# Meeting Summary – DNFSB Public Hearing on DOE Oversight (September 10, 2003)

**Purpose of series of public meetings:** To examine DOE's current and proposed models of safety oversight.

**Purpose of first meeting:** To gather information from Naval Reactors (NR) and Nuclear Regulatory Commission (NRC) personnel with direct experience in providing federal oversight for high-risk enterprises.

**Next Public Meeting:** October 22, 2003 – will feature NASA Accident Investigators and DOE participation.

**Major Board Observations:**

- DOE has three simultaneous and sometimes competing roles: (1) owner, (2) customer, & (3) regulator.
- As owner, DOE must maintain adequate technical competence, must retain and cannot delegate responsibilities.
- DOE has three main ways to communicate expectations: (1) requirements (statutes), (2) contracts, & (3) oversight.
- DOE is currently implementing or considering changes in all three of these areas simultaneously: (1) methods for specifying requirements, (2) less prescriptive contracts with greater incentives, & (3) changes to oversight methods.
- ISM program provided the right balance between safety & production; recent shifts increase emphasis on production.

**Central Board Questions to be explored in this series of public meetings:**

1) Can DOE oversight be streamlined without degrading safety?
2) What criteria should be used to judge the adequacy of DOE's oversight program?
3) What criteria should be used to judge the adequacy of DOE's contractor self-assessment programs?
4) What are the minimum levels of DOE safety oversight that must be maintained?

**Naval Reactors (NR) – Key Outcomes from testimony:**

- NR Role: central technical control, responsible for all aspects of work, determine adequacy of all technical rqmts., approve all design detail and procedures, approve and oversee contractors & vendors, oversee personnel actions and technical adequacy – in sum, a Knowledgeable and Demanding Customer
- Close, frequent technical oversight – to assure high standards of performance are met: daily on-site surveillance, review of activity self-assessments, periodic HQ reviews/audits, deviations from normal operations reported real-time
- Frequent communications between NR and field activities: to provide direction, to promptly report any problems or off-normal situations, to resolve technical issues – NR approval of waivers is extremely rare.

**Nuclear Regulatory Commission (NRC) – Key Outcomes from testimony:**

- NRC Role: licensing authority and independent oversight for commercial nuclear reactors. Licensees have primary responsibility for safe operation of their facilities.
- NRC recently instituted risk-informed oversight approach. New approach reached after lengthy & deliberate study. Licensees applaud new approach. Oversight considers performance indicators and the number & significance of inspection findings. Action matrix - based on risk factors - defines need for reduced or supplemental inspections.
- NRC gives licensees credit for self-assessments in lieu of NRC inspections; NRC participates on these assessments.
- NRC site resident inspectors have unfettered access 24 hours a day.

**Key Aspects of NASA Culture Identified as Contributing to Columbia Accident:**

(Based on a review of the accident investigation report; this will be briefed on October 22nd)

- General environment of budget pressures and budget cuts
- Significant reduction in technical workforce
- Significant transfer of operations to contractors
- Contractors give strong incentives to meet production goals
- Reduced Federal capacity to provide technical oversight
- Reduced Federal oversight
- Organizational barriers preventing prompt and effective communications