



The Secretary of Energy  
Washington, DC 20585

March 18, 2005

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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

The Honorable John T. Conway  
Chairman  
Defense Nuclear Facilities Safety Board  
625 Indiana Avenue, NW, Suite 700  
Washington, D.C. 20004

Dear Mr. Chairman:

The Department of Energy (Department or DOE) acknowledges receipt of the Defense Nuclear Facilities Safety Board's Recommendation 2004-2, *Active Confinement Systems*, issued on December 7, 2004. We appreciate the Board's background material contained in the enclosed technical report, DNFSB/TECH-34, *Confinement of Radioactive Materials at Defense Nuclear Facilities*, and the opportunity to discuss the confinement issues and the technical underpinnings of the recommendation and TECH-34 with your staff on several occasions. The Department has completed its assessment of the Board's recommendation and plans to implement it as described below.

The Department agrees with the Board that DOE cannot rely solely on passive building confinement when such reliance cannot be justified. The Department agrees that active building ventilation confinement systems can provide added safety benefit and are normally the preferred alternative when a building confinement safety function is needed to provide adequate protection to the public or collocated workers. We also recognize the limitations of computational models and assumptions used for determining leak path factors when evaluating the building confinement performance. We concur with the Board's observation that "certain Hazard Category 2 and 3 defense nuclear facilities may not benefit significantly from an active confinement ventilation system" due to such factors as intrinsically safe form or containerization of the nuclear hazards, declining nuclear material inventories, and planned decommissioning in the near future.

We accept the recommendation based on the understanding that it can be implemented as follows: DOE will proceed to review all Hazard Category 2 and 3 defense nuclear facilities. The review criteria will be based in large part on the Department's existing regulatory infrastructure, requirements and methodologies established in 10 CFR Part 830, DOE Order 420.1A, DOE-STD-3009, and related guidance documents. First, we will establish criteria to exclude certain facilities and operations from further review based on sound safety considerations. Facilities not excluded by these criteria will then be reviewed to ensure that the selected confinement strategy is properly justified and documented. Priority would be given to design and construction projects, including ongoing major modifications of existing facilities.



We understand the recommendation is based on a fundamental premise that a more prescriptive safety requirement is likely needed to institutionalize the application of these principles at defense nuclear facilities. Accordingly, after all facility-specific reviews have been concluded and changes to the safety approach have been made where necessary, the need for changes in DOE's directives and guidance will be assessed.

I have asked Richard Black, Director, Office of Nuclear and Facility Safety Policy, to lead the response team that will develop the Department's 2004-2 Implementation Plan. He can be contacted at 301-903-0104.

Sincerely,

A handwritten signature in black ink that reads "Samuel W. Bodman". The signature is written in a cursive style with a large, prominent initial "S".

Samuel W. Bodman