

## DEFENSE NUCLEAR FACILITIES SAFETY BOARD

March 3, 2006

**MEMORANDUM FOR:** J. K. Fortenberry, Technical Director  
**FROM:** Michael J. Merritt, DNFSB Site Representative  
**SUBJECT:** Lawrence Livermore National Laboratory (LLNL)  
Report for Week Ending March 3, 2006

**Plutonium Facility Path Forward:** On February 17, 2006, LSO approved LLNL's Memorandum of Understanding (MOU) that defines a path forward to return to normal operations in the Plutonium Facility. The MOU defines normal operations as those activities that were approved and authorized prior to the stand-down of the facility on January 15, 2005. In the letter forwarding the MOU, LLNL communicated its intent to request LSO approval to remove current limitations and compensatory measures following completion of a readiness assessment (RA) and closure of any pre-start issues. In preparation for the RA, facility management has also verified closure of corrective actions that address issues identified in numerous other assessments during the past year. As part of the approval for the MOU, LSO requested that LLNL submit a corrective action plan for the post-start findings from the RA performed in September 2005 to support resumption of limited operations (see weekly report dated September 23, 2005). LLNL has drafted the RA plan for the removal of compensatory measures that focuses on safety management program implementation. LSO has requested this plan as soon as possible to allow sufficient time for review prior to commencement of the RA.

**Nuclear Safety Enforcement Action:** On February 23, 2006, the Administrator of the National Nuclear Security Administration (NNSA) issued a preliminary notice of violation (PNOV) to LLNL relating to violation of nuclear safety rules. Specific rule violations cited in the PNOV include Quality Assurance Requirements (10 CFR 830 Subpart A), Safety Basis Requirements (10 CFR 830 Subpart B), and Occupational Radiation Protection (10 CFR 835). The PNOV includes a proposed civil penalty that is waived by statute.

In the forwarding letter to the PNOV, the Administrator expressed concerns with LLNL's nuclear safety performance and non-conservative decision making by technical experts and supervision. The Administrator was also disappointed in LLNL's effectiveness to analyze and correct problems to avoid recurrence. The enforcement action cites numerous examples of lapses in nuclear safety including the causes of the MOVER contamination event (see weekly report dated October 15, 2004), configuration management issues (see weekly report dated October 8, 2004), and several violations related to operation of the Plutonium Facility that were identified by a DOE independent oversight inspection (see weekly report dated January 14, 2005). LLNL is required by 10 CFR 820.24 to submit a written reply to the PNOV within 30 days to the Director, Office of Price-Anderson Enforcement.

**NNSA Oversight:** This week, a team from NNSA's Office of the Chief of Defense Nuclear Safety (CDNS) began its biennial review of LLNL's nuclear safety performance. The primary purpose of the review is to support the Functions, Responsibilities, and Authorities Manual requirement of the Central Technical Authority. The review is intended to provide value-added information to NNSA line managers related to Site Office nuclear safety oversight. Focus areas of the review include nuclear quality assurance, fire protection program, natural phenomena hazard control program, and radiation protection program improvement plan.