

A.J. Eggenberger, Chairman
John E. Mansfield, Vice Chairman
Joseph F. Bader
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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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June 10, 2009

The Honorable Kristina Johnson
Under Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Under Secretary Johnson:

The Defense Nuclear Facilities Safety Board (Board) would like to take this opportunity to congratulate you on your appointment as the Under Secretary of Energy.

By way of introduction, the Board's statutory mandate is to identify the nature and consequences of potential threats to public health and safety at the Department of Energy's (DOE) defense nuclear facilities, elevate such issues to the highest levels of authority, and inform the public. As you begin your duties as Under Secretary of Energy, the Board would like to share with you our perspective on the current state of nuclear safety at these facilities. A summary of current issues that was provided to Secretary Chu following his appointment is provided in the enclosure for your use. Although many of the DOE facilities listed in the enclosure are outside your jurisdiction, you may find this summary useful in that it provides a brief, comprehensive listing of the most serious safety issues under the Board's jurisdiction. In addition, it is worth pointing out that nearly all the activities under the Office of Environmental Management (EM) are under the Board's jurisdiction.

One organizational concern that merits your immediate attention is on page 3 of the enclosure, "Preserving and Enhancing the Central Technical Authority (CTA) Function." The CTA responsibility within DOE had been levied upon your new position, while within the National Nuclear Security Administration (NNSA) CTA responsibility had been assigned to its Deputy Administrator. The Under Secretary and NNSA were supported by the Chief of Nuclear Safety (CNS) and the Chief of Defense Nuclear Safety (CDNS), respectively. The CNS and CDNS offices were staffed by highly competent scientists and engineers whose primary role was to support the CTAs in providing independent safety oversight of the line organizations and in promoting the appropriate balance between mission and safety. This is a separate role from that provided by the Office of Independent Oversight, a part of the Office of Health, Safety and Security (HSS), which reports to the Secretary. The CNS and his staff had previously reported directly to the Under Secretary for Energy. Recent personnel moves during the transition have eliminated the CNS and his staff from your office. The Board believes that these changes will impact your office's ability to perform your independent nuclear safety oversight responsibilities. In the interim, EM has partially compensated by developing a Technical Authority Board; however, the relationship between the EM construct and the CTA needs to be defined.

We look forward to working with you on these matters and would welcome the opportunity, at your convenience, to discuss any subject related to ensuring adequate safety of the public and workers at DOE's defense nuclear facilities.

Sincerely,

A handwritten signature in black ink, appearing to read "A. J. Eggenberger". The signature is fluid and cursive, with a large initial "A" and "E".

A. J. Eggenberger
Chairman

Enclosure

c: The Honorable Inés R. Triay
Mr. Mark B. Whitaker, Jr.