



Department of Energy

Washington, DC 20585

April 26, 2005

The Honorable A. J. Eggenberger
Acting Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, NW, Suite 700
Washington, DC 20004

Dear Dr. Eggenberger:

As the Department's responsible manager for the 2004-1 Implementation Plan, I am forwarding to you a Secretarial memorandum setting forth the roles and responsibilities of the Central Technical Authorities and Nuclear Safety Research Office. We intend to further describe these roles and responsibilities in our upcoming revision to the Implementation Plan.

Please provide any further feedback to me at (202) 586-2550, or have your staff provide feedback to the 2004-1 project manager, Ms. Kim Davis, at (202) 586-3771.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce M. Carnes".

Bruce M. Carnes
Associate Deputy Secretary

Enclosure

cc: Mark B. Whitaker, Jr., DR-1
Jerry Paul, NA-1
David Garman, EE-1
John Shaw, EH-1





The Secretary of Energy
Washington, DC 20585


April 26, 2005

MEMORANDUM FOR DAVID K. GARMAN
ASSISTANT SECRETARY FOR ENERGY
EFFICIENCY AND RENEWABLE ENERGY

JERALD S. PAUL
PRINCIPAL DEPUTY ADMINISTRATOR
NATIONAL NUCLEAR SECURITY
ADMINISTRATION

JOHN SPITALERI SHAW
ASSISTANT SECRETARY FOR
ENVIRONMENT, SAFETY AND HEALTH

FROM:

SAMUEL W. BODMAN 

SUBJECT:

Revised Safety Functions, Responsibilities and
Authorities

On December 17, 2004, in response to Defense Nuclear Facilities Safety Board (Board) Recommendation 2004-1, former Deputy Secretary McSlarrow directed the following organizational changes for the Department to better focus departmental awareness and management of issues related to nuclear safety.

- First, in order to strengthen the Department's focus on preventing high-consequence nuclear accidents, the Under Secretary for Energy, Science and Environment (ESE) and the Principal Deputy Administrator for the National Nuclear Security Administration (NNSA) were designated to serve as the Department's Central Technical Authorities (CTAs) with respect to the activities under their purview. The CTAs are responsible for maintaining operational awareness, especially with respect to complex, high-hazard nuclear operations, and for ensuring that the Department's safety policies and requirements are adequately and properly implemented.
- Second, in order to ensure focused management, integration, and execution of nuclear safety research and development, the Assistant Secretary for the Office of Environment, Safety and Health (EH) was assigned primary responsibility for the nuclear safety research function. This assignment does not preclude NNSA from conducting additional research as appropriate to meet NNSA requirements.



- Third, to enhance the focus on environment, safety, and health (ES&H) in the Department, EH was made a direct report to the Deputy Secretary rather than to the Under Secretary for ESE. This change highlights the role of EH as the corporate ES&H officer for the entire Department with responsibility for making ES&H policy, developing nuclear safety requirements, and promoting safe and healthy workplaces throughout the DOE complex.

These three changes do not diminish or otherwise affect the existing responsibility of line management for safety or the responsibility of the Office of Independent Oversight and Performance Assurance for performing independent oversight.

I endorse these organizational changes as important steps to enhance nuclear safety. Pursuant to the Department's Manual 411.1-1C, *Safety Management Functions, Responsibilities and Authorities Manual*, Section 3, Change Control, I am hereby directing that EH revise the Manual to reflect these changes, including the revisions described in the attachment. EH also should initiate any other conforming actions necessitated by these organizational changes.

Attachment

Revised Functions, Responsibilities and Authorities

Attachment

Section 4.3 of the Manual, *Under Secretaries*, is revised by the addition of a new paragraph after the existing second paragraph to read as follows:

The Under Secretary for Energy, Science and Environment (ESE) serves as the Central Technical Authority (CTA) for those offices that are not part of the National Nuclear Security Administration (NNSA). As CTA, the Under Secretary:

- (1) concurs with the determination of the applicability of DOE Directives involving nuclear safety included in ESE contracts pursuant to DEAR 970.5204-2(b);
- (2) concurs with nuclear safety requirements included in ESE contracts pursuant to DEAR 970.5204-2(c);
- (3) concurs with all exemptions to nuclear safety requirements in ESE contracts that were added to the contract pursuant to DEAR 970.5204-2;
- (4) recommends to the Assistant Secretary for Environment, Safety and Health (EH) issues and proposed resolutions concerning DOE safety requirements, concurs in the adoption or revision of nuclear safety requirements (including supplemental requirements), and provides expectations and guidance for implementing nuclear safety requirements as necessary for use by DOE ESE employees and contractors;
- (5) maintains operational awareness of the implementation of nuclear safety requirements and guidance, consistent with the principles of Integrated Safety Management across the DOE ESE complex (including, for example, reviewing Documented Safety Analyses, Authorization Agreements and readiness reviews as necessary to evaluate the adequacy of safety controls and implementation);
- (6) periodically reviews and assesses whether DOE ESE is maintaining adequate numbers of technically competent personnel necessary to fulfill nuclear safety responsibilities; and,

- (7) provides inputs to, reviews, and concurs with DOE-wide nuclear safety related research and development activities proposed by the Assistant Secretary for Environment, Safety and Health.

