

March 27, 2003

The Honorable Beverly Ann Cook
Assistant Secretary for Environment,
Safety and Health
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-0119

Dear Ms. Cook:

In a letter to the Secretary of Energy dated February 14, 2003, the Defense Nuclear Facilities Safety Board (Board) noted deficiencies in Department of Energy (DOE) actions in response to a June 14, 2002, notification by the Government-Industry Data Exchange Program (GIDEP) of quality issues concerning aluminum parts heat-treated by Temperform USA (Temperform). The Board noted that DOE still needed to adequately assess whether potentially discrepant items heat-treated by Temperform have been installed in safety-related or mission-critical applications affecting defense nuclear facilities. Consequently, pursuant to 42 U.S.C. § 2286b(d), the Board requested that DOE, within 30 days of receipt of the Board's letter, provide a report that documents implementation of actions required to verify that no aluminum parts heat-treated by Temperform are in use in safety-related or mission-critical applications. The Board also requested that DOE, within 60 days of receipt of the Board's letter, provide a plan that outlines corrective actions to be taken by DOE to ensure adequate disposition of any future issues that involve suspect/counterfeit items.

In your letter dated March 18, 2003, on behalf of the Secretary of Energy, you requested additional time to fully address the Temperform issue. You also stated that DOE will provide a progress report and briefing to the Board by April 15, 2003.

The Board approves your request for additional time in which to provide a report that documents the implementation of DOE actions required to verify that no aluminum parts heat-treated by Temperform are in use in safety-related or mission-critical applications. The DOE should, however, provide information to the Board as it becomes available and not wait until completion of implementation of all actions or April 15, 2003, before reporting to the Board.

The Board awaits receipt of your report on implementation of actions concerning parts heat-treated by Temperform and your plan that outlines corrective actions to ensure adequate disposition of future issues involving suspect/counterfeit items.

Sincerely,

John T. Conway
Chairman

c: Mr. Mark B. Whitaker, Jr.