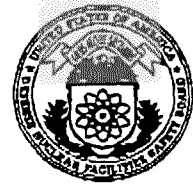


John T. Conway, Chairman
A.J. Eggenberger, Vice Chairman
Joseph J. DiNunno
John E. Mansfield

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

625 Indiana Avenue, NW, Suite 700, Washington, D.C. 20004-2901
(202) 694-7000



May 8, 2002

The Honorable Spencer Abraham
Secretary of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Secretary Abraham:

The Defense Nuclear Facilities Safety Board (Board) has received your letter of March 18, 2002, proposing a revision to the Department of Energy's (DOE) Implementation Plan for the Board's Recommendation 99-1, *Safe Storage of Fissionable Material Called "Pits."*

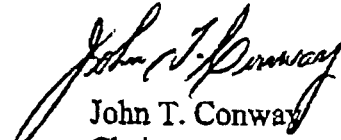
Based on the performance of BWXT, the contractor at the Pantex Plant, the Board agrees that the intent of commitment 5.2.1 in the Implementation Plan is being realized, and pits are being placed in adequate containers at a satisfactory rate. Therefore, the Board accepts your proposed revision. Further, because BWXT has sustained this level of performance for the last 12 months, the Board believes it is no longer necessary for DOE to provide quarterly reports on the repackaging program (commitment 5.2.2).

The Board is encouraged by the recent progress made in implementing this recommendation. Placing the pits into the AL-R8 Sealed Insert containers with inert internal environments and materially compatible capscrews resolves the near-term safety issue. However, only inspection over time will tell how long such storage will remain adequate. Therefore, the Board would like to emphasize the following points, which DOE should be satisfied they have addressed before proposing closure of this recommendation to the Board:

- The container surveillance program is a key component of safe pit storage. Therefore, it is imperative that the surveillance backlog be reduced. Reduction of the current backlog below 50 percent of the number of scheduled annual surveillances and a clear trend of decreases in the total backlog should be the minimum acceptable conditions.
- A container must be available for all pit families that will not be disposed of in the near term. Finalization of the AL-R8 Sealed Insert 2040 design, as certified by issuance of the Stage IV Qualification Engineering Release, should be an adequate milestone.
- The ultimate disposition path for all pit families must be clear. In particular, those pits that cannot be repackaged into the standard AL-R8 Sealed Insert 2030 or 2040 containers should be disposed of in the near term.

- The pit repackaging program must be funded to completion. Adequate funding in the fiscal year 2003 appropriation and in the fiscal year 2004 budget request should be the minimum acceptable indicators of success.

Sincerely,



John T. Conway
Chairman

c: General John A. Gordon
The Honorable Everet H. Beckner
Mr. David E. Beck
Mr. W. John Arthur, III
Mr. Mark B. Whitaker, Jr.