHAIRMAN WINOKUR: Thank you. Do the Board
13 Members have any other questions?

14 All right. We want to thank you both very
15 much for your testimony. And before you leave, I want to
16 say, the Board Recommendation 11-1 on safety culture, I
17 just want to acknowledge I echo everything you said about
18 Pantex and the workers, but I want to acknowledge your
19 organization.

20 I think that HSS, Health, Safety and
21 Security, has played an obviously important role in terms
22 of executing the implementation plan of the
23 recommendation. You've put together a lot of tools and
24 techniques that I think are very important to the complex,
25 and I think it's going to make a big contribution going

1 forward to improving the safety culture, raising the bar
2 throughout DOE, so thank you for that.

3 And with that, we'll move on to the next
4 panel.

5 MR. PODONSKY: Thank you.

6 CHAIRMAN WINOKUR: I would like to invite
7 the second panel of witnesses from the National Nuclear
8 Security Administration to the witness table for further
9 discussions on safety culture at the Pantex Plant. Would
10 the panel members take their seats as I introduce you.

11 The Honorable Neile Miller, Acting
12 Administrator and Principal Deputy Administrator of the
13 National Nuclear Security Administration.

14 Dr. Don Nichols, Associate Administrator
15 for Safety and Health and Chief of Defense Nuclear Safety
16 of the National Nuclear Security Administration.

17 Mr. James McConnell, Acting Associate
18 Administrator for Infrastructure and Operations of NNSA.

19 And Mr. Steve Erhart, the Manager of the
20 NNSA Production Office.

21 The Board will lead the direct questions to
22 the panel or individual panelists who will answer them to
23 the best of their ability. After that initial answer,
24 other panelists may seek recognition by the Chairman to
25 supplement the answer as necessary.

1 If panelists would like to take a question
2 for the record, the answer to the question will be entered
3 into the record of this hearing at a later time. I know
4 that Ms. Miller, the Administrator, has already submitted
5 testimony. Does anyone else on the panel wish to submit
6 written testimony at this time?

7 MR. McCONNELL: No.

8 CHAIRMAN WINOKUR: Seeing none, I would
9 like to thank you each for your testimony today. With
10 that, we'll continue with questions from the Board Members
11 to the full panel, and Mr. Bader will begin the
12 questioning.

13 MR. BADER: Thank you.

14 Administrator Miller, as a core member of
15 the NNSA management team for the last four years, you
16 bring an informed perspective to NNSA and its programs.

17 The safety culture assessment completed by
18 HSS found a number of serious deficiencies at the Pantex
19 Plant. It's clear that you have accepted the findings and
20 recommendations of the HSS assessment. Could you please
21 tell us what parts of the assessment cause the greatest
22 concern for you.

23 MS. MILLER: Yes. Thank you, for the
24 question, Mr. Bader.

25 Is that better? No, yes? Okay.

1 Thank you for the question. I appreciate
2 the attribution of four years of service to the NNSA, but
3 I've only been there since August of 2010, but I'm more
4 than happy to respond to your -- but I would love to take
5 credit for more service.

6 What caused me the greatest concern? What
7 caused me the greatest concern, and I hope I made a clear
8 reference to this in my oral testimony, was as much as the
9 specific safety issues that people may raise matter and
10 matter deeply, the general sense that people have that
11 they are not valued and that issues that they raise are
12 not addressed and that people above them do not seem to --
13 seem ready or willing to deal with the issues at hand, I
14 think that probably bothered me the most.

15 MR. BADER: One of the quotations from the
16 report is the realization of the HRO principles has not
17 yet been internalized by the Plant. Is that an area that
18 concerns you as a specific?

19 MS. MILLER: Sure, and -- of course it
20 does.

21 MR. BADER: What -- using that as an
22 example, what specific actions do you plan to take to
23 address the safety culture concerns at Pantex? And you
24 started to address that; could you expand on it somewhat,
25 please?

1 MS. MILLER: Again, I think in my oral
2 testimony I gave an indication, and I tried to go on
3 without going on too much at length on the various ways
4 we're looking to address that here at Pantex.

5 I will ask my colleagues to each contribute
6 in that regard, but I think the fullest -- the fullest
7 explanation of everything, because it's many splendor
8 things; it's not one area or another area. This -- these
9 are issues that can only be adequately addressed by coming
10 at them from a number of different directions and
11 throughout a number of different levels and over, as my
12 colleagues from HSS said, quite a long period of time. So
13 the specifics, frankly, I would rather submit for the
14 record and ask my colleagues if they have anything to add
15 to that specifically.

16 MR. ERHART: Steve Erhart, the NNSA
17 Production Office Manager.

18 As Acting Administrator Miller pointed out,
19 we all received the information. It was sobering. You
20 mentioned the HRO journey. Safety culture is a basic part
21 of being an HRO.

22 So the information that we got, we took it
23 as a learning organization. It's -- all information is
24 just information. The news, not necessarily good, but it
25 gave us -- it gave us something to work on to get better.

1 So what we've done is we've created a
2 safety -- we've written a safety culture policy for --
3 that covers the NNSA's production office, the Y-12 Site,
4 as well as the Pantex Site. So given the fact that we
5 stood up at the NNSA's production office before the
6 consolidated contract was complete, we embarked on this
7 improvement plan together.

8 There was a question earlier about giving
9 the survey to other folks is what -- the site office as
10 well as the Y-12 office. All of those surveys are on a
11 schedule, and they will be done, but we started to -- we
12 decided that this gave us pause enough to create the plan
13 that covered all our operations.

14 So we have a commitment of both general
15 managers and myself to move forward on this improvement
16 plan. There's several elements of that. I think we'll
17 get to that in the course of the testimony. I think
18 Mr. Woolery will cover a lot more detail. But I just want
19 to reiterate Ms. Miller's point that this is about making
20 people feel that they have a voice. And certainly part of
21 a strong safety culture is those folks feeling comfortable
22 bringing forward problems.

23 Differing professional opinions need to be
24 celebrated. Technical disagreements need to be brought
25 forward and voiced. Because as somebody mentioned before,

1 that's part of risk-informed decision making.

2 So that's the centerpiece of the plan, and
3 we'll get into more details as we go along today. Thank
4 you.

5 MR. McCONNELL: And if I might add to that.
6 I'm Jim McConnell from the Office of Infrastructure and
7 Operations.

8 Your question was -- at least I took part
9 of it to be, what is the corporate assistance to the
10 overall issue? And obviously, as Mr. Erhart said, the
11 core of our response starts at the M&O (Management and
12 Operation) contractor and the NPO, both at Y-12, at
13 Pantex, and NPO at both places, to have an integrated
14 localized plan.

15 At a corporate level, our efforts are, one,
16 to support that plan. A couple of things that came out of
17 the Sonja Haber review that resonate with me were issues
18 of trust and issues of work environment. And so, for
19 example -- and I'll just give you two examples. As Miller
20 said, we'll submit the rest for the record.

21 The Acting Administrator is personally
22 involved in making sure that our plans are being
23 aggressively pursued at the appropriate resources and
24 attention of senior leadership and everyone involved. Her
25 personal involvement is evident on the trust side to make

1 sure that we walk our talk.

2 The other part is the infrastructure, the
3 work environment. That as much as anything is a resource
4 issue, and so from a corporate perspective, we are
5 ensuring that NPO and the sites have the resources they
6 needed and will continue to have the resources they need
7 to arrest that problem and to establish a work environment
8 that visibly treats our workforce with the dignity and
9 respect that they deserve for the work that they do.

10 CHAIRMAN WINOKUR: Before I turn it over to
11 Dr. Mansfield, I just wanted to ask you a question,
12 Mr. Erhart. I mean, you've been involved in the venture
13 here for a long time.

14 MR. ERHART: Yes, sir.

15 CHAIRMAN WINOKUR: You were the site
16 manager. You were originally the technical lead. And now
17 you're the head of the entire NPO. Were you surprised by
18 the assessment?

19 MR. ERHART: Yes, sir, I was. It was
20 sobering. That was a good word. Surprising. And then I
21 reminded myself -- and, well, denial was a part of that,
22 but it was short lived. And we got to the point of, well,
23 we -- you know, the elements that were most surprising,
24 the first one, as Acting Administrator Miller pointed out,
25 is that the people felt that they couldn't bring problems

1 forward. And as you know, as an HRO, you actually seek
2 out problems. You want to reward people for bringing
3 problems forward. So those should be the ones that we
4 should be celebrating, but to hear that people felt the
5 opposite of that was disturbing.

6 And then, as Mr. McConnell pointed out,
7 there's -- and it comes out as just not caring about the
8 folks. You know, when people are pointing out the working
9 conditions that we're off fixing, by the way, which
10 Mr. Woolery will talk to you about, they weren't that hard
11 to fix. They were things that you could just do. Put a
12 light in, fix the ceiling tiles, do some of that stuff.
13 So it's back to this value that we place on our employees.
14 And that was not being -- we weren't successful in doing
15 that.

16 I like to -- one thing I would like to say
17 is, our intent -- somebody said we had good intentions.
18 Well, they are irrelevant, essentially, if the folks don't
19 perceive what we were trying to achieve, and that is,
20 having the freedom to come forward, being celebrated to
21 bring problems forward, technical debate and make -- in
22 making the work as safe as we can make it.

23 So thank you for the question.

24 CHAIRMAN WINOKUR: Mr. Mansfield?

25 DR. MANSFIELD: Thank you, Mr. Chairman.

1 So correct -- this is for Ms. Miller.

2 Corrective action plans are underway. Are
3 you -- are you -- so far, do they look like they are going
4 to be effective in addressing all of these problems with
5 all of the organizations?

6 MS. MILLER: They look like they will be
7 effective, but looking like they will be effective...
8 plans are plans. What matters is execution.

9 DR. MANSFIELD: Uh-huh, right.

10 MS. MILLER: And not only the execution,
11 but frankly, the continual monitoring and oversight of the
12 execution of the plans is what matters.

13 DR. MANSFIELD: Sort of like a banker's
14 stress test.

15 MS. MILLER: Okay.

16 DR. MANSFIELD: Let me continue this a bit
17 for -- this is more for Mr. Erhart.

18 The B&W Pantex investigation of explosive
19 areas in the Nuclear Explosive Safety Program and concerns
20 that potentially dangerous situations were being -- not
21 being communicated and not being accepted and things like
22 that, can you tell us a little bit about that, the B&W
23 Pantex information -- investigation, and what gave you the
24 greatest worries?

25 MR. ERHART: Yes, sir. The issue, again

1 comes back to not responding appropriately as a leader in
2 information and acting on it appropriately. So in a
3 nutshell, although the topic is nuclear explosive safety,
4 the issue is how you treated the information.

5 And in this case the -- and I think it was
6 mentioned before, what you worry about is that if that is
7 left unaddressed, the potential for some critical
8 information for decision making may be suppressed in the
9 future, and that's what you don't want to have.

10 So as we mentioned, we have a good safety
11 record. We're a good, safe operation at Pantex. But the
12 need for addressing these issues before they become too
13 big is so that you stay safe, and that that -- that that
14 information that you may need to make a good decision is
15 not left in the middle of the organization.

16 So, in a nutshell, that was -- that was
17 what was going on. It was unfortunate, and as we will
18 talk later, a lot of changes have occurred, including
19 dealing with the specific individuals involved with not
20 walking the talk, as we said before. Working hard to
21 address that because of its significance.

22 DR. MANSFIELD: You think that everybody
23 from the PT's (Production Technicians) to you realize that
24 questions about potential insults to conventional high
25 explosives are things that have to be dealt with

1 instantly; is that correct?

2 MR. ERHART: If there is any question
3 regarding the safety of operations at the plant, whether
4 it be on high explosives or any other hazard, then yes, we
5 all have the obligation to act on it immediately, yes,
6 sir.

7 DR. MANSFIELD: Do you have any comments on
8 the eight out of ten NES personnel that felt that it was
9 career limiting?

10 MR. ERHART: That was one of -- and that
11 came out in the report, as mentioned before.

12 DR. MANSFIELD: Right.

13 MR. ERHART: That's particularly troubling,
14 because the NES group is a group that we -- that's what we
15 pay them for. We pay them to bring problems forward. Not
16 always a fun job to be bringing issues forward that -- but
17 that is something that leadership and management needs to
18 ensure that they don't feel that way. So that was
19 information that was acted on fairly quickly, but, yes,
20 sir, that was -- that was alarming.

21 DR. MANSFIELD: And, Ms. Miller, do you
22 think that's the root of the problem that the issues were
23 ignored -- the issues that were brought up by PT's and
24 people down the line were not acted on and that people
25 felt that they were -- could be punished or being ignored

1 or --

2 MS. MILLER: You said the root of the
3 problem, which problem?

4 DR. MANSFIELD: The problem of raising --
5 the problem that personnel thought it was career limiting
6 to raise concerns about -- that might interfere with
7 production.

8 MS. MILLER: Frankly, I think that was just
9 indicative of probably a lot of people feeling similar
10 things about a number of concerns of not being listened
11 to. I would amplify what Mr. Erhart said and call it
12 horrifying, not just --

13 DR. MANSFIELD: For -- all right.

14 MS. MILLER: Not just on nuclear explosive
15 safety, although that's very dramatic. But overall,
16 that's not the kind of place any of us want to be working
17 in, and it's certainly not the kind of place any of us
18 want to consider ourselves the leaders of.

19 DR. MANSFIELD: Yes. Okay.

20 CHAIRMAN WINOKUR: Dr. Mansfield has more
21 questions, but could you tell the audience -- because
22 we're going to have this discussion throughout the day --
23 what nuclear explosive safety is, what we're referring to
24 here, and why that would really, really be troubling. Not
25 everything at the plant, I know, is a concern of yours,

1 but what's going on with these operations? What are these
2 people doing?

3 MR. ERHART: Are you directing that to me,
4 sir?

5 CHAIRMAN WINOKUR: Please, Mr. Erhart,
6 would you --

7 MR. ERHART: Yes. Nuclear explosive safety
8 -- well, nuclear explosive operations is unique to Pantex,
9 so it's unlike most sites in that we have all of the
10 controls necessary for nuclear operations; we also add
11 controls for high explosive operations.

12 The Nuclear Explosive Safety Orders and
13 Standards were created a long time ago and have been the
14 hallmark for ensuring the safety of operations at Pantex.
15 They preceded the Authorization Basis and the Safety
16 Basis, like we spoke with before.

17 It's an expert-based paradigm, and it
18 essentially challenges the operation to minimize the
19 potential for problems that could have -- could affect
20 nuclear explosive safety.

21 And those that we talked earlier about,
22 those are specific high-consequence, low-probability
23 events. So that's what we're talking about. These
24 professionals work and focus on -- on that aspect of the
25 operation.

1 And it's in addition to all the other
2 things that I mentioned before. So we have all the
3 requirements and controls for nuclear operations. And on
4 top of that, we overlay nuclear explosive safety.

5 So, yes, sir, it's very important and it's
6 been around a long time.

7 CHAIRMAN WINOKUR: Without getting into
8 classification, and I know we have a classifier here,
9 where are these nuclear explosives specifically? What
10 would be the concern if they went off? I mean, what would
11 happen?

12 MR. ERHART: Well, they are nuclear
13 explosives, as the name implies, so these are our nuclear
14 weapons. Pantex, like I said is the -- I'm looking at
15 Bob.

16 Pantex has the grave responsibility and the
17 vital mission to completely dismantle and reassemble for
18 the purposes of surveying our stockpile and downsizing our
19 stockpile per Treaty requirements. So as I like to point
20 out, we're in the middle of everything nuclear weapons
21 related, and it has specific consequences that are unlike
22 any other site.

23 CHAIRMAN WINOKUR: Okay. Dr. Mansfield?

24 DR. MANSFIELD: And continuing on that for
25 a second. And disassembly in particular sometimes

1 involves putting forces on things that -- that could
2 conceivably put energy into the conventional high
3 explosive. And do you feel, therefore, that the
4 procedures involved -- the procedures developed to do
5 that, which could be different for every weapon, have to
6 undergo extreme scrutiny, so that you're instantly -- I'm
7 putting words in your mouth, I know. So you're instantly
8 available -- instantly knowledgeable that there's a
9 problem and they are working on it?

10 I gather that didn't happen this time. You
11 didn't find out about the problem for some time. In fact,
12 the question was raised in November, and if I remember,
13 the operations weren't stopped until January.

14 Is that something you feel that you have to
15 fix, that you in Oak Ridge have got to hear anytime that
16 that happens, that there is -- that there is a question
17 about a mechanical insult that might involve a
18 high-explosive event?

19 MR. ERHART: Okay. Lots to that question.

20 DR. MANSFIELD: Yes, sir.

21 MR. ERHART: If I could describe what we're
22 talking about for the -- for the audience. The question
23 was and what came to light was a legitimate question from
24 this hardworking, important group called the Nuclear
25 Safety Explosive Experts on site as to whether or not a

1 change to a process was within the bounds of the existing
2 study.

3 And that's part of their charter. So among
4 other things, they are looking for changes that may
5 require a more -- a higher level of study, so it's called
6 Nuclear Explosive Change Control. Now, that's the NES
7 part.

8 On the other side, which is the 10 CFR 830,
9 nuclear safety requirements, they were all met,
10 everything. We followed all of those rules.

11 And that hazard analysis actually looked at
12 the insults that we're talking about and found them to be
13 adequate.

14 The -- but like I said before, we have two
15 modes of verification for a nuclear explosive operation.
16 So we have the Safety Basis on the right and the Nuclear
17 Explosive Change Control on the left.

18 What was news in the January time frame,
19 was that there was some internal disagreement within that
20 group as to whether or not this new change was within the
21 bounds of the existing study. And that churn was what
22 caused a lot of -- and you're hearing a lot of the discord
23 that's associated with that -- with that turmoil there.

24 Whether or not it was safe, that was really
25 not the question. It was really the process; was the

1 process followed correctly? And if we didn't work to
2 reconcile that, you know, it's possible that sometime
3 later something could be interjected to the process that
4 wouldn't be safe. But this particular one was not.

5 DR. MANSFIELD: What -- what influence did
6 production pressure have on people's behavior?

7 MR. ERHART: Is that to me, sir?

8 DR. MANSFIELD: Yes.

9 MR. ERHART: Well, from my perspective, the
10 first -- well, for a strong safety culture and from my
11 perspective, the -- our fundamental overriding priority is
12 the safety of operations. So you don't get any credit for
13 producing anything if you don't do it safely. In fact,
14 the two have to go together.

15 So I've worked, as Mr. Sullivan, I worked
16 at the nuclear shipyard. Nuclear reactor safety was job
17 one, but you had to get the boat out of the yard, and
18 there was a lot of, you know, push to do that, but we
19 never lost sight of the fact that, you know, you cannot
20 have a problem with the reactor.

21 The same thing at Pantex. You can't -- we
22 cannot have production pressures over -- getting in the
23 way of our priority to keep things safe.

24 But sometimes, as perceived, whereas we
25 are -- we work very hard not to put people into that, even

1 that perception, I think we have a very strong history of
2 pausing work when things don't appear to be going
3 correctly or we have a question about the procedure. The
4 folks have a very good track record of just pausing.
5 That's one good thing about nuclear explosive work that's
6 not -- in the Navy, the nuclear reactor, you have to keep
7 the core covered with water, so you may be doing a dynamic
8 process.

9 Most times the right answer at Pantex is if
10 something doesn't seem right, just stop. Get some people
11 to look at the problem.

12 DR. MANSFIELD: Does the production
13 pressure come both from NNSA and from Babcock & Wilcox?

14 MR. ERHART: Well, sir, I don't -- I don't
15 think -- well, my perception is there is no -- there's
16 nothing that stands in the way of somebody stopping work
17 at Pantex. We don't -- I have a very good working
18 relationship with Mr. Oder and Mr. Goodrum from NA-12.
19 We'll adjust the schedule accordingly if there's issues
20 that need to be resolved, so production pressures should
21 never be a part of the equation. I can't -- and that's
22 why we're talking today; there may be a perception of
23 pressure that we have to work on.

24 DR. MANSFIELD: Okay. Thank you,
25 Mr. Erhart.

1 MR. ERHART: Yes, sir.

2 CHAIRMAN WINOKUR: Mr. Sullivan?

3 MR. SULLIVAN: Thank you.

4 Ms. Miller, just some simple questions
5 about the survey to be done at your headquarters. The
6 safety culture survey that you will be doing you said this
7 spring, with that -- can I expect that that will produce a
8 formal report?

9 MS. MILLER: Yes.

10 MR. SULLIVAN: Okay. And will the Board be
11 able to see that formal report?

12 MS. MILLER: Yes.

13 MR. SULLIVAN: Okay. Do you have any idea
14 of a time frame, other than spring? Spring is pretty
15 soon.

16 MS. MILLER: Yes, spring is soon, which
17 means we're doing it in the spring. It's only a
18 three-month period. I would say certainly by the
19 beginning of summer, end of June, you should have it.

20 MR. SULLIVAN: Okay. Thank you very much.

21 MS. MILLER: Uh-huh.

22 MR. SULLIVAN: Now, I made an opening
23 statement here today in which I expressed concern that
24 essentially the safety culture here likely doesn't get
25 formed in a bubble. I mean, the contractor here has one

1 customer, and that's you. 8 And so it is likely that they
2 are -- they are responding to signals that may be sent
3 unintentionally, but it's what they interpret as being
4 sent, and as a result, there -- I think there is likely a
5 connection between signals that are being sent out of your
6 own organization and what's happening here at Pantex.

7 So I'm just asking for your comment about
8 what I had to say and whether you agree or disagree, and
9 I'm a big boy, so feel free to fire away at me.

10 MS. MILLER: Yeah, but you used to be in
11 the Navy. I happen to know that.

12 Look, I think it's something that bedevils
13 all people all the time: You can control only your own
14 actions.

15 You think that you are putting forward a
16 straightforward message to people, and sometimes you are
17 hit right between the eyes with the fact that the receiver
18 of the message heard something very different from what
19 you thought you were sending out. And in the end, as I
20 think my colleagues have been saying, that's all that
21 matters, not what your intentions were. So that requires
22 all of us to go back, first of all, and determine where
23 were those messages being perceived and what drove the
24 perceptions? Because until we deal with that, we won't
25 know if we're not sending those messages over and over and

1 over again but just using different language.

2 So I think that that's actually -- you've
3 put your finger on one of the absolute fundamental issues
4 that we face. And that's another reason why I hesitate a
5 little bit to put this only under the rubric work of
6 safety culture. This is a cultural issue overall. We are
7 an organization with a very important, complex and urgent
8 mission and have been and have been delivering on it for
9 going on 60 years. And when we talk to people about what
10 they do, the -- the -- that mission is not only what
11 drives everybody, but as you know, will keep people going
12 at it even under conditions that make them otherwise
13 unhappy.

14 So it's not hard to understand why a sense
15 of urgency in the mission may cause people to believe that
16 there is a pressure to value mission above everything
17 else. But, of course, the message we would -- we would
18 hope to be sending is that there is no mission if it's not
19 safe and secure. We say it. We have to be clear that's
20 the message we're sending.

21 MR. SULLIVAN: Okay. My specific concern,
22 we can all say safety is important, but one of the
23 examples I used was the five-year periodicity --

24 MS. MILLER: Yes.

25 MR. SULLIVAN: -- if you will, for doing a

1 nuclear explosive safety study. And eight out of the last
2 nine have actually exceeded five years. So, to me, that
3 sends a message that says, you know, if we can't put --
4 come up with the resources to get the studies done on
5 time, if the -- if the anniversary date goes by and
6 nothing really happens, that would just seem to send a
7 message that it's not necessarily that there's a pressure
8 for production. It's simply a message that, while we say
9 safety is important, we don't -- we don't move mountains
10 to make safety be what it's supposed to be by its own
11 directives. So do you understand where I'm going with
12 that?

13 MS. MILLER: Yeah. Well, Mr. Sullivan,
14 absolutely the points that you made earlier about reports
15 or studies being done either after their due time or up
16 against the edge of their due time, you're absolutely
17 right.

18 And I have to say, I don't want to hide
19 behind the fact that I haven't been in the acting position
20 very long, but I haven't been in the acting position very
21 long, and, therefore, I can't speak to -- specifically to
22 the studies that you are referring to or the reports that
23 you are referring to.

24 But I will say that we do sometimes find
25 ourselves in a tendency to justify through all sorts of

1 means what can be justified. And there are lots of
2 pressures, and people sometimes misconstrue what, in fact,
3 fundamentally allows us to be able to carry out the work.

4 So, you know, again, there is a tendency of
5 people to separate mission from the enablers of the
6 mission, and I think the things that you refer to very
7 specifically are what I would consider, in fact,
8 fundamental enablers of the mission.

9 So if we are constantly either pushing it
10 or going beyond where we should be, I think to your point
11 that you made in your statement, either we should be
12 seriously questioning what's pushing us to the edge and
13 are we -- are we putting pressures on people that are
14 inappropriate, or should we be rethinking the plan we
15 signed up to in the first place? Maybe that's not
16 appropriate anymore. And this is something we're
17 questioning in a number of areas.

18 MR. SULLIVAN: Great. Well, can I ask you,
19 then, to take something for the -- that you can -- later
20 as a question for the record?

21 MS. MILLER: Uh-huh.

22 MR. SULLIVAN: To just look at this
23 specific issue. And, really, the question is should
24 something change beyond what we're doing now, whether it's
25 a change in the directive or whatever else?

1 MS. MILLER: Yes, I absolutely will take
2 that. Thank you.

3 MR. SULLIVAN: Okay. And similarly, this
4 is just along the same lines, during the last several
5 inspections, without getting too complicated here for the
6 public, but there are certain findings that are pre-starts
7 and others are post-starts. A pre-start is more
8 significant, and as the name might imply, the deficiency
9 is supposed to be corrected before operations start back
10 up again, yet several of those have been -- when they
11 were -- went from the experts here who said they should be
12 pre-starts. They went to headquarters, and they came back
13 as, no, just fix them as though they were post-starts and
14 keep going.

15 Again, so, you know, if I'm a worker here,
16 it would seem to me that we've had these experts come in
17 and say we should fix this before we go on, yet I'm being
18 told to go on, and it hasn't been fixed yet.

19 So again, that's just a long discussion. I
20 don't expect you to have to address anything specifically
21 to that, but if you could just look at that for the record
22 again and tell me if anything should be changing as we
23 move forward here.

24 MS. MILLER: I certainly will.

25 MR. SULLIVAN: Okay. Thank you.

1 Now, next I would like to ask you,
2 Mr. Erhart, if you could Monday morning quarterback this
3 whole safety culture thing, go back a couple of years.
4 What might you or your office have been doing to have
5 found this problem that you weren't doing?

6 MR. ERHART: Yes, sir, thanks for the
7 question. Well, I think Mr. Staker spoke for everybody,
8 all engineers, I'm included in that, in kind of
9 understanding a little more about what -- what things
10 actually we should be focused on that make people inspired
11 and especially those things that create an impediment to
12 doing what we're actually asking them to do.

13 So, again, like several members here have
14 shared, it was -- it's an eye-opening experience. So in
15 retrospect, we are looking at some ways where -- and
16 you'll hear some of this from Mr. Woolery. It's really
17 just being in a position to detect where there might be
18 some of this leadership -- leadership not internalizing --
19 I'm sorry, leaderships not modeling the values and
20 behaviors that they should be. And that's mostly through
21 actions. Right?

22 It's the -- we all say a lot to our people,
23 but it's really being more attuned to what is actually
24 being done and how is -- how can that be perceived? And
25 that's the hardest part, where you have to put yourself in

1 somebody else's shoes and see how that might be perceived.
2 So being closer to that, being more tuned into that as a
3 group, that's -- we have to focus on that.

4 I'll give you one learning that -- personal
5 learning from this is that we have to be careful not to
6 brand something too early, such as like saying something,
7 well, that's not a safety issue or that's not a, you know,
8 security issue, as if we -- you know, without letting the
9 process work its way through, because one perception could
10 be that, well, the safety or the security person who heard
11 that from a leader may feel devalued. Well, he's already
12 made up his mind or he...

13 And so it's kind of don't oversimplify too
14 early. Don't prematurely oversimplify. Allow people to
15 work the processes that you put them in to work. So
16 hopefully that helps.

17 MR. SULLIVAN: Okay, so moving forward.

18 MR. ERHART: Sir.

19 MR. SULLIVAN: Other than being more
20 attuned -- I know you said this was hard, so this is
21 probably a hard question. Is there something specific
22 that will allow the production office to be more attuned
23 to the safety culture here at the Plant?

24 MR. ERHART: Well, something specific,
25 other than going through the training that we've gone

1 through. We've done the safety-conscious work environment
2 training. In fact, we're on every list to get all the
3 training we can get for, not just our senior leaders, but
4 our mid-level leaders, mid-level managers at both sites,
5 and that means contractors and NPO staff and any other
6 things that they have for the workers even, if we can get
7 that.

8 And then the key is to -- is to put
9 yourself in a position to give and to receive the feedback
10 from the folks. I mean, that's something that we should
11 have been doing anyway, but it's particularly important
12 that people know that you know what they -- well, we may
13 not ultimately agree with everything that somebody brings
14 forward for us to act on, but we owe them the -- we owe
15 them the service that they were heard, that they know that
16 we heard them. And so that's one thing we -- feedback.

17 And then, of course then, like I said
18 before, our intentions could be good, but they are
19 irrelevant until we get the feedback from the people
20 themselves, and that will take some time.

21 So we need to do that for both the federal
22 staff, as well as the contractor staff, and so that will
23 -- that forms the basis of what we'll be looking at for
24 the future.

25 MR. SULLIVAN: Okay. Thank you.

1 Mr. Chairman, back to you.

2 CHAIRMAN WINOKUR: Thank you. Before I
3 turn it over to Dr. Mansfield, I really echo your comments
4 about the actions of leaders, and you folks are the
5 leaders of NNSA.

6 And I don't have any doubt, whether you're
7 a leader or a parent or a teacher, the things you say and
8 do have an incredible impact on the organization. So just
9 the example Mr. Sullivan gave is an important one, but any
10 other thing you do, you know, clearly, will determine how
11 the workers interpret things and what they think is
12 serious or not serious and so on and so forth, and
13 we'll -- as I said before, leaders create this culture,
14 and you can create it and make it be what you want it to
15 be.

