John T. Conway, Chairman

A.J. Eggenberger, Vice Chairman

John E. Mansfield

R. Bruce Matthews

DEFENSE NUCLEAR FACILITIES
SAFETY BOARD

625 Indiana Avenue, NW, Suite 700, Washington, D.C. 20004-2901
(202) 694-7000

February 24, 2004

The Honorable Spencer Abraham
Secretary of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Abraham:

The Defense Nuclear Facilities Safety Board (Board) is in receipt of your February 23, 2004 letter advising that you have directed the current proposed rule making be suspended to allow further consultations with the Board. This is in furtherance of our prior correspondence and our meeting with you and Deputy Secretary McSlarrow.

The Board and staff will work directly with Under Secretary Card and Assistant Secretary Cook and with the Department of Energy's (DOE's) subject matter experts to address the concerns raised. This is in accordance with Section 312 of the Atomic Energy Act of 1954 as amended which requires the Board to review and evaluate the content and implementation of DOE safety standards relating to orders, regulations and requirements at each DOE defense nuclear facility.

Based on past conversations and correspondence with you and Deputy Secretary McSlarrow, I and the other Board Members always have been convinced of your commitment to assuring that the safety and health of the workers remain a top personal priority for you. We appreciate the consideration, acceptance and leadership you have always given to the Board's suggestions and formal recommendations in assuring the public and worker's health and safety.

In view of the suspension of the original proposed rule, the Board has determined to cancel its previously announced public hearing scheduled for February 27, 2004.

Sincerely,

John T. Conway
Chairman

c: The Honorable Kyle E. McSlarrow
     The Honorable Linton Brooks
     The Honorable Robert Gordon Card
     The Honorable Beverly Ann Cook
     Mr. Mark B. Whitaker, Jr.