



Defense Nuclear Facilities Safety Board

Public Outreach—August/September 2026

Oak Ridge, TN • Santa Fe, NM • Barnwell, SC
Las Vegas, NV • Idaho Falls, ID • Livermore, CA



Establishment of the DNFSB

- U.S. nuclear weapons are produced in the Department of Energy's (DOE) defense nuclear facilities prior to deployment to the Department of Defense. Defense nuclear facilities also stabilize (i.e., clean up) radioactive wastes from previous nuclear weapons manufacturing.
- In the late 1980s, due to a variety of issues and public concerns, Congress questioned DOE's ability to manage the complex safely and wanted a body of experts to report unbiased and timely information on the state of the DOE defense nuclear complex.
 - DOE self-regulates; there is no separation of production operations and safety oversight (e.g., unlike in the civil nuclear industry).
 - Spearheaded by Senator John Glenn.
- Congress established the Defense Nuclear Facilities Safety Board (Board or DNFSB) and charged it with identifying potential issues of adequate protection at defense nuclear facilities, advising the Secretary of Energy of those issues, and informing the public.
- The Board provides oversight of DOE and is independent in the execution of its mission.
 - Part of the Executive Branch—not part of DOE.
 - Not a regulator like the U.S. Nuclear Regulatory Commission.



Plutonium oxide produced at the Plutonium Facility at Los Alamos National Laboratory (LANL)



Retrieval of liquid high-level radioactive waste at the Hanford Tank Farms



DNFSB Overview

“The mission of the Board shall be to provide independent analysis, advice, and recommendations to the Secretary of Energy to inform the Secretary, in the role of the Secretary as operator and regulator of the defense nuclear facilities of the Department of Energy, in providing adequate protection of public health and safety at such defense nuclear facilities, including with respect to the health and safety of employees and contractors at such facilities.” - Atomic Energy Act (AEA) of 1954, as amended

