The Secretary of Energy
Washington, D.C. 20585

May 27, 2011

The Honorable Peter S. Winokur
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, NW Suite 700
Washington, DC 20004

Dear Mr. Chairman:

Thank you for the clarification provided in the Defense Nuclear Facilities Safety Board's letter dated April 27, 2011, reaffirming Recommendation 2010-1, *Safety Analysis Requirements for Defining Adequate Protection for the Public and the Workers.* As described in our initial response, dated February 28, 2011, we had largely agreed with the intent of your Recommendation, but had disagreed on some of its technical details. Your letter addressed those details, and indicated that you intended for there to be flexibility in implementing them.

Since last February, our staffs have worked closely to ensure that we understood the original intent of Recommendation 2010-1, as well as the underlying safety improvements that were sought. Valuing the significance of this recommendation, and the importance I place upon having an effective working relationship with your office, I have also directed that Deputy Secretary Dan Poneman and Associate Deputy Secretary Mel Williams maintain an active engagement with the Board members to facilitate effective communications between our organizations on all safety matters. The clarifications you provided in your reaffirmation letter have furthered that dialogue, and will help guide our work to develop an Implementation Plan that satisfies our mutual objectives of ensuring that our requirements are clear, ensure adequate protection of the public, workers and the environment, and can be implemented as written.

We are well on our way to making some of the improvements that our staffs have discussed. I deeply appreciate the efforts both the DNFSB and DOE have made in working together, especially in the past month. While the analysis and conclusions in my enclosed letter dated February 28, 2011, still hold and constitute my final decision, I believe our implementation plan will meet the underlying safety improvement objectives of your Recommendation. I have assigned Dr. James B. O'Brien, Acting Director, Office of Nuclear Safety, within the Office of Health, Safety and Security, to be the Department's responsible manager for developing the Implementation Plan. Dr. O'Brien can be reached at (301) 903-3331.

Sincerely,

Steven Chu

Enclosure

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