



The Secretary of Energy

Washington, DC 20585

January 3, 2003

The Honorable John T. Conway
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, NW
Suite 700
Washington, DC 20004-2901

Dear Mr. Chairman:

Thank you for your letter endorsing the findings and recommendations of the Department of Energy (DOE) Commission on Fire Safety and Preparedness.

The Commission, in its final report of May 28, 2002, noted both strengths and weaknesses in the Department's fire protection programs and recommended actions to improve fire safety across the complex. You requested a response that outlines the specific actions that DOE will take to implement the recommendations of the Commission. Enclosed is an Action Plan that responds to your request.

As you know, shortly after the Commission's final report, I issued a directive to DOE senior management to address the threat from wildland fires; actions required as part of this directive are complete.

I have assigned Ms. Beverly A. Cook, Assistant Secretary for Environment, Safety and Health, the responsibility for managing the completion of the actions contained in the Action Plan and to implement changes to address the remaining fire safety recommendations that were identified by the Commission. Please note that some of our planned actions are intended to address broader issues within the realm of safety management. We plan to keep the Board and its technical staff informed about our efforts to meet our commitments. If you have any questions, please contact Ms. Cook at (202) 586-6151.

Sincerely,

A handwritten signature in black ink that reads "Spencer Abraham".

Spencer Abraham

Enclosure

cc:

M. Whitaker, S-3.1



**Action Plan to address the Defense Nuclear Facilities Safety Board (DNFSB) Letter
Dated July 17, 2002**

1.0 Background

The Department of Energy (DOE) Commission on Fire Safety and Preparedness issued its final report on May 28, 2002. While noting both strengths and weaknesses in the Department's fire protection programs, the Commission recommended several actions to improve fire safety across the complex.

In a letter dated July 17, 2002, Chairman Conway of the DNFSB requested a response that outlines the specific actions that DOE will take to implement the recommendations of the Commission.

2.0 Commission Recommendations and Associated Actions

2.1 Recommendation #1 - The Secretary should reaffirm, through a policy statement or equivalent directive, the validity and applicability of both industry and DOE-promulgated fire safety criteria to all Departmental Field Elements and contractors.

The Department affirms the need for its contractors to implement National Fire Protection Association codes and standards as well as DOE fire safety directives, such as DOE O 420.1, *Facility Safety*, and its Implementation Plan. An effective fire protection program requires the application of both applicable industry fire safety standards as well as relevant DOE Orders, standards, and guides. This conclusion applies to other environment, safety, and health (ES&H) disciplines. The EH staff is pursuing an initiative to re-evaluate DOE Order 420.1 with the goal of making it more effective across the complex. This may include rulemaking related to nuclear safety requirements. At the present time, no decision has been reached as to the preferred path forward. The Board will be consulted as our decision-making process evolves. The Department expects line managers to monitor working conditions and hazards continuously and apply the appropriate set of DOE and industry standards to assure safety.

Commitment:	Review DOE O 420.1 and revise as appropriate
Responsibility:	Director, Office of Nuclear and Facility Safety Policy
Deliverable:	Revised Order or draft Rule
Due Date:	January 31, 2004

2.2 Recommendation #2 - Management systems at all DOE sites should manifest a forceful and measurable commitment to fire safety.

DOE policy establishes that sites should manifest a forceful and measurable commitment to fire safety. Measures should be established to judge safety performance in all areas. The Department is working to strengthen existing management systems in a number of areas including lessons learned, operating experience, reporting mechanisms, performance measures, and contract clauses.

Commitment:	Revise ES&H Reporting Requirements
Responsibility:	Acting Deputy Assistant Secretary, Office of Performance Assessment and Analysis
Deliverable:	Revised ES&H Reporting Requirements
Due Date:	January 31, 2004

2.3 Recommendation #3 - Site fire departments and brigades should be subject to independent certification. Such certification is available through the Commission on Fire Accreditation International and the Department of Defense.

The DOE experience with fire department certification/accreditation is that the process is heavily dependent upon a review of paperwork. Certification does not assure that a department has minimally sufficient capabilities to respond to site emergencies. The Department intends to address the Commission's concern by continuing our technical support to DOE fire departments as part of their efforts to develop adequate "Baseline Needs Assessments," as required by DOE Order 420.1. Such assessments have been utilized successfully in the past to identify needed improvements in fire department staffing, apparatus, and training without the need for independent certification, as confirmed by independent assessments.

2.4 Recommendation #4 - Building upon existing emergency preparedness plans, DOE sites should be directed to strengthen relationships with Federal, state, and local emergency response organizations that share responsibility for preparation for, and response to, natural and man-made disasters.

Despite DOE's many fire protection efforts, fire remains a major contributor to risk across the Department. Particularly, wildland fires are an increasing threat to our sites. To help mitigate this threat, the Secretary issued a directive in May of this year that required all DOE sites to address wildland fire safety from a multi-faceted perspective. The directive specifically incorporated the recommendations of the Commission. This included the implementation of measures that are intended to strengthen existing relationships with Federal, State, and local emergency response organizations. Based on written responses to this directive that were received from our sites and the avoidance of any significant loss related to wildland fires this year, the Department is sufficiently prepared for external fire exposures. The safeguards that we have implemented will be maintained in the future. To institutionalize wildland fire safety measures across the complex, DOE intends to issue a comprehensive wildland fire safety management policy and implementing guidance. DOE intends to adopt the Federal Wildland Fire Safety Management policy, and this will facilitate better interagency cooperation and integration of planning and resources.

Commitment:	Issue a Wildland Fire Safety Policy
Responsibility:	Director, Office of Nuclear and Facility Safety Policy
Deliverable:	Wildland Fire Safety Policy
Due Date:	March 31, 2003

2.5 Recommendation #5 - Work with the Department's fire safety community.

The Commission's recommendation is intended to foster a greater degree of communication between management and the Department's fire safety professionals. It is DOE's expectation that subject matter experts be involved with any significant decision that affects the environment, safety, and health within the Department. DOE supports the continued professional development of the safety staff, including training, professional conferences, and technical committee membership. In addition, the Department supports the continuing work and scheduled meetings of DOE topical committees, including the DOE Fire Safety Committee.

Commitment:	Schedule annual meeting of the DOE Fire Safety Committee
Responsibility:	Director, Office of Nuclear and Facility Safety Policy
Deliverable:	Proceedings from March 2003 Annual Meeting
Due Date:	July 1, 2003

3.0 Status Reports and Briefings

Briefings will be provided, as requested, to the Board Staff. The Board itself will be informed of developments with the Plan in conjunction with other related briefings. These briefings will describe Action Plan progress, products, and next steps. We anticipate that they will also provide a forum for receiving feedback.