Current Board Members



Dr. Patricia L. Lee
Member



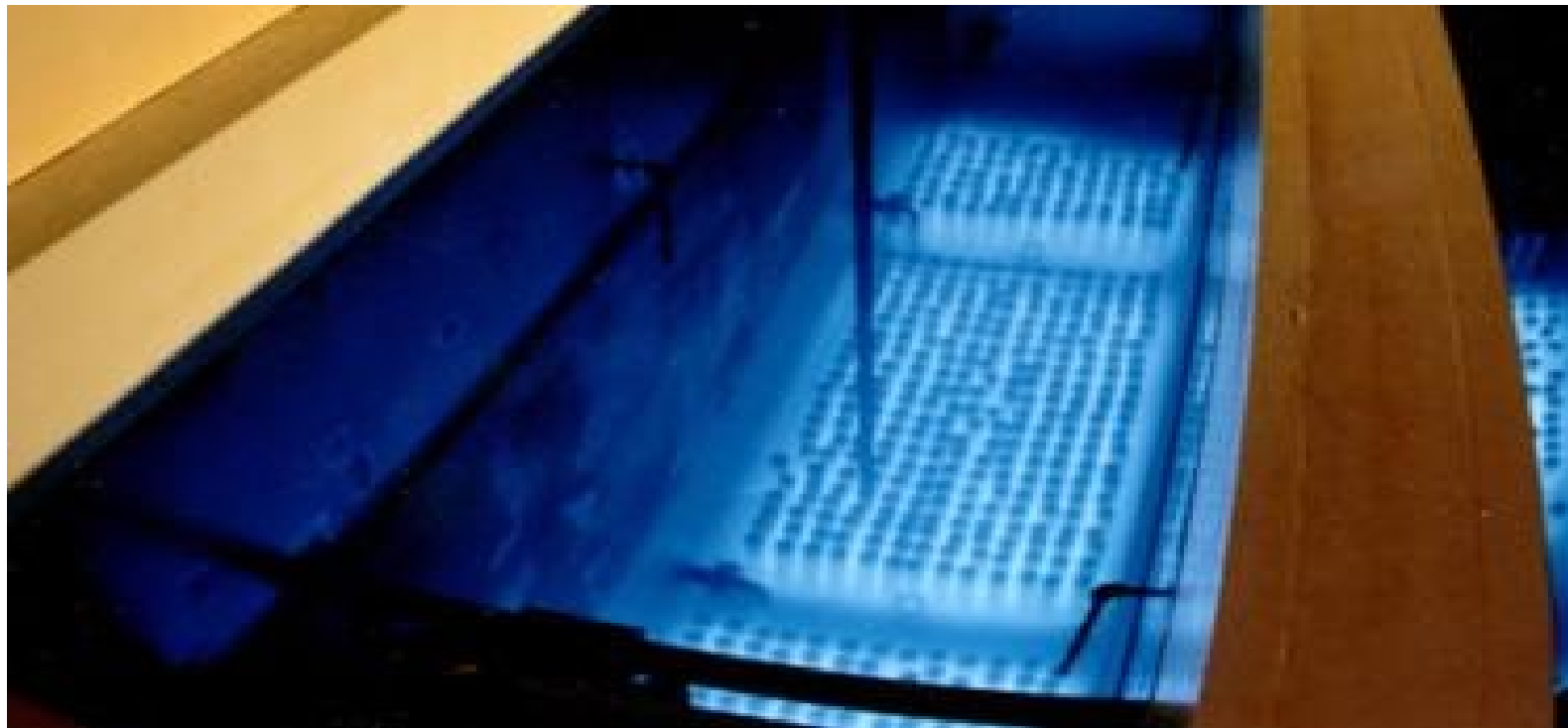
4 Vacancies

- By statute, Board members are required to be “respected experts in the field of nuclear safety with a demonstrated competence and knowledge relevant to the independent investigative and oversight functions of the Board.”
- For the first time in its 36-year history, the Board has one member and no Chair or Vice-Chair. Certain authorities have been delegated to the longest-serving remaining Board member.
- The Board cannot issue formal recommendations without quorum.
- DNFSB will continue operating and focusing upon protecting public and worker health and safety at DOE’s defense nuclear facilities.



Board Statutory Authorities

JD



Hanford cesium and strontium capsules

- Issue formal recommendations to the Secretary of Energy about adequate protection of public health and safety.
- Levy reporting requirements on the Secretary of Energy.
- Conduct open or closed hearings and meetings, including the power to subpoena witnesses, if needed.
- Conduct investigations and special studies.

The AEA requires explicitly that the Secretary of Energy “shall fully cooperate with the Board and provide prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities.”



Transuranic waste shipment approaching WIPP



DNFSB Safety Oversight

- Complex, high-hazard operations involving the assembly or disassembly of nuclear weapons, or the operation of nuclear facilities related to DOE's national defense mission
- Remediation of nuclear wastes and legacy facilities from more than 80 years of DOE defense nuclear operations
- Design and construction of new DOE defense nuclear facilities
- Aging and deteriorating mission-critical infrastructure at DOE defense nuclear facilities/sites
- Adequacy of DOE safety standards related to design, construction, operation, and decommissioning of defense nuclear facilities

