



# **The Inspector General's Assessment of the Most Serious Management and Performance Challenges Facing the Defense Nuclear Facilities Safety Board in Fiscal Year 2024**



Idaho National Laboratory, Materials and Fuels Complex  
(Source: [inl.gov](http://inl.gov))

### **WHY WE DID THIS REPORT**

The Reports Consolidation Act of 2000 (Public Law 106-531) requires the Office of the Inspector General (OIG) to annually update its assessment of the most serious management and performance challenges facing the Defense Nuclear Facilities Safety Board (DNFSB) and the agency's progress in addressing those challenges.

### **WHAT WE FOUND**

The DNFSB is an independent oversight organization within the Executive Branch created by Congress in 1988. The DNFSB performs its critical oversight mission to provide independent analysis, advice, and recommendations to the Secretary of Energy, thereby helping the Secretary ensure adequate protection of public health and safety at defense nuclear facilities in the Department of Energy (DOE).

With input from DNFSB leadership, the OIG has assessed, developed, and described the DNFSB's most serious challenges for fiscal year (FY) 2024, noting each challenge, actions already taken by the DNFSB to address the challenge, and continuing work applicable to the challenge. The challenges are:

1. Leading a healthy and sustainable organizational culture and climate;
2. Ensuring the effective acquisition and management of mission-specific infrastructure, including cyber, physical, and personnel security, and data;
3. Continuing a systematic safety focus in the DNFSB's technical safety oversight and reviews;
4. Recruiting, retaining, and developing executive and technical staff; and,
5. Elevating the DNFSB's public visibility and credibility and maintaining constructive relationships with the DOE and external stakeholders.

By addressing these challenges, the DNFSB will execute its mission more efficiently and effectively, achieve progress toward its strategic goals, and maintain the highest level of accountability over taxpayer dollars.

### **AGENCY RESPONSE TO MANAGEMENT CHALLENGES FOR FY 2023**

During FY 2023, the DNFSB made progress in addressing its most serious management challenges for the year, as identified by the OIG. The DNFSB's actions included implementing and closing out all OIG recommendations from the *Audit of the Defense Nuclear Facilities Safety Board's Fiscal Year 2021 Compliance with Improper Payment Laws* (DNFSB-22-A-06).

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# Introduction



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Inspector General

## **FROM THE INSPECTOR GENERAL**

I am pleased to present our assessment of the most serious management and performance challenges facing the DNFSB in FY 2024.

The Reports Consolidation Act of 2000 requires us to annually update our assessment of the most serious management and performance challenges facing the DNFSB and the agency's progress in addressing those challenges. This report provides the updated OIG assessment in these areas.

## **ABOUT THE OFFICE OF THE INSPECTOR GENERAL**

In accordance with the 1988 Amendments to the Inspector General Act of 1978, the OIG was established on April 15, 1989, as an independent and objective unit to conduct and supervise audits and conduct investigations pertaining to the U.S. Nuclear Regulatory Commission. Pursuant to the Consolidated Appropriations Act for Fiscal Year 2014 (Public Law 113-76), the Inspector General of the U.S. Nuclear Regulatory Commission was assigned to also serve as the DNFSB's Inspector General. The purpose of the OIG's audits and investigations is to prevent and detect fraud, waste, abuse, and mismanagement, and promote economy, efficiency, and effectiveness in DNFSB programs and operations. In addition, the OIG reviews existing and proposed regulations, legislation, and directives, and provides comments, as appropriate, regarding any significant concerns. The Inspector General keeps the DNFSB Chair and Congress informed about problems, recommends corrective actions, and monitors the DNFSB's progress in implementing such actions.

## **ABOUT THE BOARD MEMBERS**

The DNFSB's full decision-making body consists of five Board members, including its Chair. As of the date of this report, however, the DNFSB has two Board members, one of whom also serves as its Chair, and three vacant positions.

On January 21, 2021, President Biden designated Ms. Joyce Connery as the DNFSB Chair. Ms. Connery has been a member of the Board since August 2015, and was reconfirmed by the Senate on July 2, 2020, for a term expiring October 18, 2024.

