



U.S. DEPARTMENT OF
ENERGY

Desk Reference Supporting DOE Order
140.1A, *Interface with the Defense
Nuclear Facilities Safety Board*

July 2020



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PURPOSE

This Department of Energy (DOE) reference document is for use by DOE elements. This reference provides suggested approaches for interfacing with and responding to the Defense Nuclear Facilities Safety Board and staff in accordance with DOE Order (O) 140.1A, *Interface with the Defense Nuclear Facilities Safety Board* (DNFSB or Board), issued on June 15, 2020.

This desk reference provides detailed guidance for the most typical interactions with the Board; Board Recommendations, DOE Implementation Plans (IP), Board requests for information, Reporting Requirements, Board public hearings, public meetings, and other briefings/meetings, Board policy, Routine meetings and interfacing with the Board staff, DOE Annual Report to Congress and DOE Bi-annual Reports to Congress (identifying any instances of information denials and reason for such denials), and Office of the Departmental Representative to the DNFSB (DR) website and Safety Issues Management System (SIMS) database.

The guidance described in these sections is a compilation of insight gained since the late 1980's inception of the Board, which includes the Department's expectations of its requirements as contained in DOE O 140.1A and the DNFSB Enabling Legislation - found on the DR website at: <https://ehss.energy.gov/deprep/>.

INTRODUCTION

The DR is the primary liaison between the Department and the DNFSB. DOE O 140.1A includes a responsibility for Heads of Departmental Elements to “Designate a point of contact (Program Interface) within their respective organizations, to represent their organizations and coordinate with the Departmental Representative and his/her staff on DNFSB-related matters” (Ref. 5.d.(3)). The National Nuclear Security Administration (NNSA), the Office of Environmental Management (EM), and the Office of Science (SC) have assigned Points of Contact (Program Interface). To foster effective internal DOE communication, the DR holds a weekly conference call with the designated Program Interface staff, including staff from the DOE Office of Enterprise Assessment (EA). Additionally, the DR holds a monthly call with the Program Interface staff and Departmental Site Liaisons.

In addition to assigning designated Headquarters Program Interface representatives, experience has demonstrated the importance and benefit to also assigning designated Federal and primary contractor Departmental Site Liaisons. DOE O 140.1A contains a responsibility for Heads of Field Elements to “designate a point of contact to serve as liaison with the Departmental Representative and his/her staff on DNFSB-related matters” (ref. 5.f. (1)). Similarly, DOE O 140.1A requires DOE/NNSA contractors to “Assign contractor DNFSB liaisons or designees to ensure adequate interface with their Departmental Site Liaison on DNFSB-related matters” (ref. O 140.1A, Attachment 1 – *Contractor Requirements Document*). The Departmental Site

Liaisons and contractor DNFSB liaisons serve a vital role in coordinating DNFSB requests for information, site visits and site-specific correspondence including reviewing draft and final recommendations, and coordinating with the Responsible Manager for any actions required by the Field. For both the Headquarters and Field personnel, this desk reference provides suggestions on how DOE/NNSA and contractor personnel should cooperate with the DNFSB.

This desk reference is updated as necessary to provide relevant and timely information to personnel that routinely interfaces with the DNFSB.

Table of Contents

PURPOSE.....	1
INTRODUCTION	1
1.0 BOARD RECOMMENDATIONS	5
1.1 Draft Recommendation	5
1.3 Recommended Responsibilities for Responding to a Recommendation.....	9
2.0 IMPLEMENTATION PLANS.....	10
2.1 Format and Content	10
2.2 Transmittal of an Implementation Plan	10
2.3 Extension Notification.....	11
2.4 Changes to Implementation Plans	11
3.0 BOARD REQUESTS FOR INFORMATION (RFI).....	12
3.1 Requests for In-process or Draft Documentation.....	12
3.2 Request for Classified Information	13
3.3 Guidelines for Responding to Information Requests	13
3.4 Price-Anderson Enforcement Process	13
4.0 REPORTING REQUIREMENTS.....	14
5.0 BOARD PUBLIC HEARINGS, PUBLIC MEETINGS AND OTHER BRIEFINGS/MEETINGS	14
5.1 Public Hearings	15
5.2 Public Meetings	16
5.3 Closed Meetings.....	16
5.4 Internal Notice of Public Hearings and Public Meetings	17
5.5 Notice to the Board of Expected Public Hearing and Public Meeting Attendees	17
5.6 Other Briefings/Meetings	17
5.6.1 Coordination, Preparation, and Participation in Board Meetings and Briefings	18
5.7 Briefings, Discussions, Telephone Communications, and Other Informal Interactions	19
6.0 DNFSB POLICY	20
6.1 DNFSB Oversight of Design and Construction Projects of DOE Defense Nuclear Facilities.....	20
6.2 DNFSB Oversight of Decommissioning Activities at DOE Defense Nuclear Facilities...	21

7.0 ROUTINE MEETINGS AND INTERFACE WITH DNFSB STAFF	21
7.1 DOE and DNFSB Routine Meetings.....	22
7.1.1 DR and DNFSB Technical Director Weekly.....	22
7.1.2 DR and Program Interface Weekly Coordination Call.....	22
7.1.3 DR, Departmental Site Liaisons, and Program Interface Monthly Calls.....	22
7.1.4 DOE/NNSA Program Interface and DNFSB Bi-weekly Meeting:.....	22
7.2 DR Near Term Report	23
7.3 DNFSB Resident Inspectors.....	23
7.4 DNFSB Cognizant Engineer	23
7.5 DNFSB Staff Oversight Reviews.....	24
7.5.1 Example of Good Practices to Manage LOIs at DOE-SR.....	25
8.0 ANNUAL DOE REPORT TO CONGRESS ON DNFSB RELATED ACTIVITIES	25
8.1 Bi-Annual Reports to Congress on Information Denials	26
9.0 DEPARTMENTAL REPRESENTATIVE WEBSITE AND SAFETY ISSUES MANAGEMENT SYSTEM.....	26
ATTACHMENTS.....	26
1. DNFSB REQUEST FOR INFORMATION FORM.....	26
2. DNFSB REQUEST FOR CLASSIFIED MATERIAL FORM.....	27
3. DNFSB BRIEFING REQUEST FORM	28
4. FORMAT AND CONTENT GUIDE FOR IMPLEMENTATION PLANS	29
5. DNFSB MEETING ATTENDANCE LOG.....	39
6. BOARD STAFF LINES OF INQUIRY (LOIs)	40

1.0 BOARD RECOMMENDATIONS

The Board issues recommendations to the Secretary of Energy on issues or circumstances with respect to Department of Energy defense nuclear facilities, including operations of such facilities, standards, and research needs, that the Board determines needs to be resolved to ensure adequate protection of the public and worker safety and health. A general discussion of the process and recommended responsibilities is included in this section. Figure 1 provides an overview of the Board recommendation process. A listing of active and closed DNFSB Recommendations can be found on the DR Website (<https://ehss.energy.gov/deprep/>).

1.1 Draft Recommendation

Based on the legislation, the Board is required to transmit a draft recommendation to the Secretary of Energy for review prior to finalizing the recommendation for formal transmittal to the Secretary. Once a draft recommendation is received, the Secretary or his/her designee has 30 days to provide a response to the Board. There is no requirement that DOE must provide a response; however, it is the Department's opportunity to go on record with its position prior to the Board's issuance of a Final Recommendation. The Board may grant, upon request by the Secretary, additional time (e.g., an additional 30 days) for the Secretary to transmit comments to the Board.

A senior-level manager will be designated to lead the Department's review and, when necessary, response to the draft recommendation. The DR office works with the lead, together with cognizant DOE and/or contractor personnel to develop the Department's response. If necessary, the Department may request to hold a meeting or teleconference with the Board staff to clarify the intent and data in the draft recommendation. This should be organized early in the review process such that necessary comments can be returned to the Board for their consideration. Items to consider during developing the Department's response include, but are not limited to:

- a. Factual accuracy of the findings, supporting data, and analysis
- b. On-going Reviews
- c. Review of Legislative Authority
- d. DOE's response will become part of the public record if a final Recommendation is issued by the Board – therefore it is important to provide context and clarity regarding DOE's position.

DOE should not state whether the Department accepts or rejects the draft recommendation in providing our comment response to the Board. The opportunity for DOE to accept or reject the recommendation is following the Board's issuance of a final recommendation.

After the period of time in which the Secretary may provide comments (30 day period or extended period), the Board may transmit a final recommendation to the Secretary. The Board votes on whether to amend the draft recommendation based on the response from the Secretary, issue as-is, or not issue the final recommendation. Figure 2 provides an overview of the “draft recommendation” process.

