



**Department of Energy**  
**National Nuclear Security Administration**  
 Washington, DC 20585  
 December 21, 2007

OFFICE OF THE ADMINISTRATOR

The Honorable A. J. Eggenberger  
 Chairman  
 Defense Nuclear Facilities Safety Board  
 625 Indiana Avenue, NW, Suite 700  
 Washington, D.C. 20004-2901

Dear Mr. Chairman:

This is in response to your October 23, 2007, letter that provided a 60 day reporting requirement to provide a safety rationale for continuing the operation of the Chemistry and Metallurgy Research (CMR) Building at the Los Alamos National Laboratory (LANL), as well as a detailed schedule of the National Nuclear Security Administration (NNSA) actions, to assure safe operation of this facility. I would like to request a 90 day extension for this reporting requirement to enable NNSA to provide a more comprehensive answer.

I would like to emphasize, however, that over the past several years, NNSA has taken several steps as a part of an overall strategy to minimize the risk at CMR. NNSA has worked hard to define and limit activities in CMR to only those that are necessary to support the NNSA core mission, as well as selected high priority DOE missions that leverage the capabilities at CMR. These activities must be performed at CMR until the mission is complete, or until they can be transferred to the CMR Replacement Project facility. NNSA has undertaken several initiatives to minimize risk to the worker, public, and environment. For example, the CMR upgrades project invested over \$100 million to improve 18 major facility systems. Furthermore, programmatic operations have ceased in wings 2 and 4 of CMR, and LANL is scheduled to close wing 3 by the end of Fiscal Year 2008. Finally, the implementation of interim Technical Safety Requirement controls, such as limiting the Material at Risk for the facility, have resulted in reducing the risk from CMR activities to the maximum extent practical. Taken collectively, these CMR-specific actions demonstrate NNSA has aggressively managed the risk at CMR while supporting vital mission work. Additionally, the ongoing LANL-wide initiatives to improve the formality of operations at all facilities will result in improved safety performance in CMR.

I recognize that taking actions to minimize risk does not constitute a safety rationale for continued operations. To ensure continued safety, NNSA is also working to develop rule-compliant safety basis documentation prior to 2010. In the near term, NNSA is evaluating whether the safety rationale should be formally documented in the interim period, until a rule-compliant documented safety analysis is implemented.



Additionally, during the 90 day extension, NNSA will revalidate the current CMR missions, and analyze the attendant hazards and alternatives. The additional time will also enable NNSA to provide updated information on the budget situation with the CMR Replacement Project, a project that upon realization will provide the long-term solution for efficiently and safely undertaking the current CMR activities.

As requested in your letter, a briefing on these issues will be arranged once our analysis is complete. If you have any questions, please contact me or Michael Thompson at (202) 586-6058.

Sincerely,

A handwritten signature in black ink, appearing to read "T. P. D'Agostino". The signature is fluid and cursive, with a large initial "T" and "P".

Thomas P. D'Agostino  
Administrator

cc: M. Whitaker, HS-1.1