



The Secretary of Energy
Washington, D.C. 20585

May 5, 2010

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The Honorable Joe Barton
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Barton:

Thank you for your March 30, 2010, letter regarding the Department of Energy's (DOE) Safety and Security Reform Plan. First, let me assure you that we are committed to maintaining the highest standards of safety and security at our sites. DOE has conducted its nuclear operations for decades without a major accident and has long maintained worker injury and illness rates that are significantly below comparable industry standards. DOE also maintains a robust security protection posture for our nuclear sites, which has been rigorously tested to verify the capability to withstand the full range of postulated terrorist threats. Our management and operating contractors are responsible for safety and security performance, and we will continue to hold them directly accountable for achieving the safety and security requirements in their contracts.

The goal of our reform efforts is to fulfill our mission objectives more effectively and more efficiently. We view safety and security to be integral to those mission objectives. To that end, we are undertaking efforts to improve our safety and security directives and internal oversight processes. In our review of the Department's safety and security directives, we plan to maintain an appropriately robust set of regulatory-based and contractually applicable requirements, while eliminating redundant requirements. Further, we are refocusing our Federal oversight and enforcement efforts to more specifically target areas of greatest risk.

DOE's oversight of safety and security performance has not and will not diminish. The Office of Independent Oversight, within the Office of Health, Safety and Security (HSS), has undertaken numerous new activities that have actually increased its field presence and knowledge concerning site safety and security program performance. With respect to security, HSS will conduct an assessment at all facilities with Category 1 special nuclear material before the end of the calendar year.

As stated in the Reform Plan, the only oversight activities that have been suspended are those associated with lower risk standard industrial operations. Similarly, these are the only activities affected by the National Nuclear Security Administration's (NNSA) six-month moratorium on internally-driven assessments. Activities will continue to be subjected to local monitoring by DOE and NNSA site offices on an as-needed basis and



will be subjected to independent oversight when site performance requires increased attention (e.g., for-cause reviews and regulatory enforcement actions).

Shifting independent oversight resources previously devoted to these activities has increased the resources available to assist line managers in tackling difficult challenges and solving problems that have remained unresolved by layers of duplicative oversight in the past. For NNSA, shifting its resources will allow DOE to develop an integrated and comprehensive oversight approach and devote needed resources to ensuring that contractors are implementing effective assurance systems. Our efforts have already resulted in significantly increased communication and cooperation among all departmental elements.

We are currently conducting a series of congressional committee briefings on our reform goals and activities. Glenn Podonsky, the Department's Chief Health, Safety and Security Officer, is working to schedule a briefing with the Energy and Commerce Committee's minority staff to provide additional information on implementation of the Department's Reform Plan.

If you have any questions, please have your staff contact Betty A. Nolan, Senior Advisor, Office of Congressional and Intergovernmental Affairs, at (202) 586-5450.

Sincerely,



Steven Chu

cc: The Honorable Michael C. Burgess
Ranking Member
Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
U.S. House of Representatives

The Honorable Henry A. Waxman
Chairman
Committee on Energy and Commerce
U.S. House of Representatives

The Honorable Bart Stupak
Chairman
Subcommittee on Oversight and Investigations
U.S. House of Representatives