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DEPARTMENT OF ENERGY

**DOE Response to Recommendation
2002-1 of the Defense Nuclear
Facilities Safety Board, Quality
Assurance for Safety-Related Software**

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: The Defense Nuclear Facilities Safety Board Recommendation 2002-1, concerning quality assurance for safety-related software at Department

of Energy Defense Nuclear Facilities was published in the **Federal Register** on October 9, 2002 (67 FR 62960). In accordance with section 315(b) of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2286d(b), the Secretary transmitted the following response to the Defense Nuclear Facilities Safety Board on November 21, 2002.

DATES: Comments, data, views, or arguments concerning the Secretary's response are due on or before January 6, 2003.

ADDRESSES: Send comments, data, views, or arguments concerning the Secretary's response to: Defense Nuclear

Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond J. Hardwick, Jr., Associate Deputy Assistant Secretary for Operations, Office of Corporate Safety Assurance, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585.

Issued in Washington, DC, on December 6, 2002.

Mark B. Whitaker, Jr.,

Departmental Representative to the Defense Nuclear Facilities Safety Board.

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The Secretary of Energy
Washington, DC 20585

November 21, 2002

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

Dear Mr. Chairman:

The Department acknowledges receipt of the Defense Nuclear Facilities Safety Board's (Board) recommendation 2002-1, *Quality Assurance for Safety-Related Software*, issued on September 23, 2002, and published in the *Federal Register* on October 9, 2002. The Department accepts recommendation 2002-1 and will develop an implementation plan that results in the following:

- Clear assignment of organizational roles, responsibility, and authority for safety-related software.
- Creation of infrastructure necessary to ensure an effective software quality assurance program, including personnel with the appropriate skill and expertise.
- Implementation of processes to identify safety analyses and design codes and ensure that they are subject to verification and validation appropriate for the application.
- Establishment of requirements and guidance for a rigorous software quality assurance process, which will include the use of industry standards where practicable.
- Creation of a process that will track continuous improvements and initiatives in software technology. This information will be used as a basis for maintaining safety-related software and will be shared across the complex.

The Department has initiated activities to improve the implementation of quality management systems at its defense nuclear facilities. Many of these activities resulted from the deficiencies documented in the Board's Technical Report DNFSB/TECH-25, *Quality Assurance for Safety-Related Software at Department*

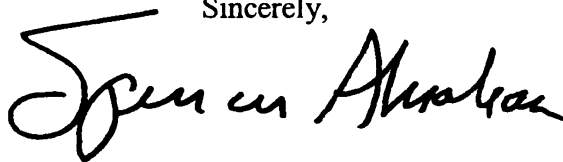


of Energy Defense Nuclear Facilities, and discussed at several of your public meetings on quality assurance. The Department considers its efforts to improve software quality assurance as a key element in the overall improvement of our quality management system, and the implementation plan will include and build on the actions that were previously undertaken as part of this initiative.

Ms. Beverly Cook, Assistant Secretary for Environment, Safety and Health, is the Department of Energy official responsible for safety-related quality assurance and for ensuring the successful completion of the implementation plan we will develop in response to your recommendation. Mr. Ray Hardwick, Office of Environment, Safety and Health, (301) 903-4244, is the responsible manager for the preparation of the Department's implementation plan.

Please feel free to contact either of them with any questions you may have as the Department moves forward with development of the implementation plan.

Sincerely,

A handwritten signature in black ink that reads "Spencer Abraham". The signature is written in a cursive style with a large, sweeping initial "S".

Spencer Abraham

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6635-7]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements filed December 2, 2002, through December 6, 2002.

Pursuant to 40 CFR 1506.9.

EIS No. 020498, Draft EIS, SFW, WA, Daybreak Mine Expansion and Habitat Enhancement Project, Habitat Conservation Plan, Issuance of a Multiple Species Permit for Incidental Take, Implementation, Clark County, WA, Comment Period Ends: February 21, 2003. Contact: Tim Romanski (360) 753-4371.

EIS No. 020499, Final EIS, BLM, OR, Coos County Natural Gas Transmission Pipeline, Construction, Operation and Maintenance, Proposed Natural Gas Pipeline from Roseburg to Coos Bay, Right-of-Way Grant, Coos Bay District, Coos County, OR, Wait Period Ends: January 13, 2003, Contact: Bob Gunther (541) 751-4295.

EIS No. 020500, Draft EIS, AFS, CA, Giant Sequoia National Monument Management Plan, Implementation, To Establish Management Direction for the Land and Resources, Sequoia National Forest, Fresno, Kern and Tulare Counties, CA, Comment Period Ends: March 13, 2003. Contact: Jim Whitfield (559) 784-1500.

