



## Nuclear Safety Manager Alleges Reprisal, Suppression

More Evidence of a Badly Broken Safety Culture

The top official for assuring nuclear safety at Hanford's Waste Treatment Plant, Donna Busche, has filed a whistleblower retaliation complaint.

Ms. Busche is currently the Manager of Environmental and Nuclear Safety for Hanford's Waste Treatment Plant. Before Hanford, she held the position of Chief Nuclear Engineer and Manager of Nuclear Safety at the DOE's Waste Isolation Pilot Plant in Carlsbad, New Mexico. On November 10, 2011 she filed a [complaint](#) of discrimination under the federal whistleblower protection statutes, alleging reprisal against her for reporting serious nuclear safety concerns connected with the design of Hanford's Waste Treatment Plant (WTP).

Ms. Busche is the third senior manager to go public with her technical concerns about the WTP, joining Walt Tamosaitis and DOE scientist Don Alexander with her disclosures. The WTP is being built to treat Hanford's millions of gallons of high-level nuclear waste currently stored in aging and failing underground waste tanks. When put into operation, the high-level waste will be mixed with molten glass and poured into stainless steel canisters for eventual disposal in an underground repository.

A part of Ms. Busche's job is to ensure that adequate documentation supports company assertions of compliance with environmental and nuclear safety laws. On the nuclear safety side, she is responsible for developing and coordinating the safety basis documents that will be used to license the facilities connected to the WTP at Hanford. These documents outline the plant's limits and parameters during operations that ensure the health and safety of workers and the public are protected.

Ms. Busche alleges that beginning in 2010, the company's focus moved away from nuclear and environmental safety compliance and toward meeting deadlines regardless of the quality of the work. In this atmosphere, engineers like Ms. Busche were viewed as roadblocks to meeting deadlines, rather than a valuable check against noncompliance. Concerns were suppressed, and managers sought ways to retaliate and to circumvent her objections.

On October 7 and 8, 2010, Ms. Busche testified at a public hearing held by a federal agency – the Defense Nuclear Facilities Safety Board, or DNFSB -- regarding the WTP. While testifying about a nuclear safety issue, she took a position on risk analysis that was contrary to the position of the DOE Chief of Nuclear Safety and contrary to the DOE's ongoing response to recommendations on risk analysis. During the hearing, note cards were used to communicate with the panelists. Ms. Busche and her staff used the note cards to help her testimony in areas in which her staff had superior knowledge. However, the complaint alleges, a DOE manager began censoring the note cards she was allowed to receive from her staff.

After the first day of hearing on October 7, 2010, Ms. Busche's complaint states that she was openly admonished by DOE Assistant Secretary for Environmental Management Ines Triay for her testimony earlier that day. According to Ms. Busche's complaint, an angry and agitated Ms. Triay told Ms. Busche in a meeting room with approximately fifty employees that if "[her] intent was to

**piss people off [with her testimony], [ she] did a very good job."** Ms. Busche immediately left the room following this exchange with Ms. Triay.

The complaint describes that the following day, Ms. Busche did not attend the preparatory session. When she arrived for the hearing, her complaint states, three senior plant managers individually approached her and asked whether she could "provide a different answer" to the questions she answered during the hearing. Ms. Busche told each of them that she could not. She understood their questions to imply that she should recant her earlier testimony. During a group discussion on October 19, 2010 regarding the commitments made during the public hearing Ms. Busche refused to recant or change her testimony.

At the end of the Defense Board hearing, one of the Board members complimented Ms. Busche for her forthright and direct testimony, and extracted promises from both DOE and contractor managers to make sure that she had their full support and protection.

Following the hearing, contrary to these commitments, Ms. Busche's alleges that management isolated her and kept her out of meetings she was both authorized and required to attend. Her direct manager also made comments to others that Ms. Busche needed "to get under control," referencing her continued raising of safety and technical issues.

On October 12, 2011, her manager gave Ms. Busche a corrective action letter that detailed an employee concern investigation involving Ms. Busche and allegations of misuse of employees for non-work-related activities, uncivil behavior, and lack of cooperation with the resulting investigation. The complaint in Ms. Busche's case states that "this discipline was a sham and a pretext for retaliation."

Ms. Busche's states that she views the corrective action letter, a manager's verbal statements that "people want her fired," and executive communications in Washington, DC, as direct threats. She believes that the aggressive actions by her company are intended to discredit her technically on her concerns related to the inadequacy of the WTP design and safety basis documents that are noncompliant with the law. Further, the complaint states, she believes that those actions are also in direct retaliation for her sworn testimony in response to public meetings and depositions, input to safety culture investigations, and her formal complaints to URS and BNI related to sexual discrimination and a hostile work environment.

As Manager for Environmental and Nuclear Safety, Donna Busche is a high-level safety official with the important responsibility to say "no" when things are not compliant with the rigorous codes that are meant to safeguard workers and the public from a nuclear accident.

### **Growing Concern:**

Donna Busche joins Don Alexander and Walt Tamosaitis in elevating issues that interfered with company policy to prioritize schedule and cost over resolving safety and technical issues. All are concerned with the viability of the design of the plant and its compliance with regulations. They are not alone. A course correction is sorely needed from leadership to stop pushing issues aside until concerned employees are forced to bring them to public attention.

As of this writing, there are three separate investigations into the Waste Treatment Plant – one chartered by Bechtel National, Inc., to look at safety culture issues, the second by DOE’s Office of Health, Safety and Security, and the third by the Government Accountability Office, or GAO. These investigations are expected to be concluded by the year’s end. Meanwhile, the Defense Nuclear Facilities Safety Board, or DNFSB, has announced that it will hold hearings into Hanford’s safety culture issues in March 2012.

The list of high-profile managers, engineers and scientists who are raising the alarm over the safety and technical issues with Waste Treatment Plant’s design is growing. How much longer can the Department of Energy insist on ignoring safety and quality concerns over simply meeting deadlines?

#### **Links**

[Second Hanford vit plant official files whistleblower claim](#), Tri-City Herald, November 13, 2011

[Hanford Whistleblower Files Lawsuit Against Department of Energy in U.S. Federal Court](#), Seattle Weekly, November 9, 2011

[Hanford Whistleblower Launches New Lawsuit Over Safety Concerns](#), NPR, November 9, 2011

[Hanford subcontractor, DOE being sued by former vit plant executive](#), Tri-City Herald, November 10, 2011

[Hanford's nuclear option](#), Seattle Weekly, October 19, 2011

More info and updates on the Vit Plant [on our webpage](#).