Mr. Thomas A. Summers was confirmed by the Senate on July 2, 2020, for a term expiring October 18, 2025. Mr. Summers currently serves as the DNFSB

Vice Chair. Prior to that, he served as the DNFSB Acting Chair from September 13, 2020, until Ms. Connery's designation.

## **ABOUT THE DNFSB**

The DNFSB, an independent oversight organization within the Executive Branch, was created by Congress in September 1988 in response to growing concerns about the level of health and safety protection that the DOE was providing the public and workers at defense nuclear facilities. In doing so, Congress sought to provide the general public with added assurance that the DOE's defense nuclear facilities are being safely designed, constructed, operated, and decommissioned.

Under the Atomic Energy Act of 1954, as amended, and as stated in 42 U.S.C. § 2286a(a), the mission of the Board "shall be to provide independent analysis, advice, and recommendations to the Secretary of Energy to inform the Secretary, in the role of the Secretary as operator and regulator of the defense nuclear facilities of the DOE, in providing adequate protection of public health and safety at such defense nuclear facilities, including with respect to the health and safety of employees and contractors at such facilities." The last clause in this mission statement was added by the National Defense Authorization Act (NDAA) for Fiscal Year 2020 (Pub. L. No. 116-92). This clause reflects Congress' intent to ensure the Board and all stakeholders understand that the DNFSB's mission clearly encompasses the health and safety of workers as well as the public.



Los Alamos National Laboratory,  
Radiation Control Technicians (Source: lanl.gov)

In addition to evaluating the content and implementation of health and safety standards, the DNFSB reviews other requirements relating to the design, construction, operation, and decommissioning of the DOE's defense nuclear facilities. Beyond its regulatory oversight mission, as a federal agency, the DNFSB must be a responsible steward of taxpayer dollars.

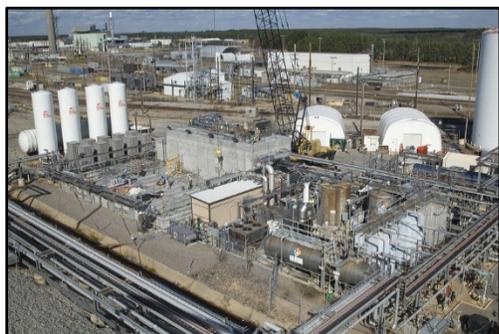
The DNFSB's budget request for FY 2024 identified a budget of \$47,230,000 and 125 full-time equivalents (FTE) for the DNFSB to carry out its mission in FY 2024. This is a 14.1 percent increase from the agency's FY 2023 appropriation level of \$41,401,000. The DNFSB achieved a staffing level of 113 FTEs as of December 31, 2022. The additional FTE positions in the budget request will help ensure that the Board can recruit or develop the depth of resources in highly specialized technical disciplines. The budget request notes that the increase is

driven by an enhanced need for oversight of defense nuclear facilities that aligns with the DOE's modernization efforts.

The DNFSB has executed an aggressive staffing plan focused on hiring highly skilled engineers, scientists, and professionals to support the agency's mission. Looking forward, the DNFSB is building a multi-year human capital strategic plan to guide training, development, recruiting, retention, and succession planning. The DNFSB's FY 2024 budget request also includes enhanced capabilities and improvements related to cybersecurity, physical security, secure communications, information technology modernization, technical efficiencies, organizational effectiveness, and progress on diversity, equity, inclusion, and accessibility throughout the agency.

### **TECHNICAL WORK PLANNING**

The DNFSB revised its planning process for technical work to prepare for FY 2022. Through the revised process, the DNFSB's Office of the Technical Director (OTD) has sought to identify and optimize a set of work and oversight activities that are in line with the Board's policies, priorities, and strategic plan.



Savannah River Site,  
Salt Waste Processing Facility,  
(Source: srs.gov)

In particular, the OTD aligned its planning process to support agency strategic objectives by completing timely, high-quality safety reviews that identify and analyze safety issues and best practices, and search for similar challenges complex-wide. The continuing OTD goal is to select safety reviews based on priority and available resources, to ensure each safety oversight plan area includes appropriate coverage. The planning process is intended to focus DNFSB resources to ensure completion of a higher percentage of planned safety reviews.