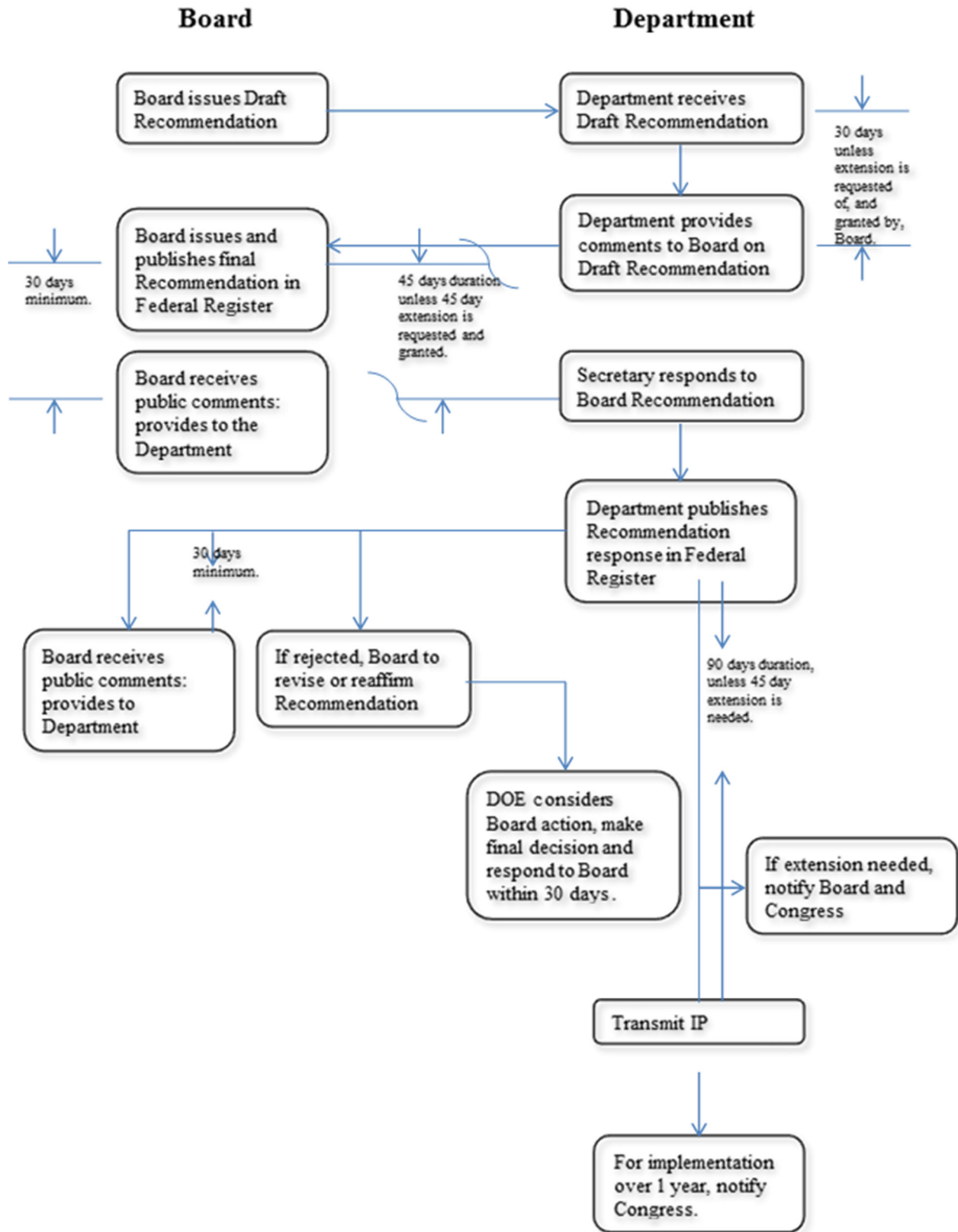


Figure 1. Recommendation Process Overview

Process to Provide Comments on Draft Recommendations

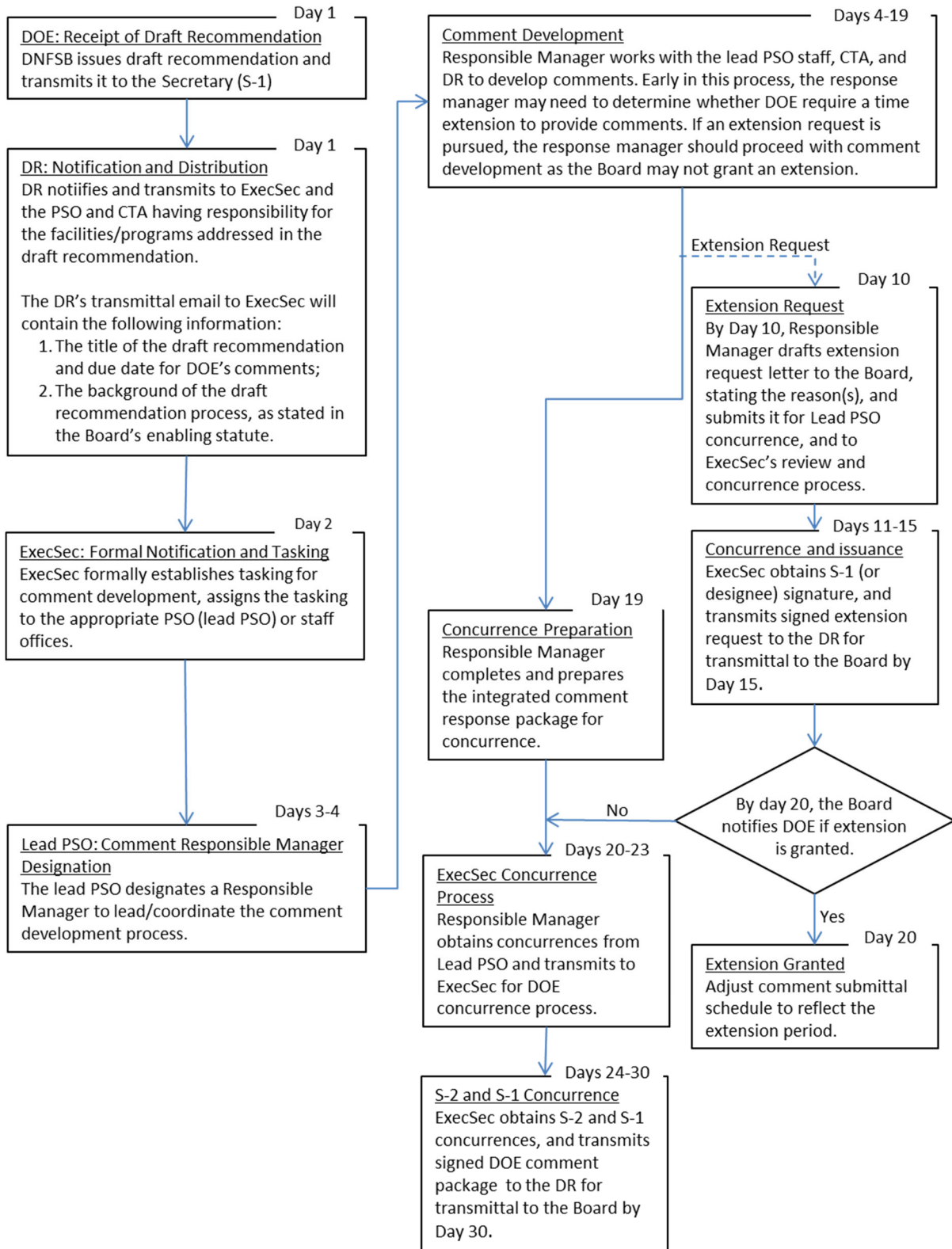


Figure 2. Draft Recommendation Process Overview

1.3 Recommended Responsibilities for Responding to a Recommendation

DOE O 140.1A defines the primary responsibilities for Departmental Elements. The additional information and suggestions listed below are intended to provide effective management of the Department's response to a recommendation and resulting implementation plan.

- a. The accountable Secretarial Officer should oversee the development of the Department's response. If the recommendation is accepted, the accountable Secretarial Office should oversee development of the Implementation Plan (IP) and resolution of the applicable safety issues, through to the ultimate completion of the IP.
- b. The Secretary will designate a Responsible Manager, typically a Deputy Assistant Secretary or Head of Field Element or equivalent, to manage development and implementation of an adequate response; and, if necessary, an IP for addressing the accepted portions of the Board recommendation.
- c. The Responsible Manager should establish a response team to support the development and implementation of the Department's response. The Responsible Manager should solicit early involvement of the Office of the General Counsel to support the response team in addressing legal interpretations, issues or procedural requirements. The DR's office will designate an Issue Lead to support the Responsible Manager as a member of the response team.
- d. In addition to the items considered for the draft recommendation, the Response Team should, at a minimum, consider the following topics:
 1. Significant safety issues associated with the recommendation,
 2. Underlying causes and implications of these issues,
 3. Existing programs and activities that can be built upon,
 4. Strategic input from affected Departmental elements,
 5. Public comments forwarded from the Board,
 6. Costs and benefits associated with implementation, and
 7. Impact on Departmental programs and activities.
- e. The response team may seek discussions with one or more Board staff to fully understand the Board's views regarding the underlying safety issues and potential resolution approaches. The team should consider the Board's ideas and technical advice; but, reserve the right to make implementation decisions based on the Department's sound technical expertise and risk analysis.

- f. Prior to obtaining concurrence on the Secretary's response letter, the Responsible Manager should estimate the associated costs and contribution to safety and brief Departmental senior management concerning this information.

2.0 IMPLEMENTATION PLANS

2.1 Format and Content

The DOE IP for a specific Board Recommendation that is accepted in whole by the Secretary is due to the Board within 90 days after the Secretary's acceptance of the recommendation is published in the Federal Register. If the Department only accepts part of a Recommendation, following a reaffirmation or modification to the recommendation by the Board, DOE's IP is due within 90 days after the Secretary's Final Decision on the Recommendation is published in the Federal Register. DOE does not publish the IP in the Federal Register.

The primary purpose of the IP is to describe the appropriate actions and schedule for ensuring that the accepted recommendation issues are addressed. Attachment 4 provides guidance on IP format and content. The Department owns the IP and there is no legislative requirement for the DNFSB to accept it; however, the Board uses the following six criteria to judge the adequacy of the Department's IP (ref. DNFSB Policy Statement 1 (PS-1), *Criteria for Judging the Adequacy of DOE Responses and Implementation Plans for Board Recommendations*):

1. Understanding. The IP should show an understanding of the safety issues raised by the Board's recommendation.
2. Responsiveness. The Department's planned course of action should address the complete Board recommendation and accomplish satisfactory resolution of the underlying safety issues.
3. Assumptions. The important (engineering, technical, administrative, or legislative) baseline assumptions for successful plan implementation should be detailed.
4. Planning Detail. The Department's approach to resolve the associated safety issues should be described in sufficient detail to permit the Board to independently determine that the approach and schedule are reasonable and achievable.
5. Technical Basis. The Department's plan should be based on sound evaluation, including identification of the underlying causes.
6. Focus on Closure. The Department's plan should define completion deliverables for demonstrating safety issue resolution in a verifiable manner.

2.2 Transmittal of an Implementation Plan

The IP is a Secretarial commitment. The Responsible Manager should obtain final concurrence and approval of the IP in accordance with established Departmental procedures and using the DOE Executive Secretariat process. After the IP is approved and signed by the Secretary, the DR staff should coordinate with the Executive Secretariat to formally transmit it to the Board.

2.3 Extension Notification

The Secretary may obtain one 45-day extension for submitting an IP “if the Secretary submits to the Board and to the Committees on Armed Services, Appropriations, and Energy and Commerce of the House of Representatives and the Committees on Armed Services, Appropriations, and Energy and Natural Resources of the Senate a notification setting forth the reasons for the delay and describing the actions the Secretary is taking to prepare an implementation plan” (ref. 42 U.S.C. § 2286d (f)). If an extension is needed, the Responsible Manager, supported by the Issue Lead, should begin drafting a notification letter at least 30 days prior to the expiration of the original 90-day time period, in order to ensure that the notification is properly reviewed and issued prior to the expiration of the 90-day deadline.