EH and its dedicated core of identifiable technical experts will support the Under Secretary and the Under Secretary's designated safety officer in carrying out the functions of the CTA, including maintaining awareness of complex, high-hazard nuclear operations conducted in the ESE nuclear complex, through such activities as: monitoring of applicable reports and performance metrics; reviewing various site-specific and complex-wide documents; technical discussions; and onsite visits.

Section 4.3 of the Manual, *Under Secretaries*, is further revised by the addition of a new paragraph after the existing sixth paragraph to read as follows:

The Principal Deputy Administrator serves as the Central Technical Authority (CTA) for NNSA. As CTA, the Principal Deputy Administrator:

- (1) concurs with the determination of the applicability of DOE Directives involving nuclear safety included in NNSA contracts pursuant to DEAR 970.5204-2(b);
- (2) concurs with nuclear safety requirements included in NNSA contracts pursuant to DEAR 970.5204-2(c);
- (3) concurs with all exemptions to nuclear safety requirements in NNSA contracts that were added to the contract pursuant to DEAR 970.5204-2;
- (4) recommends to the Assistant Secretary for Environment, Safety and Health issues and proposed resolutions concerning DOE safety requirements, concurs in the adoption or revision of nuclear safety requirements (including supplemental requirements), and provides expectations and guidance for implementing nuclear safety requirements as necessary for use by NNSA employees and contractors;
- (5) maintains operational awareness of the implementation of nuclear safety requirements and guidance, consistent with the principles of Integrated Safety Management across the NNSA complex (including, for example, reviewing Documented Safety Analyses, Authorization Agreements and readiness

reviews as necessary to evaluate the adequacy of safety controls and implementation);

- (6) periodically reviews and assesses whether NNSA is maintaining adequate numbers of technically competent personnel necessary to fulfill nuclear safety responsibilities;
- (7) provides inputs to, reviews, and concurs with DOE-wide nuclear safety related research and development activities proposed by the Assistant Secretary for Environment, Safety and Health; and
- (8) directs the identification and prioritization of nuclear-safety related research and development activities as necessary for NNSA weapons activities.

The Chief of Defense Nuclear Safety (and staff) will support the Principal Deputy Administrator in carrying out the functions of the CTA, including maintaining awareness of complex, high-hazard nuclear operations conducted in the NNSA nuclear complex, through such activities as: monitoring of applicable reports and performance metrics; reviewing various site-specific and complex-wide documents; technical discussions; and onsite visits.

The first paragraph of section 6.1 of the Manual, *Office of Environment, Safety and Health*, is revised to read as follows:

The Office of Environment, Safety and Health is the Department's corporate environment, safety and health (ES&H) office (except for aviation safety) and is responsible for making ES&H policy, developing nuclear safety requirements, and providing guidance and technical interpretations for use throughout the DOE complex. As the Department's corporate safety officer, the Assistant Secretary for Environment, Safety and Health represents the Department in ES&H matters and assists line management in implementing safety management functions and in maintaining safe and healthy workplaces throughout the DOE complex. The Assistant Secretary for Environment, Safety and Health reports to the Deputy Secretary.

Section 6.1 of the Manual, *Office of Environment, Safety and Health*, is further revised by the addition of a new paragraph after the existing fourth paragraph to read as follows:

The Assistant Secretary for the Office of Environment, Safety and Health has primary responsibility for the nuclear safety research function. In carrying out this function, the Assistant Secretary has the responsibility to:

- (1) Establishes the Office of Nuclear Safety Research;
- (2) Develops, prioritizes and approves an annual nuclear safety research plan that meets the needs of the DOE ESE CTA and the NNSA CTA, and that takes into account information obtained through the operating experiences program;
- (3) Implements the annual nuclear safety research plan;
- (4) Identifies changes in DOE Directives and Standards, when appropriate, based on nuclear safety research results;
- (5) Maintains adequate numbers of technically competent personnel necessary to fulfill nuclear safety research responsibilities within the Office of Nuclear Safety Research; and
- (6) Participates in and represents DOE at national and international nuclear safety research organizations and their activities.