EIS No. 020501, Final EIS, FHW, KS, U.S. 59 Highway Construction Improvements, Lawrence to Ottawa, Funding, NPDES Permit Issuance and Possible US Army COE Permit Issuance, Douglas and Franklin Counties, KS, Wait Period Ends: January 24, 2003, Contact: J. Michael Bowen (785) 267-7287.

EIS No. 020502, Draft EIS, MMS, AK, Cook Inlet Planning Area Oil and Gas Lease Sales 191 and 199, Outer Continental Shelf, Offshore Marine Environment, Cook Inlet, AK, Comment Period Ends: January 27, 2003, Contact: George Valiulis (703) 787-1662.

EIS No. 020503, Draft EIS, STB, TX, Bayport Loop New Rail Line, Construction and Operation, Finance Docket No. 34079, Houston, Harris County, TX, Comment Period Ends:

January 27, 2003, Contact: Dana White (202) 565-1552. This document is available on the Internet at: <http://www.stb.dot.gov>.

EIS No. 020504, Draft EIS, AFS, ID, Gaylord North Timber Sale Project, Harvesting Timber, Council Ranger District, Payette National Forest, Adam County, ID, Comment Period Ends: January 27, 2003, Contact: Michael Hutchins (208) 253-0100.

EIS No. 020505, FINAL EIS, NAS, 00, Programmatic—Mars Exploration Rover-2003 (MER-2003) Project, Continuing the Long-Term Exploration of Mars, Implementation, Wait Period Ends: January 13, 2003, Contact: David Lavery (202) 358-4800.

EIS No. 020506, Final EIS, NRC, VA, Generic EIS—Surry Power Station, Unit 1 and 2, Supplement 6 to NUREG-1437, License Renewal of Nuclear Plants, COE Section 404 Permit and NPDES Permit, James River, VA, Wait Period Ends: January 13, 2003, Contact: Andrew Kugler (301) 415-2828.

EIS No. 020507, Final EIS, NRC, VA, Generic EIS—North Anna Power Station, Units 1 and 2, Supplement 7 to NUREG-1437, License Renewal, VA, Wait Period Ends: January 13, 2003, Contact: Andrew Kugler (301) 415-2828.

EIS No. 020508, Final EIS, DOE, KY, Kentucky Pioneer Integrated Gasification Combined Cycle Demonstration Project, Constructing and Operating a 540 megawatt-electric Plant, Clean Coal Technology Program, Clark County, KY, Wait Period Ends: January 13, 2003, Contact: Roy Spears (304) 285-5460.

Amended Notices

EIS No. 020421, Draft EIS, FHW, OR, Newberg-Dundee Transportation Improvement Project (TEA 21 Prog. #37), Proposal to Relieve Congestion on Ore. 99W through the Cities of Newberg and Dundee, Bypass Element Location (Tier 1), Yamhill County, OR, Comment Period Ends: December 16, 2002, Contact: Jim Cox (503) 986-3013. Revision of FR notice published on October 18, 2002: CEQ Comment Period Ending December 2, 2002 has been extended to December 16, 2002.

Dated: December 10, 2002.

Joseph C. Montgomery,

Director, NEPA Compliance Division, Office of Federal Activities.

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6635-8]

Environmental Impact Statements and Regulations; Availability of EPA Comments; Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended

Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 12, 2002 (67 FR 17992).

Draft EISs

ERP No. D-FHW-E40796-NC Rating EC2, U.S. 64 Corridor Project, Transportation Improvements in the vicinity of the City of Asheboro and Access Improvements to the NC Zoological Park, Funding and U.S. Army COE section 404 Permit Issuance, Randolph County, NC.

Summary: EPA expressed environmental concerns regarding primary impacts as a result of project implementation. These include a large number of residential relocations, with many residences experiencing excessive noise increases and the loss of deciduous forest and surface water habitat. EPA requested that deletion of one or two proposed interchanges be evaluated.

ERP No. D-FHW-F40409-IN Rating LO, IN-25 Transportation Corridor Improvements from I-65 Interchange to U.S. 24, Funding, Right-of-Way and U.S. Army COE section 404 Permit Issuance, Hoosier Heartland Highway, Tippecanoe, Carroll and Cass Counties, IN.

Summary: EPA believes that the proposed project will result in minimum adverse impacts to the environment with the appropriate mitigation. No additional analyses are required.

ERP No. D-FHW-K40253-CA Rating 3, Riverside County Integrated Project, Winchester to Temecula Corridor Construction of a New Multi-Modal Transportation Facility, Route Location and Right-of-Way Preservation, Riverside County, CA.

Summary: EPA found that the DEIS was inadequate to satisfy the requirements of NEPA and lead to the selection of a preferred alignment containing the least environmentally damaging practicable alternative to satisfy section 404 of the Clean Water