2.4 Changes to Implementation Plans

Changes to commitments, actions, or completion dates may be necessary due to additional information, improvements, funding limitations, or changes in baseline assumptions. The Responsible Manager should identify necessary changes and, with the support of the Program Interface and DR Issue Lead, bring to the Board staff’s attention any substantive changes to an IP. The Responsible Manager, Program Interface and DR Issue Lead should discuss with the Board staff any proposed changes to IP commitments before making formal changes to the IP.

Any revision to the IP scope, schedule, and/or commitments, should be documented and approved by the Secretary. Commitment revisions should be clearly identified and described by the Responsible Manager along with the basis for the revisions, through a formal revision and reissuance of the IP approved by the Secretary and provided to the Board.

3.0 BOARD REQUESTS FOR INFORMATION (RFI)

The Board and its staff maintain the right to access Departmental or contractor information that the Board deems necessary to allow them to perform their defined oversight responsibilities. The Board and its staff (including Resident Inspectors) frequently request information, both verbally and in writing, that are necessary to fulfill the Board's statutory functions. The RFI process is for documents and information that already exist; RFIs may not be used by the Board and its staff for DOE to develop new documents.

Requests for information are required to be made at headquarters and DOE/NNSA sites using a Board Information Request (Ref. Attachment 1). If they are not provided in written-electronic format, Departmental personnel should request completion of a Board Information Request by the requesting Board representative. These requests may be transmitted in either hard copy or electronic format. DOE O 140.1A requires that contractors coordinate DNFSB formal requests for information with DOE Departmental Site Liaison (see O 140.1A, Attachment 1 – *Contractor Requirements Document*). Such coordination helps ensure that the Department is aware and understands the scope and level of effort involved with the request.

DOE Departmental personnel cooperate with the Board and its staff in providing the requested information. The cognizant Heads of Departmental Elements or Operations/Field Office Managers should determine the appropriate response to Board requests where the information is not available in existing documentation. The Department is not required to expend funds or resources to prepare new analyses, reports, or documents in response to an RFI.

3.1 Requests for In-process or Draft Documentation

The Board and its staff maintain the right to access Departmental or contractor information that the Board deems necessary to allow them to perform their defined oversight responsibilities. In the Fiscal Year 2020 National Defense Authorization Act (FY20 NDAA), Congress established that “The Board may not publicly disclose information provided under this section if such information is otherwise protected from disclosure by law, including deliberative process information.” (§ 2286c.(c)), *Application of nondisclosure protections by Board*). Thus, the Board may obtain from DOE deliberative process information as well as other information that is protected from public disclosure. This statutory requirement is reflected in DOE O 140.1A section 4.b.(4) to ensure that any such information is appropriately marked prior to delivery to the Board.

Per DOE O 140.1A Section 4.b.(2), the Secretary may deny access to facilities, personnel, and information only to any person who:

- a. Has not been granted an appropriate security clearance or access authorization by the Secretary; or

- b. Does not need such access in connection with the duties of such person.

The FY20 NDAA also established a requirement for the Secretary to provide a report to Congress on a bi-annual basis for any instances the Secretary's denial of information and access. The requirements for, and the development of, this bi-annual report is discussed in Section 8.1.

3.2 Request for Classified Information

When the Board or its staff requests classified information:

- a. Departmental personnel should verify the person requesting the information has been granted an appropriate security clearance or access authorization by the Secretary and the person requesting the information needs such access in connection with his/her duties.
- b. Departmental personnel should ensure requests by the Board or its staff use the DNFSB request for classified material form and the Information Request is approved by the Board Chairman. An example of the form used by the Board to request classified materials is provided as Attachment 2.

3.3 Guidelines for Responding to Information Requests

- a. The Program Interface and/or Departmental Site Liaison should coordinate and transmit the requested information and/or status of requests. The Program Interface and/or Departmental Site Liaison should ensure that documents are reviewed for classification (appropriately reviewed and marked), accuracy, and completeness, prior to transmittal.
- b. A reasonable guideline for Program Interface and/or Departmental Site Liaisons to provide information requested by the Board is within 15 working days for unclassified requests and within 20 working days for classified requests. The Program Interface and/or Departmental Site Liaison should provide the Board or DNFSB staff with an estimated schedule for documents that cannot be readily provided. It is recommended that the DOE/NNSA/DR lead staff maintain timely interface with DNFSB staff regarding the Department's response status to ensure effective/efficient communication, as well as to maintain documentation of each interface communication. To ensure that responses are consistent with the expectations of the Board, the Program Interface and/or Departmental Site Liaisons is encouraged to communicate directly with the requesting DNFSB staff as necessary, for clarification and confirmation.
- c. The Program Interface and/or Departmental Site Liaisons should ensure that classified and sensitive unclassified documents are clearly marked in accordance with DOE security procedures. The "Official Use Only" (OUO) marking should be used where appropriate to protect proprietary information, source selection information, personal privacy information, and other sensitive information not for public release.

3.4 Price-Anderson Enforcement Process

The Board and its staff have no official mandate for involvement in or oversight of the Department's Price-Anderson Enforcement Process. However, the Board does have jurisdictional interest in both the safety issues and circumstances that prompted any enforcement actions. The Board also has jurisdictional interest in the extent of corrective actions taken to address any safety issues or deficiencies. When requested, Department personnel should discuss with the Board and its staff the safety aspects of any enforcement action. Discussion of the enforcement aspects of these actions, such as the basis for the fine amount, is not within the Board's mandate.

4.0 REPORTING REQUIREMENTS

The Board may establish reporting requirements for the Secretary which shall be binding upon the Secretary pursuant to 42 U.S.C. 2286 b(d). Board reporting requirements are made in formal correspondence to the Secretary.

The information the Board requires the Secretary to report may include any information designated as classified information, or any information designated as safeguards information and protected from disclosure.

The Board typically specifies a due date for the required DOE report(s) in response to the reporting requirement. Departmental elements that receive these reporting requirements should comply with the requested schedule. In extraordinary cases, when the Department requires more time than allotted by the Board, the Departmental element should prepare and transmit a letter acknowledging receipt of the initiating letter, and providing the Department's plans and schedule for response.

5.0 BOARD PUBLIC HEARINGS, PUBLIC MEETINGS AND OTHER BRIEFINGS/MEETINGS

Public Hearings, Public Meetings, and other formal Board briefings/meetings should be consistent with authorities granted under the Board's enabling statute. For any of these activities, the Board may or may not have a "quorum" as defined in 42 U.S.C. § 2286(e) *Quorum*¹. The Board may hold such hearings, meetings or conduct site visits with or without a quorum in order to better understand issues, gain insights into ongoing areas of interest to the Board, or to gain insights into other topics covered by 42 U.S.C. § 2286a. *Missions and Functions of the Board*.

The Board's Public Hearings and Public Meetings are also governed by the provisions of the Government in the Sunshine Act ([5 U.S.C. 552b](#)), to include the Board's notification and

¹ Three members of the Board shall constitute a quorum, but a lesser number may hold hearings. (42 U.S.C. § 2286(e))

publication of such events in the Federal Register. Public Hearings and Public Meetings are intended to provide the public with an open forum to discuss particular nuclear safety matters at DOE's defense nuclear facilities. Alternatively, the Board may conduct Closed Meetings by invoking the exemptions to close a meeting as described in 5 U.S.C. 552b(c)(3) and (9)(B) and 10 C.F.R. 1704.4(c) and (h). The Public hearings, public meetings, and closed meetings provide venues in which the quorum of Board members may discuss, deliberate, and vote on a particular issue.

5.1 Public Hearings

42 U.S.C. § 2286b(a), *Hearings*, addresses specifics on how the Board handles Hearings, to include the subpoena or invitation of witnesses and the production of such evidence as the Board or an authorized member may find advisable. During Public Hearings, the Board has typically received testimonies from DOE personnel and DOE contractor personnel in accordance with the defined scopes and lines-of-inquiry for such Hearings. Any and all written or verbal testimonies, as well as question-and-answer exchanges between the witnesses and Board members and staff are recorded by a court reporter and made a part of the record of the Hearing and posted on the DNFSB's website. The Board also invites members of the public to provide comments during such Hearings. Coordination of these tasks are addressed further below.

In addition to the following sections for coordination and preparation of Board interactions, general guidelines for preparing for a Public Hearing include:

- a. The Board members approve, via notational vote, to conduct a Public Hearing for a particular topic.
 1. The approval vote would also typically include the desired Hearing participants and timeframe, as well as, the Board's direction for the staff to develop an agenda and lines-of-inquiry for the Hearing.
 2. The DNFSB Technical Director (TD) or other Board staff informs the DR and/or other DOE staff of the Board's approval and intent to conduct a Public Hearing.
 3. DR and DOE staff should inform the appropriate Headquarters and Field Office personnel of the Board's intent to conduct a Public Hearing for a particular topic, to include personnel whom the Board has identified as potential participant in the Hearing.
- b. DOE should anticipate receiving formal letters of invitation from the Board for each potential Hearing participant.
- c. DR and/or other DOE staff should coordinate advance discussions via meeting/call to determine appropriate DOE response and representation/speakers for the Hearing.
 1. From this discussion, DR and/or other DOE staff should inform the DNFSB TD of the DOE/NNSA participants.

- d. DR and/or other DOE/NNSA staff should obtain the scope and lines-of-inquiry from the DNFSB TD as soon as they are available in order to facilitate the DOE participants' preparation for the Hearing.
 - 1. DOE/NNSA should request the Board staff provide the Hearing agenda, to include the objectives for each session, and the LOIs at a minimum of two weeks prior to the Hearing date.
- e. DR and DNFSB TD discussions to ensure that the Department and DNFSB are in sync and define any "boundaries" in advance of the hearing.
- f. DR and/or DOE/NNSA staff should coordinate on the development of individual testimony and coordination of overall messaging
 - 1. Conduct coordination calls in-development calls as needed
 - 2. Conduct mock-Hearings as needed
 - 3. Determine whether any handouts are needed and ensure they receive appropriate reviews for public disclosure.
- g. Questions for the record (QFRs) - during the Hearing, there may be questions for which DOE participants would like to take "for the record" and provide a response in writing following the conclusion of the Hearing.
 - 1. DNFSB TD or staff should provide a list of QFRs to the DR and/or other DOE/NNSA staff to coordinate on providing written response.
 - 2. DNFSB TD may also ask questions in order to clarify any points of ambiguity during the Hearing.
- h. Errata Review of Hearing Transcript - following the Hearing, the DNFSB should provide to the DR and/or other DOE staff a draft written transcript of the Hearing for DOE participants to conduct an errata review.
 - 1. DR and/or other DOE/NNSA staff should provide the draft transcript to DOE participants for review.