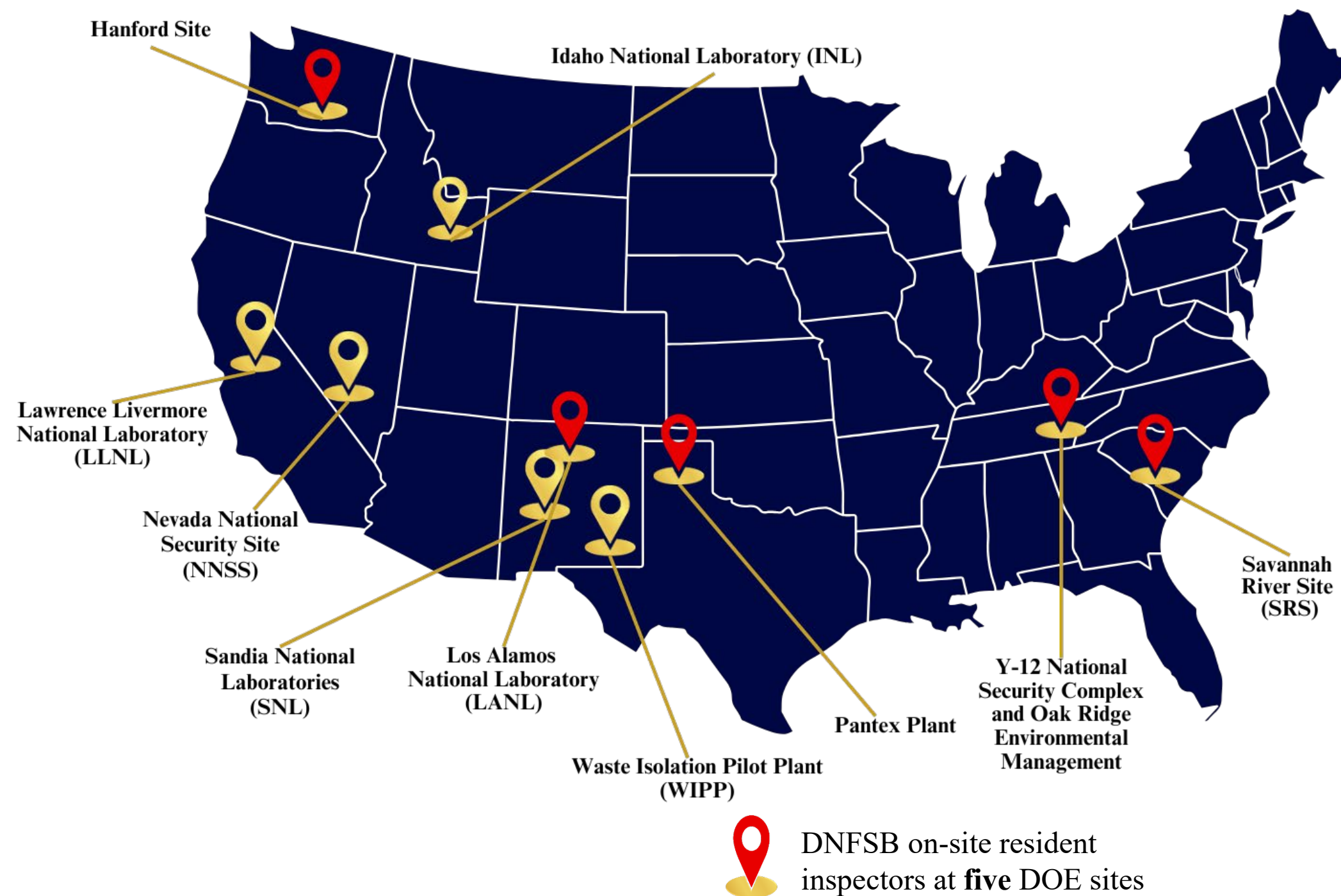


Typical plutonium glovebox



DNFSB Safety Oversight

- DNFSB has a highly-trained technical staff.
 - Nearly all have master's degrees, and many have doctoral degrees in fields like nuclear engineering, chemical engineering, mechanical engineering, geophysics/earth sciences, and fire protection engineering.
 - Technical staff members have a wide variety of experience and backgrounds relevant to the mission, such as working for DOE facilities and contractors, the civilian nuclear industry, state and federal regulatory organizations, and even international nuclear organizations.
 - Many technical staff members have decades of experience with DOE's specialized nuclear operations.
- DNFSB staffing is capped statutorily at 130 Full-Time Equivalents, of which approximately two thirds are technical staff.
- DNFSB staffing is split between headquarters-based staff located in Washington D.C., and staff assigned to a variety of defense nuclear facilities as resident inspectors.





DNFSB's Tools for Nuclear Safety Oversight

Recommendations: Compel DOE either to:

- (a) address issues that challenge the adequate protection of the health and safety of the public and workers at defense nuclear facilities, or
- (b) inform Congress why it rejected the Board's Recommendation.

Reporting Requirements: DOE must provide its analyses or actions it plans to take (or has taken) to remediate safety issues at defense nuclear facilities.

Advice Letters and Reports: Advise DOE on questionable practices, potential root causes, or problems impacting defense nuclear facilities, as well as highlight observed best practices.

Staff-To-Staff Discussions: Promote staff-to-staff engagement to fix identified nuclear safety issues as early as possible. DOE and its contractors often appreciate DNFSB staff feedback and the opportunity to address issues at the lowest level.





Developments Concerning DOE Providing Access to DNFSB



1/6/2026 : [Report to Congress on Access Denials](#)

The Board issued a semiannual report to Congress containing open and delayed deliverables for the first time in several years.



3/17/2026: [Letter to DOE on Annual Directives Reviews](#)

The Board requested briefings and drafts versions of any revisions to [DOE Standards of Interest to DNFSB](#); DOE has NOT responded.



