

A.J. Eggenberger, Chairman
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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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July 29, 2009

Mr. David B. McCoy
Executive Director
Citizen Action New Mexico
P.O. Box 4276
Albuquerque, NM 87196

Dear Mr. McCoy:

Thank you for your letter of July 3, 2009, to the Defense Nuclear Facilities Safety Board (Board). We appreciate your continuing efforts with regard to the safety of operations at the Department of Energy's (DOE) defense nuclear facilities at Sandia National Laboratories-New Mexico (SNL-NM).

In your letter you requested information regarding the current status of the Board's concerns that were expressed in a September 27, 2004, letter to the National Nuclear Security Administration (NNSA). On March 23, 2005, NNSA responded to the Board's concerns— included in the response were action plans to improve both federal and contractor handling of SNL-NM safety bases. From 2005 to 2007, the Board followed the execution of these action plans closely. At the conclusion of these efforts, the Board determined that its concerns had been answered. This was reported in the Board's *Eighteenth Annual Report to Congress* (February 2008). The Board's annual report is posted on our public website at: http://www.dnfsb.gov/pub_docs/reports_to_congress/all/rc.php.

Relevant correspondence on this subject between NNSA and the Board is also available publicly on the website maintained by the DOE Departmental Representative to the Defense Nuclear Facilities Safety Board at: http://www.hss.energy.gov/deprep/archive/triprpts/sn/tr_sandia3.asp. This includes the March 23, 2005, letter from NNSA forwarding the action plans, as well as intermediate correspondence dated November 22, 2004, and December 13, 2004.

As you requested, we have also reviewed our previous correspondence with you (letters dated June 20, 2008, and July 31, 2008) and determined that the Board's position regarding the Mixed Waste Landfill and Kirtland Air Force Base has not changed.

The Board recognizes the importance of the protection of the health and safety of workers and the public from radiological risks, and the protection of the environment in the State of New Mexico. Please continue to bring your concerns to our attention. We value your input.

Sincerely,

A handwritten signature in black ink, appearing to read "A. J. Eggenberger". The signature is fluid and cursive, with the first name "A. J." being more distinct than the last name "Eggenberger".

A. J. Eggenberger
Chairman