5.2 Public Meetings

The Board has typically conducted Public Meetings in order to receive testimonies from its technical staff and/or from DOE/NNSA personnel. DOE personnel are invited to attend these meetings, but DOE's participation is not required. In Public Meetings, the Board has received testimonies from DOE/NNSA personnel and the Board staff on issues of interest (e.g., Recommendations 2019-1, 2019-2 and 2014-1, and proposed Fiscal Year work plans) followed by the Board's vote to take action, such as approval of FY Work Plans or closure of a recommendation.

5.3 Closed Meetings

The Board conducts Closed Meetings in order to discuss issues dealing with potential Board Recommendations to the Secretary of Energy. In its publication of the Closed Meeting in the Federal Register, the Board may provide a justification of the need to close the meeting.

5.4 Internal Notice of Public Hearings and Public Meetings

- a. The designated DOE/NNSA personnel for meetings with the Board should prepare and distribute a written notice containing a meeting agenda. The agenda information should be developed by the designated DOE personnel for the meeting through discussions with the lead Board staff member for the meeting and with Departmental organizations expected to support the meeting. If the schedule or agenda requested by the Board cannot be accommodated, the DOE personnel should resolve any issues or conflicts with the lead Board staff member. The DOE/NNSA personnel should provide a notice and agenda which include the following information:
 1. Date, time, and location of the meeting;
 2. Subject of the meeting;
 3. Board and key Board staff participants;
 4. DOE personnel and other participants, including contractor participants;
 5. Specific topics to be discussed; and
 6. Other special requirements, as applicable.
- b. The DOE/NNSA personnel should distribute the notice to the cognizant Secretarial Officer, the DR, affected Operations/Field Office Managers, and affected POC. The DR's office should make any additional internal distribution determined to be necessary to ensure that interested parties are notified of the meeting in advance.
- c. If changes in the schedule or agenda topics arise after the notice is issued, the designated DOE/NNSA personnel should modify and redistribute the notice. If there is insufficient advance notice of a substantive change in the schedule or agenda to reissue the notice, the DOE/NNSA personnel should contact the affected participants to advise them of the changes as soon as possible.

5.5 Notice to the Board of Expected Public Hearing and Public Meeting Attendees

The DR should provide the DNFSB staff with advance notice of the expected meeting attendees for meetings at the Board's facilities. This allows the Board and its staff to ensure the proper Board representation and meeting arrangements. The cognizant manager or associated DOE/NNSA personnel should assist the DR in developing an accurate list of expected attendees.

5.6 Other Briefings/Meetings

DOE and DOE Contractor personnel may participate in other Board briefings and meetings, either at the Board's or the Departments Headquarters offices in Washington, DC, or at a DOE site. Such briefings and meetings may be in response to a Board reporting requirement (42 U.S.C. § 2286b(a), *Reporting Requirements*) or when the Department would like to provide information of interest to the Board. For Board briefings in response to reporting requirements, the Board may request that a pre-brief occur with DNFSB staff prior to accepting the briefing to the Board. Pre-briefings may be provided by personnel other than who would provide the brief to the Board, however, the key elements of the brief should be communicated.

When the Board requests a briefing, they typically provide an agenda or set of topics to be addressed. DOE may provide briefings either with or without a quorum of Board members and the DNFSB is not necessarily obliged to specify this ahead of time. As a general practice, DOE should prepare for Board briefings as if it is being provided in a quorum atmosphere and that any and all briefing materials and handouts, if any, be reviewed and marked per DOE classification requirements. An example of a Board briefing request form is provided as Attachment 3.

DOE should ensure that handling caveats (e.g., Official Use Only, Draft, Pre-decisional, etc.) are indicated on all hand-outs, as appropriate, that are provided to the Board during briefings. On June 14, 2016, the Board members voted to implement the practice of posting all briefings materials provided to the Board by DOE and any other outside source (e.g., contractor, entity, group, individual) to the **DNFSB public website**. The posting to the website includes briefing agenda, briefing handouts and the list of briefing attendees.

5.6.1 Coordination, Preparation, and Participation in Board Meetings and Briefings

The DR or a designated DOE personnel should serve as the Departmental lead for coordinating the Department's participation in meetings or briefings with the Board members. Coordination responsibilities include ensuring the following:

- a. Appropriate participants are selected (with sufficient technical knowledge, accomplished presentation skills, and of appropriate organizational position);
- b. Participants are adequately prepared; dry-runs are recommended;
- c. Consensus is reached prior to the meeting to the extent possible on major technical or policy issues that are identified as the subjects of the meeting;
- d. Views presented as the Department's views will indeed represent those adopted by the responsible Department managers, or else these views will be clearly identified as opinions of specific individuals;
- e. Information provided is responsive to the Board's requests; and

- f. As appropriate, ensure that handling caveats (e.g., Official Use Only, Draft, Predecisional, etc.) are indicated on all hand-outs provided to the Board and staff during briefings.

Requests from Board members for meetings with the Department are routinely made through the DR. Other Departmental elements that receive such requests from the Board or its staff should immediately notify the DR and the appropriate DOE POC.

Requests by Departmental elements for meetings with Board members should be made through the appropriate DOE/NNSA personnel, who in turn should coordinate with the DR.

Departmental elements initiating or participating in meetings with the Board members should keep the DR informed of the schedule and content of the meetings. Departmental personnel should use the Briefing Request format for such requests.

5.7 Briefings, Discussions, Telephone Communications, and Other Informal Interactions

For discussion of complex issues, Departmental personnel should request prior notification and scheduling to allow adequate preparation of a mutually agreeable agenda and briefing materials. Prior notification and scheduling allows both parties to be prepared and improves the quality of communications.

Departmental personnel should handle briefings and discussions with members of the Board or its staff in a similar manner to that described for formal meetings with the Board. The Departmental lead should notify the affected Departmental POC, the DR's office, and any other affected Departmental personnel, and provide information about the time, place, and content of the interaction.

The Departmental lead should reach agreement with the Board staff lead on the agenda, expectations, and participants. The Departmental lead should provide feedback on substantive information and actions discussed to the affected organizations and the DR. Departmental personnel should be mindful of their organizational authority and not agree to take actions outside their immediate level of authority. The Departmental lead should identify any resultant action items, responsibilities, and due dates and provide tracking and follow-up of these items through completion.

Discussions may happen routinely, on basic operations at a site that is within the DNFSB purview and at a site or DNFSB Headquarters staff level with local DOE/NNSA or site contractors. It is important for these interactions to be coordinated with the DOE Departmental Representative (DR) as the DR is the designated DOE Secretarial Interfaces. Because interactions between DNFSB staff and DOE frequently involve the DNFSB Enabling Legislation and DOE requirements contained therein, local DOE should be aware of interactions directly

between DNFSB staff and local contractors and coordinate actions with the DR, as appropriate. Also, it is vital for local DOE/NNSA to ensure appropriate markings for any materials provided to the DNFSB.

Subsequent to any discussions or interactions, Departmental elements should notify the appropriate POC of the substantive information and actions discussed. The DR, in conjunction with the POC, should evaluate the information, request the individual submit a written summary if the information is of wider interest, and distribute the information to interested parties.

An example of a meeting attendance log is provided as Attachment 5. The Board's practice is to post this attendance log on its public website as a record of meetings and briefings between the Board and DOE/NNSA or other external organizations.

6.0 DNFSB POLICY

6.1 DNFSB Oversight of Design and Construction Projects of DOE Defense Nuclear Facilities

Both DOE and the Board have a vested interest in the identification and resolution of potential nuclear safety issues as early as possible in the design phase so as to not negatively impact the cost, scope or schedule. The Department's directives for design and construction projects include its 413 series of directives, particularly DOE Order 413.3, *Program and Project Management for the Acquisition of Capital Assets* and associated guidance documents, particularly DOE Guide 413.3-1, *Managing Design and Construction: A Systems Approach*. DOE also developed and implemented DOE Standard 1189-2016, *Integration of Safety into the Design Process*.

On July 24, 2017, the Board issued Policy Statement 6 (PS-6) entitled, *Policy Statement on Oversight of Design and Construction of Defense Nuclear Facilities*. PS-6 describes how the Board fulfills its statutory duty to review design and construction projects. Specifically, the Board's oversight reviews are to be accomplished with "defined scope and durations at specified and logical points in the process and document the review results in four formal reports to the Board:

- a. Conceptual design (including the Safety Design Strategy and the Conceptual Safety Design Reports);
- b. Final design (including Preliminary Documented Safety Analysis);
- c. Construction (including Quality Assurance Program, design compliance of a selective subset of installed safety systems, structures, and components, and specified Technical Safety requirements); and

- d. Commissioning (a selective subset of safety programs including aspects of startup and testing, Technical Safety Requirements, and associated procedures).

The Board will decide whether or not to transmit these reports to the Secretary of Energy, with the objective being to:

- a. Provide timely and formal communications to DOE so that the Board's independent advice, analysis, and recommendations may be factored into the normal DOE decision-making process to the maximum extent possible.
- b. Track DOE's efforts and progress regarding safety items identified in formal communications from the Board. Tracking will cease once:
 - 1. DOE formally communicates its decision regarding resolution of the safety items to the Board; and
 - 2. The Board formally responds, nominally within 90 days, to DOE's communication.
- c. Use any of the Board's statutory tools to inform DOE and the public of design or construction safety items.

DNFSB PS-6 is accessible at the following link: <https://www.dnfsb.gov/policies>

6.2 DNFSB Oversight of Decommissioning Activities at DOE Defense Nuclear Facilities

The DNFSB oversight of defense nuclear facility decommissioning activities is governed by its Policy Statement 3 (PS-3) entitled, *Policy Statement on Board oversight of Department of Energy decommissioning activities at defense nuclear facilities*, issued on August 19, 1996. PS-3 states that "the Board's principal oversight function during the decommissioning phase of a facility is to ensure that appropriate nuclear safety rules, orders, and procedures are developed by DOE and then put in practice while the facility is being taken out of service."

Thus, the Board's objective during decommissioning is identical to its objective during any other phase of a facility's life cycle. PS-3 provides the Board's definition of "decommissioning" and also discusses various activities including deactivation, decontamination, final process runs, removal of special nuclear material, residues, and wastes, and other activities necessary to ensure adequate protection of public health and safety.

DNFSB PS-3 is accessible at the following link: <https://www.dnfsb.gov/policies>

7.0 ROUTINE MEETINGS AND INTERFACE WITH DNFSB STAFF

7.1 DOE and DNFSB Routine Meetings

The following sections present an overview of regular internal interactions amongst DOE personnel regarding DNFSB-related issues and coordination, as well as external interactions between DOE and the DNFSB. The DR uses a couple of helpful tools, including publishing a weekly report to DOE senior managers, the DR Website, SIMS, and standing meetings.

