



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

March 5, 2009

OFFICE OF THE ADMINISTRATOR

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

Dear Mr. Chairman:

This is in response to your December 16, 2008 letter, which closed Board Recommendation 98-2, but also documented Board concerns regarding the disposition of findings resulting from Nuclear Explosive Safety (NES) Studies, NES Change Evaluations (NCEs), and Operational Safety Reviews (OSRs). As noted in your letter, DNFSB staff observations during two NES Studies called into question National Nuclear Security Administration (NNSA) program line management's appreciation of the role and the value of the independent NES Study Groups (NESSGs). I would like to emphasize NNSA management's commitment to and recognition of the NES evaluation process and the vital and valuable role that it plays in ensuring the safety of nuclear explosive operations. NNSA management has always been and continues to be a proponent of the NES evaluation process and continually strives for improvement of all programs important to the safety of nuclear explosive operations.

You requested a report detailing the disposition of prestart and post-start findings in NNSA's approval of each NES Study, NCE, and OSR report issued from 2003 through 2008 and an evaluation of whether there are trends in the acceptance and resolution of findings that provide insight into the present stature and effectiveness of the NES function within NNSA. The enclosure provides NNSA's analysis of the disposition of NES evaluation findings. In summary, the data shows variations in the acceptance and disposition of findings over the six years examined. The approval authority's direction on the priority of corrective action to be taken on 15 of 189 findings was contrary to the NESSG's recommendation. Two studies dominate the numbers: the 2006 W87 NESS and the 2008 Onsite Transportation & Staging Master Study. Each of these studies had four prestart findings reclassified by the approval authority. Excluding these two studies, the number of findings reclassified is down to seven (7) of 162. It is also important to note that management has in some instances directed action on issues documented by the NESSG that did not rise to the level of a finding (these are reflected in the enclosed report).

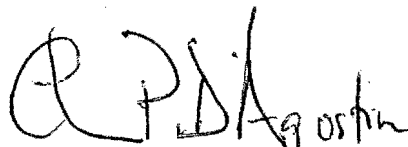


NNSA recognizes the differences discussed above between the NESSG recommendations and line management decisions indicate the need to consider improvements in the definition of requirements or process instructions associated with nuclear explosive safety evaluations. NNSA will explore the need for better definition of criteria for prestart versus post-start findings and will look closely at the interpretation of the NES Standards. These potential issues will require further evaluation to determine what actions, if any, should be taken. NNSA will keep you and your staff informed as we move forward with evaluating potential actions.

It is worth noting the NES evaluation process has evolved significantly over the last several years with input from various organizations including line management, Site Offices, and the NES community, including DNFSB Staff. Much of the NES process evolution, including revision of the NES Standards and guidance in their application and intent is captured in the updated 452-series directives awaiting formal approval. As an expert-based review board, the NESSG conducts evaluations with only a safety focus, documenting its safety concerns as findings in the NES evaluation report. It is this expert-based safety focus that makes the NES evaluation process of such value to NNSA. Although, on rare occasions, line managers may not reach the same ultimate conclusions on potential safety issues as an NESSG, NNSA management remains committed to the NES evaluation process and continues to consider it essential to the safety of nuclear explosive operations.

Should you have any questions regarding this matter, please contact Dr. Kevin Greenaugh at (202) 586-2026 or Ron Baca at (505) 845-6213.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. P. D'Agostino', written in a cursive style.

Thomas P. D'Agostino  
Administrator

Enclosure

cc: W. Ostendorff, NA-2  
M. Whitaker, HS-1.1  
D. Nichols, NA-2.1  
S. Erhart, PXSO  
J. McConnell, NA-171  
S. Goodrum, NA-12  
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