

Peter S. Winokur, Chairman
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**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



July 24, 2013

The Honorable Ernest J. Moniz
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Moniz:

The Secretary of Energy partially accepted Recommendation 2010-1, *Safety Analysis Requirements for Defining Adequate Protection for the Public and the Workers*, on February 28, 2011, and followed with an Implementation Plan on September 26, 2011. The Implementation Plan was developed to satisfy the mutual objectives of our respective agencies by ensuring that Department of Energy (DOE) requirements are clear, easily implemented, and provide for adequate protection of the public, workers, and the environment. Many elements of the Implementation Plan have not been met.

More specifically, DOE has not completed the following four commitments under the Implementation Plan.

- Update DOE Standard 3009
- Update DOE Standard 1120, DOE Standard 3011, and DOE Standard 1189
- Update DOE Standard 1104
- Analysis of Regulatory Options

The most important element of the Implementation Plan is the update to DOE Standard 3009. The draft DOE Standard 3009, which is currently in the final stages of DOE's Revision and Comment process, fails to meet a number of commitments in the Implementation Plan. For example, this draft does not provide a determination of the applicability of DOE Standard 3009 to new and existing facilities, and does not identify criteria for evaluating the adequacy of the control set to perform its safety function.

Therefore, pursuant to 42 U.S.C. § 2286b(d), the Board requests (1) a report and a briefing within 60 days of this letter that describe the actions DOE will be taking to meet the commitments of its Implementation Plan, and (2) an updated Implementation Plan schedule.

Sincerely,

Peter S. Winokur, Ph.D.
Chairman

c: Mrs. Mari-Jo Campagnone