



MARCH 11, 2014

WHISTLEBLOWER RETALIATION AT THE HANFORD NUCLEAR SITE

U.S. SENATE, COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,
SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

ONE HUNDRED THIRTEENTH CONGRESS, SECOND SESSION

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**Testimony of
William A. Eckroade
Principal Deputy Chief for Mission Support Operations
Office of Health, Safety and Security
U.S. Department of Energy**

**Before the
Subcommittee on Financial and Contracting Oversight
Committee on Homeland Security and Governmental Affairs
U.S. Senate**

March 11, 2014

Madam Chairman, Ranking Member Johnson and members of the Subcommittee, thank you for the opportunity to provide testimony regarding safety culture and related issues at the Department of Energy's Hanford Site Waste Treatment and Immobilization Plant Project (WTP).

I would like to take a brief moment to describe the unique role of the Independent Oversight Program within the Office of Health, Safety and Security which has conducted safety culture reviews at Hanford and elsewhere. The mission of this program is to provide DOE line management, Congress, and other stakeholders with an independent evaluation of the effectiveness of DOE policy and line management performance in safety and security, and other critical areas as directed by the Secretary of Energy. This mission is accomplished by conducting activity, facility, site, and Department-wide performance-based assessments that are designed to verify that the Department's safeguards and security interests are protected, that the Department can effectively respond to emergencies, and that Department's operations are conducted in a manner that protects its employees, the public, and the environment. These assessments complement line management's responsibility for security and safety program oversight, contract management, and self-assessments. The results of these assessments are reports that provide information and analysis regarding the effectiveness, vulnerabilities, and trends in DOE safety and security programs and performance, and identify issues requiring corrective action as well as recommended areas for improvement.

Our team has completed two safety culture assessments at the WTP, one in 2010 and one in 2012. The assessments included interviews with employees of the Office of River Protection and the contractor, Bechtel National, Incorporated (BNI), as well as a detailed review of their safety programs, processes and procedures. Detailed reports of these assessments and their recommendations have been provided to the Committee. I will summarize our findings briefly.

In our 2010 assessment, we found that most personnel who were interviewed expressed that their managers encouraged a questioning attitude and that they were comfortable with raising safety concerns. However, some individuals believed that there was a

chilled environment that discouraged reporting of safety concerns, and some BNI employees expressed concerns about retaliation for reporting safety concerns. Our report contained a number of detailed recommendations for both the ORP and BNI. Among those recommendations were that BNI strengthen processes and procedures for the resolution of nuclear safety concerns and identify mechanisms to strengthen trust among the workforce and better communicate information to employees.

Two years later in 2012, we performed a second comprehensive assessment (covering both ORP and BNI) to measure the state of the safety culture at the WTP. For this assessment we engaged external independent safety culture experts with extensive experience in safety culture reviews to supplement and complement the nuclear safety expertise of our staff. That helped us to more effectively diagnose the safety culture attributes at WTP and learn things we didn't learn during our 2010 assessment. In 2012, we found that most personnel at WTP believed that safety was a high priority. However, during the evaluation, a significant number of Federal and contractor staff expressed reluctance to raise safety or quality concerns for various reasons. Fear of retaliation was identified in some BNI groups as inhibiting the identification of problems. Employees' right to raise safety concerns without fear of retaliation is not only protected by the law but is an essential element of a healthy safety culture, and therefore significant management attention is needed to improve the safety culture at WTP. We found that while managers espoused support for a healthy nuclear safety culture, they did not have a full appreciation of the current culture or the nature and level of effort needed to foster a healthy safety culture, and the WTP community had not been sufficiently engaged in creating a mutually shared and desired culture.

We are currently conducting a follow-up assessment of safety culture at WTP. That review will be completed this spring and a written report presented to management. We look forward to sharing the results of that assessment with the Committee when our report is completed.

A strong safety culture starts with strong, ongoing support by the most senior leaders of the organization. I want to take this opportunity to assure the members of the Subcommittee that this is a very high priority for the Secretary and Deputy Secretary of Energy. With the permission of the Subcommittee, I would like to include for the Record a copy of a September 20, 2013 memorandum signed by both the Secretary and Deputy Secretary titled "*Personal Commitment to Health and Safety through Leadership, Employee Engagement, and Organizational Learning.*" The Memorandum provides visionary leadership and a deep personal commitment to building the type of organization in which we can all be proud to work. A vibrant and healthy organizational culture will help the Department to achieve its national security, scientific and environmental missions safely and securely, and we are committed to helping the Department to achieve that goal.

