

1 some times, I've been told, at two in the morning.  
2 But we will continue, obviously, to look into this.

3 And the problem, I gather, there was a  
4 problem out there with some people being laid off. I  
5 didn't get into that, but apparently it has been  
6 resolved?

7 MR. POTTER: They have been reinstated.

8 CHAIRMAN CONWAY: That is what I  
9 understood, yes. So we did follow-up, and there was  
10 another matter you had suggested, and we looked into  
11 that other matter once you brought it to my attention.

12 MR. POTTER: Thank you.

13 CHAIRMAN CONWAY: Thank you. Ken?

14 MR. FORTENBERRY: Yes, and this is  
15 general, on the topic today, and just based on some of  
16 the testimony that I heard. I wanted to make one  
17 point concerning the idea of too much oversight, and  
18 people in the field tripping over each other, doing  
19 oversight.

20 So there is a premise that all the  
21 oversight that is needed is being done, and in fact  
22 there is too much, so it is reasonable to cut back on  
23 that. And I wanted to point out, earlier in the year,  
24 the Board staff at Pantex noted some training  
25 concerns, looked further into that, looked at the

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1 Department's order requirements to conduct oversight,  
2 and found that that had not been occurring.

3 The Board broadened that to look at the  
4 other NNSA sites, and of the nuclear sites, less than  
5 half had been conducting that oversight of the  
6 contractor training.

7 So, you know, this was a case where the  
8 contractor was responsible for the training program,  
9 the Department had an obligation to provide oversight,  
10 and that was not being done.

11 The point is that it is not as simple as  
12 there is just too much oversight, and reducing it is  
13 reasonable.

14 Another point I wanted to make has to do  
15 with improving requirements in the Department. And,  
16 again, there was sort of the implication that  
17 requirements can be improved in the Department by  
18 reducing unnecessary redundant duplicative  
19 requirements.

20 Again, the Board has issued a  
21 Recommendation 2002-3 [Requirements for the Design,  
22 Implementation, and Maintenance of Administrative  
23 Controls], which points out that there are areas,  
24 particularly in the administrative controls, for  
25 safety functions, where the requirements in the

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1 Department need to be enhanced, and additional  
2 requirements need to be in place to provide the kind  
3 of direction that is necessary for those  
4 administrative controls.

5 So, again, I didn't want to leave the  
6 premise that we had too many requirements, as well,  
7 and those can be reduced.

8 And one other item has to do with the  
9 governance model at Sandia, the contract there. And  
10 I know the -- one of the fundamental parts of that new  
11 model is the reduction of transactional oversight.

12 And, of course, we heard that there was no  
13 intent to move away from that sort of oversight for  
14 the nuclear safety and security areas. The current  
15 DOE draft policy on oversight does very clearly point  
16 to improving DOE's management system by moving from  
17 transactional oversight to the system oversight.

18 And so that is a real concern because,  
19 clearly, one of the examples was the waste treatment  
20 plant design and construction activity clearly  
21 requires transactional oversight in order to pick up  
22 on issues before it is too late and too costly to  
23 correct them.

24 So I just wanted to make that point.

25 CHAIRMAN CONWAY: Very good. Well, I

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1 would like the record to show that Ambassador Brooks  
2 and his staff have stayed through this entire hearing,  
3 and I thank you. He not only reads Podonsky's  
4 reports, but he stayed through the testimony here  
5 today, and we very much appreciate that, Ambassador  
6 Brooks.

7 And at this point we will recess now, and  
8 it is scheduled for our next meeting to take place on  
9 this coming Thursday at nine o'clock. And so we thank  
10 you all.

11 (Whereupon, at 12:01 p.m., the above-  
12 entitled matter was concluded.)

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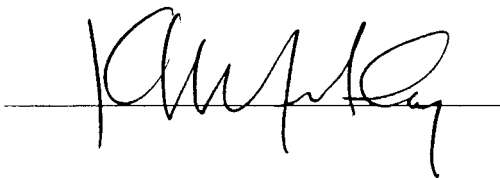
This is to certify that the foregoing transcript in the  
matter of: Meeting

Before: Defense Nuclear Facilities Safety Board

Date: October 21, 2003

Place: Washington, DC

represents the full and complete proceedings of the  
aforementioned matter, as reported and reduced to  
typewriting.

A handwritten signature in black ink, appearing to be "J. M. [unclear]", is written over a horizontal line.