16 Dr. Mansfield?

17 DR. MANSFIELD: Thank you, Mr. Chairman.

18 This is really for Mr. Erhart, because
19 there's nobody here really to ask the question of.

20 The facility reps in Pantex installations
21 and your own B&W facility reps and the DOE ones -- it's
22 the DOE ones I'm talking about. They have daily and
23 intimate knowledge of what's going on in operations. I
24 expect they would have heard of concerns about the HE
25 (High Explosive) problem we've discussed a little -- a

1 little bit ago. Would they -- but your site -- your site
2 managers turned out to be surprised at the fact that the
3 NES department concerns took so long to get solved. Is --
4 is -- I always thought that the facility reps were the
5 frontline defense, sort of the eyes and ears of the fleet.
6 Do the -- do the site managers view them that way? Would
7 they -- are they an important tool for the site manager,
8 the DOE site manager, to understand what's going on on the
9 shop floor and what changes in the safety culture and
10 dissatisfaction of PT's and first-line managers are?

11 MR. ERHART: Yes, sir. They are vital.
12 Facility reps have also been around a long time. I used
13 to actually run the facility rep program out at the
14 operation's office.

15 DR. MANSFIELD: I know.

16 MR. ERHART: We met a long time ago, and so
17 they do form a very valuable input to upper management.

18 In fact, I personally sit in on the FR
19 calls at both sites every morning -- well, every morning
20 that I can -- to hear firsthand what they're coming up
21 with from their observations on the floor.

22 The NES event, which we'll talk more -- I
23 think we'll talk more about the specifics later. Was --
24 there really wasn't any angst expressed on the PT's point,
25 the production technicians, the folks that actually do the

1 work.

2 This issue was more of like a process
3 issue, and a lot of angst was generated within the
4 engineering department as a result -- and within the NES
5 review itself, I'm understanding now, which is away from
6 the operating areas.

7 So we do that, we check the operating area.
8 We would be very interested if there's any issues being
9 seen on the floor, and that was not the case.

10 DR. MANSFIELD: Do you have enough DOE Fac
11 Reps?

12 MR. ERHART: Yes, sir, we do.

13 DR. MANSFIELD: And they are all
14 qualified -- well, take that for the record.

15 MR. ERHART: I believe so.

16 DR. MANSFIELD: Take that for the record.
17 That's all I have.

18 MR. ERHART: Thank you.

19 CHAIRMAN WINOKUR: All right. I would like
20 to talk a little bit about this HRO concept, Higher
21 Reliability Organization. I guess I'll turn to you.
22 Mr. Erhart, could you define for people in the audience,
23 what was this HRO you were trying to establish, this
24 Higher Reliability Organization? I know we'll hear from
25 Mr. Woolery later about it, but could you give people a

1 sense of what HRO is?

2 MR. ERHART: Great. I appreciate that.
3 High Reliability Organizational Theory or Operations, if
4 you want to use the O for operations is, I think, a very
5 good framework for reducing variability. A lot of times
6 the variability is what gets you, and if you think of
7 variability as differences between work as planned from
8 work as actually being performed on the floor, then it
9 puts -- if you devote yourself to minimizing that, you
10 will not only get the work done, but you'll get it done
11 safely to the accordence with requirements with precision,
12 accuracy, et cetera.

13 So it's a basic fundamental process with
14 basically four characteristics. The first one being,
15 manage the system, not the parts. You want to make sure
16 that your oversight and actually your management overall
17 is looking across the operations for those weak signals
18 that could indicate a problem. And that -- then you move
19 towards that and ensure that you don't have systemic
20 problems that can then cause further problems later.

21 The -- the -- one of the other pillars is
22 also to be a -- to establish a culture of reliability
23 which includes -- is actually centered around a safety
24 culture. So that's why we say we were a little concerned
25 that one of our pillars wasn't as strong as we would have

1 liked it to be, given the feedback from the folks on the
2 survey.

3 And finally, you want to be a -- you want
4 to be a learning organization. So that's what we are
5 demonstrating here today. That's what we do. We learn
6 from everything. All sources of information, the Defense
7 Board, we take everything the Defense Board says. We take
8 inputs from other -- other places.

9 HRO, for example, is used not just by
10 nuclear operators. It's used in, for instance, hospitals.
11 So -- and fundamental to the concept is that everybody in
12 the operating room, from the lead surgeon to the lowest
13 level nurse's assistant, has the opportunity to stop the
14 proceedings in the operating room if things don't seem
15 right. And that's saved people from getting the wrong leg
16 amputated, for instance. It's actually -- so it's a sound
17 concept. And safety culture is definitely a centerpiece
18 of HRO.

19 CHAIRMAN WINOKUR: So you wanted -- you
20 wanted the contractor to develop this HRO, this high
21 reliability to organization; is that true?

22 MR. ERHART: Yes, we -- we were working on
23 -- we are. We are continuing working on that as --
24 together, to better the reliability and the safety of
25 operations at Pantex, yes, sir.

1 CHAIRMAN WINOKUR: And you incentivized it.
2 I mean, you paid the contractor to create this High
3 Reliability Organization, right?

4 MR. ERHART: Over the last few years there
5 have been elements within the performance evaluation plan
6 for the contractor that was focused on HRO, yes, sir.

7 CHAIRMAN WINOKUR: So this isn't a trick
8 question. I'm just trying to understand if you -- if you
9 put all of this effort into being an HRO, why was the
10 safety culture assessment so poor?

11 MR. ERHART: Well, like I said, it was --
12 it was sobering. It was -- it's fundamental that we want
13 to make sure that those folks feel that they can come
14 forward. And so it -- it -- what it did is it -- another
15 element of HRO like we shared last time you were at Pantex
16 would be humility. So it showed us that we had some
17 more -- more work to do. And -- but I don't want to
18 minimize the progress that we've made in working through
19 the HRO program, as well, so...

20 CHAIRMAN WINOKUR: I'm concerned, or else I
21 just don't understand it well, that HRO was misguided in
22 some way and that it kind of got the organization off
23 track, and that led to a poor safety culture, but that
24 doesn't seem to be your sense of things; is that true?

25 MR. ERHART: No, sir, I don't believe that

1 HRO pushed us off any track. I believe HRO is sound; it's
2 fundamental. I'm happy to go through that with the Board
3 at any time why I feel that way. I do feel that there --
4 that one fundamental aspect of it was not addressed
5 appropriately, evidently, as far as the safety culture,
6 and that gives us pause. But I don't believe HRO was
7 misguided, and I don't believe HRO pushed us in a
8 direction that was countered as a strong safety culture.

9 CHAIRMAN WINOKUR: But if I understand what
10 you're saying, it's not -- even if you develop the perfect
11 HRO, that wouldn't necessarily guarantee that you would
12 have a strong safety culture; are you saying that?

13 MR. ERHART: I think if you actually got
14 through becoming -- if there is such a thing as a perfect
15 HRO. I think it's more you continue to strive for
16 excellence, but you can't have one without the other. You
17 can't call yourself a fully established HRO without a
18 strong safety culture, no, sir.

19 CHAIRMAN WINOKUR: Okay. So going forward,
20 I mean, what are your expectations of the contractor at
21 Pantex? Do you want -- do you want them to continue these
22 HRO efforts, and do you think that will lead to a good
23 safety culture, or will safety culture efforts be somewhat
24 distinct and disjoint from that? I mean, how is this
25 whole thing going to work? What's kind of the message

1 you're going to give the contractor going forward in terms
2 of the investments in HRO, vis-a-vis the investments in
3 building safety culture?

4 MR. ERHART: That's a great question. I
5 think what we're seeing is we're going to have a sub-focus
6 on safety culture, and I think that's -- we're going to
7 be, as we are in a lot of things, on the cutting edge of
8 that at Pantex. So it's going to be a focused area within
9 the HRO framework, half because it needs to be done.

10 And so it's going to be emphasized. It's
11 going to be -- like we said, we are committed as a group.
12 It's not the one contractor, and the feds are just going
13 to sit along -- sit behind. We're going to go into it
14 together to ensure that we fix these problems that have
15 been identified.

16 CHAIRMAN WINOKUR: And do you have any
17 sense of how you're going to measure success in this
18 effort going forward?

19 MR. ERHART: I think we'll -- we're already
20 thinking about that. We're -- and we will talk
21 specifically when the B&W team comes up on some of the
22 short-term success factors that we've seen.

23 I think the biggest -- and I don't want to
24 spoil the -- take away too much of their thunder. But
25 creating a working group of folks -- and you met the folks

1 last time you were at Pantex, the safety culture work --
2 working group consisting of basically the folks that work
3 at Pantex representing the various work groups at Pantex
4 coming up with the way to improve the work environment,
5 for instance, helping us prioritize the use of funding to
6 make -- to make that a better -- to make the work
7 environment a better place, as well as looking and helping
8 us to close that gap that we talked about in the previous
9 panel that exists between the perceptions of the managers
10 and the perceptions of the working folks.

11 So that'll be -- that's a fundamental part
12 of the plan. And as I mentioned in the answer to one of
13 my previous questions, the only way to measure success is
14 from feedback from the people, and we'll also look at
15 other -- going back with surveys and other forms of
16 measurement to see what progress we've made.

17 CHAIRMAN WINOKUR: Okay. Would you take a
18 question for the record for me?

19 MR. ERHART: Yes, sir.

20 CHAIRMAN WINOKUR: Give me your best
21 thinking on this relationship between HRO and safety
22 culture. I think it's important.

23 MR. ERHART: Okay.

24 CHAIRMAN WINOKUR: I know both concepts are
25 important, but there's been a lot of discussion by the

1 Health, Safety and Security Organization about Ms. Miller,
2 about the importance of maintaining effort in this HRO
3 area, and I just want to make sure that I can understand
4 and hopefully you more than me can understand how that's
5 going to pay the dividend of giving you a strong safety
6 culture.

7 MR. ERHART: Yes, sir. Okay.

8 CHAIRMAN WINOKUR: Thank you.

9 Ms. Roberson?

10 VICE CHAIRMAN ROBERSON: Given that there
11 have been three HSS safety culture assessments at NNSA
12 sites or activities and frankly a series of reviews at
13 Pantex specifically, all finding safety culture weaknesses
14 in every case, and I'd say although Administrator Miller
15 has made adjustments to the different organizational
16 functions in NNSA, I guess I want to ask you Mr. Nichols,
17 you were a part of the leadership team before and now.
18 Have you considered what contribution your own
19 organizational element may have made to either creating,
20 contributing or missing the signs of the weaknesses
21 identified in these reviews?

22 DR. NICHOLS: The simple answer is yes.
23 You know, our organization is relatively new as a single
24 organization. We were combined together from three
25 different organizations with different missions, all of

1 which, though, were related to safety. And we have been
2 evaluating lessons learned from the approach that we took
3 to build our organization in terms of simply grabbing the
4 basic missions and pulling them together and not really
5 taking advantage of the synergies that exist for us that
6 we could have been relying on but weren't relying on to
7 try to keep tabs on where things stand both with the
8 contractors and our federal organizations in a broader
9 variety of ways than we've been doing so, yes, ma'am.

10 VICE CHAIRMAN ROBERSON: So corporate board
11 aside, are there specific things that you will be doing to
12 support the Administrator in this venture, because not
13 just one person can do this. Are there other specific
14 things that you would be doing within your own
15 organizational element to support the achievement of a
16 healthy safety culture?

17 DR. NICHOLS: Probably the most significant
18 is we're trying to shift our organization to enhance our
19 ability to maintain a heightened level of operational
20 awareness, both of how the contractor performs, as well as
21 how our federal organizations have performed.

22 You may be familiar that part of our
23 organization, which is the Chief of Defense Nuclear Safety
24 Organization, has primarily focused on ensuring a common
25 understanding of nuclear safety requirements among all of

1 the federal personnel, and we only look at the contractors
2 to the extent that we need to validate whether or not the
3 site offices were being effective. We're expanding that
4 role, to take a look at the contractors as well, and we're
5 broadening some of our focus.

6 We don't expect and wouldn't presume for
7 the kind of reviews that we do to be able to be a
8 substitute for a focused safety culture review. We're not
9 trained for that; we're not skilled for that. That's not
10 really what we're doing.

11 However, there are elements of -- there are
12 elements that are related to safety culture that we
13 haven't done as good of a job looking at in past as we
14 could have, for instance, implementation of the differing
15 professional opinion process. Are we sure that it's being
16 implemented effectively? Are people aware of it? Our own
17 internal sort of informal surveys indicate that it's not
18 used, not just at the places that have been looked at
19 directly by HSS, but other places as well. The
20 utilization of that process is not being as effective.
21 There's data that we could be gathering to that, in that
22 regard, that we simply haven't been gathering.

23 So we are reevaluating the review criteria
24 that we use to try to focus them better. At the same
25 time, I've been working with my staff in Albuquerque. My

1 Albuquerque personnel came out of what was formerly the
2 Safety Department, that was a piece of the safety
3 center -- or the service center that was in Albuquerque.
4 Their function has been primarily to support sites so that
5 if a facility like Los Alamos, for instance, needed some
6 additional personnel to do Safety Basis analysis, they
7 would call upon our folks to come and provide that surge
8 capacity.

9 Because of that, my folks in Albuquerque
10 have a lot of insight into what's going on at the
11 individual sites. However, that's been treated almost as
12 a confidential matter in that, you know, they're -- they
13 provide support to the site offices. And it's important
14 that the site offices feel free to contact them and call
15 them in and -- so that we haven't mined that data; we
16 haven't mined that information. We haven't used it to
17 build performance profiles of our sites. We're changing
18 that.

19 VICE CHAIRMAN ROBERSON: Okay. Were you
20 surprised when you saw the results of these reviews come
21 in?

22 DR. NICHOLS: Yes and no. I was surprised
23 on the one hand in that, just like as many others, Pantex
24 has really set the stage for some of the best work that's
25 been done in the complex with regard to how do you put

1 together an organization that will reliably and
2 consistently implement safety requirements? I mean,
3 Pantex has set the stage for that. Some of the work that
4 they've done on the high reliability organization, some of
5 their causal factor analysis work that they have pioneered
6 to try to make sure that you could drive to the true
7 underlying causes of issues that have safety impact has
8 just been -- it's been groundbreaking, and to see that
9 disconnect was surprising.

10 I said it -- it was partly surprising. The
11 part that wasn't surprising is that there have been a
12 number of things that we've observed, not just at Pantex
13 but across the complex, that consistently resisted efforts
14 to bring them under control. Work planning and control is
15 one of them; and, of course, you're certainly very aware
16 of that.

17 My belief has been for some time that there
18 was an underlying, fundamental issue that we weren't quite
19 getting at, and I suspected it was related to safety
20 culture. I was unaware of the work that had been done to
21 find a way to measure safety culture in a way that was
22 reliable and reproducible and that produced -- that
23 produced actionable results, and that's one of the really
24 truly wonderful things that has come out of the work that
25 HSS has done and brought into NNSA is the introduction of

1 this capability to actually evaluate and measure safety
2 culture performance in a way that gives us something that
3 we can then work with, and so that we can know where to
4 focus our attention.

5 VICE CHAIRMAN ROBERSON: Thank you.

6 Mr. McConnell, same question. Have you had
7 the opportunity to consider, based on your previous role;
8 I understand there have been tweaks to your role. But you
9 were here before; you're here now.

10 MR. McCONNELL: Yes, yes.

11 VICE CHAIRMAN ROBERSON: What is -- are
12 there lessons you've learned?

13 MR. McCONNELL: Absolutely. Key attributes
14 of safety culture, key attributes of high reliability, we
15 all have had the same people talk to us. We -- you know,
16 questioning attitude, sort of chronic unease, a
17 willingness to face facts that are brutal even. Those are
18 all of the things that we aspire to in a strong safety
19 culture.

20 The problem is sustaining self awareness
21 and objectivity, and that is a very transient thing. One
22 can have objectivity and then very shortly thereafter lose
23 it. And so it's not -- the evidence is pretty plain that
24 we lost objectivity at Pantex. We didn't have a correct
25 understanding of the situation, and it's happened at other

1 places. And so the thing that's been nagging at me most
2 is what can we do to provide ourselves tools that allow us
3 to regain objectivity, when you don't even -- when you're
4 in the system, and you don't even know you've lost it.

5 Part of that is -- is -- is a larger
6 perspective involving more people, people who weren't --
7 didn't grow up and weren't in the process. And so part of
8 what the office of infrastructure and operations is is
9 expanding what we consider to be the operational group
10 that does self assessment so that the -- there is no
11 replacing the substantial number of people with the deep
12 understanding of Pantex that is currently resident in NPO.
13 They have to be the core of any line management self
14 assessment process.

15 But there's a double-edged sword there.
16 They know a lot, but they have been in the system a lot.
17 So we have to augment that with people who aren't ignorant
18 but didn't grow up in the system and that can come in and
19 ask a key question every now and then: Why are you doing
20 that; does that really make sense, to snap people out of
21 their mind-set into a -- to regain objectivity. And then
22 that then allows us to really meet that aspiration of
23 being self critical, challenging, open to information.
24 Because you can't -- you can't react to information if you
25 don't perceive it. And we've talked a lot today that

1 perception is really what we're here about.

2 And so, you know, between Don Nichols'
3 organization and NA-SH with a more well-focused effort to
4 help us assure that objectivity from an independent
5 perspective and from our collective operations'
6 perspective and from a broader perspective, that's --
7 that's the single biggest thing right now that I'm pushing
8 towards to get to a system that will more reliably
9 preserve objectivity, because that's -- I think that's
10 pretty fundamental.

11 VICE CHAIRMAN ROBERSON: So you're leading
12 this corporate board effort for the Administrator.

13 MR. McCONNELL: Yes.

14 VICE CHAIRMAN ROBERSON: It's going to be
15 really important you figure that one out, right?

16 MR. McCONNELL: Well, that's a slightly
17 different -- a couple of things about that; one is you've
18 heard and we've alluded to several times, the self
19 assessment that NNSA is going to do which is larger in
20 scope than an extent of condition, and that was by
21 direction of the Administrator, is a hybrid. It's the
22 experts -- the same experts that HSS has used in various
23 reviews, plus a group of NNSA folks. And the reason for
24 that is twofold. One, you have to have those experts,
25 because none of us really are, and they have those

1 methodologies that Tom Staker so eloquently described and
2 that are necessary to get a valid, repeatable, actionable
3 set of data.

4 But just as important is to have a cadre of
5 people who are deeply involved in the measurement, deeply
6 understand the data so that we have a cadre of people,
7 once Sonja Haber and her experts leave, that can be the
8 vanguard of the change. We have to have people that
9 really, really deeply understand it and resonate in all
10 the organizations, not just the safety and health
11 organizations. As Ms. Miller said, it's an organizational
12 culture issue.

13 VICE CHAIRMAN ROBERSON: Okay.

14 MR. McCONNELL: So we get 23 of them across
15 the entire NNSA organization who then become the change
16 agents so that we can sustain the change as we go forward.

17 VICE CHAIRMAN ROBERSON: Well, we look
18 forward to seeing that effort.

19 I guess I have one last question,
20 Mr. Chairman, to Mr. Erhart.

21 So my line of questions obviously is all
22 about awareness of the organizational elements that have
23 played a role in this. So HSS did the assessment of B&W
24 Pantex. The field office or site office, whatever we're
25 calling it now, chose not to participate. I'm assuming

1 that's your -- that was your decision. I'd just like for
2 you to tell us why you decided that that wasn't the right
3 thing for the field office.

4 MR. ERHART: Well, a couple of reasons
5 there.

6 The first one was we were -- we were
7 familiar with by talking with Mr. Staker of the plans to
8 move out on the 2011-1 and knew that there would be a self
9 assessment plan that would come forward.

10 Two, we were concerned that we wanted to
11 move quickly. In fact, the first -- we first asked for --
12 the HSS assessment predated the -- the request predated
13 some of the -- at least one of the Board letters. And at
14 that point we were kind of lower on the cue, and so the
15 thought was, well, if I want to get out and move on this,
16 you know, we better keep the scope the way we originally
17 talked with Mr. Staker, so we were going to bring them in
18 and do that.

19 So there were those two reasons. I thought
20 we were going to get to the HSS review of -- or at least
21 the version of that review that came out of the
22 recommendation.

23 And so retrospect, it could have been -- we
24 could have made the decision and done the entire group and
25 saw what the results were, but that was the thinking at

1 the time.

2 VICE CHAIRMAN ROBERSON: Okay.

3 MR. McCONNELL: Can I add a point there,
4 though?

5 CHAIRMAN WINOKUR: I think we're going to
6 have to move on here. I'm sorry. I'm looking at the
7 time, and your guys are giving us great information, but I
8 think Mr. Bader has some questions. And if you have
9 something else to submit for the record, would you please
10 do it? I really appreciate that. Thank you.

11 Mr. Bader?

12 MR. BADER: Mr. Erhart and also
13 Administrator Miller, looking at the press releases that
14 we've seen, a major benefit of the consolidated contract
15 for Pantex and Y-12 is cost reduction. Could you tell us
16 how NNSA and NPO will give this long-term corrective
17 action plan the high priority required to protect it
18 through the transition, particularly given this current
19 budget environment?

20 MS. MILLER: Yeah, I'll speak to that.
21 Regardless of the transition of this -- in this case or
22 for these sites, let's be clear. This is something that's
23 for the entire complex. We happen to have done the
24 studies here at Pantex and had the issues come up here at
25 Pantex, but we certainly wouldn't want to think that,

1 well, great, once we do that at Pantex, we must be fine,
2 right?

3 So that's a fundamental aspect, and I think
4 my colleagues have made a point to say that, that we
5 intend to be very careful to implement and follow
6 throughout the complex, throughout all of NNSA,
7 headquarters and the sites, so it doesn't become -- I want
8 to be clear. This is not a -- this is not a concern of
9 mine in terms of the -- any transition between any given
10 contractual situation. This is just part of what's going
11 to have to be fundamental to what we do everywhere.

12 With regard to the budget pressures, it is
13 a -- it is -- there's no question, everybody is in a mess.
14 Right? Probably more of a mess than I've seen certainly
15 in my 26 years of dealing with the federal budget.

16 But again, we can't consider that we're
17 doing the mission, if we're not doing the mission safely
18 and securely. If we start with the premise that to be
19 clear that it's being done safely, we'll have to make sure
20 that the safety culture is what we want it to be and what
21 we need it to be, then that's not a question of being
22 driven by the budget. We'll have to do what it takes. I
23 don't think these are particularly big impacts on the
24 budget. But hopefully they're not, but if they are, then,
25 you know, that's what setting priorities are about.

1 MR. BADER: Let me -- let me add to that
2 question. You mentioned earlier on that you would take
3 for the record putting your specific actions, including
4 long-term actions together and sending them to us. Could
5 I ask you to focus first on the long-term actions and
6 secondly to consider in your -- in what you put on the
7 record the steps that you're going take in those -- as
8 part of those actions to make them more likely to endure
9 over time, because I think, as I stated, I'm -- I am
10 concerned that you continue -- that there is a tendency
11 for things to get diluted and deleted and slip as you move
12 further and further away from the initial corrective
13 action plan.

14 MS. MILLER: Yes, I'll be happy to do it
15 that way.

16 MR. BADER: Thank you. That's all.

17 CHAIRMAN WINOKUR: Mr. Sullivan, do you
18 have a final question?

19 MR. SULLIVAN: I do. I want to ask Acting
20 Administrator Miller about accountability, and I'm not
21 going to ask you to discuss specifically any personnel
22 decisions or judgments that you've come to -- excuse me --
23 that you may have come to. But just more generally
24 speaking, I mean, have you determined in your own mind who
25 should be accountable for us having gotten here, and is

1 that specific people that you could have put your finger
2 on, or is it more generally one of these things where it
3 was a long time in this complex contractor assurance
4 system, and you can't really say who's accountable?

5 MS. MILLER: There are always people who
6 are accountable. I will take you up on the fact that I
7 will not discuss individuals in this setting, but, yes, I
8 will also admit -- tell you that I have in my mind how the
9 accountability works on this, yes.

10 MR. SULLIVAN: Okay. So I can assume that
11 just going forward you feel pretty confident that that
12 message is being delivered, and we're not going to find
13 any similar problems if we come back here in the future?

14 MS. MILLER: So yesterday morning I
15 testified in front of the House of Representatives Energy
16 and Congress Committee on the incident at Y-12, and I'm
17 going to tell you what I told them about swearing for
18 other people and what's going to happen in the future; I
19 certainly would never do that, but I will tell you that
20 the message has been communicated loud and clear, so no
21 one can say they don't know what the expectations are.

22 MR. SULLIVAN: Okay. Thank you very much.

23 CHAIRMAN WINOKUR: And before we say
24 goodbye to this panel, we have a minute, just a minute or
25 two. Jim, you wanted to respond to the question that

1 Mr. Erhart was asked about why the federal workforce did
2 not participate in the survey.

3 MR. McCONNELL: One thing I want to add to
4 that is while we don't have any NPO specific data, we have
5 absolutely no reason to believe that the motivations we
6 have for improvement don't apply to NPO. And the plan we
7 have going forward is a joint NPO Pantex and Y-12. And
8 while we never looked at Y-12 at an enterprise level, we
9 looked at it as a project as you well know, there's enough
10 data to tell us that Y-12 and every other part of our
11 enterprise is in need of attention and improvement.

12 So -- so we are, and I can speak for Steve,
13 fully invested in the need and the action to improve,
14 regardless of the fact that that particular study done by
15 Dr. Haber was only focused on the contractor.

16 CHAIRMAN WINOKUR: With that, let me thank
17 this panel. Thank you very much, Administrator Miller,
18 Dr. Nichols, Mr. McConnell, Mr. Erhart.

19 And at this time I would like to invite the
20 third panel of witnesses from NNSA's contractor
21 organization, B&W Pantex, to the witness table for
22 additional discussions on safety culture at the Pantex
23 Plant. Would the two panel members take your seats as I
24 introduce you. They are Mr. John Woolery, B&W Pantex
25 General Manager and Mr. James Stevens, B&W Pantex

1 Environment Safety Health and Quality Manager.

2 The Board will direct questions to either
3 panelist who will answer them to the best of their
4 ability. After that initial answer, the other panelist
5 may seek recognition by the Chairman to supplement the
6 answer as necessary. If panelists would like to take a
7 question for the record, the answer to that question will
8 be entered into the record of this hearing at a later
9 time.

10 You want the right nameplates, that seems
11 appropriate.

12 Does anyone on the panel wish to submit
13 written testimony at this time?

14 Mr. Woolery?

15 MR. WOOLERY: No, sir.

16 CHAIRMAN WINOKUR: So I would like to thank
17 each of you for your testimony today. With that, we will
18 continue with questions from the Board Members to this
19 panel, and I believe Ms. Roberson will begin the
20 questioning.

21 VICE CHAIRMAN ROBERSON: Thank you,
22 Mr. Chairman.

23 Good afternoon. Thank you both.

24 MR. WOOLERY: Good afternoon.

25 VICE CHAIRMAN ROBERSON: Mr. Woolery, I'm

1 assuming you have had the opportunity to review the HSS
2 assessment, as well as your own, you know, reviews done by
3 your own organization; is that right?

4 MR. WOOLERY: Yes, ma'am, I have.

5 VICE CHAIRMAN ROBERSON: And do you accept
6 the findings and recommendations of the HSS team?

7 MR. WOOLERY: Yes, ma'am, I do. I fully
8 accept the findings and the recommendations from the HSS
9 safety culture survey, and I've made this my top priority
10 to address the findings and to improve the safety culture
11 at Pantex.

12 VICE CHAIRMAN ROBERSON: Thank you, sir.
13 So can you share with us the -- some of the specific
14 issues or weaknesses that caught you a little bit by
15 surprise when you were able to see the totality of the
16 report?

17 MR. WOOLERY: Yes, ma'am. The biggest
18 concern that I identified immediately, and we've talked
19 about it already in an earlier panel, would be the
20 significant difference between management's perspective as
21 to how things are going versus the workforce's
22 perspective. And there was -- I mean, it was a noticeable
23 difference where management was on one end of the spectrum
24 and the workforce was on the other end of the spectrum.
25 That was one of my biggest concerns.

1 The other one would be, and Mr. Erhart
2 brought this up, the concerns that people identified, as
3 far as being able to bring concerns forward for fear of
4 potentially being retaliated against, and that's totally
5 unacceptable. That was one of my second concerns.

6 And then the third concern, I would say,
7 had to do with just the apparent lack of communication
8 between the management team at all levels, including
9 myself, to the workforce.

10 Those were my three primary concerns, and
11 our plan identified some actions that'll address those
12 concerns.

13 VICE CHAIRMAN ROBERSON: So were you --
14 were you surprised by the weakness -- or the concern that
15 the realization of HRO principles has not been
16 internalized by the Plant?

17 MR. WOOLERY: No, ma'am. I was not
18 surprised by that statement in the report. And I do want
19 to say that we're on a path to becoming an organization
20 that can demonstrate some of the traits or characteristics
21 of a High Reliability Organization, but we have never
22 stated that the Pantex Plant is an HRO.

23 We've been working very hard to try to
24 demonstrate some of those characteristics, and as a part
25 of our HRO effort, about two and a half years ago we

1 started working with Texas Tech University in developing
2 an Independent Safety Culture Assessment. And it was
3 because of the work that we had done with HRO that we were
4 asking the question, but we weren't sure what the answer
5 would be. But given how well we're performing in regard
6 to industrial safety metrics, I was very surprised and,
7 quite frankly, very disappointed in the results when I saw
8 them, but it clearly indicates that we've got a lot of
9 work to do in order to address those issues that were
10 identified.

11 VICE CHAIRMAN ROBERSON: So do you want to
12 just take a minute to briefly describe to us how you are
13 approaching addressing these issues?

14 MR. WOOLERY: Yes, ma'am. You've heard the
15 term Institute of Nuclear Power Operators and
16 Safety-Conscious Work Environment; those were the two
17 primary sources of information that we looked at as we
18 prepared our specific plan to address the issues. And
19 that plan was developed jointly with NPO and with Y-12.

20 And I think Mr. Podonsky mentioned earlier
21 that for the past 20 or 25 years, the Institute of Nuclear
22 Power Operators had been developing and working on some of
23 these principles. So there are ten traits for a strong
24 nuclear safety culture that we've identified, as well as
25 the principles of a safety-conscious work environment.

1 And both of the organizations have done a
2 lot of work as far as looking at some of these cultural
3 aspects and making sure that the management team
4 understands the behaviors they need to exhibit on a daily
5 basis and consistently do for the workforce in order for
6 eventually the safety culture to be changed.

7 VICE CHAIRMAN ROBERSON: So what are some
8 of the specific things that you're doing?

9 MR. WOOLERY: Yes, ma'am. We've made --
10 immediately moved out, and we've made a lot of progress.
11 The first thing that we did was to communicate the results
12 to the entire workforce.

13 And Mr. Staker mentioned earlier that, I
14 think, we're the only site that invited Dr. Haber to brief
15 not only the management team but also the entire
16 workforce, and I did that intentionally so that everybody
17 knew what the results were and everybody could understand
18 what it was that we would need to do.

