

[DOE LETTERHEAD]

October 28, 1997

The Honorable John T. Conway
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, N.W., Suite 700
Washington, D.C. 20004

Dear Mr. Chairman:

This is to notify you, pursuant to 42 U.S.C. 2286d(e), that the Department of Energy requires an additional 45 days to transmit the Implementation Plan for addressing the issues described in the Defense Nuclear Facilities Safety Board's Recommendation 97-2 concerning criticality safety. A Department response team developed a draft Implementation Plan which outlines specific actions to improve the effectiveness of criticality safety practices and programs. Technical issues raised by your staff concerning the draft Implementation Plan have been resolved. However, the Department requires more time to develop an equitable, lasting funding arrangement that takes into account the crosscutting nature of the criticality safety program.

We will continue to work closely with your staff to develop a fully funded, mutually acceptable Implementation Plan. The Department will make every effort to provide the Implementation Plan to the Board within the next two weeks, but no later than December 12, 1997.

Sincerely,

Federico Peña