4/29/2026: [Letter to DOE on Mid-cycle Open Deliverables Impeding DNFSB Access](#)

- Listed additional DNFSB access requests that DOE has NOT provided
- Identified concerns with a DOE senior leadership memorandum dated 3/10/2026, titled *Clarifying Instructions Regarding Interface with the Defense Nuclear Facilities Safety Board*; DOE has NOT responded



7/10/2026: [Report to Congress on Access Denials](#)

“[Since January 2026], the Board has experienced increasing access challenges, the most significant in its history...”



7/24/2026: [Letter on DOE review of DNFSB materials for public release](#)

The Board requests DOE restore effective, mutually agreeable processes that protect sensitive DOE information to meet its transparency and oversight obligations.



Legal Concerns with DOE's leadership memo dated 3/10/2026

Contrary to the AEA, the memo incorrectly:

1. Asserts that DOE has the authority to deny the Board access to facilities, personnel, and information based upon a lack of jurisdiction
2. Prohibits DOE from providing deliberative/pre-decisional information to the Board
3. Asserts the Board is not entitled to access information related to the “*safety of atomic weapons*,” even though this information is pertinent to the nuclear safety of operations at the Pantex Plant
4. Directs DOE offices not to provide access to the Board on any issue the officials “*believe may be outside [the Board's] statutory authority*”



Operations at the Pantex Plant

The AEA requires that the Secretary of Energy “shall fully cooperate with the Board and provide prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities.”



Totality of DOE's Access Denials – July 2026

“The Board has experienced increasing access challenges, the most significant in its history...”

- DOE explicitly denied **eight** access requests in writing and terminated long-standing DNFSB staff access to nuclear safety-related meetings and reports.
- DOE has not responded to **seven** Board-issued reporting requirements executed under the AEA that compel the Secretary to respond.
- DOE has ceased working on implementation plan deliverables for the Board's Recommendation 2020-1, *Nuclear Safety Requirements*.
- DOE also has ceased work on deliverables for Recommendation 2023-1, *Onsite Transportation Safety*.
- DOE has not responded to **nine** access requests from DNFSB staff, and DOE has not offered an explanation (termed “constructive denials”).

The AEA requires that the Secretary of Energy “shall fully cooperate with the Board and provide prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities.”



Example Safety Impacts from DOE's Access Denials

Los Alamos and Savannah River Site

- NNSA has not provided reports on:
 - (1) A special 120-day study of the plutonium pit production mission
 - (2) A study examining requirements for pit production, including nuclear safety basis controls
- **Impact:** DNFSB is unaware of possible planned safety control reductions or operational changes that could impact safety, and may be unable to advise the Secretary of Energy in a timely manner.
- **Impact:** Addressing safety concerns collaboratively and early in the process enables the success of the national security mission.
- NNSA removed DNFSB resident inspectors' access to a web-based emergency operations center platform they have had for about a decade (*occurred since the July report to Congress, but NNSA has denied in writing).
- **Impact:** DNFSB resident inspectors are unable to monitor emergencies fully without interrupting NNSA personnel that are part of the emergency response.

Nevada National Security Site

- NNSA refused to engage DNFSB staff questions on the bases for exempting an underground facility from fire protection sprinklers contrary to the recommendation of NNSA's own experts.
 - **Impact:** DNFSB was unable to advise the Secretary of Energy before NNSA approved the exemption.
- NNSA denied DNFSB staff access to meetings or schedules associated with subcritical experiments.
 - **Impact:** DNFSB is unable to advise the Secretary of Energy on this important nuclear safety topic, and DNFSB's operational awareness is degraded at multiple NNSA sites.
- NNSA revoked longstanding access to the site network, and access to routine safety meetings.
 - **Impact:** DNFSB's ability to conduct routine operational oversight is impaired.

The AEA requires explicitly that the Secretary of Energy “shall fully cooperate with the Board and provide prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities.”



Example Safety Impacts from DOE's Access Denials

Pantex Plant

- NNSA refused to provide documents and answer DNFSB staff questions on electrical testing equipment that commonly is hooked up to nuclear explosive devices.
- NNSA denied DNFSB access to its subject matter experts' memos supporting approval of an exemption to 10 CFR 830, *Nuclear Safety Basis*, for a facilities used to store nuclear weapons and special nuclear materials.

