

Joyce L. Connery, Chairman
Jessie H. Roberson, Vice Chairman
Sean Sullivan
Daniel J. Santos
Bruce Hamilton

**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



September 23, 2016

The Honorable Ernest J. Moniz
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Moniz:

The Defense Nuclear Facilities Safety Board (Board) is concerned about the Department of Energy's (DOE) cancelation of DOE Policy 226.1B, *Department of Energy Oversight Policy*. DOE originally issued Policy 226.1 and Order 226.1, *Implementation of Department of Energy Oversight Policy*, as Commitments 4A and 4B respectively of the Secretary's Implementation Plan for Board Recommendation 2004-1, *Oversight of Complex, High-Hazard Nuclear Operations*.

The DOE Implementation Plan for Board Recommendation 2004-1 outlined eight principles of effective oversight and based DOE's oversight model on the following tiers to ensure DOE's inherently governmental responsibility to protect public health and safety: contractor assurance systems; DOE field office oversight; DOE headquarters line management oversight; and independent federal oversight. Policy 226.2, *Policy for Federal Oversight and Contractor Assurance Systems*, issued on August 9, 2016, does not emphasize any of the eight principles or distinguish among the three tiers of federal oversight.

Pursuant to 42 U.S.C. § 2286b(d), the Board requests a briefing within 30 days that explains: 1) DOE's plans to implement Policy 226.2, including the means by which DOE will verify that its contractors develop and maintain highly effective contractor assurance systems at defense nuclear facilities; and 2) any planned changes in DOE's approach to safety oversight of complex, high-hazard defense nuclear facility operations.

Sincerely,


Joyce L. Connery
Chairman

c: Mr. Joe Olencz