



The Deputy Secretary of Energy  
Washington, DC 20585

June 10, 2010

The Honorable Peter S. Winokur  
Chairman  
Defense Nuclear Facilities Safety Board  
625 Indiana Avenue, NW, Suite 700  
Washington, DC 20004-2901

Dear Mr. Chairman:

I am writing in response to the Defense Nuclear Facilities Safety Board's (Board) letter of March 15, 2010, alerting me to the Board's concerns over perceived changes in the Department of Energy's (DOE) use of the Evaluation Guideline, as described in DOE Standard 3009, *Preparation Guide for U.S. Department of Energy Nonreactor Nuclear Facility Documented Safety Analyses*.

As described in the enclosure, DOE requirements and standards provide the foundation for ensuring the safe design and operation of our nuclear facilities. These requirements and standards, and their implementation, remain essentially unchanged since the promulgation of Title 10, Code of Federal Regulations, Part 830, *Nuclear Safety Management*, and have been effective in enhancing the safety of our facilities. That said, we continue to look for ways to improve our requirements and standards and their implementation, and will consider the Board's concerns to determine if clarification on the use of the Evaluation Guideline in Standard 3009 is needed.

The enclosure provides a detailed response to your first set of questions related to the regulatory status of DOE Standard 3009 and our regulatory framework for ensuring adequate protection of the public. Regarding your second set of questions, I have asked the responsible program offices to provide information directly to you on their defense nuclear facilities in which accident analysis calculations do not demonstrate that safety class controls will mitigate dose consequences to below the DOE Standard 3009 Evaluation Guideline.

If you have any questions on this matter please contact my Chief Health, Safety and Security Officer, Glenn Podonsky, at (202) 287-6071.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. B. Poneman", with a long horizontal flourish extending to the right.

Daniel B. Poneman

Enclosure



Printed with soy ink on recycled paper

cc: Thomas P. D'Agostino, US  
Kristina Johnson, US  
Steven Koonin, US  
Scott Harris, GC-1  
Glenn Podonsky, HS-1  
Mari-Jo Campagnone, HS-1.1