7.1.1 DR and DNFSB Technical Director Weekly

The Director for the Departmental Representative to the DNFSB meets with the DNFSB TD to discuss and coordinate:

- a. Board Related Issues – such as Residence Inspector Reports, RFIs, Upcoming Public Hearings, Board member visits and meetings, and interface issues.
- b. DOE Related Issues – such as responses to RFIs, reviews of Draft Recommendations and reporting requirements.
- c. Deliverables and Near-term Correspondence to the Board and from the Board
- d. Upcoming Interface Meetings (such as EM and NNSA Bi-weekly's)
- e. DNFSB Member and Board staff Travel

7.1.2 DR and Program Interface Weekly Coordination Call

The weekly coordination call is intended to ensure that the DR staff and Program Interface personnel are aware of current and pending DOE-DNFSB activities, including:

- Briefings,
- Staff-to-staff discussions,
- DOE deliverables, and
- Potential Board correspondence.

7.1.3 DR, Departmental Site Liaisons, and Program Interface Monthly Calls

The DR typically holds a monthly call with both the respective DOE Program Interface and Departmental Site Liaisons. The purpose is to provide an overall status of activities with the DNFSB, share lessons learned and interface guidance that may be useful to specific sites or across the DOE Complex, and solicit feedback from the field regarding on-going interface with the DNFSB and staff.

7.1.4 DOE/NNSA Program Interface and DNFSB Bi-weekly Meeting:

To facilitate good communications and provide Departmental perspectives addressing on-going activities and potential issues, the DR staff and the respective Program Interface meet bi-weekly with the respective DNFSB Associate TD and relevant DNFSB staff. The agenda is developed between DOE and DNFSB that provides the basis for the discussion. Currently NNSA and EM hold separate meetings on alternating weeks, as their schedules permit.

7.2 DR Near Term Report

The DR office issues an internal weekly Near Term Report of DNFSB Topics and Issues, including a summary of meetings, call and interactions with the DNFSB. It includes relevant correspondence and status of ongoing DOE responses to DNFSB RFI or letters.

7.3 DNFSB Resident Inspectors

DNFSB Resident Inspectors are stationed at Pantex, Y-12/ORNL, SRS, LANL, and Hanford and are routinely involved with daily DOE/NNSA federal and contractor interactions, site and facility walk-downs, access to DOE databases and site procedures, and observation of DOE/NNSA formal reviews, as well as leading and/or participating in DNFSB reviews. Formal reviews may or may not involve other DNFSB personnel from either DNFSB Headquarters or other DOE sites. In all cases the Resident Inspectors are the same as any other member of the DNFSB staff and the same protocols for RFI and meetings should apply.

For Resident Inspector Weekly Reports, the Departmental Site Liaison should ensure the documents are properly reviewed, marked, and processed per DOE Orders for classification and public release. Departmental Site Liaisons are encouraged to forward the draft reports to program owners and Program Interfaces as well as other affected DOE elements for review prior to release.

7.4 DNFSB Cognizant Engineer

The DNFSB Cognizant Engineers (COGs), located at the DNFSB Headquarters, are the primary point of contact with the Department for a particular topic and/or site. All sites have a DNFSB COG, however, for DOE sites without Resident Inspectors (INL, LLNL, NNSS, SNL, and WIPP) the Board has assigned a COG to maintain awareness of site activities, to include regular discussions with the Departmental Site Liaisons and conduct periodic site visits.

Similar to the Resident Inspector Weekly Reports, the site COGs develop Monthly Reports of site activities which the Board makes available to the public on its website. The Departmental Site Liaison should ensure the draft reports are properly reviewed, marked and processed per DOE Orders for classification and public release. The Site Liaisons are encouraged to forward the draft reports to program owners and Program Interfaces as well as other affected DOE elements for review prior to release. Since the Monthly Reports are generated at DNFSB

Headquarters, the Board relies on the DOE Office of Classification to conduct classification reviews.

The site COG or COG for a specific topic (e.g., a project or issue) will typically transmit requests for information on behalf of Board members or DNFSB staff pertaining to his/her area of responsibility and will track these requests through to completion. In addition, the COG maintains an operational awareness of the site, facilities, as well as recommendations and reporting requirements established by the Board. The COG may also coordinate site visits by Board members and DNFSB staff. COGs should be appraised of local site processes and procedures for interfacing with Federal and contractor staff.

7.5 DNFSB Staff Oversight Reviews

The Board staff generates, and the Board members approve, a work plan for each Fiscal Year. The work plan provides the Board's expected site or project reviews, public meetings or hearings, and special studies, to the best of their planning ability.

For oversight reviews, the DNFSB COG may request information (as discussed in Section 3.0) in order to help the DNFSB staff review team prepare the review agenda and lines of inquiry (LOIs). The Departmental Site Liaison should coordinate with the COG as soon as the oversight review time frame is determined to ensure the Department is available and able to support the review.

Prior to oversight visits, the DNFSB staff, typically the COG or review lead, will provide LOIs to the Departmental Site Liaison and appropriate site personnel. Departmental Site Liaisons should coordinate a federal review of the LOIs to determine what they are prepared to discuss with DNFSB staff and communicate what will and will not be addressed to the DNFSB staff. This should be followed up by a staff to staff phone call to ensure both the DNFSB staff and the Department has a chance to voice their concerns or questions regarding the LOIs as the DNFSB staff develop a final agenda.

Reviews should be held at mutually agreeable times. At the end of a large review, the DNFSB staff should communicate any potential safety items to Federal and contractor staff before the staff leaves the site or completes the initial review. The DNFSB staff typically schedules a factual accuracy discussion of the oversight review to communicate any observations or clarify any information. DNFSB staff will conduct their factual accuracy discussion with the Department prior to briefing the Board members on their potential safety items and observations. The DNFSB oversight reviews may result in a Board letter to DOE to formally document and communicate the Board's oversight activities. The Board letter often transmits the DNFSB staff report, and may contain a reporting requirement for a briefing.

7.5.1 Example of Good Practices to Manage LOIs at DOE-SR

The Savannah River Operations Office (DOE-SR) receives frequent LOIs, often related to upcoming or potential staff visits (including staff calls and Video Teleconferences). These staff visits are more frequent and less formal than a visit by the actual Board or Board members. To minimize the diversion of large numbers of contractor assets to answer DNFSB Staff LOIs, DOE-SR has implemented some good practices as detailed in Attachment 6.

8.0 ANNUAL DOE REPORT TO CONGRESS ON DNFSB RELATED ACTIVITIES

The DR is responsible for compiling and disseminating an Annual Report to Congress for DNFSB related activities. This includes submitting the package for Secretarial-level signature and the needed coordination for that to happen. Among other items, the report typically includes:

- a. Departmental Nuclear Safety Initiatives and Activities
- b. Progress on Board Recommendations including rationale for any IPs that take over a year to complete,
- c. Interface Activities
- d. Topics of interest to Congress, and
- e. Status of reporting requirements over the preceding year,

The DR assigns a team of DR personnel to initiate the report and then coordinates the development within the DR Office and DOE Program Offices (typically in August of each year). The DOE Program offices will solicit input from the field as appropriate. The Responsible Managers should provide the DR with a status update on Department's actions in response to active Board recommendations. The Secretarial Officers, in conjunction with the POC, should provide technical input and concurrence review.

The Secretary submits an Annual Report to Congress on Departmental activities in response to Board activities each year at the same time the President submits the budget to Congress. The Annual Report to Congress will include the Board-related activities of the Department during the previous year. The President historically submits the budget to Congress ten working days following the President's State of the Union address (i.e., during the first week of February).

For each active Board recommendation, if the IP has not been or is not expected to be complete within one year of plan issuance, the Annual Report can be used by the Responsible Manager to notify Congress that more than one year will be required for plan implementation. The notification should state the reasons for requiring more than one year to complete and the date

when implementation is expected to be completed. The most recent approved Annual Report is found at <https://ehss.energy.gov/deprep/archive/rpts2con.asp>.

8.1 Bi-Annual Reports to Congress on Information Denials

Per statutory requirements and Section 5.a.(2) of Order 140.1A, if the Board requests access to information in written form, and the Secretary denies access to such information, the Secretary shall: 1) provide the Board notice of such denial in written form; and 2) not later than January 1 and July 1 of each year beginning in 2020, submit to the congressional defense committees a report identifying each such request denied by the Secretary during that period including the reason for the denial.

The DR's office prepares the Bi-Annual Report, coordinating with the Program Interface to report on any instances of formal denials of information and access during the reporting period. The DR may also include information on the number of documents requested by the DNFSB during the reporting period in order to present a full picture of the scope of information DOE shares with the DNFSB. The Secretarial Officers, in conjunction with the POC, should provide technical input and concurrence review.

9.0 DEPARTMENTAL REPRESENTATIVE WEBSITE AND SAFETY ISSUES MANAGEMENT SYSTEM

The DR maintains the Department's central repository of official DOE/DNFSB correspondence as well as the Department's SIMS database. The DR website (Figure 3) is a publicly accessible resource of current and historical correspondence between DOE and the DNFSB. The correspondence can be sorted chronologically, by specific DNFSB Recommendation, or by DOE site. In addition to being the correspondence repository, the website also contains records from historical public hearings, DOE and DNFSB annual reports to Congress, and background information regarding the DR Office and the DNFSB, as well as, Departmental Site Liaisons.

