



## Exhibit 1 – Board Concerns with Order 140.1

- The Order provides a new definition of “public health and safety” that only includes individuals located beyond site boundaries, thereby excluding onsite individuals and workers from the Board’s oversight;
- The Order provides exemptions allowing DOE to deny access to Hazard Category 3 nuclear facilities or other facilities that DOE determines do not have the potential to adversely affect offsite public health and safety;
- The Order lacks a clear provision to provide the Board with ready access to such information, facilities, and personnel as the Board considers necessary to carry out its responsibilities; and
- The Order contains an allowance for DOE to deny Board requests related to deliberative documents, pre-decisional documents, or deliberative meetings.