August 26, 2015

Defense Nuclear Facilities Safety Board
625 Indiana Avenue NW
Washington, D.C., 20004-2901

To the DNFSB:

Comment for today's DNFSB Public Safety Culture Hearing (3 pages)

Dear Members and Staff of the DNFSB:

I am an engineer with more than three decades of experience in radiochemical operations, safety analysis, process and facility design, and environmental permitting.

I saw what happened to the last engineers who spoke candidly before the DNFSB about WTP (in May of 2012). They were forced by retaliation into retirement and fired. As a result, there can be no name on this comment.

INPO says that culture is to an organization what character is to the individual. The culture in the DOE/Bechtel WTP project is made clear in the actions actually taken by the management. The promises, plans, training, and employee surveys are merely window dressing that is used as a distraction.

The DOE/Bechtel collaborative partnership uses force and intimidation to silence those who have accurately identified issues because DOE/Bechtel cannot defend this plant as being a safe plant, and they cannot defend that it is of any value to the taxpayer.

The focus among the DOE/Bechtel joint leadership is the suppression and misrepresentation of information. We can look at some examples.

1. DOE headquarters has had a detailed employee concern regarding abuses at WTP including cancelled surveillances, dumbed-down findings, proposed payment of fee for no work, and illegal non-disclosure agreements for more than 2 1/2 years, but has provided no response. Two investigations were conducted and suppressed. FOIA requests were refused and also ignored.

2. On June 1 of 2015, DOE fined Bechtel $800,000 for faulty safety integration with design and for faulty vessel construction. DOE did not issue a press

release. At the same time, knowing of profound problems, DOE cancelled $560,000 (see 15-CPM-0178) in scope for independent oversight of the lab and balance of facilities, both of which have lethal hazards that include radiation and/or toxic chemicals and gasses. DOE reprogrammed the money to pay for more response to failed pretreatment designs. The "new" design solutions will now integrate with the uncorrected LAW and HLW design failures.

3. On March 16 of this year, the Weapons Complex Monitor (WCM), the most prominent news source for DOE projects, was sold to "Intelligent Access" corp. This company has a sister firm called "Intelligent Access Events." Intelligent Access and Intelligent Access Events have the same board of directors. Of note is that Bechtel Power serves the role of chief technical officer at Intelligent Access Events. Reporting in the Weapons Complex Monitor about WTP changed immediately after the sale. At about the same time, DOE hired the Weapons Complex Monitor's WTP Reporter and Editor in Chief as a subcontractor. This subcontractor has now been directed by DOE to write positive stories about the project. This is a form of grass roots lobbying that is illegal if it uses appropriated funds.

4. In April of this year, Senator Wyden of Oregon published a scathing letter identifying waste associated with the proposed cancellation of hundreds of millions of dollars of WTP Pretreatment procurements. Senator Wyden's letter had attached a Bechtel letter that made the cancellation proposal. Reporting in the WCM focused only on the negative impact to vendors and ignored the impact to the taxpayer. This theme was repeated in the Tri-City Herald. Of note is that DOE/Bechtel leadership's response was to: criticize the "unauthorized release" of Bechtel's letter to a sitting U.S. Senator (in spite of laws requiring whistleblower language in contractor Non-Disclosure Agreements); to praise the "factual" reporting arising from a Bechtel-associated firm; and then insist at DOE's behest, that documents be more carefully reviewed for official use markings, implying an intent to punish anyone else who sent something similar to Congress. DOE has requested that Bechtel mark every pretreatment document "official use only," contrary to procedure and law.

5. In 2012 the employee concern described above identified pressure by management to mischaracterize findings to a lower level than deserved (per procedures) as an issue. In 2015, two recent DOE headquarters QA audits of DOE/ORP confirmed this concern, which demonstrates a culture of expediency. Both audits found that DOE mischaracterized findings in a way that avoided extents of condition, stop work analyses, or causal analyses. The mischaracterization examples were all in a reduced priority direction that underplays the seriousness of issues. This reduction in a finding was repeated again in a recent DOE audit of commercial grade dedication (CGD).

The ORP Field Office Manager personally reduced the finding to a lower level, in spite of a previous fine (consent order) levied on Bechtel for similar failures in 2010.

6. In 2014, DOE published, after a long delay, an independent design and operability review of the HLW facility that identified hundreds of risks, with a significant number of problems described as fatal if not addressed. This was contrary to prior claims and fee paid in response to claims that the HLW design was completed. The underlying records of the HLW design review are called Record of Review (RoR) forms. The HLW report was available to the public only briefly. The link on the DOE web page is now gone - replaced with a one-paragraph blog. DOE then completed a second independent review of the LAW Facility. Very similar record of review forms were produced, identifying 300-400 risks, many of them similarly significant if not addressed. DOE then began editing the resulting report to understate the risks in exactly the same approach as determined to be a finding in the QA audits. The LAW report has not been released. However, a comparison of this report to its original Record of Review forms and then to the HLW report will demonstrate how information is being manipulated to mislead the public and Congress. And in spite of all of the risks, DOE ordered Bechtel to identify safety controls for LAW without regard for the incomplete and unsafe designs.

The purpose of this comment is to ask that you please consider looking at the actual work products and not DOE's safety culture "plans" and promises. Look at the manipulation of the press; the manipulation of surveillance and assessment findings; the manipulation of the LAW design and operability report; and the manipulation of the recent safety culture follow-up review, which appears to have changed its methodology/the text of its questions. Please note that the follow-up safety culture review continued to be conducted while employees had signed Non-Disclosure Agreements that lacked required whistleblower language. This is the real culture at WTP.