



## Department of Energy

Washington, DC 20585

January 8, 2007

The Honorable A.J. Eggenberger  
Chairman  
Defense Nuclear Facilities Safety Board  
625 Indiana Avenue, N.W., Suite 700  
Washington, D.C. 20004

Dear Chairman Eggenberger:

I am writing to notify you of my intention to propose language to modify DOE Order 442.1A, regarding the Department's Employee Concerns Program. I am requesting this change in order to make O 442.1A compatible with the new Departmental oversight Order 226.1. You will recall that the Department notified you on October 3, 2005 of our intent to take this action to bring our directives into alignment.

Currently, the Contractor Requirement Document (CRD) to O 442.1A directs contractors to: (1) assist the Department of Energy in resolving concerns; (2) advise employees of their rights and responsibilities to report concerns; and (3) cooperate with assessments. The CRD, however, does not explicitly require that contractors establish an Employee Concerns Program as envisioned in the oversight Order 226.1. Consequently, the Office of Economic Impact and Diversity proposes that O 226.1 be added to the resources in Section 6 of O 442.1A, and that the language set out below be included in the CRD to the current Employee Concerns Order. This will make it clear that contractors must establish and implement processes to manage employee concerns consistent with the requirements of these two Departmental orders. The proposed addendum to the CRD of DOE O 442.1A would read as follows:

Establish and implement processes to manage employee concerns and implement the requirements above and as directed by DOE O 226.1. These processes shall include the program element requirements specified in sections 4.a.(3), 4.a.(4), 4.b.(3), 4.b.(4), 4.b.(5), 4.b.(6), 4.b.(7), 4.c., and 4.d.(1) of this [O 442.1A] order.

We plan to submit this change, along with others, for Department-wide review before the end of February 2007, and expect approval and issuance of the revision within four months of submittal. In accord with established protocols, the Board will be given the opportunity to provide review and comment on this directive change as part of the Department's directives process. If you have any feedback on our approach, please



contact me or have your staff contact Bill Lewis, who is handling this initiative for my office, at (202) 586-6530.

Sincerely,

A handwritten signature in black ink, appearing to read 'Theresa Alvillar-Speake', written in a cursive style.

Theresa Alvillar-Speake  
Director  
Office of Economic Impact and Diversity

cc:  
Mark Whitaker, Jr.  
Departmental Representative to the DNFSB  
Office of Health, Safety and Security