19 Upon receiving the results, I worked with
20 Mr. Erhart and Y-12 in developing the plan that I referred
21 to, the Safety Culture Plan. We've also developed jointly
22 with NPO and Y-12 the Safety Culture Policy. The team --
23 and actually they are here this afternoon. There is a
24 15-person cross-functional safety culture team, and it's
25 comprised of five MTC employees.

1 And just wave, if you wouldn't mind, back
2 there.

3 Five MTC employees, and you met many of
4 them while you were at the Pantex Plant in January, five
5 Pantex Guard Union employees, and then five non-management
6 staff. And they have been together since November 2nd
7 working, number one, on identifying the general work
8 environment improvements that we need to make, and they've
9 identified two sets of requirements. One of them we're
10 putting on a list called a Fix It Now list, and it's work
11 that we're going to do under our existing budget and with
12 our existing maintenance workforce.

13 And Steve referred to some -- or Mr. Erhart
14 referred to some of those items earlier as replacing
15 ceiling tiles and light bulbs and putting ice machines in
16 and a lot of those types of things to improve the
17 employees' work environment.

18 And then there's an additional list where I
19 set aside \$2 million in funding from FY-13 to work some of
20 the bigger project issues. And they have identified
21 \$2 million in projects for us to work on, and in addition
22 to that, they have identified another \$14 million of what
23 they believe are fairly urgent concerns from a general
24 work environment perspective.

25 So we've already moved out promptly, and

1 we've made a number of improvements in the general work
2 environment on the Fix It Now list, and we've got work
3 authorizations that had been generated to do the project
4 work, and the design work is in planning to make some of
5 those improvements, and some of those things would have to
6 do with, for example, lighting in parking lots and
7 improvements to the guards' stations.

8 And what the team has done is they have
9 identified projects that would, when we finish the
10 project, would have the greatest impact on as many people
11 at the plant as possible, so they can see that we are
12 actually -- we're listening to them, and we're making
13 progress.

14 Another thing that we've done in response
15 to the information, for every salaried exempt employee and
16 every non-bargaining non-exempt employee that receives an
17 annual personal performance evaluation, we've established
18 30 percent of their personal performance objectives to tie
19 directly to consistently demonstrating the 10 traits of a
20 strong nuclear safety culture and the principles of a
21 safety-conscious work environment.

22 So we're really trying to make sure that
23 everybody fully understands what the expectations are, not
24 only for the management team, which is very critical, and
25 it was talked about before by Mr. Staker and Mr. Podonsky.

1 And the management team needs to understand
2 every day they need to demonstrate those behaviors. And
3 if they ever one time do something different, then they've
4 -- they potentially have damaged the entire organization.

5 And the example that you talked about
6 earlier in regard to nuclear explosive safety, I would say
7 is an example where the actions of an individual
8 undermined the entire organization.

9 Let's see, as far as other actions --

10 VICE CHAIRMAN ROBERSON: Well, we'll come
11 back. I'm going to let others ask you questions, but I'll
12 come back.

13 MR. WOOLERY: Yeah, there's probably -- we
14 probably have completed --

15 VICE CHAIRMAN ROBERSON: If you have
16 something else you want to add now, feel --

17 MR. WOOLERY: -- fifteen different actions.

18 VICE CHAIRMAN ROBERSON: Go ahead, you're
19 good.

20 MR. WOOLERY: We're moving out. We're
21 moving out very quickly.

22 VICE CHAIRMAN ROBERSON: Thank you.

23 MR. WOOLERY: Yes, ma'am.

24 CHAIRMAN WINOKUR: Dr. Mansfield?

25 DR. MANSFIELD: Thank you, Mr. Chairman.

1 Mr. Woolery, your NES change control
2 investigation finding that eight out of ten of the NES
3 personnel felt it was career limiting to raise issues.
4 That was a surprise to you, I take it?

5 MR. WOOLERY: Yes, it was a surprise.

6 DR. MANSFIELD: Did none of your own people
7 give you any indication beforehand that that kind of
8 dissatisfaction was developing?

9 MR. WOOLERY: No, I did not have any
10 visibility of the dissatisfaction within the NES
11 department, but after I became aware of the situation that
12 had occurred regarding the questions about the NES Change
13 Control Process and whether or not the work being
14 performed was within the boundaries of the approved NESSG
15 (Nuclear Explosive Study Safety Group) scope, once I found
16 out about that, it kind of ties directly to the feedback
17 that we're getting from our employees where they tried to
18 express a concern and identify a problem they felt was
19 very important, and a member of my management team did not
20 listen and demonstrate the appropriate behaviors.

21 DR. MANSFIELD: Could you clarify for me
22 the chain of events, starting with the NES Department
23 Director raising the issue that there should be or
24 probably should be a stop work until this was satisfied.
25 Who was that communication directed to from him?

1 MR. WOOLERY: Yes, Dr. Mansfield. The NES
2 department manager not only verbally but finally in
3 writing communicated to the engineering division manager
4 concerns that he had --

5 DR. MANSFIELD: Engineer?

6 MR. WOOLERY: Engineering division manager,
7 yes, sir.

8 -- concerns he had relative to the work
9 being performed and questions about whether or not that
10 work was, in fact, inside the boundaries of the approved
11 NESSG process.

12 And what happened was the Engineering
13 Division Manager created a technical debate about the
14 safety of the work as opposed to answering the question
15 about whether or not the work was or was not within the
16 boundaries.

17 We absolutely cannot perform work outside
18 the boundaries of the NESSG approved process, and the
19 Engineering Division Manager upon hearing the question
20 should have immediately suspended operations and done
21 whatever it took to answer the question.

22 DR. MANSFIELD: Was -- what was the time
23 span involved between the time that he was informed by the
24 NES Department Director to the time that work was
25 eventually stopped?

1 MR. WOOLERY: There was a formal memorandum
2 issued from the NES Department Manager to the Engineering
3 Manager in November of 2011, and the operations were not
4 suspended and the procedures were not changed until
5 January of 2012.

6 DR. MANSFIELD: Thank you very much.
7 That's the first time that that's all been on the record,
8 and that's valuable.

9 Was your -- Mr. Stevens, was your
10 department involved at all, the Environmental Health,
11 Safety and Quality Team?

12 MR. STEVENS: No, sir. At that particular
13 time, I was the Division Manager for Quality, but neither
14 of the two divisions were involved in that. That was
15 purely within Engineering.

16 DR. MANSFIELD: Uh-huh. So neither of the
17 two divisions, which two divisions do you mean now?

18 MR. STEVENS: I was -- at that time I was
19 the Division Manager for Quality and Performance
20 Assurance.

21 DR. MANSFIELD: Quality, right.

22 MR. STEVENS: Now, I am the division
23 manager for both divisions, Environmental Safety and
24 Health and Quality and Performance Assurance.

25 DR. MANSFIELD: Well, did the other

1 division --

2 MR. STEVENS: No, sir, neither one of them
3 had --

4 DR. MANSFIELD: -- Environmental Safety and
5 Health, were they involved in the communication at all?

6 MR. STEVENS: No, sir.

7 DR. MANSFIELD: Many organizations that --
8 finding this kind of mal-communication of actual
9 performance to expectations have corporate chief safety
10 officers. Mr. Erhart mentioned hospitals that make sure
11 that there's continuing enforcement of High Reliability
12 Organizations. NASA has an Associate Administrator, SES-6,
13 that reports directly to the Administrator on Safety, and
14 the Air Force has a general officer. I think he may be a
15 Major General, I'm not quite sure that does the same
16 thing. All -- all these organizations give their Chief
17 Safety Officer just that one responsibility. Does your
18 excellent Director of Environmental Safety, Health and
19 Quality, Mr. Stevens, have too much to cover?

20 MR. WOOLERY: No, sir, I don't believe that
21 Mr. Stevens has too much to cover. Although, the change
22 that Mr. Stevens is referring to did occur fairly
23 recently, so he still is coming up to speed as far as his
24 responsibilities in Environmental Safety and Health but
25 Jim, or Mr. Stevens, can do the work. I'm confident of

1 that.

2 DR. MANSFIELD: Okay. The change control
3 investigation suggested or stated that the W76 production
4 schedule pressures were clear and real, and the perception
5 is the schedule must be met. And is production pressure a
6 contributor to the safety culture issues identified by HSS
7 in their investigation?

8 MR. WOOLERY: No, Dr. Mansfield, I do not
9 believe the production pressures are a contributing
10 factor, but I do understand the feedback that was received
11 through the safety culture survey.

12 Mr. Erhart mentioned earlier that we
13 developed an excellent relationship with NA-12 and NA-122,
14 and we have a great deal of flexibility when it comes to
15 the production schedule and the specific weapon
16 deliverables that are required on an annual basis. And
17 the thing we emphasize at Pantex is safe production, and
18 at no time should anybody at Pantex make a sacrifice in
19 safety in order to a -- achieve production deliverables.
20 It's safety, security and quality for anything that we do.

21 DR. MANSFIELD: Okay. My last question is
22 a bit complicated, Mr. Chairman, I'm a bit puzzled. You
23 still have three or four programs that involve
24 conventional sensitive high explosive.

25 MR. WOOLERY: (Nods head up and down.)

1 DR. MANSFIELD: A high explosive violent
2 reaction in a cell would shut you down for a long, long
3 time and rather severely impact your production schedule.
4 It would appear to me that it would require continuous --
5 the danger of High Explosive Violent Reactions has to --
6 it has to have continual attention.

7 Pantex has already had -- in its history
8 has had four explosions, three fatalities. I think of
9 those three fatalities every time I come down here, and I
10 hope you remind your people about those three fatalities
11 and the importance of developing and adhering to
12 procedures that protect them.

13 Is it -- that's why I'm surprised that it's
14 rocking the boat for anybody to say we're outside of the
15 bounds of our -- the protections that we established to
16 prevent High Explosive Violent Reactions, we're outside
17 the bounds, we've got to stop. The -- I'm just surprised
18 that anybody would consider that rocking the boat and
19 career challenging. Do you have any comments on that?

20 MR. WOOLERY: Yes, Dr. Mansfield. The
21 specific comment that you reference, I was not able to
22 make a direct tie back to our Explosive Technology
23 Organization where they do the formulation synthesis,
24 pressing a machine of high explosives.

25 And the feedback that we -- that I received

1 from that portion of the organization, as well as from our
2 manufacturing organization where they do the nuclear
3 explosive operations, they performed very well, I thought,
4 on the survey in contrast to some of the areas in the
5 balance of the Plant where we have not been focusing in
6 the past on developing a High Reliability Organization or
7 the kind of operations for those high hazard areas.

8 DR. MANSFIELD: True. That's right. I
9 just want to get on the record that there was a
10 misconception of what the PT's were doing, that when the
11 NES people saw the kind of operation that they were doing,
12 they immediately recognized it was outside the bounds of
13 what was -- the bounds that had been established for
14 safety of the operation. Do you feel that's a lack of a
15 control some place, that the PT's could wander off --
16 wander off is not the right word -- could change the scope
17 of their operation in -- outside what had been approved
18 because of the advice of the NESS (Nuclear Explosive
19 Safety Study).

20 MR. WOOLERY: The particular unit in
21 question where more HE was removed than is typical, the
22 production technicians did, in fact, stop work, and they
23 contacted the production section manager.

24 DR. MANSFIELD: Oh, okay.

25 MR. WOOLERY: Yes, sir. I want to make

1 sure everybody is fully aware of that.

2 DR. MANSFIELD: Okay.

3 MR. WOOLERY: The production technicians
4 stopped work. They contacted the production section
5 manager who in turn contacted the process engineer. We
6 consulted with the national laboratories, and we reviewed
7 the weapons response information associated with that
8 specific HE, and the work was determined to be safe and
9 the procedures were revised, and the operators were told
10 to go back to work.

11 DR. MANSFIELD: Okay. Thank you for
12 putting that on record.

13 MR. WOOLERY: Yes, sir.

14 DR. MANSFIELD: Mr. Chairman, that's all I
15 had.

16 CHAIRMAN WINOKUR: Let's see.
17 Mr. Mansfield just asked you if production pressures at
18 Pantex were a significant contributor to the safety
19 culture deficiencies, right? And your answer was no, but
20 the workers told you it was. I mean, isn't that what this
21 disconnect is all about, that eight out of ten workers
22 said their -- and I know from your position it's not.
23 From their perspective it is, it is production pressure on
24 the 76, and they said it would be career limiting for them
25 to raise concerns. So I just want you to just think about

1 that, that this is an example of the difference from your
2 perspective as the plant manager and senior management and
3 what your workers are telling you. Because I think it is
4 a fair statement to say that production pressures on the
5 76, is my opinion, are a problem with safety culture at
6 this plant, once again, just because the workers told you
7 that.

8 MR. WOOLERY: I understand your point, and
9 I agree with it.

10 CHAIRMAN WINOKUR: Okay. And I think you
11 have to work through those things in order to bridge this
12 gap between senior management. Nobody has ever said that
13 senior management here wants anything to proceed which
14 isn't done safely. I mean, we understand who you folks
15 are and your commitment to getting the job done here and
16 that it's an important mission, but we all have to listen
17 to the signals we're getting, and I think that is an
18 important signal for you to understand, even though it
19 wasn't your perception; it was their perception. Okay.

20 MR. WOOLERY: I completely understand and
21 unfortunately did not complete my thought which would be,
22 I for sure know that we've got the flexibility to make any
23 kind of adjustments required to ensure safe production.

24 My job is to make sure that I effectively
25 communicate with my entire staff as well as the workforce

1 on that flexibility and make sure that they understand
2 anytime they have an issue or concern, it's not only their
3 right, but it's their responsibility to raise their hand
4 and let somebody know, including myself, so that we do the
5 right thing.

6 So I appreciate you pointing that out,
7 because that was not my intent to leave that point hanging
8 like that.

9 CHAIRMAN WINOKUR: Okay. We talked about
10 the Waste Treatment Plant. One of the problems we had
11 there was there was just plain acrimony between the Safety
12 Basis Organization and the Engineering Organization. That
13 was just a war. But what we have here is we actually had
14 an organizational construct where the folks for NES were
15 inside the Engineering Division, and that created kind of
16 a conflict of interest. Do you think that was true?

17 MR. WOOLERY: I agree. I definitely think
18 that was true, and I think as a result of the
19 organizational alignment of the Nuclear Explosive Safety
20 Department, that prevented that particular issue that
21 we're talking about from being elevated to my level where
22 it would have immediately been addressed and resolved.

23 As soon as I recognized that, I changed the
24 reporting relationship of the nuclear explosive safety
25 department where that department manager reports directly

1 to me. And I have at least two weekly meetings with our
2 NES Department. And the NES Department Manager briefs the
3 entire senior staff at least once a month on how things
4 are going and any kind of issues or concerns he would have
5 within the NES organization.

6 So by making that organizational change, I
7 have direct and ongoing feedback and interface with not
8 only the NES Department Manager, but the NES Department
9 employees. And then it's elevated. That Department
10 Manager is standing in the organization to the point where
11 he can challenge everybody in the organization about what
12 they are doing, how they are doing it, and whether or not
13 they are doing it the way that he believes it should be
14 done. And I am fully aware of those discussions and what
15 the response is from the remainder of my senior staff.

16 CHAIRMAN WINOKUR: Now, Mr. Stevens,
17 Mr. Woolery made a statement just a little while ago that
18 you are not an HRO. Do you agree with that?

19 MR. STEVENS: Absolutely, yes, sir. We are
20 striving to become a High Reliability Organization, and as
21 Mr. Woolery stated, he's trying to make sure that we
22 become a High Reliability Organization across the plant.
23 We're doing better in the manufacturing areas. They are
24 further along. Explosive operations are right behind
25 them, but we have more work to do to get that kind of

1 attitudes into maintenance, into transportation and to
2 warehousing. And we're working really hard right now to
3 get that kind of idea into security. So when he says
4 we're not a high reliability operation, the overall plant,
5 we have more divisions to take that kind of culture to.

6 CHAIRMAN WINOKUR: You've placed -- you've
7 put a lot of effort in it though, right? I mean, you've
8 devoted a lot of time, a lot of attention. You understand
9 the basic principles; you've written a lot of literature
10 and books on the thing, on the subject matter. You've got
11 experts here. I mean, this has been a fairly large
12 commitment on your part; is that true?

13 MR. STEVENS: Yes, sir, I think it has, but
14 it's a relatively small staff. At the beginning of this
15 we did a lot of research. Dr. Rick Hartley spent time
16 doing this research.

17 Learning. We spent a lot of time preparing
18 the guides, helping the Department of Energy do -- redo
19 their investigation manual, training the entire plant.
20 Bringing on the causal factors analysis, we've done 19 of
21 those.

22 But this doesn't grow probably as quickly
23 as I would like it to, but we have -- we have a team now
24 that works for me that we are going to be able to expand
25 on this faster. But HRO is enormously good concepts for

1 how to run a reliable operation, but we have more to do,
2 and the safety culture aspect is going to be a very
3 positive to this. I've done a lot of these causal factors
4 analysis, and we have looked at issues that came up in
5 terms of organizational weaknesses. We looked at it from
6 the viewpoint of the worker. What did the situation look
7 like from the worker's perspective? How did management
8 put the worker in that position to where he was allowed to
9 make that error?

10 What we need to do now is, as I'm doing
11 these causal factors analysis, is ask that next round of
12 questions. Did the worker see this problem? Did the
13 worker raise it? Did he feel that he had an obligation to
14 safety to raise this issue? Did his supervisor take that
15 up? Did the senior manager respond correctly? Did the
16 senior manager train his team to be responsive to these
17 safety culture issues? That's what needs to be injected
18 into this High Reliability Organization Concept for us to
19 really move on down the road.

20 Yes, sir?

21 CHAIRMAN WINOKUR: So is safety culture an
22 explicit part of an HRO?

23 MR. STEVENS: I think that they overlap,
24 but I think they are very different.

25 CHAIRMAN WINOKUR: You think they are very

1 different?

2 MR. STEVENS: I think that the high
3 reliability operations as we see them are applicable, as
4 we said, to many different industries, airline industries,
5 hospitals, and they are concerned with organizations
6 working error free for long periods of time, using good
7 judgment, focused on reliability and reducing variation.

8 Safety culture, especially nuclear safety
9 culture is this whole idea of people understanding their
10 obligations, their accountability to raise safety issues
11 and have the proper responses to that safety issues, to
12 encourage those safety issues when they see them, and then
13 to fold those back into the proper procedures, the proper
14 attitudes.

15 So they overlap. I am responsible to
16 Mr. Woolery to implement both of the these things. I'm
17 going to try to use HRO as my platform to build on to go
18 do safety culture, but I'm going to -- I'm going to really
19 put the emphasis on safety culture as its own thing.

20 CHAIRMAN WINOKUR: Okay. That's very
21 interesting. So I asked a question for the record from
22 Mr. Erhart before, maybe you could take the same question
23 for the record, just to explain to me as you just did more
24 formally the relationship between establishing an HRO and
25 establishing a strong safety culture.

1 MR. STEVENS: Yes, sir, I'll do that.

2 CHAIRMAN WINOKUR: Because the next
3 question was going to be if HRO really encompass safety
4 culture, what were the metrics? What were the things you
5 were measuring? But it's not clear to me -- well, is it
6 clear to you that there are things you measure when you
7 establish an HRO that would tell you whether you had a
8 good safety culture?

9 MR. STEVENS: We need to move into that.
10 That's an area that I -- that we really need to look at.
11 Is there a way to measure that? Obviously, the safety
12 culture survey is a way to do that, very professional,
13 twenty years of experience.

14 We have developed our own safety culture
15 survey through Texas Tech. It has a little bit -- we
16 tried to develop that from the perspective of high
17 reliability operations. We'll probably adjust that some
18 more. But that was one that we could have a third party
19 examine us independently, probably more often, and give us
20 feedback, so that's going to be an indicator.

21 But we need other indicators that are a
22 little bit -- a little bit more close -- a little closer
23 to the problem, a little bit more immediate. And we're
24 working on what those are. We examined the Institute of
25 Nuclear Power Operations for what they're recommending,

1 and those are going to include hours that managers spend
2 out observing work, how many -- what kind of complaints,
3 what's the level of detail of the complaints we're getting
4 from people in our Different [Differing] Professional
5 Opinions Program.

6 And we have started a, what we call
7 Procedure Adequacy Survey Program where we ask managers to
8 go to the field with procedure in hand, watch operations
9 for a relatively long period of time, and in so doing, see
10 how the operators actually execute that procedure. And I
11 think that's going to give us some indications, not just
12 presence in the workplace but also some appreciation by
13 the operators that we really are interested in that
14 procedure, and what are the difficulties that they have?
15 It might not be just the procedure. It might be some
16 container that he has to receive or some tooling that he
17 has to receive.

18 And we'll be able to see all of those
19 things together, but we have to spend time watching that
20 procedure in the bay.

21 CHAIRMAN WINOKUR: Last question. When are
22 you going be an HRO?

23 MR. STEVENS: Never.

24 MR. WOOLERY: Never.

25 MR. STEVENS: We're always strivings to be

1 an HRO.

2 CHAIRMAN WINOKUR: Well, that doesn't give
3 me much confidence. Can you give me a month and the year?

4 MR. STEVENS: We'll have to keep the
5 pressure on to keep going there. We're going to get new
6 people all the time that are constantly going to have to
7 be trained to come up to that standard.

8 CHAIRMAN WINOKUR: Okay. Thank you.

9 Mr. Sullivan?

10 MR. SULLIVAN: Thank you, Mr. Chairman.

11 Mr. Woolery, we heard during the first
12 panel about the Authorization Basis Group. We had a
13 discussion during that panel about how important they were
14 to safety and that they too had some conflicts within the
15 Engineering Division. What's been done about that?

16 MR. WOOLERY: I am aware of the feedback
17 that we receive from HSS and the recommendations to take a
18 look at the Authorization Basis (AB) Department and
19 whether or not we should consider realigning their
20 reporting relationship.

21 In looking at the Nuclear Explosive Safety
22 Department, we were asking the Nuclear Explosive Safety
23 Department to perform both a line function and an
24 oversight function, and we were really putting them kind
25 of in conflict with themselves, as far as trying to

1 support the day-to-day production versus being the ones
2 that are responsible for raising their hand and
3 identifying any kind of issue of concern that they may
4 have from a NES perspective.

5 As we evaluated the feedback that we
6 received from an Authorization Basis standpoint, that same
7 situation does not exist for the AB Department, and the AB
8 Department is more closely aligned with a line
9 organization, and today that organization, it's a
10 department level organization within the engineering
11 department, and I looked at that and discussed that with
12 my staff. I also consulted with Mr. Erhart and his team,
13 and at least right now we did not see a good reason to
14 make the change to have that department report to me,
15 similar to the way the NES Department is. So we did look
16 at that very closely, and we made the determination to
17 leave it there.

18 MR. SULLIVAN: All right. But the fact
19 that some people said that they felt that they should be
20 moved out, does that tell you anything about what the
21 safety issues might be within that Department or within
22 the Authorization Basis Group and has anything been done
23 to find out what the specifics of those were and to
24 correct them?

25 MR. WOOLERY: Yes. Again, there was some

1 feedback that required us to follow up. And to finish the
2 point that I was making earlier in my discussion in regard
3 to the NES Department and the discussions the NES
4 Department Manager had with the Engineering Manager. That
5 Engineering Manager no longer -- was immediately removed
6 from that function and is no longer working at the Plant.
7 And I've got a new Engineering Manager that I'm confident
8 will model the behaviors that we're talking about from a
9 strong nuclear safety culture.

10 And the leadership in that organization is
11 going to be key to making sure that our Authorization
12 Basis department has somebody they can talk to and
13 identify concerns, that will listen and that will respond
14 to those concerns.

15 And, let's see, it's been on the order of
16 seven months now, I think, that individual has been in
17 that role, and I've been watching very closely, and I have
18 multiple positive indicators that that's exactly what's
19 happening.

20 MR. SULLIVAN: Okay. Thank you.

21 MR. WOOLERY: Yes, sir.

22 CHAIRMAN WINOKUR: Mr. Bader?

23 MR. BADER: I have two questions. The
24 first one, Mr. Stevens, you mentioned that you were
25 obtaining the workers' perspective and you would be

1 looking at operations on the floor to help assess them.
2 Have you spoken directly to the workers to get an
3 appreciation of what their feelings and concerns were?

4 MR. STEVENS: Yes, sir.

5 MR. BADER: Good.

6 MR. STEVENS: Was that a question, or did
7 you want some elaboration?

8 MR. BADER: That was what I wanted, yes.

9 MR. STEVENS: And I would -- if you will
10 recall, we had a Conduct of Operations Project, and I
11 briefed the Board on this project. And we, in fact, took
12 those principles of HRO. I assembled a 10-person team of
13 conduct of operations experts, and we used those ideas.

14 We went into an area that was weak in -- at
15 that time we called it conduct of operations, and we
16 stayed in the bay for three weeks all day long and lived
17 with the employees and gained some trust between us. And
18 then we were able to watch the procedures, watch them
19 execute the procedures, watch how they were living, watch
20 what they were dealing with, what kind of support things
21 are -- and through that, as we reported, identified some
22 deficiencies both in the procedures and response of the
23 engineers. The engineers' response is enormously
24 important to that production technician to come down and
25 either explain a procedure or change a procedure. And we

1 did a lot of changes that I briefed on.

2 But I'm a believer that spending some time
3 in the bay, living the life of that technician is good for
4 both of us.

5 MR. BADER: And you'll continue to do that?

6 MR. STEVENS: That's -- we have that, and
7 we have a metric for that, and we are reporting that to
8 NPO, yes, sir.

9 MR. BADER: Okay. Thank you.

10 Mr. Woolery, I would appreciate it if you
11 could tell us if you are seeking any assistance or have
12 asked for any help from NNSA and DOE, including HSS, to
13 help facilitate the cultural change at the Pantex Plant?

14 MR. WOOLERY: Yes, Mr. Bader. We
15 immediately requested support from DOE HSS to provide
16 Safety-Conscious Work Environment Training, and that
17 training was conducted in December of 2012. We've been in
18 direct contact with DOE HSS regarding -- and that was for
19 75 senior managers from NPO, B&W Pantex and B&W Y-12.

20 And then we've been in contact in regards
21 to DOE HSS providing training to Pantex, the remaining
22 managers at Pantex, NPO and Y-12, and we're currently
23 trying to schedule that in the June or July time frame for
24 2013.

25 We're also working directly with DOE HSS on

1 Safety-Conscious Work Environment Training for the entire
2 Plant population. And right now there's some discussion
3 as to whether or not they can train the trainer and then
4 we would have people available within NNSA that could
5 provide that training or if DOE HSS would continue to
6 support us in those requests.

7 But DOE HSS has been very responsive.
8 Throughout my remarks so far I've talked about NPO and
9 NNSA support. And Administrator Miller called Mr. Erhart
10 and I up, and we sat down with the plan, the safety
11 culture plan and discussed that with her. She was made
12 aware of it when it was hot off the press, and she clearly
13 stated anything that either Mr. Erhart or myself needed,
14 she was one phone call away and she was ready to respond
15 and support.

16 Mr. McConnell, who spoke earlier, he
17 visited the plant yesterday, and he is the funding
18 authority for the general work environment improvements.
19 And the \$2 million, that I referenced earlier, we are, you
20 know, going through some funding discussions because of
21 sequestration during 2013 here, and Mr. McConnell and I
22 are on the same page as far as the \$2 million that we have
23 set aside, and it shall not be touched for anything other
24 than general work environment improvements.

25 And Mr. McConnell actually has visibility

1 now of some of the other concerns that we have, and if he
2 has visibility within his area of responsibility of
3 additional funds, he stated that he would consider sending
4 those funds to Pantex.

5 So NNSA has been very supportive in trying
6 to address and resolve some of the general work
7 environment concerns. DOE HSS has helped us out with the
8 training, and right now we're getting all of the help that
9 we need whenever I pick up the phone and ask for it.

10 MR. BADER: Good. Thank you.

11 MR. WOOLERY: Yes, sir.

12 CHAIRMAN WINOKUR: Tell me a little bit
13 about this Texas Tech survey. When did it occur in
14 relation to some of the initial concerns raised by the NES
15 and then the HSS safety culture assessment?

16 MR. WOOLERY: Yes, sir, Dr. Winokur. We
17 began working with Texas Tech University approximately
18 three years ago now on developing a safety culture survey,
19 and that was as a result of -- directly as a result of the
20 work that Dr. Tolk, who has now retired from Pantex, and
21 Dr. Hartley were doing with the larger community, not only
22 within NNSA but also DOE, and then nationally and
23 internationally in high hazard operations at commercial
24 facilities, as well as within the Department of Energy and
25 NNSA.

1 They identified safety culture as an area
2 that really needed to be explored, so we began developing
3 with Texas Tech a mechanism to conduct safety culture
4 surveys at Pantex, and then we initiated the first survey.
5 And we wanted to focus on our high hazard areas of the
6 plant, and we initiated the first survey in our explosive
7 technology organization where we had some indications
8 where the culture did not appear to be where it needed to
9 be for the type of work that they were performing and the
10 hazards that they were dealing with.

11 So we did the survey. We got the feedback
12 not only from Texas Tech who conducted the survey
13 independently, but we also got feedback from the employees
14 about some of the questions that we were asking them
15 didn't make sense, and they didn't understand what we were
16 trying to get at. So we made some adjustments to the
17 survey, and that took approximately six months, and then
18 we began administering the survey to the balance of the
19 plant population on a division-by-division basis.

20 And we had just concluded administering the
21 Texas Tech safety culture survey to the entire plant
22 population when DOE HSS came in and did their survey. And
23 we had not yet provided any feedback to the employees
24 about the first survey they took, and when I asked them
25 about their low level of response to the second DOE HSS

1 survey, they explained to me that, you know, we already
2 did one survey and you haven't told us anything, so they
3 didn't want to take a second survey, because they felt
4 like they were wasting their time.

5 So we've spent now three years on
6 developing that survey. We've incorporated feedback from
7 the employees as far as whether or not they understand the
8 questions that we're asking them.

9 And the information that we got from the
10 Texas Tech safety culture survey, it very closely aligned
11 with the information that we received from the DOE HSS
12 safety culture survey. So there's no question about the
13 fact that we've got some work to do in regards to
14 improving the safety culture at Pantex and developing a
15 strong nuclear safety culture.

16 And kind of the take-away for me was we
17 were not using the same terminology during our HRO
18 development that I've been talking about today, as far as
19 the Institute of Nuclear Power Operators, Ten Traits of a
20 Strong Nuclear Safety Culture and the Safety-Conscious
21 Work Environment Principles and Methodologies. And one of
22 the things that we clearly need to do from an HRO
23 perspective is to start utilizing that terminology so that
24 our employees understand what it is that we're talking
25 about when we talk about a strong nuclear safety culture

1 and we talk about a safety-conscious work environment.
2 Those were new terms to the population whenever the HSS
3 survey was conducted.

