

**[DNFSB LETTERHEAD]**

December 27, 1993

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

Dear Secretary O'Leary:

On June 8, 1993 the Defense Nuclear Facilities Safety Board (DNFSB) issued a letter that documented deficiencies with the program for assessing compliance with Department of Energy (DOE) Orders at the Oak Ridge Y-12 Plant. On August 31, 1993 you responded to the Board's letter with a report that provided a detailed, integrated plan to upgrade DOE Order compliance efforts at the Y-12 Plant.

Since issuance of your corrective action plan, the Board and its staff have been monitoring progress with respect to the plan. On December 16 and 17, 1993, two members of the DNFSB staff visited the Y-12 Plant to review the improvements made, to-date, to the DOE Order compliance program.

It is a pleasure to note that significant progress has been observed in the development and execution of the Y-12 Plant program for assessing compliance with DOE Orders. Of particular note is the progress on a disciplined approach to the assessment of compliance with the working-level procedures that implement the requirements of DOE Orders. However, more remains to be done; enclosed for your consideration during execution of the Department's corrective action plan are a number of observations from the DNFSB staff's review.

If you need any further information, please let me know.

Sincerely,

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

c:  
The Honorable Victor Reis, DP-1  
The Honorable Tara O'Toole, EH-1  
Mr. Mark Whitaker, Acting EH-6  
Mr. Joseph LaGrone, Manager, DOE-OR

DNFSB Staff Observations Concerning  
Order Compliance at the Y-12 Plant

1. Background: During the period 16-17 December, 1993, two members of the Defense Nuclear Facilities Safety Board (DNFSB) staff (S. Krahn and J. McConnell) visited the Y-12 Plant at Oak Ridge to discuss the program to assess compliance with Department of Energy (DOE) Orders at the facility. This meeting was a followup to meetings in July 1993 where DOE's actions to address concerns raised in a June 8, 1993 letter from the DNFSB were discussed.
2. Discussion:
  - a. The preliminary results of Martin-Marietta Energy Systems' (MMES) review of administrative order compliance (DOE-OR is still reviewing this) were evaluated. It was noted that the compliance assessment reports were significantly improved (both in format and content) from those reviewed by the DNFSB staff in April 1993. However, several important safety-related orders, including DOE Order 5480.21, Unreviewed Safety Questions, and DOE Order 5480.23, Nuclear Safety Analysis Reports, had technically unsatisfactory reviews; the deficiencies noted included: mandatory requirements being incorrectly marked "not applicable," whole sections of the order not being reviewed for compliance due to determinations that they were "not required," and the facility safety analysis reports not being reviewed for compliance with the requirements of DOE Order 5480.23.
  - b. MMES presented its format for reviews of adherence with DOE Order requirements; in addition, several examples of completed adherence-based reviews were discussed. The DNFSB staff noted that the approach included: clear restatement of the requirement under review; a discussion of the review approach; documentation of procedures reviewed, personnel interviewed, and other objective evidence of compliance; and a clear statement of compliance status. As such, if consistently and rigorously applied, this approach should produce satisfactory results.
  - c. The DNFSB staff noted that a number of the deliverables under DOE's corrective action plan of August 31, 1993 had been delivered after the due dates indicated. DOE-OR indicated that the dates had previously been misinterpreted as the dates items would be delivered to DOE-OR for review. In the future, since the corrective action plan has been subsumed by DOE's implementation plan for DNFSB Recommendation 93-1, the dates in the plan are understood to represent the dates the deliverables will be available to the DNFSB.
3. DNFSB Staff Action: The staff will continue to closely monitor DOE's progress in upgrading the program for reviewing order compliance at the Y-12 Plant.
4. The USQD indicates that LANL management will make a decision whether starting the

diesel is required during a loss of power. The USQD has not mentioned the procedure that will be used to make that decision and what factors will be critical in the decision-making process.