



Department of Energy

Washington, DC 20585

March 1, 2004

The Honorable John T. Conway
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, NW
Washington, D.C. 20004-2941

Dear Mr. Chairman:

In response to the Defense Nuclear Facilities Safety Board's (DNFSB) endorsement of the findings and recommendations of the Department of Energy (DOE) Commission on Fire Safety and Preparedness, the Secretary transmitted an Action Plan in his letter to you dated January 3, 2003, that committed to several actions. The Secretary assigned me the responsibility to manage the completion of the actions. This letter provides a status on Commitments 2.1 and 2.2.

Commitment 2.1 of the Action Plan is to review DOE O 420.1, *Facility Safety*, to ensure that it implements current and appropriate National Fire Protection Association codes and standards as well as relevant DOE directives. Additionally, we agreed to consider whether rulemaking on nuclear facility fire safety requirements is a more effective option for imposing requirements on contractors. We committed to issue a revised Order or a proposed rule.

The DOE Fire Safety Committee, chaired by the Office of Environment, Safety and Health (EH), considered the options and developed a revision to the fire protection requirements in Section 4.2 of DOE O 420.1A. The revised Order was submitted to the DOE fire safety community and the DNFSB staff for review and comment. All comments are resolved and the proposed DOE O 420.1B was submitted for DOE Directives review through the review and comment (RevCom) process.

Commitment 2.2 of the Action Plan is to strengthen existing management systems in a number of fire safety areas, including lessons learned, operating experience, reporting mechanisms, performance measures and contract clauses. The new DOE O 231.1A, *Environment, Safety, and Health Reporting*, and its two manuals introduced improvements to the way fire safety and other environmental, safety and health events are reported, such as providing better input for trending and the elimination of reporting damage based solely on cost thresholds. The recent redesign of the Occurrence Reporting and Processing System (ORPS) made improvements to reporting criteria that we are currently evaluating through our feedback and improvement process. EH continues to assess the effectiveness of



the new fire safety reporting criteria along with other criteria. We also continue to analyze and trend ORPS occurrences, including those involving fire safety.

Following discussions with your staff, EH agreed to compile and issue monthly reports on fire safety ORPS occurrences to the DNFSB staff, beginning this month. In addition, EH is conducting a survey of fire department incident reports from selected sites to determine if these reports are another viable source of fire safety information. We plan to assess the results of these two activities to determine if DOE should augment its new reporting requirements and use this assessment as a basis for identifying any reporting requirement changes that may be warranted. We can provide a status of these efforts in July 2004.

If you have any questions, please contact me at (202) 586-6151.

Sincerely,



Beverly A. Cook
Assistant Secretary
Environment, Safety and Health

cc:

M. Whitaker, DR-1
F. Russo, EH-3
R. Hardwick, EH-2
R. Black, EH-22