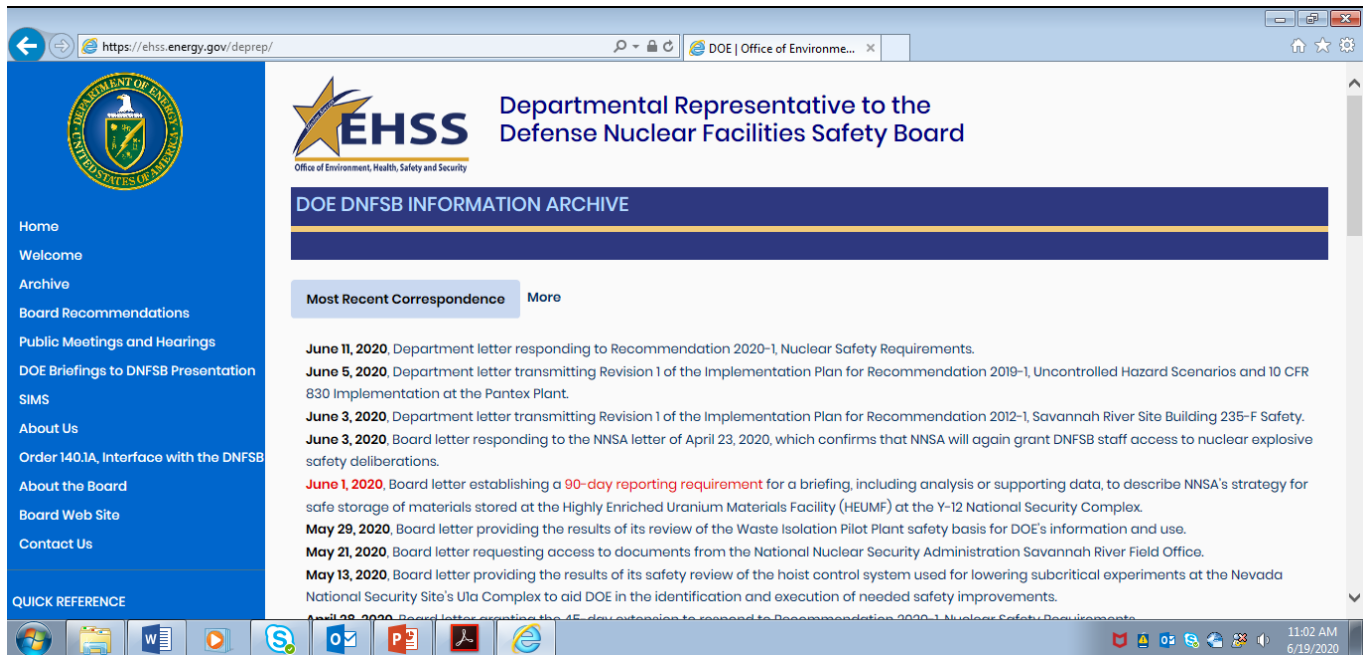


Figure 3. Office of Departmental Representative to the DNFBS Website
(<https://ehss.energy.gov/deprep/>)

The SIMS database (Figure 4) is a web-based tool to assist DOE in the management of commitments and deliverables related to formal correspondence between the Board and DOE/NNSA.. Such commitments are those that have been formally documented by DNFBS letters that transmit a Recommendation or that contain reporting requirements. These commitments are also documented in DOE/NNSA letters to the DNFBS, specifically DOE/NNSA letters that transmit the Implementation Plan for a Recommendation.

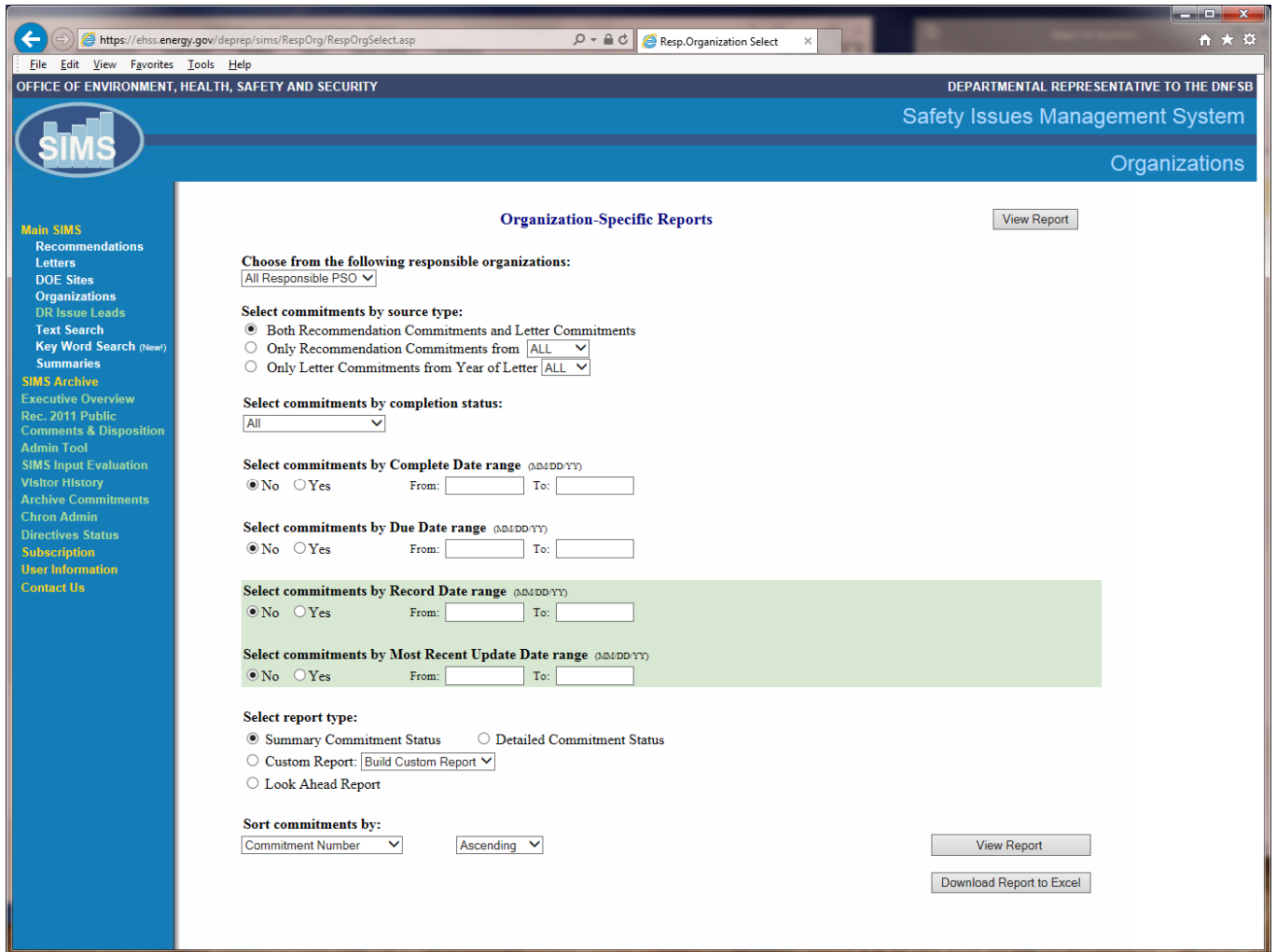


Figure 4. Safety Issues Management System Website
(Accessible via the DR Website)

SIMS assists DOE personnel to maintain awareness of the implementation of Departmental commitments on DNFSB technical and safety related issues. The DR staff, in coordination with the appropriate DOE/NNSA Headquarters and Field Office staff, populates data into SIMS and maintains the currency of the data, including any changes to the commitments and the completion/closure of commitments. Using the SIMS “near-term” reporting feature, the DR staff communicates and coordinates with the appropriate DOE/NNSA Responsible Manager and staff to ensure that the pending due date for a specific commitment is known and that actions are being taken to satisfy the commitment.

Within SIMS, DOE’s open and completed commitments can be sorted and organized by specific Program Secretarial Office, DOE site, Recommendation, or key technical/safety related issues. To request access to SIMS, please contact the DR Office at Deprep@hq.doe.gov.

ATTACHMENTS

1. DNFSB REQUEST FOR INFORMATION FORM

DNFSB F 311.1-5-02/2014

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
INFORMATION REQUEST



Date: Click here to enter text.

To: Click here to enter text.
(PSO, Designated Executive, or DOE Field Office Representative for on-site requests)

From: Click here to enter text.
(Lead Board Representative)

The following is a list of information requested from the Department of Energy (DOE) by the Defense Nuclear Facilities Safety Board (Board). The list can be hand written.

Please ensure that documents requiring special handling, such as draft documents, are marked as designated by DOE.

When possible, please send all documents in a searchable electronic format.

Received By: Click here to enter text.
(Signature of DOE or Contractor Representative)

Item No.	Title, Subject, Drawing Number, etc.	Requester (Board Rep)	Knowledgeable Contact (DOE or Contractor)	Requested By: MM/DD/YY
1.				Click here to enter a date.
2.				Click here to enter a date.
3.				Click here to enter a date.
4.				Click here to enter a date.
5.				Click here to enter a date.
6.				Click here to enter a date.
7.				Click here to enter a date.
8.				Click here to enter a date.

2. DNFSB REQUEST FOR CLASSIFIED MATERIAL FORM

DNFSB F 311.1-1:07/2014		REQUEST FOR CLASSIFIED MATERIAL		<input type="button" value="Reset Form"/>
<u>Overnight Address (FedEx Express) for Classified Documents:</u> Defense Nuclear Facilities Safety Board 625 Indiana Avenue, NW, Suite 700 Washington, DC 20004 Attention: DNFSB-SO				
Date:	<input type="text"/>	DNFSB Person Requesting Material:	<input type="text"/>	
Name of Facility Sending Documents: <input type="text"/>				
Point(s) of Contact & Phone Number(s): <input type="text"/>				
Purpose for Requesting Documents: <input type="text"/>				
Date Documents are Needed: <input type="text"/>				
Length of Time Documents are Needed: <input type="text"/>				
UNCLASSIFIED TITLE OF REQUESTED DOCUMENT(S)				
1.	<input type="text"/>			Classification Level: <input type="text"/>
2.	<input type="text"/>			Classification Level: <input type="text"/>
3.	<input type="text"/>			Classification Level: <input type="text"/>
4.	<input type="text"/>			Classification Level: <input type="text"/>
APPROVED BY: <input type="text"/> <input type="text"/> <div style="display: flex; justify-content: space-between; width: 100%;"> <i>Technical Director</i> <i>Date</i> </div>				
APPROVED BY: <input type="text"/> <input type="text"/> <div style="display: flex; justify-content: space-between; width: 100%;"> <i>Chairman</i> <i>Date</i> </div>				
Email a copy of the completed form to Security@dnfsb.gov				
Need Help? Contact ---->				
Mr. Kim Knight Information Security Program Mgr (202) 694-7025				
Mr. Jeremy Parmer Physical Security Program Mgr (202) 694-7026				
Send completed form to HS-1.1 for processing to Mr. Joe Olencz at (fax) 301-903-3261				

3. **DNFSB BRIEFING REQUEST FORM**

DNFSB F 4213-1-08/2020



REQUEST FOR BOARD MEMBER INTERACTION OR BRIEFING
DEFENSE NUCLEAR FACILITIES SAFETY BOARD
 625 Indiana Avenue NW, Suite 700
 Washington, DC 20004
 202-694-7000

Date: _____ DNFSB Staff Contact: _____ Phone Number: _____

Requested By: _____ Phone Number: _____

Subject: _____

Briefing Date: _____ Time: _____ Duration: _____

Location: _____ Video Conference: _____
(If other than 8th Floor Boardroom) (4th Floor Conf Rm 425)

Virtual: _____ (Application)

Classified: Yes No

Special Equipment Required:
 Overhead Projector
 Screen
 Laptop w/LCD Projector

Conference Phone:

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Other Equipment Required:

Board Members Requested:

Hamilton Summers
 Roberson Connery

DNFSB Staff Participants:

Chris Roscetti _____
 Katherine Herrera _____
 OGC Representative _____

Outside Participants (DOE, SRS, etc.):

Hold placed?

