

All Things DNFSB: Authorizations, Access Issues, Rulemaking Changes, and More

Tri-Valley CAREs | October 2026



★ What is DNFSB?

- ★ DNFSB refers to the *Defense Nuclear Facilities Safety Board*, an independent oversight agency created by Congress in 1988.
 - Congress created DNFSB with the overarching goal of protecting the health & safety of the public and defense nuclear facility employees across the US nuclear weapons complex.
- ★ DNFSB does not have authority to perform outright regulation – it provides the Secretary of Energy with formal recommendations, to which the Department of Energy (DOE) is required to respond.
- ★ Prior to DNFSB's authorization through the [Atomic Energy Act](#), DOE had no external oversight, and its nuclear facilities had a long history of worker exposures, accidents that released radiation into the environment, radiation release cover ups, and other “close calls”.



★ DNFSB Meeting in Livermore (09/15)



★ On Tuesday, September 15, 2026, Tri-Valley CAREs staff and members attended a community outreach meeting hosted by **Dr. Jonathan Plaue** (Technical Director) and **Kyle Johnson** (Chief of Staff) from the Defense Nuclear Facilities Safety Board (DNFSB).

- The meeting presentation can be viewed [HERE](#).
- The accompanying blog post can be viewed [HERE](#).

★ Main Concerns Noted:

- (1) Loss of Quorum;
- (2) Changing Safety Regulations (Project Velocity);
- (3) Significant Access Issues; and
- (4) Generally Weakened Federal Oversight.



★ Loss of Quorum

- ★ DNFSB is meant to have 5 Board Members; needs 3 for quorum; currently has 1.
- ★ No quorum means that DNFSB **cannot make formal recommendations** to the Secretary of Energy/DOE.
- ★ New Appointments:
 - Must be nominated by the President and confirmed by the Senate; next member should be a Republican nominee to maintain political equilibrium
 - Neither the President nor Senate Republicans seem keen to begin the process of nominating/confirming a new board member.

★ Changing Safety Regulations (Project Velocity Update)

- ★ Related blog post can be viewed [HERE](#).
- ★ Project Velocity, now called “*Modernizing DOE Operating Directives (MOD) Initiative*”
 - Revisions made to 46 safety directives, 4 directives outright cancelled across the nuclear weapons complex.
- ★ March 17 Letter (*DNFSB → Secretary of Energy*)
 - DNFSB expressed concern and requested specific information about directives up for adjustment/cancellation.
 - DOE never responded; DNFSB found out about the revisions and cancellations alongside the public.
 - 18 revisions and all 4 cancellations were on the *DOE Standards of Interest to the DNFSB* list.
- ★ September 16 Letter (*Senator Murray & Representative Kaptur → Secretary of Energy*)
 - Called out the recklessness with which these changes have been made, demanded immediate restoration of 3 of the 4 cancelled orders, and asked for justification of the 46 revised orders.
 - “DOE must demonstrate—not merely assert— that these changes will preserve effective Federal oversight and safety mechanisms.”

★ Significant Access Challenges

★ As of July 2026:

- 8 explicit written denials;
- 7 reporting requirements unresponded to;
- 9 DNFSB staff access requests unresponded to.

★ A Positive?

- The spread of access denials has not reached Livermore... yet.

★ A Negative...

- Access denials at other sites indirectly impact operations at LLNL
 - Ex: Unproduced LANL report on plutonium pit production.

★ DNFSB no longer allowed on safety and operations calls; operational awareness has been degraded.

★ Weakening Federal Oversight

- ★ At the September 15 meeting, Dr. Plaue noted understaffing across DOE sites, despite the acceleration of/increase in work.
- ★ No more site reports – DOE will no longer review said reports for sensitivity purposes, so they cannot be published to the public
- ★ Chief of Defense Nuclear Safety no longer performing site assessments.



★ March 10 Memorandum

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- ★ On March 10, 2026, DOE issued a memorandum entitled, “[Clarifying Instructions Regarding Interface with the Defense Nuclear Facilities Safety Board](#)” (*Enclosure D*) to DOE and NNSA field offices.
 - ★ DNFSB says that provisions within the memorandum are inconsistent with congressional intent, longstanding DOE directives acknowledging the Board’s authority, and the Atomic Energy Act.
 - ★ DNFSB has concern that the memorandum will impair its ability to carry out its oversight mission.
 - Also believes that DOE personnel have cited the memorandum as a basis to limit Board access and fail to respond to requests.
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★ Overall

- ★ DNFSB continues to conduct most of its planned safety oversight reviews, including on the ground oversight performed by resident inspectors.
- ★ TVC will continue to monitor ongoing changes under the *Modernizing DOE Operating Directives Initiatives* (FKA ‘Project Velocity’).
- ★ Check out our blog posts linked throughout this presentation for a more in depth report out of the DNFSB Meeting and for a more comprehensive description of the updates to the MOD Initiative (F.K.A. ‘Project Velocity’).