I would be happy to answer any questions that members of the Subcommittee may have.



The Secretary of Energy
Washington, DC 20585

September 20, 2013

MEMORANDUM FOR HEADS OF DEPARTMENTAL ELEMENTS

FROM: ERNEST J. MONIZ
SECRETARY OF ENERGY

DANIEL B. PONEMAN
DEPUTY SECRETARY

SUBJECT: Personal Commitment to Health and Safety through Leadership,
Employee Engagement, and Organizational Learning.

We are writing to ask you to join us in reaffirming our personal and professional commitment to safely fulfilling the Department's important mission responsibilities. The Department's thousands of Federal, laboratory, and contractor employees work hard every day in pursuit of energy independence, global scientific leadership, national security, and environmental stewardship. They are the key to our success. We would like to revitalize our efforts to protect the health and safety of our employees, as well as the health and safety of those who reside in the communities in which the Department operates or are otherwise affected by our work. The Department's ultimate safety objective is to have zero accidents, work-related injuries and illnesses, regulatory violations, and reportable environmental releases. The Department's Integrated Safety Management policy is the foundation of our approach to safety and health.

The following precepts reflect our strong commitments to safety and health. We ask you to join us in advancing these leadership, employee engagement, organizational, and educational goals in your areas of responsibility.

- We will pursue a safety culture built on an environment of trust and mutual respect, worker engagement and open communication, an atmosphere that promotes a questioning attitude with effective resolution of reported problems, and continuous learning.
- We will operate our facilities and conduct work activities in a manner that protects our employees, the public, and the environment. We recognize that meeting minimum requirements merely reflects the starting point in our pursuit of excellence and is not the end objective.
- Each one of us is responsible for safety at the Department. We will strive to ensure that every employee understands his or her role, responsibility, authority, and accountability in safely planning, executing, and monitoring work performance.



- We will foster a safety conscious work environment across all Departmental operations. Federal, laboratory, and contractor workers have the right to identify and raise issues that affect their safety and health or that of their co-workers openly, and without fear of reprisal. We must not deter, discourage, or penalize employees for the timely identification of safety, health, environmental, quality or security issues, the reporting of illnesses or injuries, or the use of Employee Concerns or Differing Professional Opinion Programs. Our workers will receive a prompt, professional, and transparent evaluation and resolution of their concerns.
- We will learn from our mistakes and experiences. We will report errors and problems, establish vigorous corrective action programs, monitor performance through multiple means, learn from operational experience, and encourage a questioning attitude.

We greatly value – and depend upon – the service of the men and women working to achieve the Department’s important missions that the American people have entrusted to us. We can only advance these challenging missions if we provide all of our employees a safe and healthy work environment and foster a culture in which workers at all levels are empowered to bring forth problems, participate in the development of solutions, and are considered partners in decisions that affect their work.

Thank you for your leadership in ensuring the safe execution of the Department’s vital and urgent responsibilities.

Statement of Matt Moury
Deputy Assistant Secretary, Safety, Security, and Quality Programs for
Environmental Management
Office of Environmental Management
U.S. Department of Energy

Before the
Subcommittee on Financial and Contracting Oversight
Committee on Homeland Security and Government Affairs
U.S. Senate

March 11, 2014

Thank you, Chairman McCaskill, Ranking Member Johnson, and Members of the Committee. I am here today to discuss the Department of Energy's (DOE) efforts to improve workplace safety culture. Creating and maintaining a robust safety culture, including a workplace where all employees feel free to raise concerns and ask questions—and have confidence that those questions and concerns will be addressed—is essential to achieving our mission at the Hanford site in Washington State and across the DOE complex.

Safety Culture at DOE

DOE believes safety culture is best described as an organization's values and behaviors modeled by its leaders and internalized by its members, which serve to make safe performance of work the overriding priority to protect the workers, public, and the environment.¹ We take this concept seriously and ensuring the safe performance of work is the overriding priority at the Department.