Added to Appointment Calendar: _____
(MM/DD/YY)

4. FORMAT AND CONTENT GUIDE FOR IMPLEMENTATION PLANS

I. Purpose

This guidance incorporates experience gained and lessons learned from developing and completing implementation plans, in response to Board recommendations, over many years; helps to focus Departmental resources on preparing complete, effective implementation plans which improve safety and provide for recommendation closure; provides for consistency of plan format and contents to permit efficient review and use; and addresses the Board's identified criteria for judging the adequacy of implementation plans.

The technical content is the primary measure of an effective plan; this guidance should help focus development of that technical content. This guidance should also aid Departmental personnel in developing implementation plans that cogently and clearly communicate their technical content. Much of this guidance will be applicable for all implementation plans. However, the subjects of implementation plans can differ significantly, and, in some cases, exceptions and additions to the recommended format and content may be appropriate and necessary on a case-by-case basis.

II. Board Criteria

Board PS-1, "Criteria for Judging the Adequacy of Department Responses and Implementation Plans for Board Recommendations," October 19, 1990, identifies the following six substantive criteria that must be satisfied before the Board judges an implementation plan to be adequate.

1. **Understanding.** The Department's implementation plan shows an understanding of the safety issues raised by the Board recommendation.
2. **Responsiveness.** The Department's planned course of action addresses the complete Board recommendation and accomplishes satisfactory resolution of the identified safety issues.
3. **Assumptions.** The Department identifies important baseline assumptions for successful plan implementation.
4. **Planning Detail.** The Department's implementation plan is described in sufficient detail to permit the Board to independently determine that the approach and schedule are reasonable and achievable.
5. **Technical Basis.** The Department's plan is based on sound technical evaluation, including identification of underlying causes.

6. Focus on Closure. The Department's plan defines completion deliverables for demonstrating safety issue resolution in a verifiable manner.

In addition to the substantive criteria, the Board PS-1 also identifies five procedural requirements for implementation plans: (1) plan submittal meets statutory deadlines; (2) plan provides a realistic and achievable schedule which includes intermediary milestones; (3) plan includes a process for change control of plan itself; (4) plan addresses quality assurance, if appropriate; and (5) plan provides a reporting scheme and schedule.

III. Format and Content

Implementation plans are written for three key audiences: Departmental personnel/contractors, the Board and its staff, and the public. Departmental personnel and contractors will implement the actions described; they need sufficient detail on the scope, schedule, and basis of planned actions so that implementation will be effective and efficient. The Board and its staff will review the Department's plan for adequacy, monitor the plan implementation, and ultimately close out their recommendation based on completion of actions described in the plan. The public is notified of all Board recommendations and often follows the Department's plans to ensure their safety interests are satisfied. The format and content described below are designed to satisfy all three audiences. Each implementation plan should contain the following contents in the format described below.

Title Page

The title page should include the Department's plan title, the plan date, the plan revision number (if not original), and Board recommendation number. The title should be a Departmental title, demonstrating Departmental ownership of the plan. For example, the plan title could be "Department of Energy Plan for Improving the Technical Capability in Defense Nuclear Facilities Programs and Training and Qualifications," and the title page might include beneath this title, "(Implementation Plan for DNFSB Recommendation 93-3)."

Executive Summary

The executive summary should summarize: (1) the relevant safety issues, (2) their underlying causes, (3) the resolution approach and schedule, (4) the management approach to ensure plan implementation, and (5) any baseline assumptions critical to successful implementation. If initiation of safety issue resolution is urgent for safety reasons, this summary should highlight key completed and near-term actions.

Table of Contents

The table of contents should include the contents defined in this guidance, in the order described below. The section headings and section numbering provided below should be adopted to ensure that implementation plans are in a consistent format, permitting ease of review and use.

1. Background

This background section should demonstrate an understanding of the problem(s) being addressed. It should provide a clear statement of the safety issues and their significance as determined by the Department's analysis of the problem. The implementation plan should be consistent with the approach described in the Secretary's response letter to the Board's recommendation. In particular, if the Department has set any conditions or limitations on its acceptance of the recommendation, these should be reiterated.

The background section should identify and briefly describe the principal safety issues addressed by the plan. These may be derived directly from the Board's recommendation, from a synthesis or combination of the various Board sub-recommendations, or from the Department's own analysis and implementation planning. The safety issues represent the Department's template to organize and structure implementation actions. Remaining sections of the implementation plan should be structured based on the identified safety issues.

2. Underlying Causes

This section should identify the underlying cause(s) of the subject safety issues, so that it is clear why the planned actions are appropriate. The underlying cause(s) can only be arrived at by understanding and evaluating the direct causes of any technical problems and then identifying the underlying causes that allowed the situation to occur. Underlying cause(s) may relate to hardware performance or capabilities, operation procedures, management controls, personnel performance, and management performance. With these causes identified, the broader implications, beyond the identified situation, should be fully considered in developing a complete and effective resolution approach.

Underlying causes that relate to other Departmental implementation plans in progress should be identified. The extent to which these other plans contribute to the resolution of the subject recommendation's safety issues should also be described.

3. Baseline Assumptions

This section should present the primary assumptions, if any, upon which the implementation planning has been based. These may include engineering, technical, administrative, or legislative

assumptions. For example, the following categories of baseline assumptions may be relevant: availability of general or specialized personnel resources, availability of unique or specialized expertise, hardware or system performance, availability of specialized equipment or parts, legal or statutory requirements, successful completion of precursor activities in other programs, satisfactory progress of necessary research and development efforts, availability of sufficient approved funding in the type and amount needed, and impact of scope changes or expansions on schedule performance. The plan should describe each real and relevant assumption in sufficient detail to allow understanding of potential impact (e.g., what specifically? how many? how much? how long? of what type? how likely?). It is important to fully identify the real and relevant assumptions that may potentially impact successful plan implementation.

4. Summary of Completed and Near-Term Actions

This section should describe mitigating actions that are already complete. The purpose of describing key completed actions is to demonstrate responsiveness during the period between issuance of the Board recommendation and completion of the Department's implementation plan. It may be beneficial to mention the parties involved in plan preparation to show that: (1) the Departmental organizations, including field representatives that are necessary for successful implementation were involved in the planning process, and (2) there will be a smooth transition from plan preparation to plan implementation. Near-term actions identified in the Secretary's response letter should be included in this section.

In some cases, for safety issues that involve a strong sense of urgency or that will require an extended period to achieve resolution, the Department should describe important near-term initiatives and compensatory actions that will be implemented no later than 6 months, for example, after plan issuance to reduce safety risks associated with the recommendation. These will also demonstrate the Department's commitment to bring the identified safety issues to final resolution. Near-term actions should be extracted and summarized from the full description of planned actions, presented in section 5, Safety Issue Resolution.

5. Safety Issue Resolution

This is the main section of the implementation plan and should be structured using the Department's identified safety issues, with one section subheading for each issue. As an alternative, this section can be structured by the sub-recommendations contained in the Board's recommendation. Under each subheading, the following structure should be provided: Issue Description; Board Recommendation; Resolution Approach; and Deliverables/Milestones.

Issue Description. The issue description should consist of a summary restatement of the problem, why the problem needs to be addressed, and how addressing the problem will provide a specific

safety improvement for the Department. Description of safety improvement objectives should show consistency with overall Departmental safety objectives.

Board Recommendation. After the Department's issue description, the text of the original Board recommendation that is pertinent to the issue should be quoted verbatim. The purpose of repeating the Board's recommendation is so that the reader may easily correlate the Department's plan to the Board's recommendation and demonstrate that the plan is responsive. The portion that should be repeated in the body of the implementation plan is the text of the recommendation itself (i.e., the numbered sub-recommendations), rather than the introductory and contextual material. The entire text of the Board recommendation may be included as an attachment to the plan if desired.

Resolution Approach. The resolution approach needs to provide: (1) a specific description of the Department's intended course of action that is clear, tangible, and concise, and (2) sufficient detail so that one may independently determine whether the approach is reasonable and achievable. This section should specifically describe the safety improvements and how they will be achieved. For example, the resolution approach should not consist of a plan to make a plan or a plan to do an assessment to make a plan. Any changes in equipment, process, procedures, and/or personnel should be discussed in terms of their impact on safety. Where it is absolutely necessary to perform some prior action before the final scope of the resolution actions can be determined, the resolution approach should describe the specific process and criteria that will be used to make these determinations.

Resolution of an issue (i.e., completion of all actions identified in the implementation plan) should result in tangible improvement to safety within the Departmental defense nuclear facilities complex. If possible, the resolution scope should be established based on the goal of completion within 1 year of plan issuance. To accomplish this goal, the resolution focus may need to be on gaining substantive control of an issue rather than closing all loose ends. For example, issue resolution may need to be defined in the implementation plan as developing training and conducting initial sessions, rather than as completing training of all Departmental personnel and performing a follow-up evaluation. The goal of resolution within 1 year, based on the expectations of Congress in establishing the Board, should be strictly pursued for recommendations that are narrowly focused and affect only one site and one Headquarters office. Recommendations that involve major systemic changes, multiple Headquarters offices, and multiple sites can require more than 1 year for resolution. Exceptions to the 1 year goal should be carefully considered.

As part of this discussion, the technical basis for the selected approach should be provided. This technical basis should demonstrate that the Department has performed a reasonable, logical, and, if possible, quantifiable technical evaluation of the problems and solutions and should address

the underlying causes described in section 2, Underlying Causes. A strong technical basis is particularly important for resolution approaches that are experimental or unprecedented, or differ from the expectations of the Board and its staff.

The resolution approach should be consistent with the Secretary's response letter to the Board's recommendation and should reiterate any conditions or limitations on the Department's acceptance of the recommendation, along with supporting bases. Where credit is taken for implementation actions described in other Departmental programs or implementation plans, this should be identified; the implementation plan should not establish new commitments and commitment dates for other ongoing implementation plans in response to Board recommendations.