As of August 1, 2023, the DNFSB expected to complete a total of 51 FY 2023 planned reviews by September 30, 2023. The DNFSB expected to carry over 35 reviews from the FY 2023 plan, and add 55 new reviews to the FY 2024 technical work plan. The FY 2024 technical work plan was scheduled to be completed during September 2023, prior to the new fiscal year. The OTD noted that carry-over work and cancellations of planned work can result from several factors, including changes to DOE schedules, restraints such as travel restrictions, emergent higher priority work, and resource limitations, especially when the workload calls for certain more technically specialized staff than may be available.

## **CLOSURE OF OIG AUDIT RECOMMENDATIONS TO THE DNFSB**

During FY 2023, the DNFSB closed the remaining OIG audit recommendations from the *Audit of the Defense Nuclear Facilities Safety Board's Fiscal Year 2021 Compliance with Improper Payment Laws* (DNFSB-22-A-06). Closing a recommendation means the DNFSB has not only decided on an acceptable course of action to fulfill the intent of the recommendation, but also has documented its completion of the necessary work for verification by the OIG. In addition, the DNFSB completed actions to close recommendations from four Federal Information Security Modernization Act (FISMA) of 2014 audits, as the agency worked to enhance its information technology infrastructure and systems to mitigate agency operational risks. The reports are:

- *Independent Evaluation of DNFSB's Implementation of the Federal Information Security Modernization Act (FISMA) of 2014 for Fiscal Year 2019* (DNFSB-20-A-05);
- *Independent Evaluation of the DNFSB's Implementation of the Federal Information Security Modernization Act (FISMA) of 2014 for Fiscal Year 2020* (DNFSB-21-A-04);
- *Independent Evaluation of the DNFSB's Implementation of the Federal Information Security Modernization Act (FISMA) of 2014 for Fiscal Year 2021* (DNFSB-22-A-04); and,
- *Audit of the DNFSB's Implementation of the Federal Information Security Modernization Act (FISMA) of 2014 for Fiscal Year 2022* (DNFSB-22-A-07).

## **COORDINATION WITH THE DOE**

During FY 2022, the Board executed both a bilateral Memorandum of Understanding (MOU) between the Chair and the Deputy Secretary of Energy, and a staff-level Supplementary Agreement to implement the MOU. The Board conducted training for all technical staff on the content and expectations relative to the MOU and Supplementary Agreement. The Board also reviewed and is revising, where needed, internal procedures and processes. However, in FY 2023, the DNFSB noted a trend of delayed and partially addressed DOE responses to DNFSB reporting requirements. The Board and DNFSB staff engaged with senior DOE leaders regarding timeliness and completeness in responding to DNFSB safety reviews. The DNFSB continues to focus on the effectiveness of the DOE's oversight framework for safe operations at its diverse and aging facilities.

## **STRATEGIC PLAN**

In May 2022, the Board approved a Strategic Plan for fiscal years 2022–2026. The Strategic Plan sets goals and objectives aimed at providing the Board's "best advice to the defense nuclear complex, efficiently, effectively, and transparently."

Additionally, the plan is intended to “cultivate a multitalented, dynamic staff that embodies the Board’s core values, focuses on the mission, and continuously hones its skills through training and development.” The Board’s revised Strategic Plan sets forth the following strategic goals:

**Goal 1**—Provide proactive and independent safety oversight of the defense nuclear complex;

**Goal 2**—Enhance transparency of ongoing agency initiatives and state of safety within the defense nuclear complex;

**Goal 3**—Develop and maintain an outstanding workforce to achieve the agency’s mission; and,

**Goal 4**—Maximize the DNFSB’s performance by pursuing excellence in our agency culture and operations.

### **ONGOING CHALLENGES**

Several DNFSB accomplishments over the last year responded to the management and performance challenges previously identified by the OIG. However, the most serious management and performance challenges summarized in the following pages highlight critical areas that demand DNFSB management’s continued focus.

