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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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June 23, 1999

The Honorable Bill Richardson
Secretary of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Richardson:

The Defense Nuclear Facilities Safety Board (Board) recently reviewed the status of the commitments associated with the revised Implementation Plan for Recommendation 93-3, *Improving DOE Technical Capability in Defense Nuclear Facilities Programs*. The initial plan for implementing this recommendation was tendered in November 1993 and subsequently revised in May 1998. Much progress has been made, but the efforts toward closure of the last remnants of the 1998 action plan have been languishing. The Board urges the Department of Energy (DOE) to bring the 1998 action plan to closure by the end of this fiscal year.

The Board notes that the agreed-upon completion dates have not been met for four Implementation Plan commitments. Two of these commitments appear to be near completion, but the remaining two are of particular concern: issuance of a revised Functions, Responsibilities, and Authorities Manual that incorporates necessary changes associated with training and qualification, and the issuance of the revised DOE Order 360.1, *Training*, and its associated guidance documents. The Board also notes that DOE's last commitment for Recommendation 93-3, scheduled for completion in September 1999, calls for the conduct of Phase II assessments of the Technical Qualification Programs at each of the defense nuclear program and operations offices; these assessments are due to begin in July and will require significant effort. The Board is concerned that if the necessary senior management attention and resources are not devoted to completing these commitments in a timely manner, closure of this important recommendation could be jeopardized.

In a letter to the Board dated May 19, 1999, DOE submitted the DOE Workforce Analysis and Staffing Plan Summary prepared under Commitment 5.3.1, which contained a number of issues. Two of these issues are of particular interest. First is the identification of 60 critical technical position vacancies in the DOE complex, all of which involve significant health and safety responsibilities. While a variety of means are being considered to fill these vacancies, such as the use of Excepted Service hiring authorities, it is not clear that DOE has established a focused, dedicated approach to filling these critical technical positions in a timely fashion. Second, review of the draft DOE Senior Technical Safety Manager (STSM) Handbook reveals that this handbook does not ensure that at least one, either the Operations Office Manager or Deputy Manager at offices with cognizance over defense nuclear sites possesses the STSM technical qualifications.

These qualifications are required to support the necessary technical decision-making demands of these important safety management positions. It appears that the STSM qualifications have been informally required during the recent selections for vacant positions at these levels; however more formal selection criteria need to be institutionalized.

Therefore, pursuant to 42 U.S.C. §2286.b(d), the Board requests a report from DOE within 30 days of receipt of this letter on the following issues.

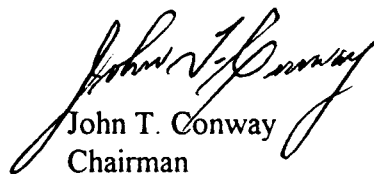
- Actions to be taken to complete the overdue commitments for Recommendation 93-3 as soon as possible.
- A plan and schedule for expediting the filling of the 60 critical technical position vacancies.
- Efforts to strengthen the STSM Handbook with regard to technical qualifications of at least one, either the Manager or Deputy Manager for an Operations Office at a defense nuclear site.

Additionally, the Board requests a final report on or before September 30, 1999, that addresses the following.

- The completion of all Recommendation 93-3 commitments.
- The rationale for closure of Recommendation 93-3.
- DOE's plan for continuing its efforts to ensure that the Federal Technical Capability Program remains viable and enduring.

The Board will review this final report and will determine the need for an early October public meeting. Enclosed is the Board's understanding of the status of each of the 93-3 commitments.

Sincerely,



John T. Conway
Chairman

c: Mr. Mark B. Whitaker, Jr.
Mr. Steven Richardson

Enclosure

Enclosure

**Recommendation 93-3 Implementation Plan
Status of Commitment Closures**

Commitment Number	Deliverable	DOE Correspondence Date or Due Date
4.2.2.1	First semi-annual written report provided to the Board.	October 28, 1998
5.2.1	Designated Federal Technical Capability Panel (FTCP) Agents.	May 29, 1998
5.2.1.1	Charter of roles and responsibilities of the FTCP, approved by the Deputy Secretary, and first meeting conducted.	June 29, 1998
5.2.2	Revised Federal Technical Capability Policy incorporated into DOE's Directives Management System.	December 28, 1998
5.2.3	Revised handbook entitled " <i>RECRUITING, HIRING, AND RETAINING HIGH QUALITY TECHNICAL STAFF; A Manager's Guide to Administrative Flexibilities</i> " incorporated into DOE's Directives Management System.	December 28, 1998
5.2.4	Functions, Responsibilities, and Authorities Manual revision (Level 1)	OVERDUE November 98
5.3.1	Workforce Analysis and Staffing Plans provided to the FTCP Chair.	May 19, 1999
5.3.2	First Annual Report provided to the Secretary.	May 26, 1999
5.3.3	Revised TLDP guidance that addresses current issues and including, as appropriate, procedures and methods that can be used by DOE line organizations.	OVERDUE December 98
5.4.1	1) Revise DOE Order 360.1, <i>Training</i> . 2) Supporting guidance documents (as applicable).	OVERDUE October 98
5.4.2	Phase I Assessment reports provided to the FTCP Chair.	October 29, 1998
5.4.2.1	Analysis of Phase I Assessment Reports.	February 16, 1999
5.4.3	Updated Technical Qualification Program Plans from each affected Office provided to FTCP Chair.	OVERDUE December 98
5.4.4	Each Office report commitment status to FTCP Chair for inclusion in a consolidated TQP implementation status report.	DUE September 99.
5.5.1	Policies and Procedures incorporated into the <i>Facility Representative Personnel Guide</i> .	February 16, 1999
5.5.1.1	Description of how Policies and Procedures to preserve Facility Representative capabilities and positions have been implemented.	November 30, 1998
5.5.1.2	A letter stating that Policies and Procedures to preserve the critical technical capabilities and positions, identified in Commitment 5.3.1, including representative samples of revised position descriptions and performance standards, have been implemented.	February 17, 1999
5.5.2	Information briefings provided to Operations Office and Program Office line managers.	May 19, 1999