In managing safety culture, the Department focuses on three approaches:

- Instilling and holding managers accountable for leadership behaviors that foster a strong safety culture, and driving these behaviors down thru the headquarters and field organizations.
- Ensuring line managers encourage a vigorous questioning attitude toward safety, and fostering constructive dialogues and discussions on safety matters.
- Establishing a high level of trust, in which individuals feel safe from reprisal when raising safety concerns, differing points of view are solicited and encouraged, management provides relevant and timely information to the workforce, and vigorous corrective action programs are effectively implemented.

Improving safety culture across the Department is a top priority. In a September 20, 2013, memorandum to the Heads of all Departmental Elements, the Secretary and Deputy

¹ DOE G 450.4-1C, *Integrated Safety Management System Guide*.

Secretary of Energy reaffirmed their commitment to health and safety through leadership, employee engagement and organizational learning by pursuing a safety culture built on an environment of trust and mutual respect, worker engagement, and open communication, an atmosphere that promotes a questioning attitude with effective resolution of reported problems, and continuous learning. The memorandum recognized that DOE can advance its challenging missions only if it provides all employees a safe and healthy work and environment and fosters a culture in which workers at all levels are empowered to raise problems, participate in the development of solutions, and are engaged appropriately in decisions that affect their work.

Efforts to Improve Safety Culture at Hanford

Shortly after his confirmation, the Secretary of Energy traveled to Hanford to gain a firsthand understanding of the technical issues we are working to resolve at the Waste Treatment and Immobilization Plant (WTP), as well as the Department's efforts to improve safety culture at the site. The Secretary continues to engage DOE senior leadership and employees to underscore the importance of a robust safety culture and to receive updates on the Department's progress on actions to improve the safety culture at headquarters and at our sites.

The efforts taken over the last two years by the Department to improve safety culture at Hanford are extensive and varied. The Department identified many of its key actions in the Implementation Plan for Defense Nuclear Facilities Safety Board (Board) Recommendation 2011-1, *Safety Culture at the Waste Treatment and Immobilization Plant*. I would like to share some of these key actions with you to illustrate the changes that have already been made, are occurring now, and are part of the Department's plan for the future.

Change in Leadership

New leadership has been put in place at DOE Headquarters. The new DOE leadership has the qualifications, experience, and safety values to put the WTP on a sustainable path. The Department has been clear with both prime contractors that we expect them to establish and sustain a positive safety culture. These organizational changes are making a difference in safety culture now, but realizing their full impact will take time.

Increased Management Accountability

The Department clarified formal roles and responsibilities for management in the WTP Project Execution Plan, which is the DOE document that communicates to the contractor project objectives and how they will be accomplished. The Department also revised the WTP contract performance evaluation measurement plan – used to establish measures of performance and inform award fee determinations – to better balance priorities and emphasize quality and safety culture elements.

DOE implemented a safety culture oversight process at WTP wherein ORP senior management meets regularly with contractor management to formally review the

contractor's progress in executing its safety culture improvement action plan, the results achieved, and identifies any areas needing additional attention . Similarly, EM senior leadership formally reviews ORP's progress in executing its safety culture improvement action plan and identifies any areas needing coordination with or support from DOE Headquarters.

Safety Conscious Work Environment Training

The Department designed training to assist in reinforcing a positive safety culture and engaged in an extensive effort to provide this training at Hanford and across the DOE complex. Beginning in December 2011, a team of Federal and contractor subject matter experts from across DOE, the National Nuclear Security Administration, national laboratories, and DOE site contractors worked with the DOE National Training Center to design, develop and deliver a course titled "Safety Conscious Work Environment."

The team developed the course based on best practices in the commercial nuclear industry, the oil and gas industry, and other high hazard industries. The goal of the course is to equip senior managers to foster a work environment that promotes trust, a questioning attitude by employees, and effective resolution of issues that have been raised. The course also gives managers personal leadership tools that can be applied immediately to improve an organization's work environment, accountability, conflict resolution, and communication.

One important feature of the course is that both DOE and contractor senior leaders and managers from all functional areas receive it together. The training takes place in a small class setting, which improves interaction between DOE and contractor leaders and provides opportunities for partnering and sharing perspectives. To date DOE has trained approximately 1800 federal and contractor leaders and managers. Federal and contractor leaders at Hanford have taken this course, as have leaders from DOE Headquarters and many other sites across the DOE complex.