Deliverables/Milestones. The plan must clearly provide a method for demonstrating completion or closure in a manner that can be readily verified. Commitment deliverables should be tied to plan milestones, readily verifiable, and transmittable to the Board for review. The plan should demonstrate a focus on closure; the resolution actions and schedule should not be open-ended. For example, rather than defining the resolution scope and closure actions through an ongoing process, such as through periodic reports to the Board, the plan should establish a firm structure for achieving closure. The plan should also reflect a systems engineering approach for resolving the issue that methodically defines the entire effort, from inception to closure, for achieving the identified safety improvement.

In describing intermediary deliverables or commitments, the plan should establish only that number needed to measure performance of the planned resolution approach. Frequently, further definition of intermediary actions is needed to fully describe and measure accomplishment of a commitment. These intermediary actions should not be identified as unique commitments, but may be noted as actions contributing to commitment completion. For example, completion of a committee evaluation could include the following noted actions, if appropriate: forming the committee, preparing the charter, developing the evaluation procedure, conducting the evaluation, preparing a draft report, resolving comments, and preparing a final report. Only those actions considered critical to successful completion of the commitment should be identified and described.

The following information should be provided for each commitment: (1) a complete statement of the commitment; (2) the manager responsible for implementation; (3) the facilities and programs to which it applies; (4) the implementation activities and deliverables that will constitute completion; and (5) the specific due date (such as December 15, 2005) for completion. In addition, to facilitate commitment tracking, each commitment should be uniquely and sequentially numbered. Due dates should correlate to the date for the Department to provide completed deliverables to the Board.

The schedule should be realistic and achievable, and reflect the results of a representative resource-loaded schedule and cost estimate (see discussion on stand-alone attachment on resource-loaded schedule and cost estimate). Intermediary deliverables and milestones should provide meaningful measures of accomplishment toward final issue resolution.

6. Organization and Management

This section describes how the Department will organize and manage implementation of the plan. The cognizant Secretarial Officer and Responsible Manager need to be clearly identified along with their functions, authorities, and responsibilities for successful plan implementation. To ensure plan performance, strong consideration should be given to establishing a central project manager who has broad, cross-organizational authorities. To the extent possible, single line authority should be established for plan implementation. If useful, a figure describing the organizational structure for plan implementation should be provided.

This section should also describe specific management systems and controls the Department will use to accomplish planned deliverables on the committed schedule. For example, this section might include a discussion of action item tracking and monitoring, including use of and interface with the Department's Safety Issues Management System. Methods for holding personnel and organizations accountable for their performance should also be described, particularly where personnel and organizations responsible for portions of the plan performance do not report directly to the Responsible Manager. Management controls over funding and budget allocation should be described. The following management systems should be addressed specifically.

Change Control. Each implementation plan must include a description of its change control process. The following paragraph is recommended to be used for all plans.

“Complex, long-range plans require sufficient flexibility to accommodate changes in commitments, actions, or completion dates that may be necessary due to additional information, improvements, or changes in baseline assumptions. The Department's policy is to (1) provide prior, written notification to the Board on the status of any implementation plan commitment that will not be completed by the planned milestone date, (2) have the Secretary approve all revisions to the scope and schedule of plan commitments, and (3) clearly identify and describe the revisions and basis for the revisions. Fundamental changes to the plan's strategy, scope, or schedule will be provided to the Board through formal revision and reissuance of the implementation plan. Other changes to the scope or schedule of planned commitments will be formally submitted in appropriate correspondence approved by the Secretary, along with the basis for the changes and appropriate corrective actions.”

Reporting. Each implementation plan must include a description of its reporting scheme and schedule. Acceptable means of reporting include periodic briefings and periodic progress reports. Briefings have proven to be more effective than written reports. The frequency of these periodic briefings or reports depends on the total scope and schedule of planned actions. Historically, many plans have offered a quarterly reporting frequency. Less frequent reporting, such as on a semi-annual or annual basis, is appropriate where the plan milestones are few and spread out, or the effort is winding down to completion. The following sample paragraph addresses reporting.

“To ensure that the various Departmental implementing elements and the Board remain informed of the status of plan implementation, the Department’s policy is to provide periodic progress reports until implementation plan commitments are completed. For this plan, the Department will provide quarterly briefings to the Board and/or its staff, within 1 month of the close of each quarter during plan implementation. Quarters will coincide with the calendar and fiscal year quarters: January-March, April-June, July-September, and October-December.”

Progress reports may be used to report minor schedule variances to plan commitments, but not to make changes to planned commitment dates, unless approved by the Secretary. For example, if commitment completion will be delayed by several weeks from the committed due date, this variance should be reported in the periodic progress report. The report of a schedule variance acknowledges that the commitment is overdue and provides current status information, but does not seek to adjust or change the established schedule. Progress reports should not be used to make changes to plan commitments.

Quality Assurance. In appropriate cases, the plan should specify how quality of the planned actions will be ensured. Quality assurance may include qualification of people involved; internal checks on the implementation as the task is completed; final verification; independent oversight; and chain of custody on records, samples, and other critical data and documentation.

Attachments to Implementation Plan (Optional)

Glossary. The glossary should define terms used in the implementation plan that are unique, unusual, or of a highly technical nature that would not be commonly understood.

Acronyms and Abbreviations. This attachment should identify and define all acronyms and abbreviations used in the implementation plan. A minimum number of acronyms and abbreviations enhances general understanding and readability of the plan.

References. This attachment provides bibliographic information for all documents referenced in the implementation plan.

Summary of Commitments. This attachment lists all Departmental commitments established in the implementation plan. Inclusion of this attachment may be useful to delineate in summary fashion the complete scope of commitments that the Department considers are made by section 5 of the plan. If used, this information should be presented in the same format that will be employed to report status in the periodic progress reports. The following should be provided for each commitment: (1) statement of commitment, (2) Responsible Manager, (3) applicable facilities and programs, (4) closure deliverable(s), and (5) due date.

Summary Schedule. This attachment provides a top-level summary time line that shows the start and end dates of resolution activities for each safety issue. Lower-level schedule summaries may also be necessary to provide an overview understanding of the scope and relationship between major activities.

Crosswalk to Board Recommendation. When the Department has structured the issues in a different manner than portrayed in the Board's recommendation, this attachment should be used to provide a matrix showing that the recommendation is fully addressed. If necessary, the matrix should provide and include the following headings: Board sub-recommendation, Departmental issue, Plan references, and Discussion.

Stand-Alone Attachment: Resource-Loaded Schedule and Cost Estimate

To ensure that the planned scope and schedule are realistic and achievable, each implementation plan should be submitted for Departmental management review and approval along with a separate, stand-alone attachment that provides a resource-loaded plan schedule and cost estimate and describes the Departmental funding to support committed actions. The attachment should also identify the critical path activities on the integrated schedule. The cost estimate should be sufficiently accurate (i.e., rough order of magnitude) to permit the Department to evaluate the cost/benefit of these safety improvements. More detailed attention should be given to complex activities that involve installation or operation of equipment or accomplishment of multiple, dependent activities. The desired degree of accuracy for this planning cost estimate is minus 50 percent to plus 100 percent (see DOE G 430.1-1, Cost Estimating Guide).

The resource-loaded schedule should identify what types of resources are needed, when they are needed, how long they are needed, and the total amount of each resource type needed. Budget requirements should include personnel resources by type, contract

resources, and capital equipment and expenditures. Resource summaries should be provided by year (e.g., for each fiscal year) and by organizational unit (e.g., responsible Headquarters organization, Operations Office, primary contractor, specialty contractors, supporting Departmental organizations, etc.). This document should also identify the source of identified budget funds and the type of funding (e.g., capital or operating budget). Where funding needs to be appropriated by Congress, the amounts, schedules, and organizations requesting funding should be identified.

IV. Presentation Tone and Style

The overall tone of the implementation plan should demonstrate the Department's ownership of the identified safety issues. To show ownership, the Department needs to assess the identified problem area independently, perform its own analysis of the underlying safety issues and causes, reach its own conclusions regarding issue significance, and develop an effective approach for issue resolution. The implementation plan is the Department's plan for resolving the identified safety issues, not just a mechanism for responding to the Board's recommendation.

The plan should be clear and concise. Executive Secretariat Style Guide, prepared by the Office of the Executive Secretariat, is a useful tool to help in the preparation of effective, well-written materials (available on the Internet at www.hr.doe.gov/es/estable.htm). A review by a technical editor should be considered. Figures should be included where possible to demonstrate understanding of the safety issues and causes, to illustrate resolution approaches and schedules, and to show management structure and controls. The use of "will" statements should be carefully limited. Every "will" statement could be interpreted as an explicit or implied commitment. Where a commitment is not intended, alternate word choice should be selected.

6. BOARD STAFF LINES OF INQUIRY (LOIs)

The Savannah River Operations Office (DOE-SR) receives frequent lines of inquiry (LOIs), often related to upcoming or potential staff visits (including staff calls and Video Teleconferences). These staff visits are more frequent and less formal than a visit by the actual Board or Board members. To minimize the diversion of large numbers of contractor assets to answer DNFSB Staff LOIs, DOE-SR has implemented the following:

- Generally, the cognizant DOE federal employees should be on the call or at the meeting to answer the questions with minimal or zero contractor presence.
- The feds and contractors should discuss the questions and work together on answers.
- “Right Size” the effort to get the initial answers. Do not waste the time of our valuable assets on “polishing the cannonball.” If we can get a good answer with one staff hour of work, then do not expend ten staff-hours to get a perfect answer.
- For a staff level visit, it is OK for us to get a few “look ups” and follow up with the additional information. We can save a lot of time on preparing answers that are “bulletproof” and having a “cast of thousands” in the room or on the call, “just in case.” We cannot afford to do that anymore.
- In general, we do not need to send written responses for LOIs associated with an upcoming staff level visit. If we have written responses for our benefit to focus the discussion, then that is fine. If our local Resident Inspectors are offered an info copy then that is not a big deal.
- In general, LOIs that come over should fall into three categories and we should deal with them accordingly:
 1. We know the answer now or minimal prep to articulate the answer. We should answer those as soon as reasonable.
 2. We do not know the answer, but we agree it is smart for us to know the answer. We should provide the Board Staff an estimate of when we can follow up (if later than our initial meeting/call.)
 3. We do not know the answer and we do not feel it is appropriate or value added to expend time & money on getting an answer. The Departmental Site Liaison (Chief Engineer at DOE-SR) should be informed and concur. We will be smart and diplomatic on these.