



## Department of Energy

Washington, DC 20585

May 9, 2006

The Honorable A. J. Eggenberger  
 Chairman  
 Defense Nuclear Facilities Safety Board  
 625 Indiana Avenue, N.W.  
 Suite 700  
 Washington, D.C. 20004-2901

Dear Mr. Chairman:

On December 13, 2005, the Department provided its report to the Defense Nuclear Facilities Safety Board (DNFSB) concerning the proper interpretation and application of nuclear safety definitions. That report was developed in response to your September 14, 2005, letter requesting the Department to address inconsistent implementation of requirement related to startups, restarts, safety basis documents, and facility design. Since our December report the Department developed draft definitions, met with the DNFSB staff on February 14, 2006, provided our draft definitions to the DNFSB staff, and had several follow-up conversations. As a result of these actions, the plans outlined in our December 13, 2005, report needs to be updated. Specifically, the Department will conduct a focused review of the Savannah River Operations Office activities regarding interpretation and application of Nuclear Safety definitions. The Department will also conduct a second similar review at an additional Environmental Management site. We believe that it is premature to make changes to any Department of Energy Order requirements until this site data is obtained and the results discussed with the DNFSB staff. The Department will provide the results of the site reviews to the DNFSB staff.

Please contact me at (202) 586-6151 if you have questions or comments.

Sincerely,

C. Russell H. Shearer  
 Acting Assistant Secretary for  
 Environment, Safety and Health

cc: R. Hardwick, EH-2  
 R. Stark, EH-24  
 M. Whitaker, DR-1  
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