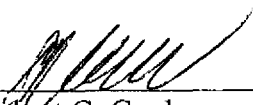


DEPARTMENT OF ENERGY
REDELEGATION ORDER NO. 00-002.09A
TO THE ASSISTANT SECRETARY
OF THE OFFICE OF ENVIRONMENT, SAFETY AND HEALTH

1. DELEGATION. Pursuant to section 202(b) of the Department of Energy Organization Act ((the Act) Public Law 95-91, 42 U.S.C. 7132(b)), I delegate to the Assistant Secretary of the Office of Environment, Safety and Health the authority to take the following actions:
 - 1.1 Under section 643 of the Act (42 U.S.C. 7253) the authority to establish, alter, consolidate or discontinue such organizational units or components within the Assistant Secretary's assigned organizational elements as deemed to be necessary or appropriate.
 - A. In exercising this authority, or as redelegated pursuant thereto, delegates will be limited by approved budgets, staffing level allocations, and Senior Executive Service and other executive resource position allocations. Organizational changes shall not be announced or implemented until appropriate union coordination and other pre-release clearances have been obtained.
 - B. This authority does not include approval of additional, deletion, or transfer of mission and functions of or between Departmental Headquarters and Field elements which authority is reserved to the Secretary.
 - C. Heads of Departmental Headquarters may delegate the authority to alter or consolidate organizational elements further, in whole or in part, consistent with the terms of the Department of Energy Organization Act, to an official or officials one level below the Head of the Departmental Headquarters Elements.
 - D. The authority to establish or discontinue organizational elements at the first or second level below the Head of the Departmental Headquarters Elements may not be redelegated.
 - E. Acting Heads of Departmental Headquarters may not redelegate these authorities and may only establish, alter, consolidate or discontinue organizational units at the third level and below. During the tenure of an acting Head of a Departmental Headquarters organizational units below the Head of Departmental Headquarters may not exercise redelegations granting the authority to alter or consolidate units.

- 1.2 Under Subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000, 42 U.S.C. 7385o, the authority to enter into agreements with the chief executive officer of a State to provide assistance to a Department of Energy contractor employee in filing a claim under the appropriate State workers' compensation system.
2. RESCISSION. Delegation Order 00-002.09 is hereby rescinded.
3. LIMITATION.
 - 3.1 In exercising the authority delegated in this Order, a delegate shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary or delegate(s).
 - 3.2 Nothing in this Order precludes the Secretary from exercising any of the authority delegated by this Order.
 - 3.3 Any amendments to this Order shall be in consultation with the Department of Energy General Counsel.
4. AUTHORITY TO REDELEGATE.
 - 4.1 Except as expressly prohibited by law, regulation, or this Order, the Assistant Secretary of the Office of Environment, Safety and Health, may delegate this authority further, in whole or in part.
 - 4.2 Copies of redelegations and any subsequent redelegations shall be provided to the Office of Management and Operations Support, which manages the Secretarial Delegations of Authority system.
5. DURATION AND EFFECTIVE DATE.
 - 5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

5.2 This Order is effective 9/11/2002.



Robert G. Card
Under Secretary for Energy,
Science and Environment



Department of Energy
Washington, DC 20585

EXEC-2007-000530

January 24, 2007

MEMORANDUM FOR DAVID K. GARMAN
UNDER SECRETARY

FROM:

DAVID R. HILL *[Signature]*
GENERAL COUNSEL

SUBJECT:

ACTION: Issue revised delegations to the Departmental officers who report to you.

BACKGROUND:

It is necessary to update and revise the delegations of the Departmental officers who report to you. Currently, the Director of the Office of Legacy Management does not have a delegation. There also are provisions regarding functional accountability and indemnification that need to be added to existing delegations. Finally, three delegations need to be rescinded.

DISCUSSION:

A delegation to the Director, Office of Legacy Management, needs to be issued to give him the same internal reorganizational authorities that all the other first tier officers currently have.

The following delegations need to have functional accountability language added to them:

- Civilian Radioactive Waste Management;
- Nuclear Energy (this delegation is also being changed to reflect that the office is now headed by an Assistant Secretary);
- Environmental Management; and
- Energy Efficiency and Renewable Energy.

The Office of the General Counsel is currently in the process of preparing paperwork to amend the delegation you have from the Secretary in the areas of fossil energy and electricity. Once that delegation has been signed by the Secretary, we will prepare a redelegation for your signature to those respective offices.

The authority to provide indemnification will be redelegated only to the Assistant Secretary for Environmental Management because this is the only program office within your purview with a need for this authority. This authority, which is located in paragraph 1.4 of that delegation, allows the Assistant Secretary for Environmental



Management to make the decision to indemnify certain entities involved in land transactions at defense nuclear facilities. Under the terms of the proposed delegation, this authority cannot be redelegated further.

It is also necessary to rescind two redelegations, since these offices no longer report to the Under Secretary. These are Redelegation Order No. 00-002.02A, to the Director of the Office of Science, and Redelegation Order No. 00-002.09A, to the Assistant Secretary of the Office of Environment, Safety and Health. A third delegation, Redelegation Order 00-002.08, to the Director, Office of Worker and Community Transition, needs to be rescinded since that office no longer exists.

SENSITIVITIES: None.

RECOMMENDATION: That you approve issuance of certain amended redelegations as described above, and rescission of the redelegations to the Director of the Office of Science, to the Assistant Secretary of Environment, Safety and Health, and to the Director, Office of Worker and Community Transition.

CONCURRENCES: None.

Approve:



Disapprove:

Date:

JANUARY 29 2007

Attachment

cc: Clay Sell, Deputy Secretary