## **DNFSB FY 2024 MANAGEMENT AND PERFORMANCE CHALLENGES**

The OIG has assessed, developed, and described each of the DNFSB's most serious challenges for FY 2024. This report presents each challenge, noting actions already completed by the agency, and the DNFSB's continuing work on each challenge. The challenges are not listed in any order of priority, nor do they necessarily equate to problems; rather, they should be considered areas of continuing focus for DNFSB management and staff.

DNFSB leadership noted its own assessment of the key challenges facing the agency in its response to the OIG's request for input in this area. We have considered this input and independently identified the following five clear, specific, and actionable challenges that the DNFSB must address in FY 2024:

1. Leading a healthy and sustainable organizational culture and climate;
2. Ensuring the effective acquisition and management of mission-specific infrastructure, including cyber, physical, and personnel security, and data;
3. Continuing a systematic safety focus in the DNFSB's technical safety oversight and reviews;
4. Recruiting, retaining, and developing executive and technical staff; and,
5. Elevating the DNFSB's public visibility and credibility and maintaining constructive relationships with the DOE and external stakeholders.

By addressing these challenges, the DNFSB will execute its mission more efficiently and effectively, achieve progress toward its strategic goals, and maintain the highest level of accountability over taxpayer dollars.

## Challenge 1: Leading a Healthy and Sustainable Organizational Culture and Climate

### **WHY IS THIS A SERIOUS MANAGEMENT AND PERFORMANCE CHALLENGE?**

This has been a longstanding, systemic challenge for staff and senior leadership that has adversely affected the DNFSB's ability to fulfill its mission.

### **CHALLENGE SYNOPSIS**

The DNFSB has experienced significant challenges that have affected its work culture and climate. Over several years, the DNFSB's high employee turnover, inadequate succession planning, major reorganizations, and internal communication issues were further compounded by issues involving a lack of collegiality among the Board members themselves. These challenges negatively affected trust and employee engagement throughout the agency.

Previous OIG audit work and an FY 2018 report by the National Academy of Public Administration identified instances where an unsupportive culture and climate had impeded the efficiency and effectiveness of DNFSB processes. Both organizations provided numerous recommendations to help address these culture and climate deficiencies, especially in the areas of hiring practices and succession planning.

While an FY 2021 OIG review of the DNFSB's Safety Culture and Climate Survey showed broad improvements in the categories of leadership, ethics, and professionalism, there are ongoing concerns about employee morale, recruiting new hires, and retention. One significant area of concern has been the availability of sufficient technical specialists to support the agency's mission. The DNFSB has made progress and must continue to effectively recruit new hires, strengthen performance management, and increase employee engagement and retention. In its most recent budget request, the DNFSB requested funding for 125 FTEs to carry out its mission for FY 2024.

## **ONGOING ACTIONS**

The DNFSB is working to build a multi-year human capital strategic plan to guide training and development, recruiting and retention practices, and succession planning. The approach will allow the DNFSB to better target its human capital management activities to ensure that the highly technical expertise of its staff supports the critical nuclear safety oversight mission. Additional FTE positions will help ensure that the Board can recruit or develop the necessary reserves in highly specialized technical disciplines.

In 2022, the DNFSB began working with a human resources contractor. Over the term of the contract, the contractor will conduct analyses, revise procedures and guidance documents, and develop the agency's first human capital strategic plan.

## **COMPLETED ACTIONS**

The DNFSB reported 106 full-time staff for FY 2022 (and 113 total positions filled as of December 31, 2022), with 22 new hires and 10 separations. This was a net increase from FY 2021.

In FY 2023, the DNFSB executed an aggressive staffing plan focused on hiring highly skilled engineers, scientists, and professionals to support the agency's mission and filling vacant operational staff positions. Filling these roles reversed a significant decrease in staffing during prior years, when DNFSB staffing dropped precipitously by more than 20 percent.

