



The Deputy Secretary of Energy

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January 16, 1998

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

Dear Mr. Chairman,

This is in response to your December 5, 1997, letter concerning the Department's efforts to improve and consolidate existing facility disposition requirements and guidance into a revision of Department of Energy (DOE) Order 430.1A, Life Cycle Asset Management (LCAM), and associated Implementation Guides. Specifically, your letter identified several concerns with this on-going process, including: concern that the Department's draft directives documents will not provide the appropriate framework for conducting decommissioning activities; concern that initial deactivation actions not commence without assurance that restoration steps will be safely conducted with end states for each disposition stage understood; concern that the Department has not met previous commitments to the Board; and concern that the draft directives documents reviewed by the Board retreat from a more acceptable level of safety seen in previous draft documents. A response addressing these concerns and other items was requested within 45 days.

I share your concerns in this area and agree that the Department must expedite the implementation of clear and consistent direction to ensure that facility disposition activities are conducted in a safe and efficient manner, while providing field managers flexibility to appropriately tailor this direction to site-specific conditions.

Addressing your specific comments, I agree that the draft package provided to the Board and to Department elements for comment in October 1997 required significant upgrading. A substantial rewrite has been completed based on comments received, and I am pleased to forward the enclosed draft LCAM directives package to the Board for your review and comment. The enclosed package includes the following:

- An updated draft Order 430.1A (Enclosure 1) which provides a comprehensive set of performance-based requirements to ensure that the Department implements a safe, consistent, and flexible approach to facility disposition. The draft Order also assigns responsibility to field contracting officers to include applicable contaminated facility disposition requirements in appropriate contracts, ensuring that



site/contract-specific Contractor Requirements Documents will be developed for LCAM facility disposition requirements critical to safety. Finally, the Order objectives have been updated to require that the stewardship of physical assets will be accomplished in a manner that will "ensure protection of workers, the public and the environment," and the Order and Guides now include numerous references to the associated draft DOE Standard 1120-98, Integration of Environment, Safety and Health into Facility Disposition Activities.

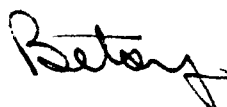
- An updated set of Implementation Guides addressing the major stages of facility disposition. They include a Deactivation Guide (Enclosure 2), Surveillance and Maintenance Guide (Enclosure 3), and Decommissioning Guide (Enclosure 4). The Guides have been substantially improved, and the Deactivation Guide now includes a detailed description of Deactivation Endpoint methods previously contained in the draft Deactivation Handbook. Also, the Guides have been linked to the LCAM Order via the Department's formal Directives System (meeting one of the three March 13, 1997, DOE commitments).
- Cross-walked requirements and guidance from Order 5820.2A and the draft Facility Disposition Manual (meeting two of the three March 13, 1997, DOE commitments), as well as a similar cross-walk from Order 4330.5 (Enclosures 5 and 6).

The Department believes that the enclosed package provides an appropriate, performance-based approach for consistent and effective facility disposition. However, I have no doubt that the directive and guides can be further improved by incorporating input from Board experts. Accordingly, I invite you to provide written comments. To assist in expediting our effort to finalize the directive, we request your comments by February 9, 1998. The Department will then pursue immediate comment resolution with the intent of issuing the directives in final by March 9, 1998.

If the Board desires a briefing on this issue to discuss comments on the enclosed package or any other remaining concerns, please contact Antonio Tavares at 202-586-9157. Mr. Tavares is the individual assigned responsibility for leading this effort, and he represents the Associate Deputy Secretary for Field Management, which is the Office of Primary Interest for LCAM.

*I believe this represents
an improvement from
the earlier draft.
I hope we're moving
toward a mutually
acceptable package.
Best wishes.*

Sincerely,



Elizabeth A. Moler