

Bruce Hamilton, Chairman
Jessie H. Roberson
Joyce L. Connery

**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



April 16, 2020

The Honorable Dan Brouillette
Secretary of Energy
US Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Brouillette:

The NNSA Chair of a nuclear explosive safety (NES) change evaluation prohibited our Resident Inspector from observing the deliberation phase of the evaluation at the Pantex Plant on April 13, 2020. In an email dated April 13, 2020, the NNSA Chair stated that the “decision was based on DOE O 140.1 compliance.”

Consistent with our October 11, 2019, letter to Secretary Perry, the Board requires access to all phases of NNSA’s NES evaluation process to execute its statutory safety oversight functions. Pursuant to 42 U.S.C. § 2286c(a), DOE is required to “provide the Board with prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary.” NNSA’s denial reinforces the need to execute changes to DOE Order 140.1 consistent with the National Defense Authorization Act for Fiscal Year 2020, Pub. L. No. 116-92, 113 Stat. 1198 (2019) and to develop a bilateral memorandum to articulate modalities for interface between the Department and the Board as needed to execute the Board’s statutory functions.

Yours truly,

Bruce Hamilton
Chairman

c: Ms. Lisa E. Gordon-Hagerty
Mr. John D. Evans
Mr. Joe Olencz