

Bruce Hamilton, Chairman
Jessie H. Roberson
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**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



June 12, 2019

The Honorable James Richard Perry
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Perry:

The Defense Nuclear Facilities Safety Board requires access to all phases of the nuclear explosive safety (NES) study process. Since March 2018, NNSA has denied our staff access to NES study deliberations, as well as the outbrief of one study group's final report. To compensate for the lost access, members of our staff have met with the NNSA lead for each NES study after the fact to walk through the deliberations process, including how the study group's concerns were dispositioned, and to discuss any additional demonstrations, walkdowns, or briefings.

These back-briefings have been beneficial but are insufficient substitutes for observation of NES study group deliberations and outbriefs. NES study groups deliberate as an expert panel and do not formally document the rationale for dispositioning each of their observations and concerns. Such information cannot be fully reconstructed during back-briefings, and, as a result, our staff is unable to evaluate fully: (1) the implementation of DOE directives during the deliberations and outbrief processes; and (2) the study groups' rationale for dispositioning their concerns as findings or observations, or not including them in the final report. Without access to all phases of the NES study process, we are unable to assess DOE's implementation of its directives governing safe nuclear explosive operations. Pursuant to 42 U.S.C. §2286b(d) and §2286c(b), if you have reached a determination to deny such access, we request a report no later than 30 days from receipt of this letter documenting your decision.

Yours truly,


Bruce Hamilton
Chairman

c: Mr. John Evans
Mr. Joe Olencz