



The Secretary of Energy
Washington, DC 20585

July 24, 2006

The Honorable A. J. Eggenberger
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, NW, Suite 700
Washington, DC 20004-2941

Dear Mr. Chairman:

In June 2005, I provided you with a copy of the Department's revised Implementation Plan to Improve Oversight of Nuclear Operations in response to Board recommendation 2004-1. Since that time, the Department has completed numerous planned actions and has learned from this experience how best to sustain real improvement in this area. Based on the feedback to date, we are preparing to make a course correction on our implementation plan to improve its effectiveness and to bolster line management accountability. To this end, we plan to revise our 2004-1 implementation plan and provide you with this revision by September 2006. I have directed Mr. Mark B. Whitaker to serve as the Department's responsible manager for this effort.

The Department is currently re-considering several planned actions in the 2004-1 plan and expects to make changes. The enclosure identifies several near-term actions that are under review for potential modification and will not be completed on the schedule provided in the June 2005 plan. The Department's final decision, basis, and path forward for these commitments will be provided along with the revised 2004-1 implementation plan. In addition, the enclosure also provides the Department's revised schedules for other existing 2004-1 commitments.

Should you have any questions about our path forward, please do not hesitate to contact me or have your staff contact Mr. Mark B. Whitaker at (202) 586-3887.

Sincerely,

A handwritten signature in black ink that reads "Samuel W. Bodman".

Samuel W. Bodman

Enclosure

cc: Mark B. Whitaker



Near-Term 2004-1 Commitments That Are Under Review

These commitments are not yet due; however the Department is reconsidering whether and how to complete these commitments. The Department plans to issue a revised implementation plan addressing the path forward on these commitments by September 2006.

Commitment #	Commitment Title	Status
5	Draft and Issue DOE Safety Oversight Manual	This commitment is under review and will not be completed on the currently planned schedule. The path forward on this commitment will be provided in the 2004-1 implementation plan revision.
14	Commission an emeritus-level panel to review federal technical capability	This commitment is under review and will not be completed on the currently planned schedule. The path forward on this commitment will be provided in the 2004-1 implementation plan revision.
27	Complete comprehensive ISM reviews at an EM site and an NNSA site	This commitment is under review and will not be completed on the currently planned schedule. The path forward on this commitment will be provided in the 2004-1 implementation plan revision.
29	Provide an annual summary of 2004-1 activities	This commitment is under review and will not be completed on the currently planned schedule. The path forward on this commitment will be provided in the 2004-1 implementation plan revision.

Overdue 2004-1 Commitments That Are Under Review

The Department is reconsidering whether and how to complete these commitments. The Department plans to issue a revised implementation plan addressing the path forward on these commitments by September 2006.

Commitment #	Commitment Title	Status
7	Provide adequate processes and technical capabilities for the nuclear safety research function.	This commitment is under review. The path forward on this commitment will be provided in the 2004-1 implementation plan revision.
22B	Issue DOE ISM Manual	The scope of this commitment is under review. The path forward on this commitment will be provided in the 2004-1 implementation plan revision.

Overdue 2004-1 Commitments With Updated Completion Schedules

The Department is moving forward on these commitments but the current Department schedule is different from originally planned. The Department plans to issue a revised implementation plan addressing the path forward on these commitments by September 2006.

Commitment #	Commitment Title	Status
2 (ESE)	Provide adequate technical support for the ESE Central Technical Authorities.	The Department will complete this action by October 2006.
9B (NNSA)	Apply criteria for delegating authorities - NNSA	The Department will complete this action by December 2006.
10B (NNSA)	Develop QAPs for NNSA sites	The Department will complete this action by September 2006.
12	Provide plans for the Department's training and professional development program	The Department will complete this action by September 2006.
28	Provide periodic 2004-1 status briefing	The Department will complete the next briefing by August 2006.