Enhanced Avenues for Employee Concerns

The Department is working to strengthen the avenues to address issues raised by contractor and federal employees. A comprehensive Issues Management System has been established at ORP to ensure that new and previously identified issues are addressed and tracked to closure. The Issues Management System has what is called a "zero threshold," which means that we encourage employees to raise all issues they feel are important. The Department has strengthened the Hanford Employee Concerns Program, hired a new Employee Concerns Manager at Hanford, and continues to administer its Differing Professional Opinion process, both of which provide additional avenues for employees to raise issues. The feedback we have received from the ORP employee-led Safety Culture Improvement Team is that these actions are making a difference in the safety culture at the field office.

Remedies for Contractor Whistleblowers

DOE is strongly committed to a workplace where all workers—both federal and contractor employees—are free to speak out, voice concerns, or lodge complaints without fear of retaliation. In particular, contractors are statutorily and contractually bound not to retaliate against employees for protected whistleblower conduct.

Employees of DOE Contractors can access multiple processes to raise claims of whistleblower retaliation. These include:

- The whistleblower protection provision of the Energy Reorganization Act, which offers an avenue for contractor employees who believe that they have experienced retaliation for, among other things, reporting alleged violations of nuclear safety laws or regulations.² An employee initiates an action by filing a complaint with the Department of Labor. If the Department of Labor does not issue a decision on the complaint within one year, an employee may file a complaint in the United States District Court.
- DOE regulations, contained in 10 C.F.R. Part 708, which establishes a process to resolve complaints by DOE contractor employees alleging retaliation by their employers for protected conduct.³ DOE's Office of Hearings and Appeals investigates and adjudicates these claim.
- Under the Federal Acquisition Regulation, contractor employees can also submit retaliation complaints to DOE's Inspector General.⁴ The Inspector General is empowered to investigate and provide a report to the agency on its findings.

The contractor employee makes the choice of which process or, in some cases, processes to invoke. If one of these processes results in a finding that there has been whistleblower retaliation, a variety of remedies may be directed for the benefit of the affected employee. The remedies vary slightly according to the process that rendered the finding but generally include: reinstatement; back pay; and attorney's fees.

DOE contracting officers do not adjudicate whether there has been whistleblower retaliation, but they and others involved in contract administration would utilize conclusions made by appropriate adjudicators in: award fee determinations; evaluation of contractors for additional work; disallowing costs charged by the contractor in connection with the retaliation and related adjudication; and input into government-wide contractor performance reports.

² 42 U.S.C. § 5851.

³ 10 C.F.R. Part 708

⁴ FAR subpart 3.9; DEAR 952.222-70 (Apr 1999).

Path Forward

Although the Department has undertaken a broad array of activities to improve its safety culture, at Hanford and throughout the entire DOE complex, there is still work to be done. Safety culture is a continuum, and we continue to move along this continuum as we strive to improve. Several actions in response to the Board's recommendation, such as developing a consolidated report on the results of Department-wide extent of condition reviews, are still under way. We continue to make progress, and we value the feedback we have received from the Board as we have worked to execute the implementation plan in response to its Recommendation 2011-1.⁵

We recognize that this is an ongoing process -- a journey, not a destination -- and one which calls for continuous improvement. A safety culture built on these principles requires sustained effort by the Department's leadership and senior managers. The Department remains committed to this effort. Madam Chairman, this completes my prepared statement. I would be happy to answer your questions at this time.

⁵ Letter from Peter Winokur to the Honorable Ronald R. Wyden (April 1, 2013).

James N. Taylor
General Manager, Global Management & Operations Services Group

URS Energy & Construction, Inc.