Impact: DNFSB is unable to advise the Secretary of Energy on these important nuclear safety topics.

Y-12 National Security Complex

- NNSA removed DNFSB resident inspectors from longstanding distribution for a weekly highlights covering nuclear safety matters.

Impact: DNFSB's operational awareness is degraded.

DOE Nuclear Weapons Complex-wide

- NNSA removed DNFSB staff from routine meetings that DNFSB has observed for at least a decade:
 - (1) Bimonthly safety and operations call with all sites
 - (2) Periodic Master Asset Plan Deep Dives at each site

Impact: DNFSB's operational awareness is degraded.

The AEA requires explicitly that the Secretary of Energy “shall fully cooperate with the Board and provide prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities.”



DOE's Nuclear Safety Self-Regulatory Landscape

1. Changing the Safety Requirements

- Reportedly, DOE is revising about 80 of its requirements documents (directives).
 - About 30 impacting nuclear safety are DOE directives of interest to DNFSB.
- Changes are occurring outside of long-standing DOE methods (i.e., Review, Comment, and Approval process, including by subject matter experts)
- The effort to revise DOE requirements, known as Project Velocity appears to be run primarily by contractors from DOE's National Laboratories.
- DNFSB has not been provided with drafts, a significant departure from past norms.

2. Approving Deviations to Existing Nuclear Safety Requirements

- Since fall 2025, NNSA approved at least eight deviations (exemptions/equivalencies/ variances) to existing nuclear safety requirements.
- NNSA approved a blanket variance to 10 CFR 851, *Worker Health and Safety Program*, for its sites.
 - Removes several national consensus standards (e.g., NFPA 70, *National Electric Code*); most municipalities require this for a commercial building (e.g., McDonalds).
- NNSA exempted two facilities used to store nuclear explosives and materials at Pantex from 10 CFR 830 Subpart B, *Safety Basis Requirements*.

3. Weakening Federal Oversight

- Many DOE field offices are significantly understaffed at a time when DOE is accelerating its work; the average experience of the remaining staff also declined.
- DOE's Office of Enterprise Assessments no longer reports directly to the Secretary, weakening its prominence and independence.
- NNSA's Chief of Defense Nuclear Safety stopped performing assessments of its sites.
- DOE/NNSA is working to reduce the number of independent reviews conducted for nuclear construction projects.
- DOE/NNSA has increased significantly access denials for DNFSB requests.



DOE Actions have Impeded DNFSB's Mandate “*to Inform the Public*”

Recent Updates

[July 2026 Report to Congress re Access Denials](#)

[Letter on DOE Review of DNFSB Materials for Public Release](#)

The DNFSB is not currently able to post all technical documents, such as certain resident inspector weekly, site monthly, and other technical reports, while the Board works with DOE on the document sensitivity review process.

- DNFSB writes its reports to exclude non-public information, but DOE must make information security decisions as the owners of the source information. DOE has always reviewed our reports for public dissemination historically.
- DOE will no longer review many of DNFSB documents for Controlled Unclassified Information. Prior to this decision, it began to heavily redact our reports.
- In a letter to the Secretary of Energy dated July 24, 2026, the Board noted that it is unable to fulfill Congressional direction “*to inform the public.*”

