

A.J. Eggenberger, Chairman
Joseph F. Bader
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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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August 15, 2006

The Honorable Samuel W. Bodman
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Bodman:

The Defense Nuclear Facilities Safety Board (Board) has reviewed your June 28, 2006, response to our letter of March 3, 2006. The Board's letter requested that the Department of Energy (DOE) provide to the Board within 90 days plans for implementing DOE Policy 226.1, *Department of Energy Oversight Policy*, and DOE Order 226.1, *Implementation of Department of Energy Oversight Policy*, at DOE Headquarters and the individual sites. DOE Order 226.1 requires DOE Headquarters and field element line management to maintain sufficient knowledge of site and contractor activities to make informed decisions about hazards and risks, provide direction to contractors, and evaluate contractor performance. The value of federal oversight has repeatedly been demonstrated by the safety issues identified by facility representatives, assessments of the Office of Independent Oversight, and federal readiness reviews. Effective implementation of the safety and health requirements in DOE Order 226.1 is expected to improve the safety of facilities, operations, and programs.

The Board is encouraged that leads have been assigned for implementing the new requirements, and that Headquarters and site office managers have been directed to perform formal gap analyses and develop implementation plans for DOE Order 226.1. It is these implementation plans that the Board requested on March 3, 2006.

The Board's letter also stated that the response of the DOE—Savannah River Operations Office should specify corrective actions for improving the technical assessment program, the design review process, implementation of the Safety System Oversight (SSO) program, and participation in the management walkthrough program. The response did not provide corrective actions, as requested, for the technical assessment program, the design review process, and the management walkthrough program other than implementation of DOE Order 226.1. Corrective actions for the SSO program are limited mainly to hiring additional nuclear criticality experts. These limited corrective actions do not fully address the issues raised in the Board's March 3, 2006, letter.

Therefore, pursuant to 42 U.S.C. § 2286b(d), the Board requests that DOE provide to the Board within 30 days of receipt of this letter plans for implementing the safety requirements in DOE Order 226.1, *Implementation of Department of Energy Oversight Policy*, at the DOE sites that contain defense nuclear facilities. These plans should be readily available since they were to be provided to the National Nuclear Security Administration Office of Environment, Safety and Health and the DOE Office of Environmental Management in June 2006. The Board also requests that the omitted corrective action information in the DOE Savannah River Operations Office response be provided.

Sincerely,

A handwritten signature in black ink, appearing to read "A. J. Eggenberger". The signature is fluid and cursive, with a large initial "A" and "E".

A. J. Eggenberger
Chairman

c: The Honorable James A. Rispoli
The Honorable Linton Brooks
Mr. Jeffrey M. Allison
Mr. Mark B. Whitaker, Jr.