



NUCLEAR SAFETY CULTURE ALERT

Hanford Nuclear Safety Culture on the Upswing?

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URS—a contractor engaged in the clean-up and vitrification of high-level nuclear waste at the Hanford (Washington) Waste Treatment and Immobilization Plant (WTP)—unintentionally renewed a firestorm over the site's nuclear safety culture (NSC) when it terminated an engineering manager, Walter Tamosaitis, last year. Not only did Tamosaitis file a whistleblower complaint under Section 211 of the Energy Reorganization Act (which he more recently re-filed in federal court), he sent a letter to the Secretary of Energy citing a failed NSC.

Concerned that the situation was contrary to the DOE's commitment to a strong safety culture, the Defense Nuclear Facilities Safety Board (DNFSB) investigated the matter. The DNFSB issued a report in June indicting the NSC: "[T]he prevailing safety culture at the [WTP] is flawed" and "both DOE and contractor project management behaviors reinforce a subculture at WTP that deters the timely reporting, acknowledgement, and ultimate resolution of technical safety concerns." Among other things, the DNFSB:

- found significant failures by both DOE and contractor management to implement their roles as advocates for a strong safety culture.
- found unusually high tension between the organizations charged with technical issue resolution and development of safety basis scope, and those charged with completing design and advancing construction; this tension rendered formal processes to resolve safety issues "largely ineffective."
- found "a firm belief among WTP project personnel that persisting in a dissenting argument can lead, as in the case of Dr. Tamosaitis, to the employee being removed from the project or reassigned to other duties"—*i.e.*, a chilled work environment.
- concluded that the DOE Employee Concerns Program was not effective.

The DNFSB took aggressive actions to address the NSC deficiencies. More recently, an independent assessment team led by the former NRC Executive Director for Operations, Luis Reyes, conducted a review to determine if those actions improved the NSC. The team

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Upcoming Event:

The NRC is hosting a meeting in Rockville, MD on December 13 and 14, "Safety Culture Common Language Initiative Workshop." The purpose of the workshop is to develop a safety culture common language for power reactors.

recently issued its Assessment Report.

The Assessment Report notes in the preface that safety culture issues have been raised for many years at WTP. For example, a 2005 review of quality issues concluded that the issues were attributable to NSC weaknesses.

The Assessment Report concludes that there is *no widespread reluctance* on the part of DOE, URS and project personnel to raise safety concerns or technical issues—*i.e.*, no chilling effect at WTP. It observes that a few employees expressed a reluctance to raise safety concerns but considered these instances to be “isolated expressions.” Nonetheless, “[a]lthough raising issues is not a problem, the timely resolution of issues stands out as a persistent and pervasive project challenge. This deficiency has been identified multiple times in the past.”

Among other findings in the Assessment Report:

- “It appears that a very significant contributor to [the organizational tension identified by the DNFSB] is the management and performance of the Environmental and Nuclear Safety (E&NS) organization, and its direct impact on safety culture.”
- “[T]he failure of management to resolve the lack of alignment between Engineering and E&NS delayed the implementation of a consistent and effective safety construct.”
- “Communication of the resolution and closure of technical and safety issues, using effective and timely processes, has been shown to be an important issue impacting perceptions and attitudes of project personnel, and should receive increased and sustained attention from management.”

Debate over the WTP NSC is destined to continue for some time. Dr. Peter Winokur, head of the DNFSB, stated that while he agrees with much of the Assessment Report, “[t]o be frank what is surprising to me about it is that, much of what I read in the report, really to me indicates that there is a flawed safety culture. So the conclusions surprise me.” Critics of the WTP claim that the Assessment Report is mere whitewash.

This past Tuesday, December 6, Tamosaitis also testified to a subcommittee of the Senate Homeland Security & Governmental Affairs Committee. The purpose of the hearing was to build support for the Non-Federal Employee Whistleblower Protection Act (S. 241), legislation that seeks to expand whistleblower protections for government contractor employees. Tamosaitis asked senators to increase protections for contractor employees who expose retaliation, safety concerns and fraud — especially on federal projects.

Please let us know if you have any questions about these developments or would like us to email you copies of the DNSFB or Assessment Reports.

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