

January 9, 2003

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

Dear Secretary Abraham:

The Board was pleased with your June 4, 2001, letter to the Defense Nuclear Facilities Safety Board (Board) concerning High-Efficiency Particulate Air (HEPA) filter testing protocols and procedures which specified six actions to be implemented for assuring a robust HEPA filter testing regime. The testing regime was based on working group proposals and subsequent concurrences from the Department of Energy's (DOE) Chief Operating Officers and Field Management Council developed during a two year time frame. The Board agreed with your statement that "these actions will help assure the integrity of confinement ventilation systems intended to protect the environment, our workers and the public."

However, recently it has come to the Board's attention that some of these actions are either not being fully implemented, or are facing yet another review with a potential for cancellation. Specifically,

- ! funding for the Filter Test Facility at Oak Ridge National Laboratory has again run out;
- ! the Quality Assurance Working Group is not aware of their tasking to develop and execute a formal self-assessment program for the HEPA testing protocols;
- ! recommendations are being made to the Office of Environmental Management to stop the 100 percent Quality Assurance Testing for safety-class and safety-significant HEPA filters at the Filter Test Facility; and,
- ! tailored testing programs for HEPA filters which do not serve a safety function have not been developed.

The Board believes these actions are contrary to the spirit of the policy clearly expressed in your letter.

Therefore, pursuant to 42 U.S.C. § 2286b(d), the Board requests a report within 45 days of receipt of this letter that documents the implementation history for each action listed in the enclosure to your June 4, 2001 letter, and the justification and technical basis for any changes.

Sincerely,

John T. Conway
Chairman

c: The Honorable Jessie Hill Roberson
Mr. Keith A. Klein
Mr. Jeffrey M. Allison
Mr. Mark B. Whitaker, Jr.