

November 5, 1999

Dr. Robert W. Kuckuck
[]
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Subject: Enforcement Letter (NTS-OAK--LLNL-LLNL-1999-0004, NTS-OAK--LLNL-LLNL-1999-0006, NTS-OAK--LLNL-LLNL-1999-0007)

Dear Dr. Kuckuck:

This letter refers to the Department of Energy's (DOE) evaluation of the facts and circumstances concerning issues related to the maintenance and adherence to documents which form the authorization basis for Lawrence Livermore National Laboratory (LLNL) operated nuclear facilities. Specifically, three Noncompliance Tracking System (NTS) reports were submitted over a four-day period and are summarized below:

1. On July 30, 1999, it was reported that two cabinets contained about [specified amount] of [] solvents in violation of the building Safety Analysis Documentation;
2. On July 30, 1999, it was reported that the combustible loading limit for Building 332 had been exceeded in violation of the facility Safety Analysis Report (SAR); and
3. On August 3, 1999, it was reported that a lack of timeliness in Authorization Basis configuration management existed for three LLNL nuclear facilities (Buildings 331, 332, and 334).

On an individual basis, the safety significance of these events is low. However, collectively, these noncompliances indicate an underlying problem with LLNL maintenance and adherence to your established facility authorization basis documentation, which is of concern to DOE. In addition, the contents of the Integrated Safety Management System Superblock verification report suggest that further issues about configuration management of the authorization basis in the LLNL Superblock exist.

The DOE Oakland Operations Office, has concluded that LLNL is cognizant of the fundamental issues associated with the utilization of the Unreviewed Safety Question (USQ) process, compliance with Technical Safety Requirements (TSR), and preparation and submittal of SARs including:

USQ

- Lack of self-identification, timeliness in processing, and formality in reporting potential inadequacies in the authorization basis;

- Submittal of a positive USQ based upon a draft authorization basis; and
- Lack of general understanding of the USQ process.

TSR

- Lack of observing, tracking and meeting SAR/TSR implementation commitments; and
- Lack of self-initiating and timely self-reporting for occurrences associated with authorization basis violations.

SAR

- Lack of a DOE approved authorization basis for an operating facility;
- Lack of timely submittal of annual safety basis documentation; and
- Lack of recognition of critical assumptions in the SAR as authorization basis commitments.

According to DOE Oakland, LLNL has made some progress in these areas over the past several months to include the establishment and configuration management of the authorization basis for all LLNL nuclear facilities, increased responsiveness in the notification to DOE Facility Representatives of potential inadequacies, initiation of USQ training for Laboratory personnel, and increased responsiveness in updating safety basis documentation.

DOE has concluded that potential violations of 10 CFR 830, "Nuclear Safety Management," did occur with respect to maintaining and adhering to safety basis documentation. However, DOE has concluded that the Laboratory has begun to proactively identify and report these potential violations. The Laboratory needs to recognize that many issues still need to be resolved and addressed and continued focus and improvement on nuclear safety is critical. It is important that the Laboratory self-identify nuclear safety issues, initiate the appropriate reporting and submittals in a timely manner, and develop corrective actions that result in issues being closed and not reoccurring. Based on these considerations, I have decided to defer enforcement action at this time. However, given the importance DOE attaches to ensuring that nuclear operations are conducted within the framework of your authorization basis, I will reevaluate this issue in another 90 days to determine if the Laboratory is continuing to make progress as expected by DOE.

Please contact Mr. Richard Day of my staff at (301) 903-8371 if you desire to discuss this matter further.

Sincerely,

R. Keith Christopher
Director

Office of Enforcement and Investigation

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R. Day, EH-10
D. Stadler, EH-2
O. Pearson, EH-3
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