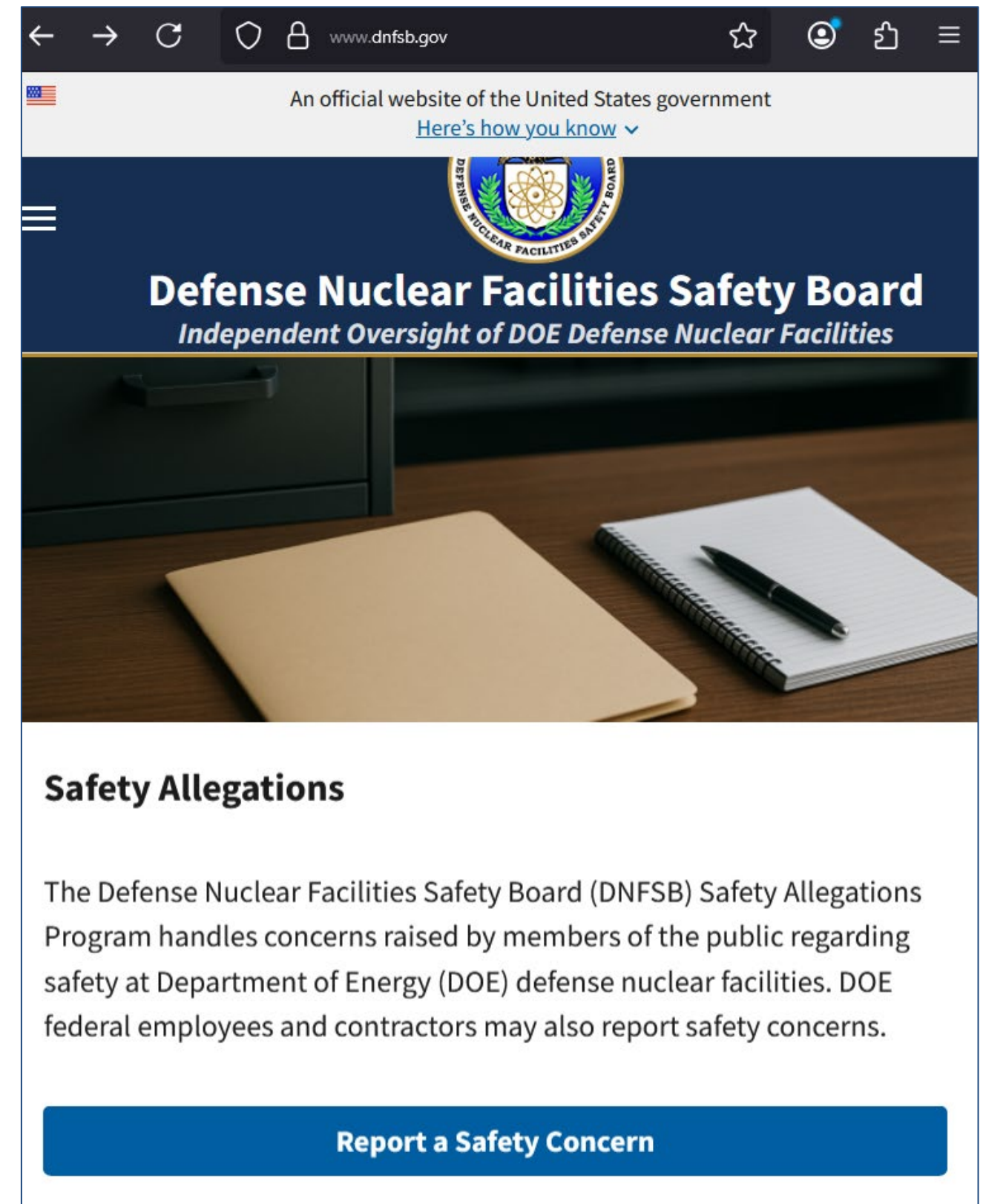
DNFSB cannot post documents publicly if DOE does not perform sensitive reviews.



Report a Safety Concern

<https://www.dnfsb.gov/safety-allegations>

DNFSB will evaluate all safety concerns within its jurisdiction, generally which encompasses radiological hazards at DOE defense nuclear facilities and non-radiological hazards with a potential to cause radiological hazards at such facilities. The safety concerns DNFSB evaluates include those involving design, construction, operation, maintenance, radiation protection, defense-in-depth, emergency preparedness, and a work environment's receptivity to workers raising safety concerns. The Board may address such safety concerns by providing timely safety analysis, advice, and recommendations to the Secretary of Energy.





Takeaways

1. DNFSB is determined to fulfill its Congressional mandate:

*“the Board must have a primary mission to identify the nature and consequences of any significant potential threats to public health and safety, to elevate such issues to the highest levels of authority, **and to inform the public**”*

--Senate Armed Services Committee, S. Rept 110-232 (1987)

2. As reported to Congress in July 2026: “[since January 2026], *the Board has experienced increasing access challenges, the most significant in its history...*”

The AEA requires that the Secretary of Energy “*shall fully cooperate with the Board and **provide prompt and unfettered access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities.***”

3. Despite these challenges, DNFSB continues to conduct most of its planned nuclear safety oversight reviews, including the on-the-ground oversight performed by its resident inspectors.



Discussion



www.dnfsb.gov

DNFSB recommendations, letters, reports, site weekly reports, impacts, and more