4 CHAIRMAN WINOKUR: So the Texas Tech survey
5 really had some of the same information in it that the HSS
6 survey, so that can I assume that you weren't that
7 surprised when you got the results of the HSS assessment?
8 Were you pretty much expecting to get some obvious need
9 for improvement, for improving the safety culture at the
10 Plant?

11 MR. WOOLERY: Yeah. The timing was almost
12 coincident as far as receiving the information from the
13 Texas Tech safety culture survey and then the results from
14 the DOE HSS.

15 CHAIRMAN WINOKUR: Okay.

16 MR. WOOLERY: I will tell you, again, and
17 this ties back to historically we've looked at lagging
18 indicators regarding industrial safety to try to figure
19 out whether or not we're doing what we should be doing and
20 doing it correctly.

21 What we're attempting to do here is
22 establish leading indicators in regard to the culture and
23 what people are thinking about whenever they make
24 decisions and whenever they are doing their jobs. And
25 it's a whole paradigm shift that we're trying to effect.

1 And just the dichotomy between the industrial safety
2 metrics and the nuclear safety culture feedback, there was
3 a lot of discussion from the plant about how can this be
4 true? Having the additional data set from Texas Tech
5 University that corresponded very closely to the DOE HSS
6 information --

7 CHAIRMAN WINOKUR: Right.

8 MR. WOOLERY: -- it validated it. I mean,
9 there was absolutely no question in my mind from the
10 beginning, but by putting both of those together for the
11 entire staff and saying, you know, you can argue all you
12 want, but here's the facts, and this is what our employees
13 are telling us and here is what we need to do, it made it
14 real easy to internalize this and just dig in and identify
15 the action items and get started.

16 CHAIRMAN WINOKUR: Okay. And I guess
17 something very positive from the workers' perspective is
18 now you have two baseline surveys that you can build on.

19 MR. WOOLERY: And that's one thing that is
20 important for everybody to understand. We are now in the
21 process of trying to establish a baseline, then we can
22 measure whether or not we're getting better from the point
23 we started at. And we've got a baseline, and it's not
24 where we want it to be, and we're dedicated to making it
25 much better.

1 And the other point I wanted to make on the
2 cross-functional safety culture team, which hopefully will
3 reinforce the fact that I understand the importance of
4 communicating and the perspectives are everything, back to
5 the discussion about production pressure.

6 The other thing that I've asked the
7 cross-functional safety culture team to do is take the
8 Texas Tech safety culture survey and the DOE HSS safety
9 culture survey and completely understand the results that
10 we're getting and then identify any specific action items
11 that they feel like we should take. And if they're any
12 different at all than the action plan that we've created,
13 we're going to make an addendum to the safety culture
14 plan, and we'll take those actions and make progress on
15 those as well. But that'll be directly as a result of the
16 feedback from the workforce and what they feel like we
17 need to do, which is very, very important.

18 CHAIRMAN WINOKUR: Okay. Do other Board
19 Members have any more questions?

20 I would close by saying two things. First
21 of all, we spent three and a half hours here on safety
22 culture because nothing could be more important than the
23 safety culture at Pantex, right?

24 MR. WOOLERY: Yes, sir.

25 CHAIRMAN WINOKUR: We've made the point

1 very clearly that this is where the most hazardous and
2 concerning operations in the entire department take place.
3 And you guys have done extremely well; you have a great
4 record.

5 And I want to echo comments earlier for
6 your workforce. I mean, we understand what a dedicated,
7 committed workforce there is. We don't want there to be
8 any confusion about that. And I think it's good they are
9 providing a signal to you about where they want to see
10 improvements and where the disconnects are, and I hope
11 you're going to build on that.

12 So I want to thank you for your testimony
13 today. Thank you very much Mr. Woolery and Mr. Stevens,
14 appreciate it.

15 MR. WOOLERY: Thank you, Mr. Chairman.

16 CHAIRMAN WINOKUR: So at this time per the
17 Board's practice and as stated in the Federal Register
18 Notices, we will welcome comments from interested members
19 of the public. A list of those speakers who have
20 contacted the Board is posted at the entrance to this
21 room. We have generally listed the speakers in the order
22 in which they will speak. I will call the speakers in
23 this order and ask the speakers to state their name and
24 title at the beginning of their presentation.

25 There is also a table at the entrance of

1 the room with a sign-up sheet for members of the public
2 who wish to make a presentation but did not have an
3 opportunity to notify us ahead of time. I think we are
4 done with that process now, but people can raise their
5 hands in the audience when we finish with the list. They
6 will follow those that have already registered with us in
7 the order which they have signed up.

8 To give everyone wishing to speak or to
9 make a presentation an equal opportunity, we ask the
10 speakers to limit their original presentations to five
11 minutes. The Chair will then give consideration for
12 additional comments, should time permit.

13 Presentations should be limited to
14 comments, technical information or data concerning the
15 subject of this public meeting and hearing.

16 The Board Members may question anyone
17 making a presentation to the extent deemed appropriate.

18 With that, we're going to begin. I want to
19 thank all of the members of the public who have come here
20 today to be a part of this discussion. And before I begin
21 to read names off the list, I do want to acknowledge that
22 Mr. Pool from Representative Thornberry's audience has
23 been able to spend some time with us today, and I very
24 much appreciate his presence here.

25 With that, the first person on the list is

1 Clarence Rashada.

2 MR. RASHADA: Good evening, Mr. Chairman,
3 and Members of the Board. For the record, my name is
4 Clarence Rashada. I am the President of the Metal Trades
5 Council, Amarillo, Texas, and vicinity AFL-CIO.

6 The MTC is the sole bargaining agent for
7 our ten local unions at Pantex. And in accordance with
8 the National Labor Relation Board Authorization dated
9 August 7, 1952, and amended on October 8th, 1956, in Case
10 No. 16-RC-1101 as assumed on January 26th, 2001, by B&W
11 Pantex, LLC, recognizing the Metal Trades Council of
12 Amarillo, Texas and vicinity AFL-CIO as the exclusive
13 bargaining agent for all employees and classifications at
14 Pantex.

15 In my testimony I will address the Company
16 and the Council having a common and sympathetic obligation
17 in the progress of the Pantex Plant; therefore, a working
18 system harmonious relationship are necessary to maintain
19 mutuality and confidence between the Company and the
20 Council. All will benefit by implementing continuous,
21 peaceful operations and by adjusting any difference
22 through rational commonsense methods.

23 The Metal Trades Council, the contractor,
24 and the Department of Energy need to acquire a
25 tripartition panel to communicate issues that affect the

1 Plant, as well as new challenges that we face from
2 Washington.

3 The first example is the consolidation of
4 the plant. These kinds of actions from the top affect the
5 missions as well as the safety culture, quality and
6 security. Well, I don't have to tell you how unique
7 Pantex is, but we have to be careful in our cuts and not
8 to deteriorate and suppress our drive to strengthen safety
9 culture and promote savings.

10 The cost savings is in our backyard. When
11 subcontracting work, the cost is more due to less control
12 over safety, quality and security.

13 Utilizing the Pantex workforce dealing with
14 M&O which includes safety procedures and special tooling
15 work is a more efficient way of accomplishing work. This
16 is crucial in order to maintain control over cost savings,
17 safety culture, quality and security. Therefore, the
18 Council seeks a tripartition panel for communications and
19 resolution of issues locally.

20 Second, the Council needs a forum at a
21 Washington level to remove obstacles of communications and
22 contract issues. For example, when a site DOE contracting
23 officer, while trying to meet objectives of subcontracting
24 goals, issues a contract that -- that's against the
25 Collective Bargaining Agreement by displacing bargaining

1 unit workers. These kind of actions are why the Council
2 need a communication forum within Washington between DOE,
3 NNSA and the MTD.

4 Thank you. This concludes my statement.

5 CHAIRMAN WINOKUR: Thank you for your
6 comments. And if you have anything written, please enter
7 it into the record.

8 Our next speaker is Mr. Charles Thomas.

9 MR. THOMAS: Good evening, Mr. Chairman,
10 Members of the Board. For the record, my name is Charles
11 Thomas, II. I'm the new elected vice-president of the
12 Metal Trades Council of Amarillo and vicinity AFL-CIO.
13 The Metal Trades Council represents the 10 affiliates
14 along with the rank and file members, and we all fully
15 embrace any and all safety initiatives of the NNSA, DOE,
16 DOE contractors at the Pantex Plant.

17 In my testimony I would like to talk about
18 the plant's nuclear safety culture. I've been the
19 vice-president for approximately ten weeks, and I would
20 like to give my testimony from a shop floor perspective.

21 Here at Pantex we perceive ourselves to be
22 a family, whether we come from the Metal Trades Council,
23 the Pantex Guard Union or from the rank and files of the
24 exempt or the non-exempt. All of the differing groups
25 have family members working throughout the different

1 entities at Pantex.

2 We Pantexans work far from our homes, and
3 the Pantex Plant is fully self-sustained. The emphasis of
4 the Pantex family is exemplified in the independent
5 oversight assessment of the nuclear safety culture at the
6 Pantex Plant, and I quote, "The success and the strength
7 of the Pantex Plant lies in the employees' individual
8 patriotic commitment to the mission of the organization.
9 To succeed in this mission, employees want to do the best
10 job they can do and will do whatever they can to seek
11 approval from the customer of their efforts." This
12 resonates throughout the Pantex family, through all the
13 differing entities and is the biggest factor why we do so
14 well at working together.

15 Many of the cultural changes that need to
16 take place are going to be long-term goals that can only
17 be reached from a long-term commitment between all of
18 these groups. In the interim we need to change the
19 climate. Realizing that, and I quote from the Amarillo
20 independent news, "Pantex has not been successful at
21 understanding behaviors necessary for a healthy safety
22 culture," end of the quote. It is only working together
23 to remove all the barriers between the entities that we
24 can achieve the desired goals.

25 The Metal Trades Council believe the

1 general manager at the Pantex Plant is committed to a
2 nuclear safety culture and has laid the path forward for
3 us. Utilizing the safety-conscious work Environment, the
4 general manager has trained senior managers, along with
5 the Metal Trades Council officials. Once this training
6 reaches all the Pantexans, we will be able to start a
7 family to regain the respect and the trust of the whole
8 plant population to remove this implied sense of cronyism,
9 perception that retaliation exists for 'rocking the boat',
10 and the perceived environment where raising questions or
11 identification of a problem is not necessarily an accepted
12 way of doing business. And I reference that out of the
13 HSS survey.

14 We are in a watchful stage in our effort to
15 achieve the nuclear safety culture. While the training
16 stage works its way through the plant, workers are still
17 experiencing the pitfalls. As leaders, we must push
18 ourselves to a higher level on the ladder so we can act as
19 models for all Pantexans to adopt. We must be in the
20 forefront in identifying shortfalls so we can advance in a
21 work environment that endorses trust. We need to be
22 vigilant in our pursuit of a workplace where all workers
23 are free to raise issues, talk openly of safety concerns,
24 and are comfortable at having a questioning attitude.

25 As part of the Pantex family, the Metal

1 Trades Council, our affiliates, the rank and file members
2 are committed to changing the climate. We know that our
3 nuclear safety culture is serious responsibility. We
4 fully understand that this change of climate may be just
5 one step at a time. Recognizing Pantexans' strength and
6 their deep patriotic commitment with a persistent nature,
7 any objective can be met.

8 The Metal Trades Council, along with the
9 metal trades department and leadership encourages all
10 affiliates to draw on our strengths and to be committed to
11 a nuclear safety culture as we Pantexans move forward.

12 I would like to thank the Defense Nuclear
13 Safety Board for the opportunity to testify, and that
14 concludes my statement.

15 CHAIRMAN WINOKUR: Thank you, Mr. Thomas.
16 Jason Harrison?

17 MR. MOLBERG: Sir, I believe I'm on that
18 list also, Gary Molberg. I'm President, CEO Amarillo
19 Chamber of Commerce, and Mr. Harrison works for the
20 Chamber, so I'll speak on behalf of both of us.

21 CHAIRMAN WINOKUR: Okay.

22 MR. MOLBERG: First off, welcome each of
23 you to Amarillo. I hope you enjoy your stay, and I hope
24 you get out and enjoy our beautiful weather we have today
25 and notice no wind.

1 But on behalf of the Chamber and the entire
2 city, Pantex is such a vital part of our community. It
3 employs over 3,000 people. But it doesn't just employ
4 3,000 people. They employ 3,000 people that are truly
5 active in our community. They get involved in our United
6 Way campaigns. They get involved with non-profits, and
7 many of them have served on committees, and even my past
8 Chair of my Chamber of Commerce.

9 They are a vital link. They are very much
10 appreciated in our community. We think highly of them.
11 We know their safety record is impeccable, and we're so
12 happy they are here in Amarillo, Texas.

13 Enjoy your stay, and I hope you enjoy
14 Amarillo.

15 CHAIRMAN WINOKUR: Thank you, sir. Are you
16 suggesting the weather isn't as nice in Washington, DC?

17 MR. MOLBERG: No, sir. I've been there.
18 It does get cold, though. I think it gets colder than it
19 does here.

20 CHAIRMAN WINOKUR: Thank you.

21 MR. MOLBERG: Thank, you, sir.

22 CHAIRMAN WINOKUR: Kay Peck? Kay Peck?
23 Alright. Or I'll come back to Ms. Peck a little bit
24 later.

25 Richard David? Richard David? Okay.

1 We'll try again later.

2 Frank George, Junior? Okay.

3 Scott Kovac?

4 Oh, excuse me. Is this Mr. George?

5 MR. GEORGE: I'm making my way up here,
6 sir.

7 CHAIRMAN WINOKUR: All right. Thank you.

8 MR. GEORGE: I am Frank George, Junior. I
9 appreciate the opportunity to talk to you gentlemen today.
10 I appreciate the Board being here and making inquiries.

11 I'll tell you up front that I am an
12 employee at the Pantex Plant, but that's not the reason
13 I'm at this microphone. I'm at the microphone because I'm
14 a concerned member of the public, number one. And I just
15 want to give you a very quick history, and I know we've
16 got time of the essence here.

17 I've been at Pantex this year will be 31
18 years. When I first hired on at Pantex in 1982, I was
19 down on the line disassembling bombs and warheads and
20 assembling bombs and warheads. Okay?

21 I want to be very clear with you and to any
22 member of our community. This is not an issue about
23 Pantex ever being unsafe. I'll take you all the way back
24 to the mass production days. We were safe and we were
25 clicking units out the door as fast as we could.

1 We've heard a lot of talk today about the
2 pride in our workforce. It is a national security
3 mission. We've understood that from day one. It's very
4 present today.

5 More about my career, and it's important
6 you understand this. I started on the line. I became an
7 MTC union safety rep. One of my biggest accomplishments
8 in my heart was the fact that I led the Metal Trades
9 Council Union for approximately eight years. I partnered
10 with management at the time. My goal in life then; my
11 goal in life today is the success of the Pantex Plant.
12 That comes in many shapes, forms and fashions. It can be
13 safety; it can be security; it can be quality. It can be
14 whatever it takes to make that plant successful and to do
15 it safely and to protect the community.

16 We are able to have this public hearing
17 today and be comfortable sitting in this room because
18 whether it's nuclear explosive safety, whether it's
19 nuclear safety, whether it's explosive safety, whether
20 it's security safety, or the technology that our security
21 force uses, or whether it's plant-wide industrial safety,
22 we put it in the hands of those workers every day, and in
23 Frank's opinion, we're doing an outstanding job.

24 So I want to be clear about a couple of
25 things. This, to me, is not an issue -- and, again,

1 Frank's opinion, because safety culture is hard to
2 identify; it's hard to interpret. We've heard a lot of
3 good comments today. I'm telling you from my heart, this
4 is not an issue of safety culture. The Pantex workforce
5 knows we can stop work at any given moment, and we
6 exercise that daily.

7 This is not an issue of safety culture.
8 We've always been safe. Will we continue to be safe?
9 Yes. Will we learn from safety and continue to improve?
10 Yes.

11 Here's just a few things we've done since
12 the mass production days.

13 Conduct of operations. Nuclear Navy
14 experts infiltrated our plant early 1990s. And I use the
15 word infiltrated on purpose. Very good people. Pantex
16 Plant is a better place today because we have nuke Navy
17 expertise residing in that plant.

18 SS-21, I was the department manager over
19 weapons training when we brought the B61 process up on
20 SS-21. Not only was this weapon safety, this was
21 ergonomic safety in the form of tooling so that we kept
22 our people safe and we kept the weapons safe. We spent
23 two years. I had a dedicated training specialist that
24 brought the 61 program up on SS-21.

25 Behavior based safety. BWXT brought that

1 to Pantex. We're out observing our people working. We
2 track the actions.

3 Human performance improvement. We have a
4 program there.

5 HRO you've heard enough about.

6 The CFA process I don't think was given
7 enough credit, because we take information-rich events,
8 and we analyze them until they can't be analyzed anymore,
9 and then we go fix things.

10 The DPO process, I'll talk to you in a
11 second about that.

12 The ISM program, Integrated Safety
13 Management and the Federal Rule 10 CFR 851.

14 Those are just a few. I'm certainly not
15 going to list them all.

16 Now, here is probably the thing that I want
17 to leave you with. I'm fairly passionate about my job at
18 Pantex. I appreciate my job. My dad was in the Navy.
19 Not nuke Navy, regular Navy. My dad is no longer with me.
20 This is my chance to serve my country.

21 And I'm sorry when I said gentlemen
22 earlier, I missed you. You know that I mean you, too.
23 Okay.

24 What I want to leave you folks with is that
25 I will die trying to improve safety at Pantex. And one of

1 my greatest accomplishments is where I sit right now as
2 the Program Manager for 10 CFR 851, Integrated Safety
3 Management and the Differing Professional Opinions Process
4 at Pantex. I will die making sure Pantex is safe. Thank
5 you for being here.

6 CHAIRMAN WINOKUR: Thank you, Mr. George.
7 Mr. Kovac, Scott Kovac?

8 MR. KOVAC: Good morning, Chairman -- or
9 good afternoon, Chairman, and Members of the Board. My
10 name is Scott Kovac with Nuclear Watch New Mexico. We
11 have long been following the interactions between the NNSA
12 and contractors of the nuclear weapons complex.

13 I have a suggestion to help send a safety
14 message culture to -- I have a message to help send the
15 safety culture message to the nuclear weapons contractors.
16 That's the FY-2013 Pantex Performance Evaluation Plan
17 signed August 20 -- August 2012.

18 This plan evaluates how they -- how much of
19 the potential 40 million plus in awards fee that Pantex
20 will receive for 2013. If we look at that -- if we look
21 at the FY-13 Pantex Performance Evaluation Plan for --
22 first off, it's only nine pages, very subjective. You
23 know, it lists five performance objectives -- five
24 performance objectives: Nuclear weapons mission, national
25 security mission, science technology and engineering

1 mission, security infrastructure, environment stewardship,
2 institutional management and, number 5, contractor
3 leadership. Nowhere in there is safety culture mentioned.
4 If, in fact, safety culture is a priority, it should be
5 mentioned somewhere in here.

6 In this nine-page subjective measure on --
7 you know, on how -- on how Pantex is -- you know, on what
8 Pantex is supposed to do for 2013, safety culture is not
9 mentioned. I would suggest that more metrics and more
10 objective measures be put into future performance
11 evaluation plans.

12 Then I ask how many times has NNSA or a
13 contractor proposed a plan as a solution to a problem? A
14 corrective action plan is not a fix. We need exact
15 measures. We need to stick to these plans. It just
16 happens so many times to where the plans start, and they
17 do not get followed through on.

18 I also want to know -- I would like to know
19 what happens if new operations -- you know, all of this
20 safety culture is important, because Pantex is approaching
21 the 20,000 pit limit and new operations may be added to
22 Pantex. And also I would like to know what happens if the
23 MOX fuel program is canceled or scaled back, which is the
24 program to also eliminate some of the plutonium at Pantex.

25 Thank you.

1 CHAIRMAN WINOKUR: Thank you, Mr. Novac
2 [Kovac].

3 Allen Finegold?

4 MR. FINEGOLD: Hi. I thought I was just
5 going to have a nice quiet day listening to you folks, and
6 believe me I'm glad you're here. Your presentation was
7 the most thorough that I have ever heard from a group
8 concerned with the Pantex Plant.

9 I believe that it is the first time in
10 about 22 1/2 years where we have had an airing of the idea
11 of the safety culture at Pantex and the necessity of
12 improving it.

13 I heard Mr. George say that the plant has
14 always been safe or words to that effect. Perhaps because
15 he didn't begin working there until 1981, he is unaware
16 that the plant was at various times very unsafe.

17 Particularly in 1977 in the incident that
18 one of you referred to, there was an accident with a high
19 explosive that resulted in three deaths. There was a
20 court case examining that, and at the time the federal
21 government essentially refused to take responsibility for
22 the results of that accident.

23 Now, I will say, since that time there have
24 been vast improvements in the plant. However, as late as
25 1989, the federal government sent in a team of experts to

1 evaluate plant safety. This was under the general
2 supervision of, I believe, the Secretary of the Energy or
3 a deputy of his at the time, Mr. James Watkins. The team
4 was designated the Tiger Team, and they found 105
5 significant violations, OSHA violations, not minor ones,
6 ones that should have been sufficient to have shut down
7 the plant, collectively, but these were ignored by the
8 staff at the time.

9 Now, of course you recall that era. It was
10 the tail-end of the cold war and production was maximized
11 for five or six years previous to that, so it is not
12 surprising that so many problems developed.

13 In response to this, Pantex management
14 promised to improve safety at the plant, which they did.
15 But I think we should take note that the mission
16 afterwards changed primarily from one of production of
17 assembly of weapons to disassembly of weapons. And that
18 change in the mission is of great significance and should
19 not be ignored.

20 I'm glad to say that the plant did
21 excellent work in the next ten years, in terms of assembly
22 and primarily disassembly. But we are now at kind of a
23 plateau where the work has slowed down because of certain
24 understandings that have yet to be reached between the
25 United States and Russia concerning how much disassembly

1 will be done. So at the present time I believe most of
2 the work simply concerns assembly and disassembly to check
3 the reliability of the stockpile.

4 We are, therefore, at a pause where we
5 could consider significant changes in the facility, and I
6 would recommend the following: That you pay very close
7 attention to the relationship between the actual physical
8 site where the work is done and the work that has to be
9 done. Presently we have a situation somewhat similar to
10 the following. You have a large number of well-trained
11 mechanics being supervised by engineers to work on the
12 equivalent of a 60-year-old vehicle. That essentially is
13 your present physical plant. You need to create a new
14 physical plant. You need to build one specifically for
15 assembly and disassembly and not simply try to modify a
16 plant that was originally designed primarily to facilitate
17 the production of weaponry.

18 This is not to say you should not make
19 whatever use you can of the present plant. It is to say
20 you need to build a new one, at least a new facility for
21 assembly and disassembly.

22 I recommend that you build it on the
23 grounds of the old Air Force Base which is closer to the
24 city, closer to most of your employees, and certainly
25 closer to the critical transportation that is required to

1 facilitate the movement of the weapons to and from the
2 facility where they are assembled and disassembled. I can
3 hardly emphasize to you too much the importance of
4 proximity in terms of the transport of those weapons.

5 I will leave you simply with that
6 recommendation, but if any of you are interested as to the
7 particulars of why I advocate a creation of a new assembly
8 and at that particular location, I'd be glad to enter into
9 a conversation with you.

10 Thank you.

11 CHAIRMAN WINOKUR: Thank you, Mr. Finegold.

12 I want to check again whether Kay Peck is
13 present. And I want to check whether Richard David is
14 present. Not seeing them, is there anybody else in the
15 audience who would like to make remarks to the Board at
16 this time? If not, thank you.

17 At this time the Chair calls a recess of
18 this public meeting and hearing. We will reconvene here
19 at 6:30 p.m.

20 (Recess.)

21 CHAIRMAN WINOKUR: Good evening. Please
22 take your seats. We will now resume this public meeting
23 and hearing.

24 My name is Peter Winokur, and I am the
25 Chairman of the Defense Nuclear Facilities Safety Board.

1 I'll preside over this public meeting and hearing.

2 I would like to introduce my colleagues on
3 the Safety Board. To my immediate right is Ms. Jessie
4 Roberson, the Board's Vice Chairman. To her right is
5 Mr. Sean Sullivan. To my immediate left is Dr. John
6 Mansfield. Next to him is Mr. Joseph Bader. We five
7 constitute the Board.

8 The Board's General Counsel, Mr. David
9 Jonas, is seated to my far left. The Board's Acting
10 Technical Director, Mr. Steven Stokes, is seated to my far
11 right.

12 Several members of the Board's staff
13 closely involved with oversight of the Department of
14 Energy's defense nuclear facilities at the Pantex Plant
15 are also here.

16 Today's meeting and hearing was publicly
17 noticed in the Federal Register on January 22nd and
18 February 19th, 2013. The meeting and hearing are held
19 open to the public per the provisions of the Government
20 and the Sunshine Act. In order to provide timely and
21 accurate information concerning the Board's public and
22 worker health and safety mission throughout the Department
23 of Energy's defense nuclear complex, the Board is
24 recording this proceeding through a verbatim transcript,
25 video recording and live video streaming.

1 The transcript, associated documents,
2 public notice, and video recording will be available for
3 viewing in our public reading room in Washington, DC. In
4 addition, an archived copy of the video recording will be
5 available through our web site for at least 60 days.

6 Per the Board's practice and as stated in
7 the Federal Register notices, we will welcome comments
8 from interested members of the public at the conclusion of
9 testimony at approximately 8:30 p.m. for this session.

10 A list of those speakers who have contacted
11 the Board is posted at the entrance to this room. We have
12 generally listed the speakers in the order in which they
13 contacted us or, if possible, when they wish to speak. I
14 will call the speakers in this order and ask that the
15 speakers state their name and title at the beginning of
16 their presentation.

17 There is also a table at the entrance to
18 this room with a sign-up sheet for members of the public
19 who wish to make a presentation but did not have an
20 opportunity to notify us ahead of time. They will follow
21 those who have already registered with us in the order in
22 which they have signed up.

23 To give everyone wishing to make a
24 presentation an equal opportunity, we ask speakers to
25 limit their original presentations to five minutes. The

1 Chairman will then give consideration for additional
2 comments should time permit.

3 Presentations should be limited to
4 comments, technical information or data concerning the
5 subject of this public meeting and hearing. The Board
6 Members may question anyone making a presentation to the
7 extent deemed appropriate.

8 The record of this proceeding will remain
9 open until April 15, 2013.

10 I would like to reiterate that the Board
11 reserves its right to further schedule and regulate the
12 course of this meeting and hearing, to recess, reconvene,
13 postpone, or adjourn this meeting and hearing and to
14 otherwise exercise its authority under the Atomic Energy
15 Act of 1954, as amended.

16 I would now like to discuss why the Board
17 chose to hold a public meeting and hearing concerning
18 safety at the Pantex Plant. The Board's statutory charter
19 is to advise the Secretary of Energy regarding actions
20 that may be necessary to ensure adequate protection of the
21 public health and safety, including safety of the workers.

22 Pantex is a unique site where workers
23 perform nuclear explosive operations to assemble,
24 disassemble, dismantle, and conduct surveillances on
25 nuclear weapons. These activities must be performed with

1 the utmost regard for safety because the consequences of
2 failure could include release of radiological material to
3 the environment or inadvertent nuclear detonation.

4 The Board identified three topics for
5 today's meeting and hearing that are crucial to
6 maintaining the highest levels of safety at Pantex. The
7 first topic discussed in this afternoon's session was the
8 safety culture at Pantex. Two additional topics will be
9 considered in this session: Site emergency preparedness
10 and response and the state of key safety programs and
11 aging infrastructure of defense nuclear facilities of
12 Pantex.

13 Following the events at the Fukushima
14 Daiichi reactor complex, the Secretary of Energy directed
15 several initiatives to analyze and assess preparedness for
16 severe events in the nuclear weapons complex. Pantex
17 managers responded to these Secretarial initiatives and
18 have plans to make improvements to their capability to
19 respond to severe events. These events include natural
20 phenomenon such as tornadoes, earthquakes, wildland fires
21 and flooding.

22 Of continued interest to the Board are the
23 preparations for response to both natural events and
24 operational accidents whose impacts cascade in
25 consequence, affect multiple facilities, or are beyond the

1 design basis of the facilities.

2 In the past year, the Board has reviewed
3 emergency preparedness and response at the Pantex Plant,
4 observed drills and exercises and assessed programmatic
5 activities. This evening's panel discussion will serve as
6 an opportunity to inform the community about the
7 capabilities at the Pantex Plant to respond to these
8 emergency events.

9 During today's final topic, we will discuss
10 the safety of nuclear explosive operations at the Pantex
11 Plant. The safety of nuclear explosive operations is the
12 most important responsibility in support of the nuclear
13 weapon stockpile.

14 The mission of the nuclear explosive safety
15 program is to prevent a main charge high explosive
16 detonation or an unintended nuclear detonation. As might
17 be expected, any degradation of the rigor associated with
18 the nuclear explosive safety program would be of great
19 concern to the Board. Twice in the past 18 months the
20 Board communicated to DOE specific concerns about the
21 program, once regarding the handling of nuclear explosive
22 safety findings and once regarding operations exceeding
23 the boundaries of the approved Safety Basis.

24 Recently the Board has noted troubling
25 trends with nuclear explosive safety studies not being

1 renewed within the specified five-year periodicity and the
2 lack of certified nuclear explosive safety experts to
3 conduct studies as required.

4 The Board believes it is vital that the
5 National Nuclear Security Administration manages this
6 program carefully and conservatively while taking full
7 advantage of technical experts that provide an independent
8 and knowledgeable perspective.

9 The Board is also concerned about safety
10 systems at Pantex that are aging or require upgrades to
11 meet modern safety requirements. The fire protection
12 systems, including the fire water supply and fire
13 detection systems require continuous maintenance and will
14 ultimately need replacement.

15 While NNSA has taken steps to replace
16 portions of aging fire protection systems at Pantex,
17 replacements of other fire protection systems and
18 components is yet to be done. In the last few years,
19 there have been more than 20 failures in water lines
20 leading to nuclear facilities. Additionally, there have
21 been occasions when the fire suppression system has been
22 inoperable during the conduct of nuclear explosive
23 operations. National Nuclear Security Administration
24 managers face the added challenge that the fire protection
25 systems are being upgraded on a schedule that extends at

1 least ten years.