Written Testimony for the Senate Subcommittee on Financial and Contracting Oversight
March 11, 2014

Good morning Chairman McCaskill, Ranking Member Johnson, and Members of the Subcommittee. Thank you for the opportunity to appear before you today. My name is James Taylor, and I am a General Manager within URS's Energy & Construction division ("URS"). In January, I began leading the business unit responsible for our work at the Waste Treatment and Immobilization Plant ("WTP") at the Department of Energy's ("DOE") Hanford nuclear site in Richland, Washington. I am grateful for the opportunity to lead a team of nearly 20,000 professionals working at 18 major cleanup projects in the U.S. and abroad. I would like to provide you with a brief introduction to our company and the work our group does with DOE and Bechtel National, Inc. ("Bechtel") related to the WTP. I would also like to discuss our company-wide commitment to safety and the policies we have in place to elicit and address employees' safety concerns. Finally, I would like to briefly address the recent termination of a manager in the Environmental and Nuclear Safety ("E&NS") department at the WTP. I want to be very clear: URS has zero tolerance for retaliation against whistleblowers. This is firmly embedded in our culture and goes hand-in-hand with our dedication to safety.

Background

URS Corporation is an organization of 50,000 employees working in nearly 50 countries around the world. We serve a diverse client base in the public and private sectors, with services including program management; planning, design, and engineering; systems engineering and technical assistance; construction and construction management; operations and maintenance; and decommissioning and closure activities. I have been with URS for 14 years. In my current role, I oversee our projects at complex nuclear and chemical sites.

URS Work at the WTP

As you are aware, projects at the Hanford site are intended to address once-in-a-lifetime environmental challenges, and we will eventually build a one-of-a-kind facility. There are currently more than 56 million gallons of nuclear waste stored in underground tanks at the Hanford site, which could fill a football field over 100 feet deep. The waste is a byproduct of nine nuclear reactors that operated at Hanford from World War II through the Cold War. Some of these tanks were constructed as early as the 1940s, and many are well beyond their design life. It is imperative that we continue to develop and implement the technology needed to process this waste and complete the WTP as soon as safely possible.

When operational, the WTP will be the first chemical waste processing facility in the world with the capacity to separate and stabilize nuclear waste. The WTP will convert nuclear waste to glass through a process known as vitrification. Once converted to glass, the waste's radioactivity will dissipate naturally over hundreds or thousands of years. At completion, the

WTP will contain a pretreatment facility, where nuclear waste will be separated into high-level and low-level radioactive material, two separate facilities to treat both waste streams through vitrification, a laboratory, and other facilities. Our role at the WTP is to work with Bechtel, DOE's prime contractor at the site, to design, construct, and start up the treatment facility. DOE is charged with managing the Hanford site and has the ultimate authority over the project, from design to completion.

We are fully aware of the safety and environmental demands of this project, and make ongoing efforts to ensure that concerns are promptly investigated and addressed as appropriate. We listen very seriously to feedback about our projects, whether from Congressional leaders, experts in the field, our employees, or members of the public. And we are always open to new ideas. We know how important it is to get this right—from a national perspective, but also from a local perspective. Hundreds of our employees live and work in this community, and no one is more committed than we are to the success of the WTP.

URS's Safety Culture

We have a strong safety record over many years at many facilities across the country and around the world. We know we need to remain ever vigilant to protect and extend that record, which is why our corporate culture makes safety our highest priority.

URS encourages its employees to raise concerns about safety, and we are methodical in addressing the concerns they identify. We work closely with our employees to promote an open atmosphere, because the complex issues we tackle demand a questioning attitude and creative

solutions. Critical feedback and dissent are vital parts of our process: they build the constructive dialogue that leads to innovative solutions. This is one of the reasons we encourage employees to raise concerns and challenge the status quo. We address all identified concerns and value these important contributions to our safety culture.

We continue to improve the safety culture at the WTP through internal and external reviews. In response to a directive from the Secretary of Energy, the Independent Safety and Quality Culture Assessment Team (“ISQCAT”), a group of recognized experts in the nuclear industry including a former Chairman and two former Executive Directors of the Nuclear Regulatory Commission, was commissioned by Bechtel to assess the safety culture at the WTP. ISQCAT issued a report in 2011 that reflects our ongoing efforts to promote safety, concluding that the WTP had “no widespread evidence of a chilled atmosphere adverse to safety and no widespread evidence that DOE and Contractor Management suppress technical dissent.” ISQCAT also found “no widespread reluctance on the part of DOE, URS, and BNI [Bechtel] project personnel to raise safety and technical issues.” We continue to work hard to maintain an open safety culture where employees feel comfortable raising safety concerns.