## Challenge 2: Ensuring the Effective Acquisition and Management of Mission-Specific Infrastructure, Including Cyber, Physical, and Personnel Security, and Data

### **WHY IS THIS A SERIOUS MANAGEMENT AND PERFORMANCE CHALLENGE?**

Effective and efficient centralized administrative functions in corporate support services are needed to enable DNFSB management and staff to carry out the agency mission. Furthermore, cybersecurity threats are constantly evolving and physical security over internal infrastructure is a continuing challenge for all federal entities.

### **CHALLENGE SYNOPSIS**

The DNFSB should continue exploring ways to improve its administrative functions. Technical staff rely on DNFSB corporate support services, such as contract and human resources support, financial reporting, and information technology services, to perform mission functions effectively. These investments should enable the staff to do mission-critical work more efficiently and effectively.

Information security presents unique challenges because it requires balancing safeguards with the access needs of legitimate users. Cybersecurity threats are constantly evolving, and hostile actors may take advantage of current trends such as the use of hybrid and remote work options. In parallel, the DNFSB must continue to use robust, proactive measures to protect its infrastructure—buildings, personnel, and information—from both internal and external threats. Criminals and foreign intelligence organizations pose continuous external threats, while insiders who could maliciously or unintentionally compromise the security of facilities and information systems may pose internal threats.

Key IT and information management and security oversight challenges for the DNFSB include:

- Managing ongoing supply chain risks posed to IT and operational infrastructure;
- Executing actions required by the FISMA to strengthen information technology security;
- Planning for and assessing the impact of Artificial Intelligence and Machine Learning on operations, security, and technical reviews;

- Managing rigorous patching to meet compliance targets in the face of evolving threats and vulnerabilities; and,
- Executing the insider threat prevention and detection program.

### **ONGOING ACTIONS**

The DNFSB continues to implement OIG recommendations from past FISMA audit reports.

The DNFSB continues to make enhancements to its physical and cybersecurity infrastructure.

The DNFSB continues to implement up-to-date platforms, systems, and software with interoperability, where possible.

### **COMPLETED ACTIONS**

The DNFSB is working toward a Zero Trust Architecture in response to Executive Order 14028, “Improving the Nation’s Cybersecurity,” and Office of Management and Budget Memorandum, M-22-09, “Federal Zero Trust Strategy.”

The DNFSB integrated its Configuration Management Plan with risk management and continuous monitoring programs.

The DNFSB updated its Continuous Monitoring Policies and Procedures Guide, Risk Management Framework Handbook, Configuration Management Policy, and Incident Response Process Guide Cyber Playbook.

## Challenge 3: Continuing a Systematic Safety Focus in the DNFSB's Technical Oversight and Reviews

### WHY IS THIS A SERIOUS MANAGEMENT AND PERFORMANCE CHALLENGE?

The Board's mission is to provide independent analysis, advice, and recommendations to the Secretary of Energy to provide adequate protection of public health and safety related to defense nuclear facilities. The best way to ensure adequate protection and increase public confidence in the safety of nuclear weapons facilities and waste is to maintain an independent technical oversight process.

### CHALLENGE SYNOPSIS

When DNFSB technical staff members evaluate safety at DOE facilities, they must analyze many unique processes and hazards. Complex operations critical to national defense include: assembly and disassembly of nuclear weapons; fabrication of plutonium pits and weapon secondary assemblies; production and recycling of tritium; nuclear criticality experiments; and, experiments to characterize special nuclear materials under extreme conditions. The DNFSB highlighted this critical function in its Strategic Plan for FY 2022–FY 2026.

Key technical program challenges for the Board include:

- Ensuring that operations are conducted in a manner that is accountable and transparent, and directing the Board's resources toward oversight of the most significant potential safety risks in the DOE's defense nuclear complex;
- Maintaining open and effective communication with the DOE that enables problem-solving through mutual understanding of safety issues that require action as well as factors that may constrain action to address safety issues;
- Ensuring that DNFSB staff at both headquarters and DOE facilities have well-defined guidance for the oversight function;
- Ensuring that internal controls are fully understood and implemented; and,
- Continuing to attract, develop, and sustain staff that earns the respect and confidence of the public and the DOE through its expertise in nuclear safety and performance of its oversight functions.

