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Highlights

Highlights of [GAO-09-61](#), a report to congressional requesters

Why GAO Did This Study

The Department of Energy (DOE) oversees contractors that operate more than 200 “high-hazard” nuclear facilities, where an accident could have serious consequences for workers and the public. DOE is charged with regulating the safety of these facilities. A key part of DOE’s self-regulation is the Office of Health, Safety and Security (HSS), which develops, oversees, and helps enforce nuclear safety policies. This is the only DOE safety office intended to be independent of the program offices, which carry out mission responsibilities.

This report examines (1) the extent to which HSS meets GAO’s elements of effective independent nuclear safety oversight and (2) the factors contributing to any identified shortcomings with respect to these elements. GAO reviewed relevant DOE policies, interviewed officials and outside safety experts, and surveyed DOE sites to determine the number and status of nuclear facilities. GAO also assessed oversight practices against the criteria for independent oversight GAO developed based on a series of reports on DOE nuclear safety and discussions with nuclear safety experts.

What GAO Recommends

GAO recommends the Secretary of Energy take actions to address HSS’s shortcomings in independent oversight of nuclear safety. DOE disagreed with the report’s conclusions, but generally agreed with three of GAO’s five recommended actions.

To view the full product, including the scope and methodology, click on [GAO-09-61](#). For more information, contact Gene Aloise at (202) 512-3841 or aloise@gao.gov.

NUCLEAR SAFETY

Department of Energy Needs to Strengthen Its Independent Oversight of Nuclear Facilities and Operations

What GAO Found

HSS falls short of fully meeting GAO’s elements of effective independent oversight of nuclear safety: independence, technical expertise, ability to perform reviews and have findings effectively addressed, enforcement, and public access to facility information. For example, HSS’s ability to function independently is limited because it has no role in reviewing the “safety basis”—a technical analysis that helps ensure safe design and operation of these facilities—for new high-hazard nuclear facilities and because it has no personnel at DOE sites to provide independent safety observations. In addition, although HSS conducts periodic site inspections and identifies deficiencies that must be addressed, there are gaps in its inspection schedule and it lacks useful information on the status of the safety basis of all nuclear facilities. For example, HSS was not aware that 31 of the 205 facilities did not have a safety basis that meets requirements established in 2001. Finally, while HSS uses its authority to enforce nuclear safety requirements, its actions have not reduced the occurrence of over one-third of the most commonly reported violations in the last 3 years, although this is a priority for HSS.

These shortcomings are largely attributable to DOE’s decision that some responsibilities and resources of HSS and prior oversight offices more appropriately reside in the program offices. For example, DOE decided in 1999 to eliminate independent oversight personnel at its sites because they were deemed redundant and less effective than oversight by the program offices. DOE also decided in forming HSS in 2006 that its involvement in reviewing facility safety basis documents was not necessary because this is done by the program offices and adequately assessed by HSS during periodic site inspections. Moreover, DOE views HSS’s role as secondary to the program offices in addressing recurring nuclear safety violations. Nearly all these shortcomings are in part caused by DOE’s desire to strengthen oversight by the program offices, with HSS providing assistance to them in accomplishing their responsibilities. In the absence of external regulation, DOE needs HSS to be more involved in nuclear safety oversight because a key objective of independent oversight is to avoid the potential conflicts of interest that are inherent in program office oversight.

DOE Nuclear Facilities at the Hanford Site and Idaho National Laboratory



Source: DOE.