Just as we investigate all safety concerns raised by our employees, regardless of the source, we have thoroughly investigated the concerns you asked about—those raised by Ms. Busche in her capacity as Manager in the E&NS department at the WTP. Of note, Ms. Busche has not identified significant safety or technical issues in her public statements that were not already known and under evaluation at the WTP. Moreover, one of Ms. Busche’s primary contentions—that the WTP is ignoring the potential for an uncontrolled nuclear reaction (a

“criticality” event)—is not accurate. Well before Ms. Busche arrived at the WTP, DOE, Bechtel, and URS determined that the WTP would not operate unless and until the risk of a criticality has been fully evaluated and resolved.

Termination of Ms. Busche’s Employment

Ms. Busche joined the WTP project in March 2009. On February 18, 2014, Ms. Busche’s employment was terminated for cause due to her conduct and behavior. Ms. Busche was not retaliated against because of the safety concerns she raised. Given the privacy interests at stake and the pending litigation relating to Ms. Busche’s employment, I am limited in what I am able to say about this matter. I can say with confidence, however, that URS counts on our employees working at the front lines to remain vigilant about safety. For this reason, we have effective policies and procedures in place to encourage employees to raise safety concerns, and protect them against retaliation when they do.

I am proud of the work we at URS do to address some of our country’s most difficult environmental challenges. We will continue to work with DOE and others to ensure the WTP is designed and constructed safely, with the best available technology.

Thank you for the opportunity to participate in this hearing, and I am happy to answer your questions.

Statement of Dr. Michael Graham
Principal Vice President, Bechtel National, Inc.
Before the Subcommittee on Financial and Contracting Oversight
Committee on Homeland Security and Government Affairs, U.S. Senate
March 11, 2014

Madam Chairwoman, Senator Johnson, and members of the subcommittee, I am Michael Graham, Principal Vice President of Bechtel National, Inc. (BNI), the lead contractor for the Hanford Waste Treatment and Immobilization Plant (WTP) project being built in Hanford, Washington. I am the general manager of BNI's U.S. environmental business that includes the WTP project.

The Bechtel group of companies (Bechtel) is a global engineering and construction enterprise with a history of more than 115 years in the business. Bechtel has a long history of successfully completing large, technically-challenging projects sector including designing and building many of the nuclear power plants in the United States, and more recently, the first-of-a kind 350 MW Ivanpah solar energy generating station in the Mojave Desert in California.

BNI, one of the companies in the Bechtel group of companies, works on some very large, complicated government projects including the chemical agent-destruction pilot plants in Bluegrass, Kentucky and Pueblo, Colorado. Bechtel designed and engineered the Defense Waste Processing Facility (DWPF) at the Savannah River Site in South Carolina, the only plant in the nation that currently converts liquid high-level nuclear waste into a solid glass form suitable for long-term storage and disposal, a process known as "vitrification." This is the same process that will be used at WTP.

The Waste Treatment Plant at Hanford is being designed and built to meet a U.S. Government commitment to the State of Washington to immobilize the highly radioactive waste stored in 177 aging underground tanks. These legacy tanks of World War II and the Cold War date back to the 1940's, and 67 of the tanks have been reported to have leaked over a million gallons of radioactive waste. Some of the world's preeminent experts, including from U.S. national laboratories, have joined together at WTP to protect the Columbia River. The plant will take that radioactive tank waste, mix it into glass, and package it into robust containers for permanent disposal – thus completing the cycle of efforts that began during World War II and the Cold War. It is a critically important mission we are committed to accomplishing safely.

This mission, to safely dispose of the radioactive waste that has been accumulated over generations, is a challenge that has been handed to our generation by our parents and grandparents. It is, and will continue to be, difficult, costly and time-consuming. We owe it to our children and our grandchildren to undertake this task and to bring it to a successful conclusion. The great and talented individuals that make up the Bechtel team are honored to be a part of this important mission and are committed to safely meeting the demands of the mission.

Safety Culture

You have asked BNI here today to “discuss the safety culture at the Hanford site and Bechtel’s treatment of employees who raise safety or environmental issues.”

An essential element of our success in completing technically challenging projects for both commercial and government clients is creating and maintaining a strong safety culture that values a questioning attitude toward technical and safety issues. This is particularly true in building nuclear facilities that must be executed under rigorous safety and quality standards (NQA-1).

