

January 24, 2003

The Honorable Spencer Abraham
Secretary of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Abraham:

The Defense Nuclear Facilities Safety Board (Board) has received your action plan, dated January 3, 2003, to address recommendations of the Department of Energy (DOE) Commission on Fire Safety and Preparedness. The action plan addresses five actions including one for which the report of the commission stated in its cover letter “This commitment should begin with **establishing and sustaining a safety conscious mindset throughout DOE** [emphasis in original letter] . . .”

The Board has also received a copy of a DOE letter dated January 9, 2003 directing the Los Alamos National Laboratory (LANL) to deobligate \$75 million in uncosted balance from funds originally appropriated to mitigate impacts from the Cerro Grande fire. Some of the funds are for projects of particular interest to the Board such as the Partial Site-wide Fire Alarm System Replacement Project. This project is intended to upgrade an antiquated and inadequate site-wide fire alarm system at LANL and was identified as being urgently needed during feedback following the Cerro Grande fire. In its response to Board Recommendation 2000-2, *Configuration Management, Vital Safety Systems*, DOE committed to perform a Phase II assessment on the system, but requested that it be performed following the completion of a portion of the partial fire alarm replacement project. Other projects of interest to the Board include waste management risk mitigation that would upgrade the Technical Area-50 radioactive liquid waste treatment facility, resumption of laboratory programmatic operations that would permit timely shipment of transuranic waste to the Waste Isolation Pilot Plant, and the mobile command center to be a part of the LANL emergency management system.

The action to stop the safety-related projects at LANL appears to be inconsistent with “. . . establishing and sustaining a safety conscious mindset. . .” In addition it is not clear to the Board how the safety issues affected by the deobligation of funds will be addressed in some other suitable manner. Therefore, pursuant to 42 U.S.C. § 2286b(d), the Board requests a report

within 30 days of receipt of this letter that documents how DOE plans to address the hazards and implement the safety improvements that were the focus of the safety-related action plans being defunded by DOE. The report should include a revised plan for completing a Phase II assessment of the LANL site-wide fire alarm system.

Sincerely,

John T. Conway
Chairman

c: The Honorable Linton Brooks
The Honorable Jessie Hill Roberson
Mr. Mark B. Whitaker, Jr.