

**[DNFSB LETTERHEAD]**

February 8, 1993

The Honorable Hazel R. O'Leary  
Secretary of Energy  
Washington, D.C. 20585

Dear Madam Secretary:

The Board has reviewed the Department's Recommendation 92-6 Implementation Plan, and will consider it acceptable provided the conditions delineated below are included.

First, DNFSB Policy Statement No. 1: Criteria for Judging the Adequacy of DOE Responses and Implementation Plans, 55 Federal Register 43398 (October 29, 1990), states that the purpose of the Implementation Plan is to "... present the details of how and when the recommendation will be met." In the case of Recommendation 92-6, the Implementation Plan states, "... a DOE Order on startup and restart of nuclear facilities will be approved and signed by March 1, 1993," and goes on to state, "To support this order a standard on the planning and conduct of ORRs (ORR Guidance Manual) will be developed ... the target date for completion of this Manual is June 30, 1993." In as much as both the DOE Order and Guidance Manual constitute key elements of DOE's response to Recommendation 92-6, the DOE Order and Guidance Manual will be reviewed for acceptance by the Board.

Second, the Implementation Plan does not respond fully to the Recommendation in two areas. The Implementation Plan does not address what the Department will require contractors and DOE field organizations to have done relative to order compliance assessment prior to the DOE ORR; the Implementation Plan should provide the general requirements DOE deems necessary, with more detailed requirements delineated in the related DOE Order and associated ORR Guidance Manual. In addition, the Implementation Plan states that "a majority of the members (of the DOE ORR Team) shall be independent from the facility," however, this does not fully meet the intent of the Board's recommendation, which states "the review team should not include, as senior members, individuals who are responsible for accomplishing the work being reviewed (emphasis added)." The present Implementation Plan does not ensure this will be the case.

Finally, the Board expects that the periodic progress reports mentioned in the Implementation Plan will be provided bi-monthly, based on the expedited schedule that DOE plans to maintain, until the DOE Order and Guidance Manual have been approved and issued. In addition, the Board requests that these reports include any documents that have been issued during the time period.

The Board has also included, in the attachment, comments specific to DOE's anticipated Order and Guidance Manual; please consider them as you prepare these documents. If you have any questions on this subject, I would be pleased to discuss them with you further.

Sincerely,

***John T. Conway***  
***Chairman***

c:

Mr. M. Whitaker, DR-1

Mr. V. Stello, DP-6

## Comments Concerning DOE Order And Guidance Manual for ORRs

1. The Implementation Plan has a section that discusses the importance of proper preparation for the participants in DOE's ORR Teams. The Board supports this emphasis on the preparation of ORR participants and believes that such requirements should be clearly established in the DOE Order.
2. As DOE has discussed with the Board on a number of occasions, and mentioned in the Implementation Plan, ORRs provide a wealth of "lessons learned," with respect to all aspects of nuclear facility design, construction and operations. Therefore, the Board believes that DOE should establish a mechanism in the DOE Order for capturing the overall findings of ORRs that have been performed for subsequent use.
3. The DOE Order should explicitly include weapons assembly and disassembly operations.
4. The approval process for an ORR plan for a specific facility is not defined. Specifically, the approval authority should be clear and if it is subject to gradation in the anticipated DOE Order, such gradation should also be clearly defined.
5. The February 26, 1992, Office of Nuclear Energy Memorandum on DOE Procedure for Restart of Reactors and Non-Reactor Nuclear Facilities procedure and the Implementation Plan are inconsistent in their stated requirements for ORRs. Guidance and clarification in this area needs to be provided. In addition, requirements for ORRs following substantial modifications to facilities needs to be addressed.
6. The Recommendation 92-6 Implementation Plan does not include some aspects of a thorough ORR included in the Recommendation 90-4 Implementation Plan such as, but not limited to, review of: each facilities' FSAR, self-assessment capabilities, qualifications of maintenance and support personnel, radiological practices, emergency planning, drills, and the start-up program. This is not consistent with the intent of Recommendation 92-6.
7. There appear to be subtle differences in the Implementation Plan between the objectives for a contractor ORR and a DOE ORR such as the omission of an evaluation of the safety envelope in the contractor ORR. It would be helpful if the ORR Guidance Manual explained the scope of each type of ORR and also, explained any differences between contractor and DOE ORRs.
8. The Implementation Plan lists the prerequisites that must be met prior to the start of a DOE ORR. It does not clearly state that the facility is to be ready to operate as confirmed by a Readiness to Proceed memorandum. In addition, this list of prerequisites is not sufficiently encompassing and it is not consistent with the Board's understanding of the readiness to proceed process discussed in Recommendations 904, 91-4, and 92-6. The Guidance Manual should describe the readiness to proceed process with all the prerequisites required for both the contractor and the cognizant DOE field office prior to the start of the DOE ORR.

9. The Recommendation 92-6 Implementation Plan also states that the Criteria and Review Approach Documents (CRADs) "should include consideration of [specific criteria] within the graded approach concept." This would be clearer if the ORR Guidance Manual required that "the CRADs shall address each of the following specific criteria, applying a level of effort commensurate with the risks of the facility:".