Raising and resolving technical issues is an integral part of our work process. Managers, supervisors and employees have been trained that a Safety Conscious Work Environment (SCWE) *mandates* that identifying issues and raising concerns is *welcomed*. All personnel are expected to fully and collaboratively participate in the identification and resolution of issues and concerns. Our management team is fully committed to and focused on these requirements.

Free and open discussion of technical and safety issues related to the WTP project is encouraged and expected as part of day-to-day activities. Multi-disciplinary reviews and comment resolution during development of project documents, including design media, safety documents, technical studies, reports, calculations, procurement specifications and vendor submittals, combined with a healthy number of assessments and surveillances all serve to identify the vast majority of questions that are inherent to completing this highly complex project. In most instances, differences in professional opinions are resolved as a routine part of interaction between colleagues and management.

If these interactions do not effectively address a question, there are multiple avenues for project personnel to raise issues and concerns, including but not limited to: the Project Issues Evaluation Reports (PIER) process, Employee Concerns Program (ECP) and Differing Professional Opinions (DPO) process. All project personnel receive extensive training and information on ensuring a Safety Conscious Work Environment, which includes information on using these and other avenues to report and resolve issues and concerns.

The PIER process is a tool for managing the WTP’s technical issues and opportunities for improvement. Issues raised in the PIER process are fully transparent to the Department of Energy. This readily available process provides a mechanism for the resolution of any and all issues, be they raised by project personnel or an external reviewer.

But the PIER process is not the only path that is available to obtain further review of any engineering, safety or other project-related issue. The Employee Concerns Program provides all personnel at WTP with an independent avenue for reporting and resolving concerns. Although concerns can be reported confidentially or anonymously, we are pleased that few people on the WTP project feel the need to seek anonymity.

Yet another path available to an individual seeking an alternative to both the PIER and the Employee Concerns avenues is the Differing Professional Opinion Process. The DPO process is a formal mechanism for WTP personnel to resolve questions and concerns about the adequacy of the technical design where there is a legitimate disagreement regarding the appropriate technical path. The DPO process provides for a formal review of the disputed issues by a technically qualified, independent panel with oversight by a DPO review board.

Collectively, these represent robust best-in-class processes for identifying, tracking and resolving issues and concerns.

Resolving technical questions

The WTP project will not be completed until all open technical questions have been resolved to the satisfaction of our team and the Department of Energy. The facility will then undergo a rigorous, multi-year operational readiness review (ORR) process and operational testing using surrogate materials to demonstrate that the plant will safely operate as designed before any “hot” nuclear operations can begin. This process took many years to complete when DWPF was started up at the Savannah River Site. And the subcommittee might be interested to know that this vitrification facility in South Carolina has been operating safely since 1996.

The Department of Energy is intimately involved in the process of reviewing and resolving technical questions at WTP. During the latter part of 2012 and into 2013, Secretary Chu became directly involved in this matter and employed some of the best and brightest scientists to evaluate the technical basis for the WTP. Secretary Moniz has also devoted significant personal attention to this project, and last fall released a path forward document outlining the Department’s approach to answering the remaining technical questions. We are committed to working with the Department to implement the path forward to answer the remaining technical questions, complete the design, align the safety basis with the design, and complete construction to deliver a safe and effective vitrification facility.

Ms. Busche’s dismissal

Finally, you have asked what role our company had in Ms. Busche's dismissal. Ms. Busche was an employee of URS and URS alone made the decision related to termination of Ms. Busche’s employment. It is my understanding that last month, shortly before her termination, we were informed by URS that URS was considering terminating Ms. Busche’s employment for cause. I also understand that we were informed by URS the day before the termination that URS intended to proceed with termination. We received a letter from URS formally notifying us of Ms. Busche’s departure from the WTP project. We then informed the Department of Energy by letter, and have provided both letters to the subcommittee.

Closing remarks

We at Bechtel are extremely proud of our work at Hanford; it is an honor to serve as the Government's lead contractor for this vitally important project. We've spent 13 years dedicating our premier personnel to the project. We welcome thoughtful criticism, as a foundational component of our commitment to continual improvement.

It is important to note that there are enormous successes at the WTP project, and we're committed to reaching the day when the plant is safely operating and processing nuclear waste to protect the Columbia River and the people of the Pacific Northwest.

Thank you for the opportunity to make these remarks today.