

**[DOE LETTERHEAD]**

SEP 27 1995

The Honorable John T. Conway  
Chairman  
Defense Nuclear Facilities Safety Board  
625 Indiana Avenue, N.W,  
Suite 700  
Washington, D.C. 20004

Dear Chairman Conway:

In response to your letter dated November 25, 1994, enclosed is a supplementary report of criticality safety at Rocky Flats (RF). A preliminary report was provided by letter dated February 7, 1995.

Your letter requested a report on the issues and concerns raised in your Recommendation 94-4 as they applied to a criticality infraction at RF. The infraction occurred on September 29, 1994, in Building 771. It involved intentional violation of operational controls in unauthorized draining of fissile solutions from tanks, with subsequent attempts to conceal the violations. This was a significant incident with serious potential harm to the workforce, and resulted in a directed termination of all work involving fissile materials until the safety associated with that work had been reassessed. The employees involved in the unauthorized tank draining incident were subsequently dismissed. These workers were dismissed because their actions were willful, they conspired to conceal their actions and because they placed themselves and the workforce in potentially grave danger.

The enclosed report describes the RF response to the specific infraction discussed in your letter, including the root cause of the infraction, and to the broader issues of criticality safety identified in Recommendation 94-4. The report, which is unclassified and suitable for placement in the public reading room, describes:

- the immediate actions taken to resolve the criticality safety deficiencies for the tank draining activities, including the subsequent investigation of root cause
- the evaluation process for assuring compliance with criticality safety controls
- the review of RF nuclear criticality safety program
- an assessment of the Conduct of Operations program
- the identification and schedule for deficiency corrections
- assessment of experience, training and performance of key personnel in safety-related activities

The root cause of the tank draining incident was the lack of the Rocky Flats Field Office (RFFO) and EG&G Rocky Flats management to institute an adequate safety culture in Building 771. We have been encouraged by the actions taken at RF since the incident and believe that there has been progress in strengthening the safety program at RF. These actions have included: 1) a deliberate process for examining the safety basis for bringing suspended activities back on-line, 2) use of the Los Alamos National Laboratory in the review of criticality safety at the Site, 3) the formation of a process improvement team for establishing a workable safety authorization basis for ongoing and future operations, 4) the implementation of a performance based integrating contract with Kaiser-Hill and specific performance objectives to improve the safety programs at

the Site, and, 5) the recent completion of a RFFO led Operational Readiness Review to support the restart of low-level liquid tank draining activities in Building 771.

I apologize for the delay in providing this final report to you: Part of this delay resulted from the turnover of the contract at the Site from EG&G to Kaiser-Hill and our desire to have the new contractor review the issues in Recommendation 94-4.

I hope we have adequately addressed your concerns about the criticality safety related incident in Building 771. If you have any questions please let me know.

Sincerely,

***Thomas P. Grumbly***

Assistant Secretary for Environmental Management

Enclosure