



**Department of Energy**  
**National Nuclear Security Administration**  
Washington, DC 20585

March 11, 2008

OFFICE OF THE ADMINISTRATOR

The Honorable A. J. Eggenberger  
Chairman  
Defense Nuclear Facilities Safety Board  
625 Indiana Avenue, N.W., Suite 700  
Washington, DC 20004-2901

Dear Mr. Chairman:

This is in response to your October 16, 2007, letter that provided a 60-day reporting requirement to address your concerns about the safety of nuclear operations at the Los Alamos National Laboratory (LANL). Specifically, your letter requested a report on the actions the National Nuclear Security Administration (NNSA) has taken to (1) facilitate timely and effective implementation of ongoing safety improvement initiatives for nuclear operations; (2) rapidly increase confidence in safety systems currently relied upon in operating nuclear facilities; and, (3) improve the Federal oversight of safety systems at LANL. On December 21, 2007, I requested additional time to respond to your letter in order to provide a more comprehensive and informative description of the status of safety improvements at LANL, and to ensure appropriate actions throughout the chain of command to improve Federal oversight.

**Ongoing Safety Improvements.** NNSA has taken a number of steps to facilitate the timely and effective implementation of ongoing safety improvement initiatives for nuclear operations at LANL. On January 23-24, 2008, the Principal Deputy Administrator convened a meeting of senior managers from LANL, Los Alamos Site Office (LASO), the Office of the Deputy Administrator for Defense Programs (NA-10), and the Office of the Chief, Defense Nuclear Safety (CDNS). During this meeting, NNSA and LANL senior managers reviewed the status of a wide range of safety improvements in progress at LANL and identified near-term priority actions for safety improvements. LANL management committed to complete Nuclear Facility Documented Safety Analyses (DSA) per the schedules established with LASO and to implement aggressively the approved DSA and Technical Safety Requirements (TSR). LANL senior managers also committed to complete improvements in Formality of Operations including increasing Cognizant System Engineer staffing. The LASO Deputy Manager committed to conduct a detailed review of Material at Risk at the Chemistry and Metallurgy Research (CMR) facility, oversee Formality of Operations improvements, and work closely with LANL to quickly review and approve updated TSR for CMR. NNSA Headquarters has prioritized the support of LASO resource requirements necessary for improvement of Federal oversight and implementation of safety improvement initiatives.

**Confidence in Safety Systems.** Following receipt of your October 16, 2007, letter, LASO directed LANL to evaluate specific safety system issues identified by the Defense



Nuclear Facilities Safety Board (DNFSB) staff and to make an initial operability determination for the affected systems. In response, LANL determined that, in the near term, the affected systems identified in your October 16, 2007, letter meet their operability requirements for normal and abnormal conditions. LASO has reviewed LANL's evaluation and agrees that the issues identified by the DNFSB staff do not indicate immediate concerns with system performance. The issues raised in your letter do have the potential to impact future operability of these systems, however, and LANL has initiated specific actions to address these issues. In addition, as part of its Fiscal Year (FY) 2009 oversight plan, NA-10, with support from the CDNS and the NNSA Service Center, will conduct an on-site assessment for a sample of the vital safety systems at LANL. This assessment will allow NNSA to validate the effectiveness of the LANL vital safety system assessment program, the efficacy of actions taken to address the specific issues raised in your letter, and the effectiveness of LASO safety system oversight programs.

NNSA continues to agree with the DNFSB that multiyear improvement initiatives are necessary to provide long-term solutions to safety issues at LANL. As you noted in your letter, NNSA and LANL have initiated a number of long-term programs to increase confidence in safety systems currently relied upon in operating nuclear facilities at LANL. NNSA continues to place strong emphasis on these actions, particularly the implementation of the Safety Basis Improvement Plan and the Formality of Operations Program developed by LANL. Although much work remains, LANL has made substantial progress in their Formality of Operations implementation plans, reporting completion for 411 of 766 milestones at the end of 2007, with all milestones under formal change control and status reported quarterly.

NA-10 has also taken action this Fiscal Year (FY) to incentivize improved safety performance at LANL. NA-10 worked closely with LASO to approve specific contractor performance incentives in FY 2008 for completion of safety system assessments for all Safety Class systems, with a stretch goal for operational awareness oversight of Formality of Operations implementation. During the January 23-24 meeting, the Principal Deputy Administrator and NA-10 conveyed senior leadership's sense of urgency for achieving safety improvements as soon as practicable.

**Improvements in Federal Oversight.** Regarding Federal oversight improvements, one of my six Special Focus Areas for NNSA regards improving Federal oversight of nuclear safety, physical security, and cyber security. I have tasked the CDNS to ensure the overall effectiveness of the interface between Federal oversight and contractor assurance for nuclear safety. The CDNS is working with other NNSA organizations to finalize specific requirements for nuclear safety oversight, including assessment programs by Site Offices and Headquarters. These requirements, including expectations for how oversight may be tailored based on validated contractor assurance system information, will be reflected in an NNSA supplemental directive on Line Oversight and Contractor Assurance.

In addition, a recent CDNS review of NA-10 nuclear safety management performance noted several management concerns, including a lack of well-defined and documented Headquarters roles and responsibilities for nuclear safety and resource gaps in nuclear safety oversight. To address identified Headquarters nuclear safety issues, NA-10 is undergoing a detailed functional analysis of all offices and considering options to realign existing NNSA technical capabilities to strengthen line management capability in nuclear safety oversight.

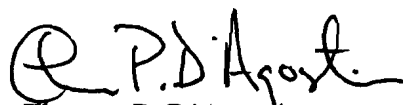
Recent LASO Federal oversight improvements include authorization for two additional positions to perform safety system oversight functions. In FY 2008, LASO will improve oversight of conduct of maintenance at the activity level, with focus on evaluating the system operability and integration and involvement of LANL system engineers. In addition, LASO is developing formal expectations for improved Federal oversight of the Formality of Operations Program, with plans to evaluate operability of safety systems through routine operational awareness activities and surveillances. The scheduling and performance of formal assessments will be documented in the LASO FY 2008 integrated assessment schedule. Updates on LASO corrective actions will be promulgated quarterly to NNSA senior management.

As you know, LASO has experienced difficulty in acquiring and assigning the necessary resources to improve LASO oversight programs. To ensure adequate technical support while these resource issues are being resolved, the NNSA Service Center will continue to provide dedicated support to LASO. In 2007, the NNSA Service Center's Office of Technical Services dedicated over 40 percent of available environmental, safety and health staff to support LASO safety capabilities, and that level of support is expected to continue until LASO is fully staffed to execute assigned safety functions.

**Summary.** NNSA agrees that the findings and observations of the DNFSB staff indicate the need to focus senior management and available technical resources at Headquarters, LASO, and LANL on implementation of programs that result in safety system performance improvements at the floor level in LANL nuclear facilities. NNSA believes that efforts underway by LANL, coupled with the actions summarized above and complimented by Federal oversight process improvements and priority resource allocations, will result in near-term measurable improvements in nuclear facility operations needed to build the foundation for continuous improvements in the long term.

I have asked the Deputy Administrator for Defense Programs to work with you to schedule a briefing per your request. If you have any questions, please contact me or Michael Thompson at (202) 586-6058.

Sincerely,



Thomas P. D'Agostino  
Administrator