

**In the Matter of:**

**Defense Nuclear Facilities Safety Board**

*July 29, 2015*  
*Closed Meeting*

**Condensed Transcript with Word Index**

<p>1</p> <p>2</p> <p>3 DEFENSE NUCLEAR FACILITIES SAFETY BOARD</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10 CLOSED MEETING</p> <p>11</p> <p>12</p> <p>13</p> <p>14 JULY 29, 2015</p> <p>15 1:00 p.m.</p> <p>16</p> <p>17 DEFENSE NUCLEAR FACILITIES SAFETY BOARD</p> <p>18 625 INDIANA AVENUE, NW</p> <p>19 ROOM 425</p> <p>20 WASHINGTON, DC 20004</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>3</p> <p>1 meeting as authorized under 5 USC Section 552b(c)(3) and</p> <p>2 10 CFR Section 1704.4(c). The Board has determined that</p> <p>3 it is necessary to close the meeting to the public since</p> <p>4 conducting an open meeting is likely to disclose matters</p> <p>5 that are specifically exempted from the disclosure -- or</p> <p>6 excuse me, exempted from disclosure by statute.</p> <p>7 Specifically, the deliberations will pertain to</p> <p>8 potential recommendations which under 42 USC Section</p> <p>9 2286(d)(b) and subsection (h)(3) may not be made publicly</p> <p>10 available until after they have been received by the</p> <p>11 Secretary of Energy or the President, respectively. The</p> <p>12 Acting General Counsel has certified closure of this</p> <p>13 meeting under Exemption 3.</p> <p>14 The Board is recording this proceeding through</p> <p>15 a verbatim transcript and video recording. This closed</p> <p>16 meeting concerns member deliberations pertaining to the</p> <p>17 development and formulation of potential Board</p> <p>18 recommendations to the Secretary of Energy.</p> <p>19 As a reminder to those staff who are privy to</p> <p>20 these proceedings, the Board and its staff are prohibited</p> <p>21 from publicly disclosing information related to the</p> <p>22 development and formulation of a recommendation prior to</p> <p>23 the receipt of that final recommendation by the Secretary</p> <p>24 of Energy. Specifically, you are prohibited from</p> <p>25 disclosing, reproducing, or disseminating to any person</p>
<p>2</p> <p>1 CLOSED MEETING</p> <p>2 - - - - -</p> <p>3 (1:00 p.m.)</p> <p>4 MR. SULLIVAN: Good afternoon. My name is Sean</p> <p>5 Sullivan. I'm a member of the Defense Nuclear Facilities</p> <p>6 Safety Board. I will preside over this closed meeting.</p> <p>7 With me today are my colleagues on the Safety Board.</p> <p>8 Seated to my immediate right is Ms. Jessie Roberson, the</p> <p>9 Board's Vice Chairman; seated to my immediate left is Mr.</p> <p>10 Daniel Santos. We three constitute the Board.</p> <p>11 Also seated at the table, to the left of Mr.</p> <p>12 Santos is Mr. John Batherson, the Board's Acting General</p> <p>13 Counsel, who shall serve as the Board's Executive</p> <p>14 Secretary for this meeting.</p> <p>15 Having established a quorum of three Board</p> <p>16 members, this closed meeting will now come to order.</p> <p>17 This closed meeting was announced on July 3rd, 2015, on</p> <p>18 the Board's public website. It was also subsequently</p> <p>19 noticed in the Federal Register on July 15th, 2015. The</p> <p>20 meeting is closed to the public per the provisions of the</p> <p>21 Government and the Sunshine Act, also known as the</p> <p>22 Sunshine Act, as well as the Board's regulations</p> <p>23 implementing the Sunshine Act and the Board's operating</p> <p>24 procedures for meetings.</p> <p>25 The Board is invoking Exemption 3 to close the</p>	<p>4</p> <p>1 or entity outside the agency any information you may</p> <p>2 learn concerning potential Board recommendations as a</p> <p>3 result of this closed meeting.</p> <p>4 This prohibition applies to information you may</p> <p>5 learn during the course of the meeting and it also</p> <p>6 applies to information you may learn after the meeting by</p> <p>7 review of the transcript, related documents, or other</p> <p>8 sources. Disclosure of such information will be viewed</p> <p>9 as a violation of the Board's enabling legislation and</p> <p>10 could subject you to adverse personnel action.</p> <p>11 Pursuant to the specific agenda, the Board will</p> <p>12 now discuss the following matters related to potential</p> <p>13 recommendations.</p>