2 Finally, we will discuss other important
3 safety systems at Pantex that must be repaired or upgraded
4 in the near future to permit nuclear explosive operations
5 to be conducted safely. For example, seismic upgrades to
6 the Pantex nuclear explosive bays and cells have been
7 ongoing for several years and have a scheduled completion
8 date of 2021. The Board will explore how detailed
9 scheduling of these important systems impact safety.

10 This concludes my opening remarks. I will
11 now turn to the Board Members for their opening remarks.

12 Ms. Roberson?

13 VICE CHAIRMAN ROBERSON: No, thank you, Mr.
14 Chairman.

15 CHAIRMAN WINOKUR: Dr. Mansfield?

16 DR. MANSFIELD: No comment.

17 CHAIRMAN WINOKUR: Mr. Bader?

18 MR. BADER: Nothing at this time, thank
19 you.

20 CHAIRMAN WINOKUR: Mr. Sullivan?

21 MR. SULLIVAN: Nothing at this time.

22 CHAIRMAN WINOKUR: This concludes the
23 Board's opening remarks for this session. At this time, I
24 would like to invite the first panel of witnesses for this
25 session this evening from the NNSA and B&W Pantex to take

1 their seats as I introduce them for the topic of this
2 panel, Emergency Preparedness and Response at Pantex.

3 They are Mr. Steven Erhart, Manager of the
4 NNSA Production Office; Mr. John Woolery, B&W Pantex
5 General Manager; and Mr. Alonzo Campbell, B&W Pantex
6 Emergency Management Department Manager.

7 The Board will either direct questions to
8 the panel or individual panelists who will answer them to
9 the best of their ability. After that initial answer,
10 other panelists may seek recognition by the Chairman to
11 supplement the answer as necessary. If panelists would
12 like to take a question for the record, the answer to that
13 question will be entered into the record of this hearing
14 at a later time. Does anyone on the panel wish to submit
15 written testimony at this time?

16 MR. WOOLERY: No, Mr. Chairman.

17 MR. ERHART: No, sir.

18 MR. CAMPBELL: No, sir.

19 CHAIRMAN WINOKUR: Seeing none, I would
20 like to thank each of you for your testimonies today.
21 With that, we will continue with questions from the Board
22 Members to the full panel. Mr. Sullivan will begin the
23 questioning.

24 MR. SULLIVAN: Thank you, Mr. Chairman.
25 Mr. Woolery, last July here at the Pantex Plant, there was

1 a site-wide drill simulating a response to an earthquake,
2 and I've seen two after action reports, one that was dated
3 last August and another one that was dated here in January
4 of 2013. The first one said that the event was highly
5 successful, and the second one said the response was
6 marginal. Would you please explain what happened there,
7 why there are two after action reports?

8 MR. WOOLERY: Yes, Mr. Sullivan. The
9 exercise that you are referring to in preparation for the
10 exercise the Pantex -- at B&W Pantex, the contractor at
11 the plant prepared some specific objectives that we were
12 measuring our performance against during the exercise, and
13 we did not do a good job of coordinating with our
14 counterparts at the site office to make sure that we
15 walked through those objectives, and there was a clear
16 understanding between both parties as to everything that
17 we were going to look at and evaluate.

18 We ended up evaluating a limited set of
19 objectives as a contractor, and as we prepared that and
20 submitted it to our counterparts at the site office, they
21 identified some additional objectives that we should have
22 been looking at and, in fact, did not do quite as well in,
23 and as a result, our overall performance was assessed as
24 being marginal as opposed to excellent.

25 And that's something that I've worked with

1 Mr. Campbell on and I've discussed with Mr. Erhart. And
2 our responsibility is to make sure we do a better job of
3 communicating and collaborating with our counterparts in
4 preparation for the drills so it's very clear what it is
5 that we're going to look at and how we are going to assess
6 our performance.

7 MR. SULLIVAN: Okay. Well, marginal sounds
8 like there's plenty of room for improvement, just by
9 nature of the term. So if that's correct, what are some
10 of the areas that need improvement?

11 MR. WOOLERY: Do you have examples?

12 MR. CAMPBELL: Yes. Yes, sir. I was
13 responsible for submitting that report. The thing that
14 Mr. Woolery just spoke of was one of the issues that I
15 didn't get the proper coordination with the site office
16 before officially submitting the report, and after they
17 read the report, we incorporated those comments.

18 In addition to that, the grading scheme
19 that we initially had was somewhat subjective, so we
20 looked at that scheme. We adopted a more -- a better way
21 of grading our exercises, a better way to quantify the
22 results. We looked at the Y-12 Plant and the way that
23 they did it. We adopted their grading scheme, and so when
24 we added those objectives, plus we adopted the new grading
25 scheme, it brought the score way down.

1 In particular, some of the things that we
2 did not take a look at that site office wanted us to go
3 back and review were having the emergency action levels to
4 cover such things as floods. When we initially submitted
5 that and we initially went through that exercise, that was
6 not in place, so that was one of the things that they
7 wanted us to do.

8 MR. SULLIVAN: So was there a simulated
9 flooding in this drill? I'm confused.

10 MR. CAMPBELL: No, sir. There were two;
11 there were floods and earthquakes, so -- I meant to say.
12 So that was the concern, that we didn't have the action
13 levels for earthquakes in there, and we also needed to add
14 floods, so it was adding some action levels for a spectrum
15 of severe events.

16 MR. SULLIVAN: All right. But on the
17 actual exercise, people ran around and responded to the
18 simulated casualty. Was your performance, in fact,
19 marginal? Were there things that needed to be done better
20 by the people who were responding to the simulated
21 casualty? That's what I'm trying to get to.

22 MR. CAMPBELL: Yes, sir. Yes, sir. Most
23 of the additional actions or needs that we identified was
24 in the area of communication, making sure that the
25 communication between the event scene and the folks back

1 at the emergency op center, making sure that we had the
2 correct communication.

3 We did have some gaps in communication when
4 we were trying to assess the number of casualties that we
5 were simulating, the status of those folks, whether they
6 were on site or whether they had actually been transported
7 to the medical facilities. We had a couple of times where
8 those numbers didn't match. So there were various areas
9 of communication that were the primary reasons -- well,
10 constituted most of the things that we needed to go back
11 and look at.

12 MR. SULLIVAN: Okay. That sounds to me
13 like command and control. Is that what you're talking
14 about?

15 MR. CAMPBELL: Yes, sir. Yes, sir, that
16 was exactly it.

17 MR. SULLIVAN: All right. Now, since the
18 second report was just dated in January, relatively
19 recently for an exercise that happened last July, have we
20 fixed the things that were wrong? Have we upgraded yet?

21 MR. CAMPBELL: Yes, sir. There were
22 several corrective actions that were identified. All of
23 those corrective actions were completed. There were
24 additional corrective actions that had come from other
25 limited scope drills that we had done that were related to

1 that, and some of those corrective actions are still in
2 process.

3 MR. SULLIVAN: All right. And when is the
4 next exercise going to be run?

5 MR. CAMPBELL: I believe it's June, sir.

6 MR. SULLIVAN: All right. Thank you.

7 Thank you, Mr. Chairman.

8 CHAIRMAN WINOKUR: Let me just add before I
9 turn it over to Mr. Bader. Can you be a little more
10 specific about the exercise itself? What were the -- what
11 was the scenario you were dealing with?

12 MR. CAMPBELL: It was an earthquake that
13 resulted in a chemical release.

14 CHAIRMAN WINOKUR: How would you rate that
15 in terms of some of the more challenging events that the
16 site might actually face?

17 MR. CAMPBELL: That was one of our more
18 challenging exercises. We were attempting to address some
19 of the severe event scenarios, so when we had the
20 simulation of an earthquake that resulted in the actual
21 collapse of a building and dealing with that and the added
22 release of chemicals and dealing with that issue, we were
23 trying to also address the issue of cascading events, so
24 it made it one of our more complicated exercises.

25 CHAIRMAN WINOKUR: Did the release -- did

1 the collapse lead to the release of radiological
2 materials?

3 MR. CAMPBELL: No, sir. I think it was
4 just chemical.

5 CHAIRMAN WINOKUR: Now, that would have
6 been a little more challenging, do you think?

7 MR. CAMPBELL: Yes, sir. Yes, sir.

8 CHAIRMAN WINOKUR: Okay. Mr. Bader?

9 MR. BADER: Mr. Erhart, what was the NNSA
10 production office's involvement in the 2012 full
11 participation exercises assessment?

12 MR. ERHART: So as Mr. Woolery pointed out,
13 the exercises are run by the B&W, the exercise plan --
14 schedule and plans approved by the NPO, and then the
15 conduct and performance of the exercise monitored by my
16 staff. That's how that works.

17 And then as he also said, we then received
18 the self assessment. And as he pointed out, we had a
19 difference of opinion in the overall rating of the
20 performance of the exercise. And so that's our input
21 documented. They responded to our input, and I think the
22 response more accurately reflects what -- what we would
23 say would be the correct grade for that exercise.

24 MR. BADER: Do you get involved in the
25 early discussions setting what is the scope of the

1 accident that's being studied, the length of it, its term,
2 things like that?

3 MR. ERHART: Well, we interface with the
4 contractor on the schedule and the type of exercises that
5 will be done annually, and in part of that, we talk about
6 the types of scenarios to use to push the envelope of our
7 responses, and that's the purpose of the exercise, to
8 ensure that we find the places of weakness and shore them
9 up in the event of a real accident, that we're ready to
10 respond.

11 In this case, this particular event was
12 very challenging. It was in response to Secretary Chu's
13 and through HSS pushing for more exercises and
14 understanding your capabilities for beyond design basis
15 events, having a cascading event and one that involves
16 multiple facilities designed to stress the command and
17 control, the communications and the ability to respond,
18 and I think it was a very challenging exercise.

19 MR. BADER: What do you believe led to the
20 initial differing contractor evaluation from yours?

21 MR. ERHART: I think it says, as B&W
22 pointed out, there was a difference of opinion on what the
23 objectives were for the exercise. I think they
24 highlighted some objectives to review, but there's basic
25 objectives that we feel should always be looked at during

1 the course of the exercise. That was the area of
2 disagreement. And when you went back and looked at some
3 of those issues, they did have some problems in those
4 areas which were reflected in their report back to us.

5 MR. BADER: To me, the results of
6 assessments are an important source of feedback for the
7 sites' responders, and part of this is the critique, after
8 action critique, and that can lead -- if that is not
9 correct, it can lead to incomplete corrective actions and
10 insufficient training.

11 Do you place significant -- do you have a
12 significant concern on the type of weakness shown within
13 this Safety Management Program?

14 MR. ERHART: Are you asking about my
15 concerns on the performance of this particular exercise?

16 MR. BADER: Yeah, exactly. Yeah.

17 MR. ERHART: One concern that we continue
18 to express is the repeat -- anything that's a repeat
19 finding. So if there are issues with command and control
20 or how information is relayed from the incident commander,
21 for instance, that is repeat, we will point that out.
22 That's an area of frustration.

23 In this case, I think the issues were --
24 were more communication within the EOC itself, the
25 Emergency Op Center, making full utilization of the assets

1 that they had available, reaching out and activating
2 those, some of command and control like we talked about.
3 So those are my main issues with the exercise.

4 MR. BADER: That's now twice, two exercises
5 in a row there have been issues with command and control.

6 MR. ERHART: I'm not -- well, that's not
7 what I meant say. I said if -- you asked what would be of
8 concern. I think we see -- I'm not sure there were two in
9 a row, but I have seen issues with command and control on
10 exercises in the past. That's...

11 MR. BADER: I'm taking that from having
12 read the two reports.

13 MR. ERHART: Okay. That's fair.

14 MR. BADER: What actions -- are you
15 comfortable with the actions that are being taken and
16 presumably will be taken in the next scenario to
17 demonstrate that this is now being adequately addressed
18 and the training is appropriate?

19 MR. ERHART: Well, I think as Mr. Campbell
20 pointed out, I think what's necessary and is being pursued
21 here is looking at other things to be learned from other
22 sites. It just so happens I happen to have another site
23 that performs pretty well in emergency management, has
24 actually some tools, I think Mr. Campbell will tell you is
25 already being adopted. So using Y-12 as a benchmark is a

1 good idea, is being encouraged by the NPO that they look
2 at that.

3 So I think if we do those things and learn
4 from our -- learn from the deficiencies that we find in
5 doing the exercises, I think we will improve the program.

6 MR. BADER: Mr. Campbell?

7 MR. CAMPBELL: Yes, sir.

8 MR. BADER: What was the termination point
9 of the last two exercises?

10 MR. CAMPBELL: It was at the point where we
11 would have made the decision to evacuate the plant. Once
12 we did an accountability and then the decision was made
13 that we needed to get non-essential personnel offsite,
14 that's where we stopped the exercise.

15 MR. BADER: Mr. Erhart and Mr. Campbell,
16 Mr. Woolery, the whole panel?

17 MR. CAMPBELL: Yes, sir.

18 MR. BADER: Are you considering another
19 exercise where you look at triage after the event has
20 terminated and then recovery?

21 MR. CAMPBELL: Yes, sir. Our current plans
22 are for one of the scenarios that we want to run for the
23 rest of the year is to pick up exactly where the previous
24 exercise left off. That was something that we had not
25 done routinely previously, but when we picked that

1 scenario and we laid out that plan, it was with the intent
2 to do the first exercise up to that point and then for a
3 later exercise to pick up at that point and go all the way
4 to recovery.

5 MR. BADER: Thank you.

6 MR. CAMPBELL: Yes, sir.

7 CHAIRMAN WINOKUR: Dr. Mansfield?

8 DR. MANSFIELD: Thank you, Mr. Chairman.

9 Mr. Campbell, was the July exercise,
10 July 2012 exercise, a full deployment field exercise? I
11 mean, did you actually put fire trucks out? Did you
12 actually put people in uniform out there and move them
13 around?

14 MR. CAMPBELL: Yes, sir. Yes, sir, we did.

15 DR. MANSFIELD: So it was truly an exercise
16 of all your people and all your equipment that you used
17 to --

18 MR. CAMPBELL: Yes, sir. Yes, sir.

19 DR. MANSFIELD: Is it your conclusion that
20 B&W is appropriately staffed for the range of emergency
21 response and recovery operations you'll have to do?

22 MR. CAMPBELL: Yes, sir, we are. In
23 addition to the primary emergency management personnel, we
24 do have the Emergency Response Organization that are
25 staffed to primary, secondary and tertiary levels, so at

1 any point in time that we have a full group, a full
2 complement of ERO volunteers ready to come in, there's two
3 more sets that are on standby.

4 DR. MANSFIELD: And some questions about
5 your staff. I'm sure that you ensure that they have
6 adequate levels of knowledge and experience and expertise,
7 but what about retention? Can you keep people with your
8 emergency response organization for considerable parts of
9 their career?

10 MR. CAMPBELL: Yes, sir, we believe we can.
11 We have several folks which comprise the core of the
12 Emergency Management Team that are emergency management
13 professionals that we brought in, and that's what they do.
14 We also complemented that team with other folks from
15 across the site. So there are some positions where we on
16 purpose bring people in, teach them the emergency
17 management philosophies and protocols and groom them, if
18 you will, in emergency management and intentionally deploy
19 them to other places in the site that they will be
20 responsible for operations and those type things.

21 DR. MANSFIELD: And these would be the
22 management people?

23 MR. CAMPBELL: Yes, sir. Yes, sir.

24 DR. MANSFIELD: Okay. And are they -- do
25 you get them fully qualified?

1 MR. CAMPBELL: Yes, sir.

2 MR. MANSFIELD: And how long does it take
3 to get emergency management --

4 MR. CAMPBELL: I would say approximately
5 six months or so. Many of the courses are dependent on
6 availability. Some of them are self-study type courses
7 for the Incident Command System. The National Incident
8 Management System, we have a series of courses in each one
9 of those that we send each person to, and that's in
10 addition to any of their position-specific training, such
11 as if they were going to be a RAD responder, they need
12 some level of radiation safety training. If they are
13 going to be an incident commander, they need that specific
14 training. So approximately six months, sir.

15 DR. MANSFIELD: And you don't have any
16 concerns about stability of your management organization
17 below you? I don't mean the actual responders, but the
18 team leaders and that sort of thing? They stay with you
19 long enough that you don't have to worry about the
20 workforce losing confidence in the team leaders and things
21 like that?

22 MR. CAMPBELL: No, sir, I don't have any
23 issues.

24 MR. MANSFIELD: Okay. Is this a career
25 path for anybody but the people that you mentioned at

1 first that were -- that are permanent emergency management
2 personnel? Do you expect people to move away? Is this
3 part -- is this part of an executive development program
4 for --

5 MR. CAMPBELL: We do expect people to move
6 on. We just had recently one of our Section Managers in
7 Emergency Management who was just promoted to go to the
8 next level of management, which is Department Manager, and
9 he will be running the Radiation Safety Department. So
10 having him being in Emergency Management for a couple of
11 years and learning that process and now going on to
12 another part of the business which we heavily rely on
13 those responders is extremely helpful for us.

14 DR. MANSFIELD: Okay. If you had any
15 concerns about the adequacy of the people that you get and
16 the amount of time you have to retain them and how
17 qualified you can manage to get them, is there any issue
18 about making that very visible to management?

19 MR. CAMPBELL: No issue at all, sir.

20 MR. WOOLERY: I'm personally involved in
21 staffing analysis reviews with Mr. Campbell and
22 Mr. Baumgardner, who is the division manager, and although
23 we've attritted approximately 300 people since October 1st
24 of 2011, we're focused on safety and security as far as
25 approval of backfills and the critical skills that are

1 necessary there. But I would have a personal involvement
2 in reviewing Alonza's Staffing Analysis, his requests for
3 resources, and I'm confident that safety and security are
4 our first priorities, and I'll ask some hard questions,
5 but we're going to adequately resource those areas of the
6 plant.

7 DR. MANSFIELD: Okay. That's all I have,
8 Mr. Chairman.

9 CHAIRMAN WINOKUR: Well, I mentioned in my
10 testimony that there was obviously a terrible accident in
11 Japan, and as a result of that, the Secretary of Energy
12 wrote a safety bulletin in March, and he asked each site
13 to look at whether they could respond to severe events or
14 what we call beyond design basis events, meaning events
15 that you haven't initially planned for; they are beyond
16 the sets of controls you put in place to handle the
17 hazards in facilities.

18 And the Secretary, I think, was looking for
19 a gap analysis to understand, you know, how those severe
20 events might impact the plant and where you were, and what
21 your ability was to respond to those. And you had to
22 respond as a site to that -- I'll ask you, Mr. Woolery --
23 and you considered two events. What were those two events
24 you considered when you looked at severe events?

25 MR. WOOLERY: I believe it was an F5

1 tornado followed by a wildland fire.

2 MR. CAMPBELL: That was the top two.

3 CHAIRMAN WINOKUR: Well, I may not
4 understand, but I'm looking at the response, and it looks
5 to me like it was a seismic event and tornado high winds.
6 Did I misunderstand that?

7 MR. CAMPBELL: That's included, as well,
8 sir. What we did is we looked at what we considered was
9 at least a spectrum of events. We updated our hazard
10 analysis, our hazard assessment. We included a chapter on
11 severe events. We looked at the spectrum of severe
12 events, and we paired them by those that were -- that we
13 believed that we would have to deal with from a cascading
14 perspective where we had one that initiated the other or
15 ones that were liable to happen simultaneously.

16 We made a list of those. The tornado and
17 wildland fire was the one that made the top of the list,
18 but we also had earthquake, flood and several other things
19 that were paired together that we recognized we need to
20 start developing drills and exercises on for those
21 specific events.

22 CHAIRMAN WINOKUR: So I just looked at the
23 documentation and didn't understand. So when you
24 responded to the Secretary, those were all the beyond
25 design basis of severe events you looked at?

1 MR. CAMPBELL: Yes, sir. We looked at more
2 than I just mentioned.

3 CHAIRMAN WINOKUR: Okay. Okay. I didn't
4 realize that. Okay.

5 MR. CAMPBELL: Yes, sir.

6 CHAIRMAN WINOKUR: Because I was concerned
7 you might not have looked at flooding, even though you had
8 had a flooding event. But you did look at flooding?

9 MR. CAMPBELL: Yes, sir. We did.

10 CHAIRMAN WINOKUR: Okay. Now, one of the
11 things that makes Pantex, in my opinion, very unique is
12 that, let's face it, you've got operational accidents here
13 that really outweigh almost any natural phenomenon event,
14 right? We talked about it quite a bit today, high
15 explosive violent reactions and inadvertent nuclear
16 detonation. Were those considered as part of the beyond
17 design basis events in the response to the Secretary?

18 MR. CAMPBELL: For the HEVR (High Explosive
19 Violent Reaction) piece, yes, sir, we did. We -- previous
20 to that direction, we had included in previous drills how
21 we would respond to HEVR events, high explosive violent
22 reaction events.

23 CHAIRMAN WINOKUR: Oh, I didn't know that.
24 So you have, you've done some planning for high -- can you
25 give me a sense of how you -- what you learned from that

1 event? I mean, are we talking about an explosion and a
2 spread of radiological material?

3 MR. CAMPBELL: Yes, sir. Yes, sir. We've
4 done several scenarios where we did just that. One of the
5 things in one of the previous drills that was pretty
6 recent that we did is we had a chemical release that
7 prompted the emergency response organization to activate,
8 and we were responding to that, and while that response
9 was ongoing in the simulation, we also had an explosion
10 that we had to respond to.

11 And the lessons that we got out of that was
12 that we need to be able to respond to simultaneous events,
13 and in that scenario we had the explosion in the
14 simulation take out some of the first responders that we
15 sent in, so we took them out.

16 CHAIRMAN WINOKUR: So you've actually
17 considered scenarios here with high explosive violent
18 reactions, right?

19 MR. CAMPBELL: Yes, sir.

20 CHAIRMAN WINOKUR: And how challenging was
21 the radiological portion of that? Your radiological folks
22 that come in control the situation, I mean, did you think
23 they did well on that?

24 MR. CAMPBELL: I think we did well. I
25 think we learned a lot of lessons from that. We also

1 learned, not just for ourselves, the coordination that we
2 would have to make with offsite entities so that if we had
3 those situations where -- and in a couple of the
4 scenarios, the situation took us to where we were beyond
5 the fence line with some of the PU modeling, and not only
6 did we have to do some of the radiological assessment, but
7 we had to rely on the State to come in and assist us on
8 that.

9 CHAIRMAN WINOKUR: Do you feel confident
10 that the offsite responders -- I mean, are they trained to
11 handle the situation of the release of this radiological
12 material? Are you confident they know what they are up
13 against and they can deal with it?

14 MR. CAMPBELL: Yes, sir.

15 CHAIRMAN WINOKUR: Okay. So what is the --
16 what is the worst case operational event you plan for? Do
17 you stop at HEVR, or do you consider anything else?

18 MR. CAMPBELL: We're looking at -- we have
19 not exercised a drill just yet, but we're also looking at
20 the inadvertent nuclear detonation.

21 CHAIRMAN WINOKUR: And what keeps you up at
22 night?

23 MR. CAMPBELL: That, sir.

24 CHAIRMAN WINOKUR: All right. I mean,
25 you've really got some operational events here that would

1 cause people to pause, right?

2 MR. CAMPBELL: Yes, sir.

3 CHAIRMAN WINOKUR: And I just wanted to
4 make the point that although many sites worry about the
5 natural phenomena hazards, the earthquakes, the tornadoes,
6 the floods, you've got one or two what you call pinnacle
7 events here, you call them, that really are sobering and
8 really require your attention.

9 MR. CAMPBELL: Yes, sir.

10 CHAIRMAN WINOKUR: And you're confident?

11 MR. CAMPBELL: Yes, sir, I am.

12 CHAIRMAN WINOKUR: Do you need other
13 exercises to get more proficient in this, or do you like
14 where you are right now? I mean, is there room for
15 improvement?

16 MR. CAMPBELL: There's plenty of room for
17 improvement. We'll use our -- we'll use additional
18 exercises and drills to get better. We know that we have
19 some improvements to make, based on the drills and
20 exercises that we've had. I'm confident that we could
21 respond, but I'm also confident there's still more lessons
22 to be learned as we do more drills and exercises.

23 CHAIRMAN WINOKUR: Okay. Thank you.

24 Mr. Bader?

25 MR. BADER: I'd like to follow up and spend

1 a little bit of time on the period after the event has
2 happened, the triage or prioritization and the recovery.
3 Could you tell me, either Mr. Woolery or Mr. Campbell --

4 MR. CAMPBELL: Yes, sir.

5 MR. BADER: -- how you are training and
6 preparing people to respond to some of these events, in
7 terms of what -- how they should prioritize and in
8 determining how they need to prepare for recovery and
9 execute recovery, particularly with response --
10 particularly with regard to the support you may need or
11 the notifications you may need to make off the site.

12 MR. CAMPBELL: Yes, sir. Our
13 prioritization, of course we follow the protocol of first
14 protect human life, then -- which for us is also securing
15 our unique assets, making sure that those assets are
16 secure, stabilizing the event and then protecting the
17 environment.

18 We've had one sort of a recent exercise
19 where we held recovery discussions with some of our
20 offsite entities, as well as some of the businesses in the
21 local area, and we talked through -- it was a facilitated
22 discussion about what some of the concerns would be that
23 we would need to address.

24 We also have a recovery team that we train
25 on developing recovery plans and how to execute those

1 plans and making sure that those things take that priority
2 in perspective.

3 MR. BADER: Do those recovery teams then
4 work with their counterparts in the state or in the city
5 or county?

6 MR. CAMPBELL: Yes, sir. Yes, sir.

7 MR. BADER: And work as an entity to
8 develop their own broader plan?

9 MR. CAMPBELL: Yes, sir, that's exactly how
10 that would work. That is something that we need to
11 exercise, though.

12 MR. BADER: And the exercises you talked
13 about before that are going to be held that go into that
14 period of time, that will be held on a broad basis with
15 the state and county and city people?

16 MR. CAMPBELL: Yes, sir. Yes, sir.

17 MR. BADER: What are -- are you codifying
18 this training for people like your Incident Commanders and
19 Emergency Directors?

20 MR. CAMPBELL: Yes, sir. Each person in
21 Emergency Management, as well as our Emergency Response
22 Organization, they have a training curriculum that's
23 assigned to them that's maintained in our plant training
24 process. That's monitored on a monthly basis. We have
25 all of the courses listed that they need, the periodicity

1 of those courses, and any time a person does not take a
2 course when they are supposed to, if they drop off the
3 list, that will show up on what we call the unqualified
4 list, and that person has to come out of that position
5 until they complete the training.

6 MR. BADER: Have you already proceeded to
7 the point where you prioritized your facility responses
8 for various situations?

9 MR. CAMPBELL: Somewhat, sir. Yes, sir, we
10 have. We've looked at and what we plan for is ensuring
11 that our nuclear explosive facilities are stabilized,
12 making sure that our explosive facilities are not
13 affected, and then looking at the other high hazard
14 facilities where we have bulk chemicals and those type
15 situations.

16 MR. BADER: I'm done. Thank you.

17 CHAIRMAN WINOKUR: I have one additional
18 question, and I think we may be done with the panel. We
19 started out the questioning talking about an accident
20 which was an earthquake followed by a chemical release,
21 and I think the final scoring on that was marginal, right?

22 MR. CAMPBELL: Yes, sir.

23 CHAIRMAN WINOKUR: How did you score on the
24 one with the high explosive violent reaction?

25 MR. CAMPBELL: I don't recall. I think

1 that one was good.

2 CHAIRMAN WINOKUR: Okay. If it had been
3 looked at a little more critically with the same standards
4 and the same kinds of metrics that we later used to rate
5 the one we talked about earlier, do you think it would
6 have been good, or do you think it would have moved into
7 the marginal category?

8 MR. CAMPBELL: It may have been something
9 different. I know that if we take the grading criteria
10 that we use today and we apply that to any of our past
11 exercises, we will get a more conservative result.

12 MR. WOOLERY: Okay. Dr. Winokur, we will
13 take that question for an action, and we will reevaluate
14 our performance against the criteria that we're referring
15 to --

16 CHAIRMAN WINOKUR: Right.

17 MR. WOOLERY: -- and we'll give you the
18 feedback as far as what our overall --

19 CHAIRMAN WINOKUR: Right.

20 MR. WOOLERY: -- rating would be. That's a
21 good question.

22 CHAIRMAN WINOKUR: Okay. I mean, this is a
23 very challenging accident, right?

24 MR. CAMPBELL: Yes, sir.

25 MR. WOOLERY: Yes.

1 CHAIRMAN WINOKUR: To say the very least.
2 So I think you'll be doing a lot of work on that --

3 MR. CAMPBELL: Yes, sir.

4 CHAIRMAN WINOKUR: -- before you can
5 convince yourself you were really in great shape, but
6 okay.

7 MR. BADER: I have one more question I'd
8 like to have you answer.

9 CHAIRMAN WINOKUR: All right, Mr. Bader.

10 MR. BADER: Have you looked at your
11 portable equipment that's required for these cases,
12 including the so-called beyond design basis event and come
13 to -- what conclusion have you come to as to whether you
14 have enough portable generators and stockpiles of fuel?

15 MR. CAMPBELL: Yes, sir, we have. We have
16 looked at portable equipment. We're not done analyzing
17 that. One of the first things that we tackled was
18 portable communications equipment. We do employ a
19 self-sufficient communication system, that was one of the
20 first things that we made sure that we had, that could
21 operate independent of any other communication system at
22 the plant, and that's a mobile capability, and the intent
23 is to look at other areas like that.

24 MR. BADER: Thank you.

25 CHAIRMAN WINOKUR: I'd like to thank this

1 panel. Thank you, Mr. Erhart, Mr. Woolery, Mr. Campbell.

2 Now the Board would like to recognize
3 Mr. Ben Laake who is the Board's Headquarter's Engineer
4 responsible for health and safety oversight of defense
5 nuclear facilities at the Pantex Plant. He's going to
6 briefly review the status of safety at Pantex defense
7 nuclear facilities, including nuclear explosive safety,
8 fire suppression systems and facility structures to set
9 the stage for the panel discussion to follow.

10 Mr. Laake, when you're ready, please
11 proceed with your statement.

12 MR. LAAKE: Good evening, Mr. Chairman,
13 Members of the Board.

14 CHAIRMAN WINOKUR: Move that microphone to
15 be --

16 MR. LAAKE: Yes, sir.

17 CHAIRMAN WINOKUR: -- a little bit more
18 direct. Thank you.

19 MR. LAAKE: Is that better? Okay.

20 CHAIRMAN WINOKUR: Yes.

21 MR. LAAKE: Good evening, Mr. Chairman, and
22 Members of the Board. For the record, my name is Ben
23 Laake. I'm a member of the Board's technical staff.