## **ONGOING ACTIONS**

In April 2023, the Board requested that the DOE provide to the Board a briefing and report that describe the planned actions and timeline to address the improper designation of specific administrative controls and inappropriate classification of fire protection equipment at the Savannah River National Laboratory or provide the DOE leadership position as to why additional corrective actions are not required.

In August 2023, the Board issued a letter to the DOE regarding the Savannah River Plutonium Processing Facility requesting a report and briefing on the DOE's position on the adequacy of the safety strategy for facility worker protection, focusing on impacts to long-lead procurements, such as glovebox systems.

## **COMPLETED ACTIONS**

The Board held a public hearing in Santa Fe, New Mexico, in November 2022 to gather information regarding legacy cleanup activities, nuclear safety, and planned increases in production activities at the Los Alamos National Laboratory (LANL).

In February 2023, the Board provided the DOE with a letter on the results of its review of safety-related welding at the Pantex Plant for use by the National Nuclear Security Administration (NNSA).

In August 2023, the Board issued a letter to the DOE regarding seismic safety of the Plutonium Facility (PF-4) at the LANL, noting the LANL's commendable effort in assessing the seismic risk for PF-4.

## Challenge 4: Recruiting, Retaining, and Developing Executive and Technical Staff

### **WHY IS THIS A SERIOUS MANAGEMENT AND PERFORMANCE CHALLENGE?**

National policy to modernize the strategic nuclear program places renewed emphasis on the importance of the DNFSB's analysis, advice, and recommendations following a period in which hiring has not kept pace with attrition.

### **CHALLENGE SYNOPSIS**

The DNFSB has requested funding for 125 FTEs to carry out its mission in FY 2024. This represents an increase of 5 FTEs compared to the agency's goal of reaching a total of 120 staff members in FY 2023. The requested personnel increase is driven by a need for enhanced oversight of defense nuclear facilities that aligns with DOE modernization efforts. The increase also reflects DNFSB efforts to reverse previously high attrition rates by hiring highly skilled engineers, scientists, and other professionals to fill operational vacancies. Additionally, the DNFSB is working to build a multi-year human capital strategic plan to guide training and development, recruiting and retention practices, and succession planning. This comprehensive approach can help the DNFSB target its human capital management to ensure its staff's technical expertise adequately supports the agency's nuclear safety oversight mission.

Despite recent improvements in recruiting and retaining technical staff, the DNFSB faces challenges in recruiting and retaining executive talent; for example, the agency's first Executive Director of Operations (EDO) left the agency and has only been replaced on an acting basis. The DNFSB's current Strategic Plan emphasizes the importance of the EDO position in enhancing functional alignments and creating a focal point for improved teamwork across agency offices. There is also a developing challenge at the leadership level: two of the five Board positions were vacant in FY 2023, and a third Board member stepped down in early FY 2024. The Board lacks a quorum. While the FY 2023 National Defense Authorization Act allows the Board Chair to run the agency with no quorum requirements for one year, the agency needs a full leadership complement to ensure strategic direction.

### **ONGOING ACTIONS**

The DNFSB needs to fill the vacant positions of the EDO and the Technical Director.

To increase effectiveness of its hiring practices, the DNFSB is coordinating supervisory training in various areas, including: the hiring process; prohibited personnel practices; merit system principles; and, the uniform guidelines for employment selection procedures.

The DNFSB is developing interim technical qualification standard guidance to support recruitment for technical positions.

### **COMPLETED ACTIONS**

The DNFSB has completed a draft FY 2023–2026 human capital plan.

The DNFSB human resources contract partner has drafted a Workflow Analysis Workforce Restructure report for review and approval by DNFSB senior leadership.

## Challenge 5: Elevating the DNFSB’s Public Visibility and Credibility and Maintaining Constructive Relationships with the DOE and External Stakeholders

### **WHY IS THIS A SERIOUS MANAGEMENT AND PERFORMANCE CHALLENGE?**

The need for continued cooperation with the DOE and communication with external stakeholders is vital to ensuring adequate protection and increasing public confidence in the safety of nuclear weapons facilities and waste.

