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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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February 28, 1996

The Honorable Hazel R. O'Leary
Secretary of Energy
Washington, DC 20585-1000

Dear Secretary O'Leary:

As required by the Defense Nuclear Facilities Safety Board's (Board) enabling legislation, the Board and its staff have been actively engaged in reviewing and evaluating the Department of Energy (DOE) safety standards applicable to defense nuclear facilities.

Since April 1995 we have intensified our efforts aimed at evaluating improvements in safety at defense nuclear facilities that may result from proposed changes in the safety requirements applicable to those facilities. In particular, we have actively followed DOE's proposed changes in the development of: "new" DOE Orders under the auspices of your "Order Revision Effort" and proposed Rules to be enacted under the auspices of the Price-Anderson Amendments Act of 1988. We have devoted considerable staff effort over the past year to working with your technical and legal staff in reviewing and commenting on our position regarding health and safety aspects of these changes and have held three public meetings on this subject.

With respect to the "new" Orders that DOE has issued, the Board has found that six new Orders and guidance are consistent with or an improvement to the current DOE Order system: Emergency Management (151.1), Accident Investigation Requirements (225.1), Safety and Health Reporting Requirements (231.1), Startup and Restart of Nuclear Facilities (425.1), Life Cycle Asset Management (430.1), and Departmental Materials Transportation and Packaging Management (460.2).

On the other hand, the Board's review of six other new Orders issued by DOE found a variety of deficiencies: Performance Indicators and Analysis of Operational Information (210.1), Occurrence Reporting (232.1), Facility Safety (420.1), Worker Safety and Health Program (440.1), Packaging and Transportation Safety (460.1), and Directives System (251.1). The Board's staff are continuing to work with DOE staff on specific language in the orders and guidance documents.

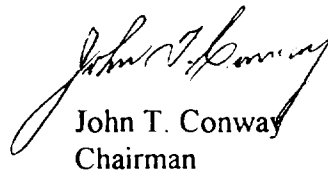
In some cases, the deficiency in these new Orders is the specific language within the Order itself, and in other instances the deficiency is within the associated guidance document or standard. The Board finds that the requirements in these six new Orders, when analyzed with their associated guidance are inadequate. The Board looks forward to correction of these deficiencies before new Orders are incorporated into contracts at defense nuclear facilities.

The Board also would like to reemphasize the point that until the "mapping" or "crosswalk" showing the tracking of requirements from the existing set of safety-related DOE Orders to the "new" Orders and Rules is completed, the Board reserves the right to comment on the revised system as a whole to make sure that important safety requirements are not inadvertently lost or dropped.

With respect to the proposed Rules 10 CFR 830 and 10 CFR 834, the Board's staff continues to evaluate these proposed new rules and their associated safety guidance and will continue to provide input to DOE.

If your staff has any questions with respect to this matter, please refer them to Dr. Lester Ettlinger at (202) 208-6439.

Sincerely,



John T. Conway
Chairman

c: M. Whitaker