24 In my testimony I will address several
25 issues regarding the nuclear explosive safety program, the

1 fire protection system and upgrades for the safety class
2 systems at Pantex.

3 In each of these three areas, the National
4 Nuclear Security Administration, NNSA, has made some
5 initial progress in addressing longstanding safety
6 concerns. The Board's staff believes that NNSA management
7 must be committed to improving the Nuclear Explosive
8 Safety Program and maintaining and upgrading the
9 facilities and structures at Pantex to ensure the
10 continued safety of the nuclear explosive operations.

11 Pantex workers are responsible for
12 performing nuclear explosive operations to assemble and
13 disassemble nuclear weapons. If an accident were to
14 occur, two of the possible, yet extremely remote, outcomes
15 are an inadvertent nuclear detonation or a high explosive
16 violent reaction. NNSA safety strategy is to prevent
17 either of these severe consequences.

18 To accomplish this goal, NNSA relies on its
19 Nuclear Explosive Safety Program. This program evaluates
20 every aspect of nuclear explosive operations. For
21 example, before a nuclear explosive safety -- a nuclear
22 explosive operation is conducted, NNSA convenes a Nuclear
23 Explosive Safety Study Group to ensure that every possible
24 accident initiator is properly evaluated and that there is
25 absolute confidence in the established set of controls.

1 The Nuclear Explosive Safety Study Group
2 carefully reviews every proposed nuclear operation,
3 identifies deficiencies and reports their findings to NNSA
4 management so action can be taken. The study group labels
5 the most serious deficiencies as pre-start findings,
6 meaning they are conditions that, in their opinion,
7 require corrective or mitigative action before operations
8 begin or continue.

9 The Board has previously issued letters
10 expressing concern with the manner in which NNSA
11 management evaluates and corrects nuclear explosive safety
12 deficiencies. In response to a Board letter dated
13 November 7th, 2011, a report from the Deputy Administrator
14 for Defense Programs stated that, "NNSA continues to
15 emphasize management's commitment to and recognition of
16 the Nuclear Explosive Safety Evaluation Process and the
17 vital role that it plays in ensuring the safety of nuclear
18 explosive operations." An essential part of the nuclear
19 explosive safety evaluation process is NNSA management's
20 actions to correct deficiencies before authorizing
21 operations. However, on numerous studies, NNSA management
22 has disagreed with a study group's judgment and authorized
23 continuation of nuclear explosive operations before
24 deficiencies were addressed.

25 For example, in 2012, NNSA management

1 overturned all five pre-start findings identified by a
2 Nuclear Explosive Safety Study. While this action is
3 allowed by NNSA's directives, the Board's staff believes
4 that NNSA management's decision to overturn pre-start
5 findings without providing an adequate technical
6 justification is inconsistent with the Deputy
7 Administrator for Defense Programs' response to the
8 Board's November 7th, 2011 letter. It is contrary to
9 NNSA's longstanding recognition of the vital role that
10 nuclear explosive safety studies play in ensuring the
11 safety of nuclear explosive operations. Further,
12 overturning pre-start findings may well leave Pantex
13 technicians to conclude that the findings and the risks
14 they describe are not really important.

15 Recently NNSA has taken some positive
16 actions to improve management's role in the Nuclear
17 Explosive Safety Process. For example, on January 30th,
18 of 2013, the Acting Administrator issued a letter that
19 requires NNSA's Associate Administrator for Safety and
20 Health to be informed before pre-start findings are
21 overturned.

22 The Board's staff believes this is a
23 positive step that must be properly institutionalized
24 within the existing Nuclear Explosive Safety Directives.

25 NNSA requires ongoing nuclear explosive

1 operations to be reviewed by a nuclear explosive safety
2 study group at least every five years. This is a prudent
3 requirement because, over time, even with continuous
4 oversight, an accumulation of process deviations and
5 modifications in production techniques can occur. By
6 performing a periodic comprehensive study of the
7 operations, potential nuclear explosive safety
8 deficiencies can be identified and corrected.

9 During the past six years, eight of nine
10 nuclear explosive safety studies were allowed to go beyond
11 the five-year period before being renewed. To illustrate
12 the safety significance of allowing this to occur, when
13 these eight studies were revalidated through new studies
14 or Operational Safety Reviews, more than 40 deficiencies
15 were identified, including two that required immediate
16 correction.

17 In January of 2013, NNSA management failed
18 to either conduct a new study or issue an extension for
19 the Pantex Bays and Cells Master Study before it reached
20 its five-year anniversary. This study ensures that all
21 nuclear explosive facilities at Pantex can safely support
22 nuclear explosive operations. In response, B&W Pantex
23 managers made the correct decision and paused all nuclear
24 explosive operations until NNSA acted to correct the
25 situation.

1 The Board's staff believes that maintaining
2 the currency of Nuclear Explosive Safety Studies is a
3 vital part of nuclear explosives safety. Evidence shows
4 that the process does uncover multiple new deficiencies.
5 Allowing operations to continue for extended periods of
6 time without a comprehensive review is inconsistent with
7 NNSA's existing requirements and a strong nuclear safety
8 culture.

9 Other potential problems also exist. For
10 example, the Nuclear Explosive Safety Process requires an
11 adequate pool of experienced and qualified personnel. In
12 a January 14th, 2013 letter, the Nuclear Explosive Safety
13 Division Director stated, "The nuclear explosive safety
14 community lacks sufficient certified experts to accomplish
15 the impending surge of studies without compromising the
16 quality of the studies." The Board's staff strongly
17 agrees with this finding and believes that NNSA must
18 complete and implement a comprehensive staffing plan to
19 ensure the continued viability of the Nuclear Explosive
20 Safety Program.

21 In addition to assurance that nuclear
22 explosive operations are safe, Pantex requires an adequate
23 and well-maintained physical plant that includes reliable
24 engineered safety systems such as the fire protection
25 system. The Pantex fire protection system is an important

1 safety system that includes the high-pressure fire loop,
2 lead-in piping from the fire loop to each facility, deluge
3 sprinkler systems and fire detection and control panels.

4 This year B&W Pantex will complete
5 replacement of approximately one-third of the
6 high-pressure fire loop. This is an important start;
7 however, B&W Pantex has yet to finalize their plans to
8 replace other aging components in the fire protection
9 system. Depending upon funding, the completion of
10 replacement and/or upgrades to the fire protection system
11 is expected to take greater than ten years.

12 The Board's staff is concerned that failing
13 to replace or upgrade the fire protection system in a
14 timely manner will result in widespread inoperability of
15 the system, thereby eroding the safety posture at Pantex.
16 More importantly, the fire suppression system may not be
17 available on demand in the case of an actual fire.

18 There are also other Pantex safety systems
19 that must be maintained and updated to meet modern
20 requirements. B&W Pantex has begun replacing old hoists
21 with seismically qualified hoists and ceiling mounted
22 equipment in nuclear explosive facilities. However,
23 completion of all seismic upgrades is currently unfunded,
24 so the scheduled 2021 completion date is highly uncertain.
25 Similarly, blast door interlocks for nuclear explosive

1 facilities are becoming obsolete. Many are no longer
2 supported by the manufacturer and funding has not been
3 identified to support the replacement. NNSA must maintain
4 and update these systems to ensure they will perform their
5 safety function.

6 To summarize, in Nuclear Explosive Safety,
7 the Fire Protection System and in other safety systems,
8 NNSA has made some progress in addressing longstanding
9 safety concerns. However, the Board's staff believes that
10 NNSA management must take further action to
11 institutionalize the noted improvements in the nuclear
12 explosive safety program. They must maintain and update
13 the safety systems, structures and components at Pantex in
14 order to ensure the continued safety of nuclear explosive
15 operations.

16 Thank you. Pending questions from the
17 Board, this concludes my testimony.

18 CHAIRMAN WINOKUR: Do the Board Members
19 have any questions for Mr. Laake?

20 MR. SULLIVAN: Yes, Mr. Chairman.

21 Mr. Laake, I heard you testify that --
22 about NNSA overturning pre-start findings without adequate
23 technical justification. Would you explain what you mean
24 by adequate technical justification.

25 MR. LAAKE: Thank you, Mr. Sullivan. The

1 Board's staff believes that an adequate technical
2 justification is one that is developed using the pertinent
3 nuclear explosive information and any additional
4 information that management acquires that is then analyzed
5 using the same criteria used by the Nuclear Explosive
6 Safety Study Groups when they first formulated the safety
7 deficiency. And of course, this justification must be
8 documented to allow an independent review of the
9 information before overturning the finding.

10 MR. SULLIVAN: So you're just saying that
11 -- you're looking at the same criteria as the experts were
12 looking at when they made the finding; is that correct?

13 MR. LAAKE: Yes, sir.

14 MR. SULLIVAN: Okay. Thank you.

15 CHAIRMAN WINOKUR: Thank you, Mr. Laake.

16 At this time I would like to invite the
17 next and final panel of witnesses from the National
18 Nuclear Security Administration and B&W Pantex to take
19 their seats as I introduce them for the topic of this
20 panel, Safety at Pantex Defense Nuclear Facilities.

21 They are Dr. Donald Cook, Deputy
22 Administrator for Defense Programs of the National Nuclear
23 Security Administration. Dr. Don Nichols, the Associate
24 Administrator for Safety and Health and Chief of Defense
25 Nuclear Facilities of the National Nuclear Security

1 Administration. Mr. Steven Erhart, Manager of the
2 National Nuclear Security Administration Production
3 Office. Mr. John Woolery, General Manager of B&W Pantex.
4 And Mr. Dennis Huddleston, B&W Pantex Projects Division
5 Manager.

6 The Board will either direct questions to
7 the panel or individual panelists who will answer them to
8 the best of their ability. After that initial answer,
9 other panelists may seek recognition by the Chairman to
10 supplement the answer as necessary. If the panelists
11 would like to take a question for the record, the answer
12 to that question will be entered into the record of this
13 hearing at a later time.

14 Does anyone on the panel wish to submit
15 testimony at this time?

16 Thank you. Seeing none, I would like to
17 thank each of you for your testimonies today. With that,
18 we will continue with questions from the Board Members to
19 the full panel. Ms. Roberson will begin the questioning.

20 VICE CHAIRMAN ROBERSON: Good evening,
21 gentlemen, and thank you. My first question is for
22 Dr. Cook. The -- Dr. Cook, you are assigned the
23 responsibility for implementing the Nuclear Explosive
24 Safety Program by directive; is that correct?

25 DR. COOK: That is correct.

1 VICE CHAIRMAN ROBERSON: Would you describe
2 for us all why this program is important, what the
3 objectives are and, briefly, what are the key elements or
4 attributes of your Nuclear Safety Program?

5 DR. COOK: I'll attempt a short answer so
6 you can follow up.

7 VICE CHAIRMAN ROBERSON: Right, okay.

8 DR. COOK: The core objective of the
9 program is to prevent or drive down to the lowest level
10 possible the probability of the explosive going off or
11 causing any nuclear yield in an assembled or disassembled
12 weapon during operations at Pantex.

13 VICE CHAIRMAN ROBERSON: Okay. And if you
14 can at a summary level describe the elements of the
15 program, what are the key parts that help you do that?

16 DR. COOK: Sure. The elements of the
17 program structurally are that the core accountability
18 within defense programs for operating the Nuclear
19 Explosive Studies rest with the Assistant Deputy
20 Administrator for Stockpile Management.

21 The form of what we do are Nuclear
22 Explosive Safety Studies for operations that have not been
23 done before; in that case, we consider in a formal way by
24 -- with a group that's done, group of experts with a
25 Federal Chair, will review every aspect of those

1 operations and provide a report.

2 VICE CHAIRMAN ROBERSON: Okay.

3 DR. COOK: The report then goes to the ADA
4 for stockpile management and a decision is made after
5 hearing the report, based on the findings of the experts
6 that have come forward on actions that should be taken.

7 VICE CHAIRMAN ROBERSON: Okay.

8 DR. COOK: I could go on, but I think I'll
9 let you ask other questions.

10 VICE CHAIRMAN ROBERSON: Okay. That's
11 good. So the -- yes?

12 DR. NICHOLS: Just for completeness, can I
13 just add that what Dr. Cook said is exactly right, and
14 those are what people normally think of when we think of
15 the Nuclear Explosive Safety Program. There are also a
16 series of other requirements associated with the program
17 about testers and pieces of equipment and that sort of
18 thing that normally you don't hear people talking about
19 when they talk about NES, but those are also a piece of
20 the program.

21 VICE CHAIRMAN ROBERSON: Okay. Thank you,
22 sir. Thank you, Mr. Nichols.

23 So the decision-maker in the process in
24 your organization is delegated to the ADA for stockpile
25 stewardship; is that right?

1 DR. COOK: That is correct.

2 VICE CHAIRMAN ROBERSON: So how are you
3 kept informed of the decisions made by your ADA concerning
4 NES reports?

5 DR. COOK: I'm kept informed in a number of
6 ways. I am told what the findings are and what the
7 conclusions are after a NES study. That happens as well
8 after operational safety reviews.

9 Just for clarification on the difference,
10 NES study, and the work is done with a group of people,
11 and they look exhaustively at operations and use all data
12 available to them. And in the case of the actual device,
13 it's a trainer.

14 Operational Safety Reviews are different.
15 They are scheduled when we have ongoing operations, and
16 those operations are observed using actual nuclear weapons
17 during assembly or disassembly.

18 In addition to hearing the conclusion --
19 and I have an opportunity to weigh in, so to date, I have
20 provided oversight for the ADA who reports to me. We have
21 agreed to change that within NNSA, and that oversight will
22 now rest with the Associate Administrator for Safety and
23 Health, Dr. Nichols. Again, if you have more questions we
24 can answer that.

25 Additionally, I meet annually with the

1 STAs, the Senior Technical Advisors, who participate in
2 our NES studies, and annually I go through and listen to
3 them describe their findings and their recommendations
4 and, additionally, other observations that they may have
5 not written down. But I give them that opportunity
6 annually, and I will take typically an hour or two in
7 doing this.

8 VICE CHAIRMAN ROBERSON: Okay. Thank you,
9 sir.

10 Mr. Erhart, what is your role in ensuring
11 that deficiencies identified by the nuclear explosive
12 safety experts are corrected?

13 MR. ERHART: As Dr. Cook explained, the NES
14 is managed and run out of a different part of the NNSA, so
15 it is separate from the NPO, and it's designed that way.
16 So I am in charge of authorizing operations through the 10
17 CFR 830 process. I approve the Authorization Basis for
18 the operation, but we cannot operate until such time as we
19 have the NES study completed.

20 So there's essentially two independent ways
21 of assuring the safety of operation; that's this extra --
22 this extra layer that we talked about previously that is
23 provided by the nuclear explosive safety study. My role
24 is twofold in the event of an issue that was found that
25 the NES group believes is an urgent -- of urgent concern

1 on an ongoing program, as Dr. Cook said, they will bring
2 that immediately to me for a decision on whether -- on
3 what to do with that finding.

4 And then after the NES report is approved,
5 then my staff would ensure through oversight of the
6 contractor that post-start findings -- well, pre-start
7 findings that have to be closed to support a startup and
8 post-start findings that were issued by NA-10 that we
9 would follow up with the contractor to make sure those are
10 closed in a timely manner.

11 VICE CHAIRMAN ROBERSON: Okay. And has
12 your role changed in taking on your assignment as the
13 manager for NPO versus your role in this relationship at
14 Pantex? Is your role the same, or have you delegated some
15 of those responsibilities?

16 MR. ERHART: My role is the same --

17 VICE CHAIRMAN ROBERSON: Your role is the
18 same?

19 MR. ERHART: -- and I have not delegated
20 those responsibilities.

21 VICE CHAIRMAN ROBERSON: Okay.
22 Mr. Woolery, how do you become aware of or involved when
23 nuclear explosive safety deficiencies are identified?

24 MR. WOOLERY: I'm actively involved in the
25 ongoing reviews and pretty much get daily updates, as far

1 as the status and progress. And as issues are identified,
2 I'm made aware of the issues, and then there's typically
3 deliberation as to the significance of the issue, and then
4 I am notified as to how it's -- how the final disposition
5 goes.

6 And Steve referenced, for example, an
7 urgent nuclear safety concern. And just earlier this
8 year, we addressed and resolved an issue with the PT4183,
9 for example, RF tester, and I was personally responsible
10 for suspending operations until we could implement the
11 appropriate comp measures regarding those concerns with
12 the Cat 1 equipment and potential lightning strike.

13 So I'm actively involved. I understand all
14 of the technical details. It's my job to work with my
15 staff on corrective actions and to propose those
16 corrective actions to Mr. Erhart and to the NES team, and
17 then it's my responsibility to make sure that we go do
18 everything that we said we were going to do. And in this
19 example, there were three different sets of corrective
20 actions, and we moved smartly through the first two of
21 those. And I stay on top of that on a consistent basis.

22 VICE CHAIRMAN ROBERSON: Okay. Okay. And
23 I just want to ask you, because I know there are always
24 pressures. Do you feel like you have to be more
25 conservative than maybe NNSA requires when it comes to

1 corrective actions in response to deficiencies?

2 MR. WOOLERY: No, I don't think -- I'm not
3 sure I understand the question, but let me --

4 VICE CHAIRMAN ROBERSON: Okay.

5 MR. WOOLERY: So if you wouldn't mind, go
6 ahead and rephrase it again.

7 VICE CHAIRMAN ROBERSON: So there are
8 issues as a result of the study.

9 MR. WOOLERY: Right.

10 VICE CHAIRMAN ROBERSON: Clearly you just
11 described you're on it. Your staff understands you want
12 to know right away, and you are making sure that actions
13 are taken. When you're taking those actions, obviously,
14 you're not always waiting until the, you know, the
15 paperwork process catches up. And my question is very
16 simple. Do you feel like you have to be more conservative
17 in your response than maybe NNSA actually requires, ends
18 up requiring you to be?

19 MR. WOOLERY: Oh, yes, definitely. In some
20 cases, for example, there might be a deliberation topic
21 where they are looking at something that might be a
22 best -- a good idea but not necessarily a requirement. We
23 pay special attention to that.

24 We would address all the firm requirements
25 first, but we note the other recommendations, for example,

1 or even deliberation topics and follow up on those that we
2 deem would increase the margin of safety at Pantex. So
3 yes, in some cases we are more conservative.

4 VICE CHAIRMAN ROBERSON: Okay. Yes, sir?

5 MR. ERHART: If you don't mind, to clarify
6 what Mr. Woolery was talking about. We talked before
7 about pre-start and post-start findings. A deliberation
8 topic is a topic that was found worthy of quite a bit of
9 discussion on the part of the NESSG, the Nuclear Explosive
10 Safety Study Group, and those are of particular interest
11 to those consumers of their reports in that it shows that
12 they spent time discussing this.

13 And if it stays as a deliberation topic, it
14 was the collective judgment of that team that it didn't
15 rise to the level that it challenged one of their
16 standards.

17 However, as Mr. Woolery has pointed out, it
18 has happened multiple times where either Mr. Woolery will
19 take it for action or, if it comes to me, I will. And it
20 looks like a compelling thing to work on. We'll actually
21 work on the deliberation topic as if it were a finding.

22 VICE CHAIRMAN ROBERSON: A real complaint?

23 MR. ERHART: Yes.

24 VICE CHAIRMAN ROBERSON: Okay.

25 Mr. Woolery, do you feel like you usually have enough time

1 to take the appropriate corrective actions?

2 MR. WOOLERY: Yes, yes. As a matter of
3 fact, we would always take the appropriate amount of time.
4 And I gave you an example on the PT4183 RF tester where we
5 paused operations. We implemented the immediate
6 compensatory measures, and now we're into the second
7 phase, and we've just gone through a review of that
8 successfully. But we would have been down as long as it
9 took in order for us to implement those compensatory
10 actions and get them submitted and approved by the proper
11 design authority. And it's -- that's just part of the
12 process. And depending on the significance of the
13 technical issue, in some cases we can resolve it within a
14 matter of hours or days, and in other cases it may take
15 weeks or months.

16 VICE CHAIRMAN ROBERSON: Okay. And then
17 one last question to Dr. Cook. I'll just ask you,
18 Dr. Cook, does the need for additional resources, money or
19 production requirements, impact your response to nuclear
20 explosive safety findings?

21 DR. COOK: No.

22 VICE CHAIRMAN ROBERSON: Okay.

23 DR. COOK: If I can follow up. Quite
24 simply --

25 VICE CHAIRMAN ROBERSON: Absolutely.

1 DR. COOK: -- safety in operations is
2 paramount, and so we will always ensure that we have safe
3 operations. We don't balance safety against other parts
4 of the work that we do.

5 VICE CHAIRMAN ROBERSON: Thank you.

6 CHAIRMAN WINOKUR: So just to follow up
7 before I turn it over, because I think what you are saying
8 is important, when you make this decision about nuclear
9 explosive safety finding, cost production, schedule, none
10 of that has anything to do except looking at that finding
11 for its safety significance?

12 DR. COOK: That is correct.

13 CHAIRMAN WINOKUR: Okay. Dr. Mansfield?

14 DR. MANSFIELD: Thank you, Mr. Chairman.
15 Mr. Cook -- Dr. Cook, I want to make sure that we've --
16 who approves what. When a NES study is completed, the NES
17 Directors require a senior manager to approve all the
18 studies and findings before telling B&W Pantex to do
19 anything. That's correct?

20 DR. COOK: Yes.

21 DR. MANSFIELD: And that person is
22 Dr. Nichols, correct?

23 DR. NICHOLS: No.

24 DR. MANSFIELD: It's you?

25 DR. COOK: No. Let me describe the way it

1 was and the way it is.

2 DR. MANSFIELD: Okay. Fine.

3 DR. COOK: So the way it was, the decision
4 authority for approval of a NES report rests with the
5 person who is the Assistant Deputy Administrator for
6 Stockpile Management. That person is within Defense
7 Programs.

8 DR. MANSFIELD: Okay.

9 DR. COOK: I am briefed by that person.

10 DR. MANSFIELD: Thank you. That's --

11 DR. COOK: And if there's a concern -- any
12 time there is immediate action to be taken, we take it.
13 We don't wait for a report to be done. That's already
14 been emphasized by my colleagues. That's the way it was.
15 Now the way it is is that if there is any
16 decision that is pending, getting ready to be made to
17 change from a more severe finding to a less severe
18 finding, generically we might call that pre-start to
19 post-start, but at another point I'll say some of
20 that technology -- some of that terminology is a bit
21 confusing, because things like Operational Safety Review
22 (OSR's) and activities for which we have ongoing
23 operations to use a pre-start terminology or post-start
24 terminology is a bit confusing. I think we need to clean
25 that up.

1 The way it is now is if there is that kind
2 of a pending decision to go from a pre-start finding to a
3 post-start finding to be made by the ADA for Stockpile
4 Management, that will be taken to the Associate
5 Administrator for Safety and Health, Dr. Nichols.

6 DR. MANSFIELD: Thank you for clarifying
7 that.

8 DR. NICHOLS: May I add a clarification?

9 DR. MANSFIELD: Sure.

10 DR. NICHOLS: The reports that go to the
11 Assistant Deputy Administrator for Stockpile Operations
12 are those that have a pre-start finding in them or a
13 minority opinion. Reports that have no pre-start findings
14 and no minority opinions can be approved at a lower level.

15 DR. MANSFIELD: Do you -- at your stage of
16 the game, a proposed pre-start finding could be changed to
17 a post-start finding, correct?

18 DR. NICHOLS: I'm sorry?

19 DR. MANSFIELD: When it comes to you for
20 approval, a proposed pre-start finding could be changed to
21 a post-start finding?

22 DR. NICHOLS: If there is a pre-start
23 finding or a minority opinion in the report and if the --
24 if the approval authority wants to change the pre-start to
25 the post-start or he wants to accept a minority opinion

1 over a majority opinion, then the central technical
2 authority, which currently is me, has to be notified
3 before that -- that is done.

4 DR. MANSFIELD: Okay. But --

5 DR. NICHOLS: -- and that allows us to
6 inject and provide some additional perspective.

7 DR. MANSFIELD: Okay. So it's not -- it's
8 an injection of a perspective; it's not an approval
9 actually?

10 DR. NICHOLS: It's not concurrence.
11 However, a central technical authority function is a line
12 management function and, therefore, I can exert line
13 management authority, if -- if need be. It's not
14 anticipated that it would be necessary.

15 DR. MANSFIELD: Dr. Cook, it seems to me a
16 delicate balance when you've got in the case of -- case of
17 a potential high explosive event or something like that
18 where your entire production capability could be
19 destroyed, it seems to me it's a difficult balance to
20 balance the need for execution of the mission against
21 potential risks of delayed action before overturning a
22 pre-start finding. Do you find that's difficult? Do you
23 find that it's -- it takes a great deal of balancing of
24 both the -- of both the safety requirements, mission
25 requirements and costs?

1 DR. COOK: I will say that, as I have said
2 before, cost is not an issue here.

3 DR. MANSFIELD: Okay. Uh-huh.

4 DR. COOK: What is at issue is judgment,
5 and so the judgments -- and I'll introduce some more
6 complexity into this as well. But the judgments are
7 whether there is agreement that we should, on the advice
8 of experts, agree that something is in the category of the
9 highest concern about finding or whether there is a
10 different view that it would be lower.

11 The policy for the NES process has been
12 moved to NA-SH; that's important to recognize. The
13 oversight for the NES process has been moved to NA-SH.
14 Administrator Miller signed out the letter in January,
15 which you know and we all sitting at the table here agreed
16 to that, so we're going to be more diligent, more careful
17 on this.

18 I said I would introduce another thing, and
19 that is perceptions. I'm going back to what Mr. Sullivan
20 said earlier in the day in his testimony. I'll phrase how
21 I understand the concern. Perceptions are reality to
22 those people who hold the perceptions. And so, you know,
23 where different people hold different perceptions, if we
24 say, well, their perception is wrong, it's really not very
25 effective or very useful to do that.

1 DR. MANSFIELD: True. But that involves
2 the balance that I was talking about, because when one
3 view comes from nuclear explosive experts deeply
4 experienced for a long, long time and precisely in the
5 safety issues of nuclear weapon operations, they must
6 certainly balance, carry a great deal of weight. It's
7 hard for you to balance if you want to change them?

8 DR. COOK: Let's see. Sometimes it is a
9 difficult decision, and I will say that I think we are in
10 a more robust position with the oversight for the process
11 residing in NA-SH today.

12 DR. MANSFIELD: Okay.

13 DR. COOK: In some cases, a recommendation
14 is made and there is -- it is made as a pre-start finding,
15 and the problem can be resolved even before a report is
16 issued. In that case, you might say it's immaterial
17 whether it's pre-start or not pre-start.

18 We have many ongoing operations, and I have
19 said already I think we need to improve our terminology;
20 that's our accountability. I would prefer to go to a
21 category of higher consequence findings and lower
22 consequence findings or something that would differentiate
23 for ongoing operations, whether something is pre or
24 post-start. And as we go there, we ought to determine
25 whether there are findings for which we should suspend

1 operations immediately as well.

2 DR. MANSFIELD: And this is an ongoing
3 effort to try to modify that system?

4 DR. COOK: I'm just giving you a
5 realization that we can and should make some improvement
6 in this regard.

7 DR. MANSFIELD: Do you have a time scale,
8 do you think, when ---

9 DR. COOK: I don't yet.

10 DR. NICHOLS: If I may? The NES community
11 had initiated what we referred to as a top-down review.
12 It's the second one that's been done in NNSA since I've
13 been here. I was very heavily involved in the first one.
14 I wasn't involved in the second one up until this point.

15 But the purpose of that review is to
16 evaluate what changes are appropriate that should be made
17 to the NES directives. I have not yet been briefed on the
18 outcome of that review. They are still pulling together
19 their conclusions.

20 My intent is to move forward with a
21 revision to these directives as quickly as I can. There
22 are a number of issues that need to be addressed, such as
23 the terminology and such as the ambiguities that
24 Mr. Sullivan referred to.

25 DR. MANSFIELD: Okay.

1 Finally, I want to thank you, Dr. Cook, for
2 sitting so patiently this morning. I hope you found the
3 sessions worthwhile.

4 DR. COOK: Let's see. Thank you for the
5 comment. If I were to repeat what Mr. Erhart said, we
6 aspire to being a learning organization and a learning
7 people. If our heart and mind is not in it, we don't
8 achieve that. So I think you've seen us here all day
9 today. We appreciate your time as well.

10 CHAIRMAN WINOKUR: Okay. Mr. Sullivan, I
11 believe, has a follow-up question.

12 MR. SULLIVAN: Yes. Thank you. Excuse me.
13 I wanted to jump in either for Dr. Cook or -- well, really
14 anybody here.

15 But thank you for talking about the
16 terminology being a little bit confusing, because it's
17 confused me, especially in the case of ongoing operations.
18 Because if I understand the timing correctly here, we have
19 these experts. They are watching ongoing operations when
20 they make a finding. And then if they are like any other
21 deliberative body, this -- this one included, it takes
22 some time then to decide amongst themselves what the
23 recommendation would be, and then that has to go up to
24 headquarters. I imagine that doesn't happen immediately.
25 Meanwhile, the operations are still ongoing, correct?

1 DR. COOK: For the most serious issues, we
2 resolve them immediately. For less serious ones that do
3 not require a suspension of operations or an immediate
4 change, then we generally believe we have time to go
5 through due process.

6 MR. ERHART: May I?

7 MR. SULLIVAN: Certainly.

8 DR. NICHOLS: There is a provision in the
9 NES process, what's called an urgent NES concern, so that
10 if there's something that the NES team believes needs to
11 be addressed immediately, they can raise that without
12 waiting for the report.

13 Another clarification I would like to add
14 is that although Mr. Laake was right when he explained
15 what a pre-start finding was as described in the
16 directives, we -- the teams developed a series of criteria
17 for deciding what should a pre-start finding be and what
18 should be a post-start finding. And the idea was that
19 criteria would be used both in the field and in
20 headquarters so that we would have a common, consistent
21 set of definitions.

22 There are ambiguities in the orders, and so
23 to try to avoid the ambiguities, rather than using the
24 language that was in the directives, we defaulted to the
25 set of definitions. The definition for a pre-start

1 finding is basically -- and I'm just going to shorten
2 it -- but in -- the gist of it is that it's a situation
3 where one of the two main NES standards either may not be
4 met or a situation exists where if it continues, it may
5 lead to a situation where one of those NES standards may
6 not be met. And that's the definition of a pre-start
7 finding.

8 If the situation is that latter case where
9 you don't necessarily have -- a NES standard isn't met
10 just yet, but however, if things go on, we may get
11 ourselves into that situation, then there is some time.
12 You don't have a time-urgent situation in that kind of a
13 situation in that something needs to be done promptly,
14 which is why that is a category of a pre-start, but it
15 wouldn't necessarily necessitate stopping operation today
16 because of where we are.