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1 The Board should not conduct deliberations in  
2 this closed meeting on procedural aspects of  
3 recommendations that are not coupled to a particular  
4 recommendation. A copy of the closed meeting agenda is  
5 posted on the Board's public website, although I will  
6 point out that that copy does not include the specific  
7 topics. It just says that we're having an agenda for a  
8 closed meeting.

9 This concludes my opening remarks. I will now  
10 turn to the Board members for their opening remarks.

11 Ms. Roberson?

12 MS. ROBERSON: I don't have any remarks, Mr.  
13 Sullivan.

14 MR. SULLIVAN: Thank you.

15 Mr. Santos?

16 MR. SANTOS: No opening remarks. Thank you.

17 MR. SULLIVAN: Very well. This concludes the  
18 Board's opening remarks.  
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PAGES 6 - 72 CONTAIN  
EXEMPT TESTIMONY  
THAT HAS BEEN  
REDACTED

<p style="text-align: right;">73</p> <p style="text-align: right;">Okay, any other discussion or</p>	<p style="text-align: right;">75</p> <p style="text-align: center;">1                    CERTIFICATE OF REPORTER</p> <p style="text-align: center;">2</p> <p style="text-align: center;">3                    I, LINDA METCALF, the officer before whom the</p> <p style="text-align: center;">4                    foregoing testimony was taken, do hereby certify that the</p> <p style="text-align: center;">5                    proceeding was digitally recorded by me and thereafter</p> <p style="text-align: center;">6                    reduced to typewriting by me or under my direction; that</p> <p style="text-align: center;">7                    said testimony is a true record of the event; that I am</p> <p style="text-align: center;">8                    neither counsel for, related to, nor employed by any of</p> <p style="text-align: center;">9                    the parties to the action in which this proceeding was</p> <p style="text-align: center;">10                  taken; and, further, that I am not a relative or employee</p> <p style="text-align: center;">11                  of any of the parties hereto, nor financially or</p> <p style="text-align: center;">12                  otherwise interested in the outcome of the action.</p> <p style="text-align: center;">13</p> <p style="text-align: center;">14</p> <p style="text-align: center;">15</p> <p style="text-align: center;">16</p> <p style="text-align: center;">17                    LINDA METCALF</p> <p style="text-align: center;">18</p> <p style="text-align: center;">19</p> <p style="text-align: center;">20</p> <p style="text-align: center;">21</p> <p style="text-align: center;">22</p> <p style="text-align: center;">23</p> <p style="text-align: center;">24</p> <p style="text-align: center;">25</p>
<p style="text-align: right;">74</p> <p>1        comment on this agenda item?</p> <p>2            Okay, hearing none, having completed each of</p> <p>3        the closed meeting topics, I would like to thank everyone</p> <p>4        for their participation in this closed meeting.</p> <p>5            Do the Board members have any final comments?</p> <p>6            Ms. Roberson?</p> <p>7            MS. ROBERSON: No, Mr. Sullivan.</p> <p>8            MR. SANTOS: No.</p> <p>9            MR. SULLIVAN: So, no comments from Board</p> <p>10       members. As a final reminder, all of you who have been</p> <p>11       privy to this proceeding or who may later gain access to</p> <p>12       information discussed here are under a nondisclosure</p> <p>13       obligation and are prohibited from disclosing,</p> <p>14       reproducing or disseminating to any person or entity</p> <p>15       outside the agency any information you have learned here</p> <p>16       today concerning potential Board recommendations.</p> <p>17            This concludes the Defense Nuclear Facilities</p> <p>18       Safety Board's closed meeting. The meeting is adjourned.</p> <p>19            (Whereupon, the closed board meeting was</p> <p>20       adjourned at 2:28 p m.)</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	