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April 23, 2020

Chairman Bruce Hamilton  
Defense Nuclear Facilities Safety Board  
625 Indiana Ave NW  
Suite 700  
Washington, DC 20004

**RE: Request for Public Education and Outreach Materials on Recommendation 2020-01,  
*Nuclear Safety Requirements***

Dear Chairman Hamilton and Members of the Defense Nuclear Facilities Safety Board,

On behalf of the Energy Communities Alliance (ECA), I am writing regarding the Board's recently published Recommendation 2020-01, *Nuclear Safety Requirements*, as sent to the Department of Energy (DOE) in February 2020. ECA generally agrees with the Defense Nuclear Facilities Safety Board (DNFSB) assessment and supports efforts to ensure the safety of the public, the workers and the environment. As the only organization representing the local governments and communities that host and are most directly impacted by DOE and National Nuclear Security Administration (NNSA) activities, ECA believes it is critical that these safety assurances remain a priority when creating any regulatory framework. Another critical component for established safety measures is that DOE and DNFSB be on the same page regarding the regulatory framework, and ECA is concerned that is not currently the case. To that end, we write to request materials for public education and public outreach on Recommendation 2020-01 in order to facilitate community education because the sites that are most impacted should have the clearest understanding of potential regulatory changes.

While DOE has established internal review procedures, the presence of DNFSB<sup>1</sup> as an independent, non-duplicative body adds needed trust for communities supporting federal facilities

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<sup>1</sup> U.S. House. National Defense Authorization Act, Fiscal Year 1989, Conference Report (to Accompany H.R. 4481). (H.Rept 100-735). Congress created the DNFSB due to a significant number of high-profile problems associated with DOE's management of the nuclear weapons program, which could potentially cause *real health and safety issues in our communities*. In response to these problems, Congress's intent in creating DNFSB was to create an oversight mechanism to: (1) review and evaluate the content and implementation of standards relating to the design, construction, operation, and decommissioning of defense nuclear facilities of DOE at each DOE defense nuclear facility; (2) investigate any event or practice at such a facility which the DNFSB determines has adversely affected, or may adversely affect, public health and safety; (3) have access to and analyze design and operational data from any DOE defense nuclear facility; (4) review and make recommendations to the Secretary regarding the design and construction of new DOE defense nuclear facilities; and (5) make recommendations to the Secretary with respect to all DOE defense nuclear facilities as necessary to ensure adequate protection of public health and safety.

across DOE's weapons complex. Although the Board does not possess regulatory authority, ECA believes you all play a critical third-party role providing information on the actual risk and actions needed to mitigate risk to our communities. ECA supports the Board based on that trusted oversight role but urges DNFSB to more effectively communicate with the communities it seeks to protect and consider the availability of Congressional appropriated funding in its recommendations.

With that goal in mind, ECA is requesting additional information about Recommendation 2020-01 that can be more easily understood by a wider audience. Health and safety oversight are most important to communities, and the public needs to understand any differences in DNFSB and DOE priorities. ECA is concerned that the absence of an understanding can lead to unresolved and unreported safety issues at DOE sites – something that no one wants to see. A simpler overview is requested, with the intention of distribution among ECA communities.

ECA also is requesting that DNFSB continue to work with DOE/NNSA to develop solutions to problems identified in its reports – especially in regard to safety regulations. The host communities' impression is that DNFSB and DOE/NNSA's failure to work together has caused significant project delays and unnecessarily increased costs. ECA suggests considering as a model the current communication pipeline between state regulators and the Environmental Protection Agency. Because there is a framework to facilitate open communication on environmental issues, when disagreements occur, they can be met with jointly-developed solutions which keeps projects that impact health, safety and national security moving forward.

ECA welcomes the opportunity to discuss our concerns and ways in which can help improve communication and engagement between DNFSB and local communities. If you have any questions or concerns on this matter, please contact ECA Executive Director Seth Kirshenberg at (202) 828-2317.

Sincerely,



County Executive Ron Woody  
Roane County, TN  
ECA Chair

Cc: Hon. Lisa Gordon-Hagerty; Under Secretary for Nuclear Security and NNSA Administrator  
Mr. William "Ike" White; Senior Advisor for Environmental Management to the Under  
Secretary for Science  
Mayor Brent Gerry; City of Kennewick, WA; ECA Vice-Chair;  
Mayor Rebecca Casper, Idaho Falls, ID; ECA Secretary;  
Councilor David Izraelevitz; Los Alamos County, NM; ECA Treasurer;  
Councilmember Jason Chavez; Carlsbad, NM; ECA Member-At-Large;  
Councilmember Chuck Smith; Aiken County, SC; ECA Past-Chair;  
ECA Board of Directors;  
Seth Kirshenberg, ECA Executive Director;  
MacKenzie Kerr, ECA Program Manager