17 MR. SULLIVAN: Mr. Erhart?

18 MR. ERHART: I'll add one more, hopefully,
19 bit of clarity, hopefully not confusion. But also the --
20 as the NES group, the nuclear explosive safety group,
21 whichever type of study they're performing, when they're
22 at the point of out-briefing their results, they will go
23 to the NPO for that.

24 So I don't want to leave the impression
25 that there's not local knowledge of what the NES group is

1 concluding while it makes its way through the approval
2 process and headquarters.

3 So I get an out-brief. We go through --
4 and it's called a coordination copy of the report -- and
5 so that I will be familiar with what their findings will
6 eventually say, and that gives an opportunity to ask a lot
7 of questions before it goes through the approval process.

8 MR. SULLIVAN: Okay. So if I could just
9 summarize, just to see if I understand this. I think in
10 the case of ongoing operations, we're really talking about
11 three levels of findings. One would be, okay, stop
12 everything right now and address this. Then there would
13 be, well, you don't have to stop, but we need to put some
14 urgency on the fix. And then the last would one would be
15 fix, perhaps, in the ordinary course of events. Would
16 that be fair?

17 DR. COOK: Fair enough, yes, sir.

18 MR. SULLIVAN: Okay. Thank you.

19 CHAIRMAN WINOKUR: Mr. Bader?

20 MR. BADER: Dr. Cook, the NES process is
21 expert based. In January, two of the five certified NES
22 Chairs retired from NNSA. Also in January, the NES
23 Division Director wrote to the Assistant Deputy
24 Administrator for Stockpile Management that the NES
25 community lacks sufficient certified experts to accomplish

1 the impending surge of studies without compromising the
2 quality of the studies. Is this a serious concern to you?

3 DR. COOK: Absolutely it is.

4 MR. BADER: What are you doing to ensure
5 that you've got a qualified pipeline of people coming in?

6 DR. COOK: The immediate actions are to
7 requalify two persons who had served in this capacity in
8 the past. I won't go into the details. That will bring
9 us back to four. We intend to -- let's see. And those
10 two may not stay in this activity, but they will stay in
11 the activity while we seek to either hire or redeploy two
12 people as NES Chairs.

13 NES Chairs are civil servants. They are
14 federal employees. And for a period of time while we're
15 doing that transition, we might have a high of six NES
16 chairs, but we absolutely recognize that two are too few.

17 We had a -- did have a Voluntary Separation
18 Program. It occurred in the past few months, and two of
19 the people chose to retire.

20 MR. BADER: An expert based review process
21 such as the NES Program can succeed only if the NES
22 Chairpersons and members are highly respected technical
23 experts who have the stature needed to take independent
24 stance for their opinions on safety. Do you have the
25 ability to fill the empty NES Chairman positions today?

1 DR. COOK: I'm sorry. Could I ask for a
2 repeat of the last part?

3 MR. BADER: Do you have people, adequate
4 people, today to fill the empty chairs?

5 DR. COOK: We don't have people who are
6 qualified right now. Do I believe we have a set of
7 federal employees who can fill the positions? I would say
8 yes. I don't know that we need to hire additional federal
9 employees, but I do know that we need to put them in this
10 area.

11 I will work resources effectively with
12 Dr. Nichols. STA's will report to Dr. Nichols in general.
13 We're going to want a set of NES Chairs who can be with
14 this effort for a number of years, not for a number of
15 months because of the level of activity.

16 So the short answer is I don't know yet. I
17 speculate that we have the capability within the federal
18 workforce, but we also have to have, you know, a very
19 strong desire to do the work in addition to the
20 qualifications. It will take both of those things.

21 MR. BADER: Do you have people at
22 headquarters that could fill this position?

23 DR. COOK: Again, I don't know. I don't
24 know that we don't, and I don't know that we do. When we
25 consider the feds across the enterprise, not just at

1 headquarters but in all of our sites as well, we open up
2 the aperture for qualified candidates, and we will be
3 doing that.

4 MR. BADER: Mr. Erhart, do you employ
5 personnel at the NNSA production office who are qualified
6 to address the staffing demands in the NES process?

7 MR. ERHART: Sir, we have -- we don't have
8 NES, Nuclear Explosive Safety, Chairs that reside at the
9 NPO. We do have interface points for the Nuclear
10 Explosive Safety Study Group, as well as any oversight
11 activities that's performed on nuclear explosive safety
12 that would go through my Assistant Manager for Nuclear
13 Engineering, as well as my Senior Scientific and Technical
14 Advisor. But no, sir, we do not have staff to fulfill the
15 role of NES Chairs, if that was your question.

16 MR. BADER: Yeah, I mean, what it sounds
17 like is you really have no surge capability located in
18 other places that you could reach into?

19 DR. COOK: I think that statement is
20 generally correct. It's -- you know, I'd say that
21 something that helps a great deal is that at our
22 laboratories, we have quite a few qualified people that
23 are not federal employees but they certainly are experts
24 in nuclear explosive safety. We generally involve some of
25 these people in the work that we do. We will continue to

1 do that. But I don't make that comment to say that we
2 won't aggressively look for NES Chairs. We will.

3 MR. BADER: Yeah. I think if you go
4 laboratory by laboratory, my understanding is that Los
5 Alamos believes they have an adequate number of people,
6 but Livermore and Sandia feel that they're short; is that
7 correct, Dr. Nichols?

8 DR. NICHOLS: Yeah, you just need to make a
9 distinction between NES Team Members and NES Chairs.

10 MR. BADER: NES Team Members.

11 DR. NICHOLS: The Chair position takes --
12 generally it's a federal position, and it requires a
13 greater degree of qualification than for the team members
14 themselves.

15 MR. BADER: Thank you.

16 CHAIRMAN WINOKUR: Let's see. I want to
17 discuss the January 30th letter from the NNSA
18 Administrator Miller where she issued guidance requiring
19 your office, Dr. Nichols, to be informed whenever NA-12
20 decides not to address a pre-start finding from a Nuclear
21 Explosive Safety Study. I think we've talked a little bit
22 about this.

23 So why were you inserted into the NES
24 process? What was the motivation behind this change?
25 What was the Administrator, do you think, trying to

1 address here?

2 DR. NICHOLS: Yeah, there wasn't one
3 reason. There were a number of different reasons that
4 came together that made it timely to make this change. We
5 had seen a number of situations that had happened where,
6 even though my office wasn't responsible for NES oversight
7 and didn't really have a role, a formal role in the NES
8 process, the process had benefited from us being able to
9 inject and to try to help make sure the right decisions
10 were made.

11 We had seen the situation at the Pantex
12 Plant with respect to safety culture and the impact on the
13 NES community, and we had seen the decision that was made
14 at the Pantex Plant to move the NES Division from
15 support -- reporting directly to the Engineering
16 Department and instead moving it up to the Deputy General
17 Manager. While in NNSA, the Assistant Deputy
18 Administrator for Stockpile Operations was responsible
19 both for implementing the NES requirements and then for
20 conducting the evaluations to ensure that the NES
21 requirements were met.

22 There was -- that put him in an awkward
23 position in many cases. Even if -- even in a situation
24 where the right thing to do might be to accept -- take a
25 pre-start and turn it into a post-start, if there was some

1 legitimate reason for doing so. The fact that the person
2 that was responsible for production was making that
3 decision, sent a bad message. Even if it was the right
4 decision, it would still send a bad -- the wrong message.

5 So the thought was that it was timely to go
6 ahead and make some changes. We met and discussed in
7 great detail the different options that may be available
8 to us to try to ensure that we had a program that the
9 integrity of it wasn't as subject to question as it
10 currently was in the current configuration. And after
11 considering a variety of options, we came up with a list
12 of changes that we thought were appropriate that would
13 provide additional -- additional visibility to the
14 comments of the Senior Technical Advisors would provide a
15 robust oversight process to help ensure that the process
16 was being effective as designed and would provide
17 visibility to any such decision where the majority -- the
18 opinion of the majority of NES members was not being
19 upheld.

20 CHAIRMAN WINOKUR: So you're saying, in a
21 sense, you've kind of eliminated a conflict of interest,
22 that you think you provide a better balance there?

23 DR. NICHOLS: Yes, sir.

24 CHAIRMAN WINOKUR: Do you bring any -- and
25 I'll go to you in one second, Dr. Cook. Thank you.

1 Do you -- do you bring any -- think you
2 bring any particular focus or expertise to this change?
3 Does your office have some unique skills that can weigh on
4 these decisions and provide some guidance here?

5 DR. NICHOLS: In a general sense, of
6 course, yes, the answer is yes. Specifically, though, if
7 I could rephrase your question, and if I could rephrase
8 your question as, why is your office competent to oversee
9 NES?

10 CHAIRMAN WINOKUR: I like it.

11 DR. NICHOLS: Thank you.

12 CHAIRMAN WINOKUR: Do you want to come up
13 here? All right.

14 DR. NICHOLS: We're not. If the decision
15 had been made to shift NES oversight to my office and,
16 there you go, thank you very much, have a nice day, if
17 that had been all that had gone with the decision, I would
18 have argued very strongly against that -- that step. I
19 lack the personnel on my staff, although I have personnel
20 on my staff with NES experience and I myself have some
21 experience with NES, as does my Deputy, Ike White. He was
22 the Board's site representative at the Pantex Plant when
23 he was working for the Safety Board and has been involved
24 with the NES process for a long, long time. I have other
25 staff members that work for me who have some involvement,

1 none of whom, however, are qualified as NES Team Members
2 or NES Chairman, none of whom I felt had the full level of
3 qualification to provide a rigorous oversight program.

4 So what we did was we included as a part of
5 the change the creation of a position in my office that we
6 will subsequently fill with someone who has the
7 appropriate qualifications to lead the oversight of this
8 activity. We will -- in the meantime, we have a person
9 who has been detailed from NA-10 who has a NES background,
10 a NES expertise, to help bring up our program and help get
11 it running.

12 Those two moves alone I also didn't think
13 were sufficient. The final thing that actually gives me
14 comfort that we can do this effectively is what we're
15 doing with the Senior Technical Advisors.

16 We're maintaining the Senior Technical
17 Advisors. We're transferring their contract to my office.
18 We're transferring control of the funding to my office for
19 them. We are aligning their function, which was always
20 designed to ensure the effectiveness of the process, we
21 are aligning that function with the oversight function so
22 that I am responsible for their comments.

23 I am responsible for ensuring that their
24 comments are addressed and following up on how they are
25 addressed. I am responsible for using the information

1 that they provide to help ensure that the NES process is
2 functioning effectively.

3 With that suite of changes, I believe that
4 we have sufficient capacity to provide a robust oversight
5 process.

6 CHAIRMAN WINOKUR: All right. I have some
7 other questions. But Dr. Cook?

8 DR. COOK: I wanted to follow up with a
9 simple set of words saying my understanding and support of
10 what Administrator Miller is doing, is to link up policy
11 and oversight in the same place and outside of the line
12 that does the execution of the function.

13 In that regard, it makes sense, because
14 oversight will frequently look at something and say, gee,
15 if the policy were written more clearly, more succinctly,
16 it would be a lot easier to follow. Well, this is a
17 strategy, and I said I support it, where Dr. Nichols in
18 NA-SH has accountability not only for the oversight but
19 the policy. So he needs to make both of those work
20 together. We will retain the execution function within
21 defense programs.

22 CHAIRMAN WINOKUR: So you'll be looking at
23 policy, you will be looking at directives you mentioned,
24 right? You'll be playing a role there, trying to make
25 this -- you know, improve this overall process, correct?

1 DR. NICHOLS: Right.

2 CHAIRMAN WINOKUR: But you don't concur on
3 NES decisions? You don't have that authority; is that
4 true?

5 DR. NICHOLS: If there was an exemption --
6 if they wanted to pursue an exemption to the NES
7 requirements, I would have to concur on that as the
8 central technical authority. But as far as doing
9 something that's within the NES requirement, such as
10 overturning a pre-start and calling it post-start, the
11 requirement is they notify me before they do that. There
12 is not a requirement that I concur on that; however, as a
13 Central Technical Authority, that is a line management
14 position, and I have the ability to inject myself into
15 that decision, if I need to.

16 CHAIRMAN WINOKUR: Well, you keep saying
17 that. What does that mean, just so I know? I mean, you
18 guys have to have a process and a set of rules. You
19 inject yourself into the process. Do you change -- do you
20 change the decision? Can you change the decision? I
21 don't under -- I just don't understand it, what you are
22 saying.

23 DR. NICHOLS: The Central Technical
24 Authority has the ability to issue expectations and
25 guidance for use by NNSA and its contractors. If there's

1 a question on what a nuclear safety requirement means, the
2 decision of the Central Technical Authority settles that
3 within NNSA.

4 So generally where there is some question
5 about whether something should be a pre-start or a
6 post-start finding, what we're talking about is whether or
7 not a NES requirement is or is not met. And so as the
8 Central Technical Authority, I can issue a letter that
9 definitively answers that question.

10 CHAIRMAN WINOKUR: You're setting yourself
11 up for what I think is a challenging job but, nonetheless,
12 let me ask you about policy, because you will be involved
13 with policy.

14 The letter on January 30th states that the
15 purpose of NES is to provide an additional level of
16 assurance that unintended nuclear yields do not occur.
17 Does this imply to you that you're moving NES away from
18 the need to prevent high explosive violent reactions to
19 focus on inadvertent nuclear detonations? Have you
20 changed the bar of the standard at all --

21 DR. NICHOLS: No.

22 CHAIRMAN WINOKUR: -- in what you're
23 looking at?

24 DR. NICHOLS: In fact, to some extent, I
25 don't believe we're actually changing the bar of the

1 standard. I think what we're doing is clarifying what it
2 was intended to mean all along and what some have held
3 that it meant all along, although there have been
4 difference of opinion over that amongst the community
5 because of lack of clarity in the statement of why we do
6 NES.

7 If I may elaborate. We currently have in
8 place 10 CFR 830, our Safety Basis Approval Authority that
9 Mr. Erhart exerts for the Pantex Plant. That process
10 involves an evaluation of all hazards associated with the
11 plant, including risks of inadvertent nuclear detonation,
12 plutonium dispersal, high explosive violent reaction and
13 any other hazard that may happen or may occur and
14 require -- we are required to put in place controls to
15 either prevent or mitigate those accidents so that the
16 public and the workers are adequately protected. That's
17 already in place, and that applies at all of our
18 facilities, including the plutonium facility at PF4 or at
19 Livermore, variety of other facilities where there are
20 high hazards associated with those activities.

21 What we've done at Pantex is we've left in
22 place a second process that existed before 10 CFR 830 ever
23 was written, which is this NES Process. And we've left it
24 in place only for those pinnacle events, those events that
25 could -- for which you can't rule out that they might lead

1 to a high -- an inadvertent nuclear yield. That would
2 include high explosive violent reaction in those
3 situations where there is some remote possibility that
4 that could still result in an inadvertent nuclear yield.

5 If the only result of a high explosive
6 violent reaction, the only possible result is the high
7 explosive violent reaction itself, there is no
8 possibility, even remotely, that there could be some yield
9 associated with that. Then that's a very hazardous
10 situation, but it's no different than a high explosive
11 violent reaction at Los Alamos for which we don't have a
12 NES process invoked.

13 The NES process is left in place at Pantex
14 or anyplace where we do a nuclear explosive operation to
15 ensure that for those most severe events, those that can
16 lead to a nuclear yield, that we have this additional
17 check over the top of what we ordinarily do, because of
18 the significance of the event. And that's what that
19 comment is meant to -- is meant to establish.

20 In the past, some of the ambiguity
21 associated with the language has led teams to pursue
22 matters that couldn't result in a nuclear yield and water
23 down the focus of the effort. And what we want to do is
24 ensure that this particular effort remains focused on
25 those most significant of events.

1 CHAIRMAN WINOKUR: All right. Those are a
2 lot of words. Are you changing the focus or not? I mean,
3 are you saying to me that HEVR -- I don't -- you know,
4 this is not actually funny -- that HEVR is going to be
5 handled by the 10 CFR 830 process and is not going to be
6 handled under the formal NES process as it has been in the
7 past?

8 DR. NICHOLS: If the high explosive violent
9 reaction to which you are referring to is of a piece of
10 main charge high explosive that's off in a room by itself
11 that has no possibility of resulting in any kind of
12 nuclear yield, then yes, 10 CFR 830 regular process of
13 analyzing hazards would apply to that, just as if -- as it
14 does at Los Alamos. If you're talking about a high
15 explosive violent reaction in a nuclear explosive where
16 you have the potential, some possibility of a yield --

17 CHAIRMAN WINOKUR: I understand the
18 difference.

19 DR. NICHOLS: -- then in that situation,
20 the NES concerns apply.

21 CHAIRMAN WINOKUR: Do you believe this is a
22 change in the NES focus?

23 DR. NICHOLS: I think it is a clarification
24 of the NES focus. I think --

25 CHAIRMAN WINOKUR: So it is a change in the

1 NES focus?

2 DR. NICHOLS: No, I believe it is a
3 clarification of the NES focus. I believe that is what
4 the focus --

5 CHAIRMAN WINOKUR: Do you think that
6 previous NES committees have always understood this
7 distinction and operated under these -- with this
8 understanding?

9 DR. NICHOLS: My belief is that, and my
10 experience has been, that in the NES community there has
11 been a divided perspective on whether that was always the
12 NES focus.

13 CHAIRMAN WINOKUR: Well, I think this is
14 certainly an area we may have a question for the record
15 for you on, just to provide a little more clarity about
16 how you're going to proceed on that. I appreciate it very
17 much.

18 DR. MANSFIELD: Question for clarification.
19 By HEVR, do you mean high explosive alone or high
20 explosive in conjunction with some metal?

21 DR. NICHOLS: And I apologize. That was
22 the reason why I had to add so many words. If it's a
23 piece of high explosive alone, then it's clearly not a NES
24 concern, if that's all that we're talking about, yes, sir.

25 DR. MANSFIELD: But then I can't understand

1 why you say that the operations that you're worried -- you
2 would be worried about at Pantex are already being done at
3 Los Alamos. Aren't the metals different?

4 DR. NICHOLS: If my concern is purely
5 radiological dispersal, then purely radiological dispersal
6 gets covered by -- and even if it's explosively driven
7 radiological dispersal, that gets covered by 10 CFR 830.
8 If my -- if I'm worried that there's a possibility that I
9 might have a yield, then that falls under NES.

10 CHAIRMAN WINOKUR: Okay. Let's move on to
11 Mr. Sullivan.

12 MR. SULLIVAN: Thank you, Mr. Chairman.

13 Mr. Woolery, this past January work was
14 paused for several days when one of these studies which
15 was referred to as a Master Study for Bays and Cells
16 passed its anniversary, can you explain what happened
17 there?

18 MR. WOOLERY: Yes, sir. In preparation for
19 the expiration of the Bays and Cell Master Study, we began
20 coordination with NNSA on trying to schedule a review so
21 they could come and take a look at the operations at
22 Pantex with the intent that we would conduct the review
23 and complete it prior to January 13th, which was the
24 expiration date.

25 And as we approached the date, we were in

1 constant communication with NA-121 regarding the formation
2 of a team and the resources that we were asking to come to
3 Pantex to do the work. And we had scheduled a date and
4 had planned on conducting the review and, unfortunately,
5 we weren't able to successfully conduct the review when we
6 had planned and, as a result, the date where the
7 expiration for the Bays and Cell Master Study was came, so
8 I contacted Nick Taylor, my Department Manager for NES,
9 and we talked about the requirements that were in place.
10 He communicated with Dan Bruns about the situation, and I
11 believed it was appropriate at that time because of some
12 confusion about whether or not they actually expired. I
13 believed it was appropriate to suspend operations at
14 Pantex and to request a formal letter from NNSA
15 Headquarters regarding my ability to go back to work. So
16 that kind of summarizes from August of 2012 until
17 January 2013.

18 MR. SULLIVAN: Okay. And I think that work
19 was paused for about six days or so until we got the
20 formal extension.

21 MR. WOOLERY: That is correct.

22 MR. SULLIVAN: The obvious question is, why
23 didn't we ask for the extension, like, a week earlier or,
24 say, a month earlier?

25 MR. WOOLERY: Up until the point where I

1 decided to pause operations and request the extension,
2 there was a general agreement among all the parties that
3 were discussing it that there really wasn't a firm
4 expiration and, therefore, an extension, formal extension,
5 wasn't required. So there were two different requirements
6 that were in conflict, and because of the ambiguity, I
7 felt it was the most conservative decision to pause
8 operations and request something in writing before I
9 proceeded.

10 MR. SULLIVAN: Okay. Thank you.

11 Mr. Erhart, where were you on this whole sequence of
12 events?

13 MR. ERHART: Well, sir, I'm of the opinion
14 that the -- not of the opinion. It's our perspective that
15 you either get the extension or you conduct the review,
16 and if you don't have, like we mentioned before, the
17 Master -- in this case, a Master Study is a type of NES
18 approval that's required to support operations. So if you
19 haven't reconciled that by the time that the study itself
20 expires, then you don't have license to operate. So in
21 that regard, I concurred with Mr. Woolery's conclusion
22 that we pause operations until we have either of the two.

23 MR. SULLIVAN: Okay. But again, I'm
24 looking for a firmer answer. I mean, the five-year
25 anniversary date doesn't sneak up on anybody; it's a date

1 on the calendar. So why did this become -- it sounds like
2 it became a last-minute crisis, and I don't understand why
3 it did.

4 MR. ERHART: And it shouldn't have. It
5 should have been planned. I think there were several
6 factors in there. I'll defer back to Mr. Woolery for some
7 of the details.

8 But I believe there was an issue with
9 getting the Chairperson and the members pulled together.
10 There was that issue with understanding the intent of the
11 order. Had they come to me immediately, I would have
12 clarified that, you know, you need to have the study to
13 operate, so there was -- I could have clarified that
14 ambiguity fairly quickly.

15 But I'll turn it over to Mr. Woolery for
16 more -- more details on what went into that.

17 MR. WOOLERY: That is correct, Mr. Erhart.
18 The ambiguity associated with the expiration was the
19 primary reason why we approached the 13th of January not
20 having the issue resolved. There were still a number of
21 people that felt like there was not an expiration and that
22 we didn't need to request any kind of formal extension.

23 And as Steve said, lessons learned, and
24 it's something that collectively we need to do a better
25 job of identifying when those studies are required and

1 making sure that we start that work in plenty of time to
2 complete the study before the expiration date, and I've
3 discussed that with Dr. Cook, and we're in agreement that
4 targeting on a four-year basis, as opposed to even
5 approaching the five-year basis would be a more
6 appropriate way to conduct business.

7 MR. SULLIVAN: Okay. So, Dr. Cook, I'm
8 hearing that there was what sounds like a difference of
9 opinion over what they saw as an ambiguity in the
10 requirement here. So have you pulled the string on this
11 and come to a resolution?

12 DR. COOK: Let's see. I'll try to answer
13 the question both directly and then add something else.

14 I've taken a look at the data on the
15 schedules, along with the ADA for Stockpile Management
16 accountable for the NES process. I recognize that the
17 assertion made that many are not completed by the
18 five-year or ten-year time, whether OSR in the midpoint or
19 a NES study that's accurate.

20 We recognize that we have directives that
21 say that when we get to that point that we will begin the
22 work. We will at least have begun the work and, at this
23 point, I also tend to believe that that gives an
24 impression to others that we're not as clear and as
25 serious as we should be about nuclear explosive safety.

1 So I've said that directly.

2 We're going to pay more attention to
3 perceptions because, to the people who hold those
4 perceptions, perceptions are reality. And not recognizing
5 that means that we take a conscious choice to go down that
6 path. Instead, we're taking a conscious choice for that
7 realization in looking at the bulk of the work that we
8 have to do, particularly in '13, because it was concluded
9 in '8. So I look at '13 as a transitional year, but I'll
10 be setting the expectation that for '14 and beyond, to the
11 extent we can, we will complete the work by the five-year
12 anniversary or ten-year anniversary for OSR's and for NES
13 studies directly. That may mean that we start at a
14 four-year point, or it may mean we start at a 4 1/2-year
15 point so that we don't wind up with a, you know, sort of a
16 four and a six instead of two fives to split the
17 difference between ten.

18 But paying attention to perceptions is the
19 only way I think that we're going to indoctrinate a large
20 number of the workforce, which is changing, that we take
21 this seriously as a leadership team, and that means it's
22 important to everybody.

23 MR. SULLIVAN: Okay. Thank you. And Dr.
24 Nichols, so in your new policy role -- I'm sorry, your new
25 role with oversight, will you be involved in anything to

1 do with the issue of timing of these perspectives?

2 DR. NICHOLS: Absolutely. Absolutely. I
3 would expect to be consulted as a part of this process of
4 extensions, particularly when there's some question of
5 what is the requirement. I might add, you know, I agree
6 with everything Dr. Cook said.

7 The -- when I talk to the folks -- and I've
8 been involved and in touch with the NES community for many
9 years. The folks who are involved in this
10 decision-making, I don't believe that any of the folks
11 that were involved changed their interpretation of what
12 the requirement was in order to meet a schedule. There
13 are folks who have interpreted these requirements the way
14 they are written and who were involved in writing them,
15 who always believed that what this meant was that the NES
16 had to be initiated within the window. And there's
17 reasons why there's that -- there's some logic behind why
18 that might be, but that's the way they always believed it
19 was. So it wasn't that people changed their perspective.

20 On the other hand, there have been folks
21 who have from the very outset, and it's also reflected in
22 the language, always felt that NES should be completed and
23 done, the report signed by the time the five year window
24 was up.

25 But I don't think -- and I think that the

1 mismatch in the language has to do with folks trying to
2 compromise by writing something up that everybody agreed
3 says what they thought it meant but different parties just
4 felt it meant different things.

5 MR. SULLIVAN: Okay. So as we sit here
6 today, what does it mean?

7 DR. NICHOLS: Earlier today we said we
8 would sort of give you a discussion of that for the
9 record, and I'm going to ask you to let me do it that way.
10 There's some logic as to why one might wish to interpret
11 it one way or the other, and I would prefer to put that in
12 writing, rather than try to explain it right here.

13 MR. SULLIVAN: Okay. Fair enough.

14 DR. NICHOLS: Thank you.

15 MR. SULLIVAN: So this study that was due
16 in January, has it been done yet?

17 MR. WOOLERY: No, sir.

18 MR. SULLIVAN: Okay. So we're still
19 waiting. When is it scheduled for now?

20 MR. WOOLERY: I don't know the answer of
21 exactly when it's scheduled.

22 MR. SULLIVAN: Okay. Do you feel
23 comfortable, though, continuing without having this study
24 done?

25 MR. WOOLERY: Yes, I'm comfortable.

1 MR. SULLIVAN: Okay. All right. Thank
2 you.

3 CHAIRMAN WINOKUR: So we're going to switch
4 gears a little bit now. We're going to talk about Fire
5 Protection Systems at Pantex. I think people have heard
6 enough about NES for a moment.

7 And I know that you're working on a lot of
8 things with Fire Protection Systems. You're working on
9 the high pressure fire loop; about a third of it is done.
10 This is a loop that goes around the facility that needs to
11 be operational so that water can be fed into the bays and
12 cells of the facility.

13 So I guess one question to you, Mr. Erhart,
14 is when do you plan to complete the high pressure fire
15 loop upgrade, and what resources will be required to do
16 that?

17 MR. ERHART: Okay. I'm going to defer the
18 answer to that to Mr. Huddleston who will give you the
19 details of the scope of the completion of that project.

20 But suffice it to say, before I pass the
21 microphone, that the High Pressure Fire Loop Project is a
22 very successful project, and I thank the Board for being
23 interested in the high pressure fire loop in the past
24 interactions in helping to get that project started. It's
25 making very good progress as a project. It's very

1 successful, as I said.

2 And I think Mr. Huddleston will tell you a
3 little more about the scope. We'll talk a little bit
4 about the lead-in lines which, you know, are of concern
5 and how we have attacked that problem and then how we'll
6 complete the overall project in the future so.

7 CHAIRMAN WINOKUR: Yeah. Maybe when we
8 turn it over to you, Mr. Huddleston, you can give us the
9 big picture of all of the challenges you have in the fire
10 suppression area.

11 MR. HUDDLESTON: Okay. So to start with --
12 and then we'll talk a little bit about the high pressure
13 fire loop current project that we're working today. And
14 we are nearing completion on that. It is scheduled to
15 complete middle of June with our critical decision for
16 package going into NNSA no later than the end of this
17 year.

18 So it has been a successful project. It is
19 working ahead of schedule currently, and because of
20 favorable subcontracting costs that we got early on, on
21 the project, as well as the management of the overall
22 system, we had the ability to come back in and not only
23 complete what we had committed to under the original
24 project scope but we've added the two new pumps and tanks
25 at about \$6 million on to that project, which will give us

1 a lot of flexibility, and we'll talk about some of those
2 in the challenges in a minute.

3 So with the two new pumps and tanks
4 currently coming online, we are going through startup on
5 those now, it'll give us some more flexibility. And then
6 additionally, we add the ability because of additional
7 underruns, we've added about another 2,000 linear feet of
8 main line pipe onto that to secure some more of our main
9 line system in some more of our facilities.

10 So while we're doing that and we're
11 excavating all of this dirt, and we're looking at all of
12 our piping, this lead-in -- and I know lead-ins is one of
13 our issues. We're looking at the piping in our tie-in
14 points going into the lead-ins, and we're trying to
15 identify those that may be more vulnerable than others of
16 the lead-ins going into that.

17 So as we're doing that, we've identified
18 four of them right now. Currently under the project,
19 we've replaced three of them with the project funding. We
20 have another one that we're actually starting on Monday,
21 which will bring us up to number four. So all of the
22 other lead-in areas that we have tied into, we actually
23 have found sufficient pipe and good pipe to tie into
24 those, so we're confident that we do have good lines
25 currently that we're tying into, and they will sustain for

1 some time into the future. So with that, that's part of
2 the project.

3 The tanks we're very excited about because,
4 as you know, we've had some issues with our current tanks.
5 They are a redundant system. That being said, with just
6 the two of them, we do have periodic times where one of
7 those is down for maintenance sometimes longer than we
8 would like. And with these two new tanks coming in-line,
9 that will give us the capability of adding the two new
10 tanks. We'll keep one of the old tanks as a backup and
11 move one of them over into a training mode where we can
12 actually train our operators and our mechanics and
13 maintenance folks on the systems and stuff so that we can
14 actually keep those moving.