### **CHALLENGE SYNOPSIS**

Congress established the DNFSB in 1988 as an independent federal agency with the mission of providing independent safety analysis, advice, and recommendations to the Secretary of Energy for the DOE’s defense nuclear facilities. The term “defense nuclear facilities” is specific to the DOE’s nuclear facilities that have a function related to national defense or storage of nuclear waste.

Congress granted the Board a suite of statutory tools to carry out its mission. Principal among these is the Board’s authority to issue formal recommendations to the Secretary. In addition to issuing recommendations, the Atomic Energy Act requires the Board to review and evaluate DOE requirements and standards affecting safety at defense nuclear facilities.

The Board is empowered to hold public hearings, conduct investigations, and obtain information and documents needed for the Board’s work from the DOE and its contractors. The DOE is required by law to grant the Board and DNFSB staff prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities.

Congress directed the Board to work with the DOE to develop a bilateral MOU to address ongoing interface issues between them. The Board and the DOE executed the MOU in February 2022, as well as a Supplementary Agreement in June 2022 that defines additional staff-level interface agreements that are consistent with the MOU. However, in March 2023, the Board reported a trend of delayed and partially addressed DOE responses to Board reporting requirements.

### **ONGOING ACTIONS**

DNFSB staff continues to review DOE actions in response to Recommendation 2020-1, Nuclear Safety Requirements. Throughout FY 2023, the Board's staff worked with the DOE to identify appropriate nuclear safety requirements to include in a new safety order mandated under the Secretary's Implementation Plan for this recommendation.

### **COMPLETED ACTIONS**

On October 20, 2022, the Board informed the Secretary of Energy that the DOE's delayed response to four open reporting requirements is affecting the DNFSB's safety oversight. Separately, the Board transmitted a December 19, 2022, letter to the Secretary of Energy that cited four examples from various sites where the NNSA provided responses to reporting requirements that only partially addressed the safety concerns identified in the DNFSB's correspondence.

As part of a November 2022 public hearing in Santa Fe, New Mexico, the DNFSB gathered comments from the public regarding legacy cleanup activities, nuclear safety, and planned increases in production activities at DOE sites in New Mexico.

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## TO REPORT FRAUD, WASTE, OR ABUSE

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### Please Contact:

Online: [Online Form](#)

Telephone: 1.800.233.3497

TTY/TDD: 7-1-1, or 1.800.201.7165

Address: U.S. Nuclear Regulatory Commission  
Office of the Inspector General  
Hotline Program  
Mail Stop O12-A12  
11555 Rockville Pike  
Rockville, Maryland 20852

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## COMMENTS AND SUGGESTIONS

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If you wish to provide comments on this report, please email the OIG using this [link](#).

In addition, if you have suggestions for future OIG audits, please provide them using this [link](#).

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## NOTICE TO NON-GOVERNMENTAL ORGANIZATIONS AND BUSINESS ENTITIES SPECIFICALLY MENTIONED IN THIS REPORT

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Section 5274 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, Pub. L. No. 117-263, amended the Inspector General Act of 1978 to require OIGs to notify certain entities of OIG reports. In particular, section 5274 requires that, if an OIG specifically identifies any non-governmental organization (NGO) or business entity (BE) in an audit or other non-investigative report, the OIG must notify the NGO or BE that it has 30 days from the date of the report's publication to review the report and, if it chooses, submit a written response that clarifies or provides additional context for each instance within the report in which the NGO or BE is specifically identified.

If you are an NGO or BE that has been specifically identified in this report and you believe you have not been otherwise notified of the report's availability, please be aware that under section 5274 such an NGO or BE may provide a written response to this report no later than 30 days from the report's publication date. Any response you provide will be appended to the published report as it appears on our public website, assuming your response is within the scope of section 5274. Please note, however, that the OIG may decline to append to the report any response, or portion of a response, that goes beyond the scope of the response provided for by section 5274. Additionally, the OIG will review each response to determine whether it should be redacted in accordance with applicable laws, rules, and policies before we post the response to our public website. Please send any response via email using this [link](#). Questions regarding the opportunity to respond should also be directed to this same address.