

Bruce Hamilton, Chairman
Jessie H. Roberson
Daniel J. Santos
Joyce L. Connery

**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



December 21, 2018

The Honorable James Richard Perry
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Perry:

Thank you for your response letter dated December 13, 2018 regarding DOE Order 140.1, *Interface with the Defense Nuclear Facilities Safety Board*.

Your response states – “DOE’s longstanding policy is to continue a strong and productive relationship with the DNFSB and its staff as a valued external and independent reviewer.” We remain concerned that certain written provisions in Order 140.1 are inconsistent with the Atomic Energy Act (as amended) and that implementing Order 140.1 could challenge the DOE policy stated above.

Although your letter is silent on your willingness to suspend Order 140.1 pending revisions, we reaffirm our commitment to collaborating with you to disposition the concerns we raised and to demonstrate our joint focus on ensuring the adequate protection of public health and safety.

Yours truly,

A handwritten signature in black ink that reads "Bruce Hamilton".

Bruce Hamilton
Chairman

Enclosure

c: The Honorable James Inhofe
The Honorable Jack Reed
The Honorable Mac Thornberry
The Honorable Adam Smith
Mr. Joe Olencz

The Honorable Patrick Leahy
The Honorable Rodney Frelinghuysen
The Honorable Nita Lowey
The Honorable Richard Shelby