15 CHAIRMAN WINOKUR: How do you assess the
16 risk with this system? And this is a system that you may
17 not get your repairs completed for another ten years or
18 more, and yet you have to, absolutely have to, have water
19 systems available for fire, if there's fire on demand,
20 right?

21 MR. HUDDLESTON: Yes, sir.

22 CHAIRMAN WINOKUR: And what is your sense
23 of the risk associated with operations at Pantex right now
24 with the present state of the system and where you hope to
25 be in the future?

1 MR. HUDDLESTON: With the work that we're
2 currently doing -- and as you've pointed out, the current
3 package that we're working on right now with the upgrades
4 is about a third of the overall system, so we have a lot
5 of the system that is left, mainly around our balance of
6 the plant operations, as well as some of our explosive
7 operations. And the reason for that is because that's
8 part of the pressure barrier that we use for the overall
9 safety system. So almost all of the safety system is
10 being upgraded as part of this main line renewal that
11 we're going through right now around our operating
12 facilities.

13 The rest of the system -- and what we've
14 had to do -- and as you've pointed out, it is an aging
15 system; we understand that; and that, as such, like any
16 aging system, we're increasing our maintenance; we're
17 increasing our inspection; we're increasing our field work
18 on those systems and, you know, unfortunately we are
19 increasing the amount of repairs we're also doing to those
20 systems.

21 And I would point out that we have had in
22 those areas in some of our balance of the plant in the
23 outlying areas, that some of the lead-ins have broken, and
24 we've gone and isolated those lead-ins. We've taken
25 facilities out of service. We've had some main lines that

1 we've had broken in the last several months. Part of it
2 is because of weather conditions and the change in some of
3 the weather conditions with the wet and dry, and it's
4 caused some strain on some of the piping, and we're
5 actively going out and replacing those areas currently,
6 and those are just replacement parts.

7 So as part of the strategic longer term
8 plan and what we've put forth is, starting later this
9 year, we actually have a plan to start replacing some more
10 of the lead-ins. So in June of this year, we'll start
11 with three of the lead-ins around some of our critical
12 facilities. We have asked for funding over the next
13 several years for the operational facilities. There are
14 about 45 lead-ins that we would like to replace over the
15 next four years as it comes to that portion of the Plant,
16 and that will complete the primary areas of our nuclear
17 operating facilities, and then we'll start from there and
18 go out to the balance of the Plant.

19 CHAIRMAN WINOKUR: All right. I guess what
20 I'm asking you -- and I understand what you're saying. I
21 think it's good to be heading down that path. How do you
22 assess the risk of operations? How are you confident that
23 you can supply water in those bays and cells on demand?

24 MR. HUDDLESTON: And that's our daily
25 inspections. We look at those daily. We monitor them

1 constantly. They are -- most of them are alarmed, so we
2 do know if we have water leaks. We have low flow alarms
3 in most of our areas, and by that we do understand the
4 systems' operability. We know it's going to work when we
5 need it to at this point in time. If a condition happens
6 that we don't believe that's still the case, then we will
7 stop the operations until such a time we can remedy it.

8 CHAIRMAN WINOKUR: Okay. But it's not just
9 stopping operations. If there's a fire, there needs to be
10 a water supply on demand, right?

11 MR. HUDDLESTON: Right, yes, sir. And
12 that's part of -- today, our daily operations are daily
13 inspections of those systems, and our alarming systems
14 would tell us if those are operational, and they will
15 supply that water on demand.

16 CHAIRMAN WINOKUR: One of the challenges
17 you have is you do have single-point failures in the
18 system; is that true?

19 MR. HUDDLESTON: Yes, sir.

20 CHAIRMAN WINOKUR: And so, of course,
21 that's another vulnerability you need to deal with when
22 you assess risk to this system, right?

23 MR. HUDDLESTON: Yes, sir.

24 CHAIRMAN WINOKUR: And could you explain
25 very briefly to people here what it means to have a

1 single-point failure in a system like this.

2 MR. HUDDLESTON: So and if you look at
3 it -- and we'll look at the solenoid valves, for instance,
4 was a single-point failure in our system where we actually
5 had a solenoid valve that we found that wasn't working
6 that would not have worked if we needed the system
7 operable. Fortunately, that system was down in
8 maintenance mode, and when it was bringing it back up, we
9 identified that. So soon thereafter, we did find another
10 one, and we increased our preventative maintenance at that
11 time. We went from a semiannual to a quarterly preventive
12 maintenance protocol on those to ensure that those would
13 work and that they were sufficient to operate. We did
14 find another one that was questionable at that point in
15 time that then we did suspend operations, replaced all 46
16 of them.

17 But at the same time, that is still
18 vulnerable, because it is a single-point failure, and that
19 is part of our strategic long-term upgrade is to add the
20 dual capability on all of those also. So we do have a
21 number of those points.

22 CHAIRMAN WINOKUR: So you're comfortable
23 with operations today?

24 MR. HUDDLESTON: I am today.

25 CHAIRMAN WINOKUR: And, Mr. Woolery, do you

1 want to make a comment about that?

2 MR. WOOLERY: Yes, sir, I am comfortable.
3 And the question you had about the adequate water supply,
4 a single tank and pump would provide us with an adequate
5 amount of water to -- to suppress a fire.

6 So, I mean, the situation that we're
7 talking about where we had to enter the LCO and we were
8 not only down for a period of 14 days but an additional
9 six days, we proceeded with a sense of urgency to try to
10 effect repairs, and we weren't able to get it done within
11 the first 14 days, so we had to develop a detailed
12 recovery plan. But it's something that I have visibility
13 of. Whenever those systems are down, I'm aware of the
14 fact that they're down, and we pursue bringing those
15 systems back online.

16 But I'm also aware of the fact that if for
17 no other reason than to perform periodic maintenance, we
18 will take those systems down and, at that point in time,
19 we'll just have the single pump and tank that we would be
20 relying on. It was the time the system was down which I
21 was most concerned about, and we were actively pursuing
22 getting those repairs made and that system back online.

23 CHAIRMAN WINOKUR: But you understand my
24 concern. Isn't the fact that you're going to do
25 maintenance or you're going to have a problem and you're

1 going to fix it; it's that there's going to be a fire and
2 the system is going to fail, and it can do that, because
3 it's an old system; it's an aging system, and it's not as
4 reliable as it probably needs to be?

5 MR. WOOLERY: Right.

6 CHAIRMAN WINOKUR: I mean, that's -- so you
7 keep using the word on demand, and that's kind of the
8 issue, and I want to try to wrap this thing up and try to
9 tell you where I'm going with it.

10 But you have a comment first?

11 MR. ERHART: Yes, sir, I appreciate that.

12 I think one of the members of the public
13 had a great analogy, so I'll use it. It's an old car, but
14 it's a good car, and it's well cared for, and that's the
15 Pantex Plant. The fire suppression system is well
16 understood, monitored. The aggregate risk of operations
17 is low because of all -- the combination of the controls
18 that we have to -- at the Pantex Plant. I could say that
19 across the board about the Pantex Plant. What we're
20 talking about here is reliability of the system. If the
21 system is not available, then we won't operate. And so
22 that's -- that's one point.

23 I think the -- so I guess that's the main
24 point I wanted to make, that although we're talking about
25 the safety of operations, really what this is an issue is

1 about monitoring your systems, ensuring that you're
2 talking corrective actions to make sure they continue to
3 be operable.

4 The one thing about fire at Pantex, if you
5 look at it over the last ten years -- and I know you have
6 been at the plant and seen the different control schemes
7 that we've put in place for fire events, such as
8 combustible loading, we've drastically reduced combustible
9 loading ignition sources at this site. So as the
10 aggregate I would say that risk of operations is pretty
11 low at Pantex.

12 So thank you.

13 CHAIRMAN WINOKUR: And I guess the last
14 question for Dr. Cook. Are you comfortable with the
15 resources you're able to supply to Pantex at this time to
16 address these problems?

17 DR. COOK: The answer is qualified. You
18 know, I'm comfortable to an extent. I'm concerned about
19 where we are in the ability to get resources. I believe
20 that we need always to look at the appropriate balance of
21 what we do in infrastructure, what we do in other aspects
22 of the program. So I don't have an immediate concern now,
23 but I am concerned for the future.

24 CHAIRMAN WINOKUR: Okay. Thank you.

25 Mr. Sullivan?

1 MR. SULLIVAN: Thank you, Mr. Chairman.

2 Mr. Huddleston, our staff did a review of
3 your fire safety systems a few months back.

4 MR. HUDDLESTON: Yes, sir.

5 MR. SULLIVAN: And one of the things that
6 they took issue with was this concept of limiting
7 conditions for operations. The specific example was, you
8 have redundant fire pumps, and you have a known problem
9 with one. And so just a few minutes ago you talked about
10 having the increased risk of a single-point failure.
11 Well, when you have redundancy and you lose one, the other
12 one now becomes a single-point failure. So the limiting
13 condition for operation allow you to go 14 days without
14 just -- gives you 14 days to make the fix and --

15 MR. HUDDLESTON: Yes, sir.

16 MR. SULLIVAN: -- the staff felt that,
17 well, you were just taking 14 days when perhaps there were
18 things that could have been done more urgently. Do -- do
19 you agree with the staff's assessment?

20 MR. HUDDLESTON: That particular case --
21 and that happened I believe the summer of last year,
22 sometime in the July time frame, it -- we did, under our
23 document of safety analysis or our requirements or rules
24 that we follow, it does give us the ability to go 14 days
25 under initiating the LCO for repairs to a specific tank.

1 It also goes on to say that if it's going to take longer
2 than the 14 days, we have the authority to provide NPO
3 with a corrective action plan and extend that out for
4 another 14 days, so in that particular case it's exactly
5 what we had to do, because the repairs and the extent of
6 the repairs after we got into it were more extensive than
7 we thought they were, and the parts weren't readily
8 available.

9 And that's the one that Mr. Woolery was
10 talking about that we do have visibility of those things
11 and we do track them, so we do have a sense of real
12 urgency when we're trying to get those back online.

13 But I do have a -- I do share the concern,
14 because it does bring us down to a single-point of failure
15 when we have two tanks; however, I will tell you that the
16 one tank, as long as we maintain the operability, does
17 meet the requirements under the National Fire Protection
18 Code and will provide the two-hour sustained water flow
19 for the facilities, but then our job is to make sure that
20 we're out there, we're constantly vigilant on the
21 remaining tank to make sure it will operate when we do
22 need it, or on the demand.

23 MR. SULLIVAN: Do you do any extra things
24 during that time to make sure that the remaining system
25 is -- is functional?

1 MR. HUDDLESTON: Actually, our routine
2 patrols are looking at that with our maintenance folks and
3 everybody else, but on those particular instances, I've
4 got a staff of fire protection engineers we actually do
5 put out in the field to look at those things on a periodic
6 basis several times a day to make sure that we understand
7 that there isn't anything going on with those tanks.

8 MR. SULLIVAN: Okay. So my next -- this
9 follow-up question is merely speaking in the hypothetical
10 so -- but would you agree that if you have 14 days but you
11 could fix it in two, it should be fixed in two?

12 MR. HUDDLESTON: Absolutely.

13 MR. SULLIVAN: Okay. Mr. Erhart, where
14 does your office fit in on this process with having a
15 limiting condition for operation?

16 MR. ERHART: That's part of the Safety
17 Basis that we talked about, and it is in the event that
18 the system becomes inoperable or a portion of the system
19 becomes inoperable. You go into what's called a limiting
20 condition of operation. In this case, that gave the 14
21 days to go from a redundant system into a not redundant
22 system. So you want to put a limit on that. You accept
23 the risk of operations there, provided that there are
24 checks on the remaining system.

25 And as Mr. Huddleston pointed out, in this

1 case, they actually went to the next part of the LCO,
2 which required an approved plan by my office. And the
3 point there is to ask -- basically get a formality in the
4 question that you asked, that you have a straight shot and
5 a legitimate plan to get the work done so -- in a timely
6 manner so you can go back to that fully redundant system.

7 MR. SULLIVAN: So your office would assure
8 that the contractor is making the repair in the minimum
9 amount of time?

10 MR. ERHART: Yes, sir.

11 MR. SULLIVAN: Okay. Thank you.

12 CHAIRMAN WINOKUR: All right. Our -- I
13 promise our final question is Dr. Mansfield.

14 DR. MANSFIELD: Thanks, Mr. Chairman.

15 Fire Protection isn't your only safety
16 system, of course. You've got many other aging systems
17 like the blast door interlocks and the hoists which have
18 to be replaced with seismically qualified waste and other
19 seismic upgrades. How are you going to be sure that
20 they'll -- these are going to be funded and completed
21 before they create unsafe working conditions?

22 MR. HUDDLESTON: The -- currently, and it
23 is a funding limitation, so we are currently doing what
24 work we can on the seismic upgrades for our operating
25 facilities. We're finishing up the ceiling pieces of that

1 this year.

2 The hoists have been funded. We do have
3 all the hoists on order. I believe during our briefings
4 in January when I was with you, we had a discussion about
5 an issue with the functionality of the hoist chain, and
6 it's not a safety issue; it's just a matter of some of the
7 hoist chain is flaking off. So our contractor is still
8 actually evaluating that and trying to figure out what the
9 right fix is.

10 So those hoists are ordered. The majority
11 of them are in. We are lacking about 16 of those. We do
12 have -- and it is a longer term plan, granted, that going
13 over the next several years, we'll start next year on the
14 wall parts of the -- the tethering and the seismic
15 upgrades with the walls in our operating facilities, and
16 then we'll have to follow on with some additional work in
17 some of our nuclear material facilities. And -- and I
18 think as was pointed out, that is well past or into the
19 2021 timeframe before that's finished up.

20 DR. MANSFIELD: But the blast door
21 interlocks are -- you're going to get them replaced before
22 they are obsolete?

23 MR. HUDDLESTON: Yeah. So the blast door
24 interlocks, the majority of those are very reliable. We
25 don't want to see -- we see some issues with them, on the

1 mechanical alignment on some of the mechanical ones.

2 The ones that are a programmable logic
3 control, we do have a number of facilities that use that
4 today. Those are obsolete. They are reliable. We don't
5 have a major issue with them. We are in the middle of a
6 design -- I've got actually two engineers working on a
7 design for the replacement of those, the logic controlled
8 ones to an electromagnetic type BDI for those facilities
9 on the first eight, and that's the ones where the controls
10 are gone.

11 DR. MANSFIELD: So you're going to have to
12 have a lot of work replacing a lot of systems in the bays
13 and cells which you can only do when they're available?

14 MR. HUDDLESTON: Yes, sir.

15 DR. MANSFIELD: And the last time we were
16 here, Mr. Woolery, you made it clear to us that you have
17 to get 95 percent average facility availability for
18 programs. So these are conflicting requirements, and it's
19 going to be interesting to see how they work out. And
20 you're going to be stuck with obsolescing systems, if you
21 want to satisfy your production requirements.

22 Okay. That's the last question I had, sir.

23 CHAIRMAN WINOKUR: All right. I want to
24 thank this panel really very much. Dr. Cook, Dr. Nichols,
25 Mr. Erhart, Mr. Woolery and Mr. Huddleston, thanks so much

1 for your testimony today. We appreciate it.

2 MR. WOOLERY: Thank you.

3 CHAIRMAN WINOKUR: At this time, for the
4 Board's practice and as stated in the Federal Registry
5 Notices, we will welcome comments from interested members
6 of the public. A list of those speakers who have
7 contacted the Board is posted at the entrance to this
8 room. We have generally listed the speakers in the order
9 in which they wish to speak. I will call the speakers in
10 this order and ask the speakers to state their name and
11 title at the beginning of their presentation.

12 There is also a table at the entrance to
13 the room with a sign-up sheet for members of the public
14 who wish to make a presentation but did not have an
15 opportunity to notify us ahead of time. They will follow
16 those who have already registered with us in the order in
17 which they have signed up. To give everyone wishing to
18 speak or to make presentations an equal opportunity, we
19 ask that speakers limit their original presentations to
20 five minutes. The Chairman will then give consideration
21 for additional comments, should time permit.

22 Presentations should be limited to
23 comments, technical information or data concerning the
24 subject of this public meeting and hearing. The Board
25 members may question anyone making a presentation to the

1 extent deemed appropriate.

2 And with that, we are going to begin. We
3 want to thank all the members of the public who have come
4 here to be part of this discussion today and provide
5 public comment.

6 The first speaker is Judge Lewis Powers.

7 JUDGE POWERS: I thought I was going to be
8 second, but nevertheless.

9 Gentlemen, Mr. Chairman, ma'am, I
10 appreciate the opportunity to make public comments
11 concerning our relationship in Carson County with Pantex.
12 I am the County Judge, and I've been a County Judge for 14
13 years.

14 Just to give you kind of an overview of the
15 relationship that we have developed with Carson County and
16 with Pantex, it has been a good working relationship. All
17 of the committees, the Emergency Management Facilities,
18 the Emergency Management Director have been more than
19 cooperative, and we have been involved in all of the
20 drills that have come about as a result of the 14 years
21 that I have currently been in -- in office.

22 All of the employees of Pantex, many of
23 them live in Carson County. Of course, Pantex is entirely
24 in the confines of Carson County. And there are members
25 of our communities that serve on the school boards. They

1 serve on church boards. They're active in our community.
2 And we appreciate all of the active involvement that they
3 can provide.

4 We have been invited and have made several
5 tours of the Pantex EOC and observed that operation and
6 found it quite informative. We have learned a lot and
7 garnered a lot out of that whole process, and it has given
8 a level of confidence to Carson County, particularly for
9 my office and for my Emergency Operation Officer.

10 So with that being said, the Pantex Fire
11 Department and their ambulance services have been a great
12 asset to the citizens of Carson County. I don't know how
13 many times that they have responded to emergency fires.
14 Several years ago, we had multiple fires, and we had
15 multiple incidences with wrecks on Interstate 40 and
16 Highway 60, and they have always been very willing and
17 participants and provided a great resource for Carson
18 County.

19 I'd like to summarize my comments. Like I
20 said, I've been a County Judge for 14 years, and I take a
21 great responsibility for the safety and welfare of the
22 citizens of Carson County, and I have full faith and
23 confidence in that leadership team that is currently in
24 place, that they will provide the best possible directive
25 in directing assets not only from their assets but what

1 assets we can provide and what levels that we can play
2 within the drills that we are involved in. And again, I
3 have full faith and confidence in that team that is
4 currently in place.

5 That finishes my comments.

6 CHAIRMAN WINOKUR: Thank you, Judge Powers.
7 Kevin Starbuck?

8 MR. STARBUCK: My name is Kevin Starbuck.
9 I'm the Emergency Management Coordinator for the City of
10 Amarillo, Potter County and Randall County. I would like
11 to second Judge Powers' comments in that we've had a very
12 longstanding relationship with the Pantex Plant. Through
13 our agreement and principal program with the State of
14 Texas, local jurisdictions through the Department of
15 Energy have received funding to assist us in ensuring that
16 we have adequate emergency plans in place to address the
17 unlikely event of a major incident at Pantex. A lot of
18 those plans and procedures that are in place augment our
19 abilities to respond to all hazards. So while we use
20 those opportunities to enhance our capabilities to respond
21 to a potential Pantex incident, it also affords us that
22 opportunity to better prepare our community as a whole,
23 and that's a very important aspect of the entire Pantex
24 Program and the partnership we have with them.

25 As Judge Powers mentioned, we have

1 extensive mutual aide agreements with the Plant. They are
2 readily available to come and assist local jurisdictions.
3 During 2011 when we had the major wildfires in the
4 Amarillo area, Pantex firefighters, Pantex emergency
5 responders were right on the front lines working hand in
6 hand with local first responders, and that gave all of us
7 a higher sense of reliability that the Plant brings to the
8 table, based on the experience and the expertise that they
9 brought to the table and helped us respond effectively to
10 those fires, ensuring no loss of life and the protection
11 of as much property as possible. So that speaks volumes
12 to the capabilities that Pantex has built into the plant
13 internally and have made readily available to the local
14 jurisdictions when catastrophic incidents do present
15 themselves they could potentially impact us.

16 I would leave it to say that -- I know you
17 asked Mr. Campbell if he's up at -- stays up at night
18 worrying about various scenarios of Pantex. As the
19 Emergency Manager of the population, the largest
20 population center in the Panhandle, I'll tell you that
21 Pantex is not one of the things that keeps me up at night.
22 I have every confidence in the Plant Leadership, the Plant
23 Emergency Responders, the various people that we work with
24 on a daily basis from the Plant, that they do the right
25 things. They ensure a safety envelope at the Plant, and

1 they ensure that they are ready to respond if an incident
2 were to occur, and will work very diligently with us to
3 ensure that we respond effectively to that in order to
4 protect the public and protect the Plant employees who are
5 residents of our community.

6 That's where I'll leave my comments. Thank
7 you.

8 CHAIRMAN WINOKUR: Okay. Thank you,
9 Mr. Starbuck.

10 Mr. Campbell, you can take the night off
11 from worrying.

12 Rick Easter?

13 MR. EASTER: Good evening. My name is Rick
14 Easter. I am the president of the Chamber of Commerce of
15 the City of Panhandle and Carson County located 10 miles
16 due east of the Pantex Plant. And as you can already
17 tell, I'm sure you can tell I am not from here. I'm -- I
18 was raised -- I grew up next to -- about 30 miles away
19 from the Y-12 facility, so I have the Tennessee accent and
20 even owned a business in Oak Ridge.

21 But I can't step up to the microphone and
22 address you guys -- I had a short -- my -- my comments
23 will be short, I promise, and I shortened them because I
24 found that actually what I had to say wasn't directed
25 towards this meeting. So I shortened that, and then Mr.

1 Judge Powers shortened it even further, and so I won't --
2 because I -- some of the comments I was going to make, he
3 made.

4 But I can't step up to this microphone
5 without thanking Pantex for the civic contributions they
6 have made to our community. And I know that years ago
7 when Pantex came to this community, from what I
8 understand, they brought some highly, highly educated
9 people into this area. And as their children came to our
10 schools and people started buying our commodities and our
11 town started growing and the money started flowing and the
12 post-war expansion of education, the more money came
13 along, we were able to build bigger and better schools.
14 And we now have state-of-the-art facilities.

15 The -- Pantex has been a great contribution
16 to the Chamber, to our library who just celebrated 75
17 years, to our county, to our city management. Let me make
18 sure I'm hitting all of that. Especially our Carson
19 County Square House Museum. They have helped with the
20 educational department, our community outreach, art
21 instructions and things of that nature.

22 And I'll finish with saying pretty much
23 what everyone has said. The general consensus of everyone
24 I've ever talked to in our city feels safe at night when
25 we go to bed living close to your facility, and I'm even

1 more convinced of that after I listened to you tonight. I
2 didn't understand all of it, but for the greatest part, I
3 did, and I have even more appreciation now for what you're
4 doing.

5 The Fire Department, I have had -- I was
6 part of the erection of the windmills across the street
7 from Pantex, and I have seen the way that the Pantex Fire
8 Department and our Volunteer Department work together,
9 because we had two or three wildfires while we were
10 putting those up, and we were very grateful for that.

11 And also, I am not in the loop, but I do
12 understand that our city and county law enforcement
13 agencies have a great working relationship with the
14 security team at Pantex and, believe me, everyone respects
15 the security team at Pantex.

16 And as Chamber of Commerce President, there
17 would be many times I would like to have thanked Pantex
18 for all their contributions. And thank you for the
19 opportunity to allow me right now to say thank you for
20 your contributions. Thank you.

21 CHAIRMAN WINOKUR: Thank you, Mr. Easter.
22 April Dunbar?

23 MS. DUNBAR: Well, thank you, Mr. Chairman,
24 and Board, for coming to visit us. I hope you had a
25 rewarding time here.

1 I want to tell you that I'm a plant
2 employee, and I have been there for almost 34 years, so I
3 came two years after we lost a building from a high
4 explosive machining accident. I've been there as we built
5 the stockpile that sit now in the DoD's (Department of
6 Defense) hands today. I tested weapons, and then I left
7 from that part of the plant -- oh, and I did serve in
8 numerous NESes when NES was the only rigor that we had and
9 the only measurement of safety approval that we had.

10 Very familiar with the old 5610 Orders,
11 very familiar with the 452 Orders. In the integration of
12 safety that came along in the 90's, I was serving up in
13 engineering, and I brought up a pretty difficult
14 dismantlement process, so I got to feel all the -- all the
15 push and shove of the order migration up this hill.

16 So I want to tell you, I've seen a lot in
17 my 34 years, and it's been a really pleasing and rewarding
18 experience. I'm serving right now on that 15-member SCWE
19 panel that John empowered as a result of the culture
20 survey, and I want to tell you that in my 34 -- almost 34
21 years there, I've only ever seen this happen where a
22 cross-functional group of people have been tasked at a low
23 level of the organization to go investigate and offer
24 solutions to upper management, and it's been even more
25 rewarding when we've seen the NNSA and the NPO is

1 interested in what we are finding and discovering.

2 Last but not least, I'd like to send some
3 commendations to NNSA from what I heard just this evening
4 and that I understand that I think that you are
5 demonstrating your own safety culture core values by
6 allowing Dr. Nichols to have a questioning attitude when
7 NES findings and minority opinions are being evaluated for
8 change.

9 So good job to all of you. Thank you.

10 CHAIRMAN WINOKUR: Thank you, Ms. Dunbar.
11 Susan Gordon?

12 MS. GORDON: I'm sorry, I didn't mean to --
13 I'm not going to speak.

14 CHAIRMAN WINOKUR: Okay. Ms. Gordon won't
15 be speaking.

16 Rusty Tomlinson? Rusty Tomlinson?

17 Okay. Kay Peck?

18 MS. PECK: Well, I appreciate having the
19 opportunity to speak on behalf of B&W Pantex. And I
20 apologize for missing my 4:30 time, because I was in the
21 doctor's office.

22 My name is Kay Peck. I'm the CEO of
23 Kindred Hospital here in Amarillo, Texas. I have a
24 doctorate in public health. And I've -- when I came to
25 the community and I learned about Pantex, I obviously was

1 concerned. And I can truthfully say that I've been
2 impressed with everything that I have seen.

3 B&W Pantex has certainly been a successful
4 operator of nuclear devices in this community for many,
5 many years. Everything that I have seen, everything that
6 I have heard since joining the community, the safety
7 record is excellent. B&W is a fantastic community
8 partner. Everyone in the community has an excellent
9 working relationship with them. They have been a
10 tremendous asset to the community.

11 And I've sat on the Boards with John
12 Woolery and several other representatives of B&W Pantex;
13 they are a community player, and they represent the safety
14 and security of the Pantex Plant in this community in a
15 way that doesn't keep me up at night, and I think that we
16 are very comfortable with B&W Pantex as an operator.

17 I think they are exceedingly safety
18 conscious. I know they have a very strong culture of
19 safety in the way that they go about doing their business.
20 They take everything they do very, very seriously, and I
21 know that they have excellent quality improvement
22 processes in place.

23 So I just wanted to say thank you for
24 listening to us, and thank you for letting B&W Pantex
25 continue to be in our community.

1 CHAIRMAN WINOKUR: Thank you, Ms. Peck.

2 Let me call Rusty Tomlinson again.

3 Are there any other members of the public
4 who wish to make a statement at this time?

5 Seeing none, I'm going to turn to the Board
6 Members for their closing comments, and then I will end
7 with my comments.

8 Ms. Roberson?

9 VICE-CHAIRMAN ROBERSON: No comment, Mr.
10 Chairman.

11 CHAIRMAN WINOKUR: Dr. Mansfield?

12 DR. MANSFIELD: I just want to thank the
13 contractors and DOE for some helpful presentations.

14 CHAIRMAN WINOKUR: Mr. Bader?

15 MR. BADER: I have no closing comments.
16 Thank you.

17 CHAIRMAN WINOKUR: Mr. Sullivan?

18 MR. SULLIVAN: Yes, Mr. Chairman. First of
19 all, I would like to thank everybody who came here. I'd
20 like to thank all of the folks who came from Washington,
21 DC.

22 Acting Administrator Miller, I know you
23 said you testified yesterday to Congress. So today you
24 were here all day. I hope at some point we leave you
25 alone so you can actually do the work to run this very

1 large and important department.

2 But for everybody who was here and the
3 public who is here, I think it's a very important
4 facility, absolutely crucial workforce and a very
5 important topic, so I appreciate you all coming out.

6 In the very beginning I expressed a
7 particular concern about the message that NNSA might
8 inadvertently be sending to the workforce here on safety
9 and that it might not be a good one. I heard a lot of
10 things today addressed exactly to that, and I found that
11 very encouraging, and I will look forward to the
12 followthrough.

13 CHAIRMAN WINOKUR: Thank you, Mr. Sullivan.

14 Let me provide my closing comments. First,
15 I want to acknowledge the hospitality of the Pantex Plant
16 and the local community. Thank you all for being here
17 today. I want to thank our witnesses and all the members
18 of the public who participated in this meeting and
19 hearing. I particularly want to thank any Congressional
20 staffers, elected officials, members of state and local
21 organizations and union representatives that participated
22 here today. An active community with engaged leaders is a
23 vital part of any successful program of this nature.

24 The Pantex Plant is relied upon by our
25 nation to ensure the vitality of the nuclear deterrent by

1 safely performing nuclear explosive operations to
2 assemble, disassemble, dismantle and conduct surveillances
3 on nuclear weapons. It's committed and dedicated
4 workforce has successfully performed this important
5 patriotic role in the defense of the United States for
6 more than six decades and must continue to do so well into
7 the future.

8 Managers of DOE, NNSA and the B&W Pantex
9 must jointly ensure that Pantex has the staff, processes,
10 tools and facilities required to fulfill this mission
11 safely.

12 The Board explored three topics of interest
13 today, safety culture at the Pantex Plant, emergency
14 preparedness and safety of the defense nuclear facilities
15 at the Plant.

16 The Board will review the record of this
17 hearing which will serve as the basis for its oversight of
18 the key issues addressed here today.

19 Once again, I want to thank everyone for
20 their participation at this hearing.

21 The record of this proceeding will remain
22 open until April 15th, 2013. I would like to reiterate
23 that the Board reserves its right to further schedule and
24 regulate the course of this public meeting and hearing and
25 to recess, reconvene, postpone or adjourn this public

1 meeting and hearing and to otherwise exercise its
2 authority under the Atomic Energy Act of 1954, as amended.

3 This concludes the public meeting and
4 hearing of the Defense Nuclear Facilities Safety Board.
5 The meeting and hearing is adjourned. Thank you all for
6 attending.

7 (Hearing adjourned.)

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REPORTER'S CERTIFICATION

I, Dana Foster Moreland, Certified Shorthand Reporter in and for the State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of the Defense Nuclear Facilities Safety Board Public Hearing and Meeting held on March 14, 2013.

Dana Foster Moreland

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