



Department of Energy

Washington, DC 20585


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2014-032401

MEMORANDUM FOR JAMES HUTTON

ASSOCIATE DEPUTY ASSISTANT SECRETARY FOR
SAFETY, SECURITY, AND QUALITY PROGRAMS
ENVIRONMENTAL MANAGEMENT

FROM:

MATTHEW MOURY 
DEPUTY ASSISTANT SECRETARY FOR
SAFETY, SECURITY, AND QUALITY PROGRAMS
ENVIRONMENTAL MANAGEMENT

SUBJECT:

Delegation of Safety Authorities

This memorandum serves as your delegation of specific authorities listed in the attachment and supersedes those delegated by prior memoranda to any official at the Office of Environmental Management (EM) at Headquarters (HQ). This delegation is made in accordance with Department of Energy (DOE) Order 450.2, *Integrated Safety Management*, appendix A, *Delegations of Authority to Perform Safety Management Functions*, and EM Standing Operating Policies and Procedures (SOPP) #44, *Environmental Management Process for Delegation of Safety Authorities*.

Designated authorities assigned through rules and DOE directives are established to ensure objective and consistent decisionmaking by appropriate levels of line management. You need to assure that organizational lines of responsibilities, reporting, and communication for safety are clear among your program staff and field oversight personnel while retaining the responsibility for outcome. If you have any questions in executing your authorities, I encourage you to seek my input.

These authorities may be further delegated to EM HQ Managers, Field Managers, Deputy Managers, Assistant Managers, and Federal Project Directors. Current delegations from me to field management for the calendar year 2014 remain in effect through January 31, 2015, unless rescinded or modified through a redelegation memorandum either from you or me. Further delegations of safety-related authorities are to be made in accordance with EM SOPP #44.



If you have any questions, please let me know.

Attachment

cc: Matthew McCormick, RL
Kevin Smith, ORP
David Moody, SR
Jose Franco, CBFO
William Murphie, PPPO
Mark Whitney, OR
Susan Cange, OR
Richard Provencher, ID
James Cooper, ID
Bryan Bower, WVDP
Donald Metzler, MOAB
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Ralph Holland, CBC (Acting)
John Rampe, BNL
Kevin Bazzell, SLAC
John Jones, ETEC
David Huizenga, EM-1 (Acting)
Richard Lagdon, EM-1/CNS
James Owendoff, EM-2 (Acting)
Jack Craig, EM-2.1 (Acting)
Candice Trummell, EM-3 (Acting)
Mark Gilbertson, EM-10
Kenneth Picha, Jr., EM-20
Frank Marcinowski, EM-30
Todd Lapointe, EM-41
Braj Singh, EM-41
Anthony Weadock, EM-42
Robert Murray, EM-43
Jimmy McMillian, EM-44
J. E. Surash, EM-50
Teresa Tyborowski, EM-60
Melody Bell, EM-70 (Acting)

Attachment

Delegation of Safety Authorities for James Hutton, Associate Deputy Assistant Secretary for Safety, Security, and Quality Programs, Office of Environmental Management

1. Title 10 Code of Federal Regulations (CFR) 830, *Nuclear Safety Management*, Subpart B: For work to be performed in a Department of Energy (DOE) nuclear facility, 10 CFR Part 830.202 and 830.207 (including appendix A), require DOE approval of a safety basis that meets the requirements of subpart B, with the issuance of a safety evaluation report. The following is a list of safety basis elements delegated to you:

Subpart B 830.202 (b)(3): Approve final hazard categorization for category 2 and 3 nuclear facilities.

Subpart B 830.202 (b)(4): Approve the Documented Safety Analysis (DSA) and revisions thereto.

Subpart B 830.203 (b) and (c): Approve Unreviewed Safety Question (USQ) procedures and processes of the contractor for hazard category 2 and 3 nuclear facilities.

Subpart B 830.203 (e): Approve any action determined to involve a USQ for hazard category 2 and 3 nuclear facilities.

Subpart B 830.204 (a): Approve the methodology, with the Office of Health, Safety and Security (HSS) concurrence, used to prepare the DSA for hazard category 2 and 3 nuclear facilities, unless the contractor uses a methodology set forth in table 2 of appendix A to subpart B of 10 CFR Part 830.

Subpart B 830.205 (a)(2): Approve Technical Safety Requirements and revisions thereto for hazard category 2 and 3 nuclear facilities.

Subpart B 830.206 (b)(1) and (2): Approve the preliminary DSAs, including nuclear safety design criteria for hazard category 2 and 3 nuclear facilities.

2. Title 10 CFR Part 835, *Occupational Radiation Protection*:

Subpart B 835.101 (a), (b), and (i): Review and approve or direct changes to contractor Radiation Protection Programs and Implementation Plans for 10 CFR Part 835 within 180 days after submittal to DOE.

3. Title 10 CFR 851, *Worker Safety and Health Program*:

Subpart B 851.11(b): Approve contractor Worker Safety and Health Programs (WSHP) submitted for the Office of Environmental Management (EM) small site

contractors that are not otherwise approved by the Head of the Field Element as part of another landlord's prime contractor WSHP.

Subpart C 851.21(b): Concur in the Head of Field Element review and acceptance of contractor identified closure facility hazards and controls.

Subpart D 851.31(a)(1): Review contractor variance requests to safety and health standards and either forward to the HSS for review and subsequent approval by the Under Secretary of Energy, or return the request through the field manager to the contractor with an explanation for denial or direction for additional actions.

4. DOE Order (O) 150.1, *Continuity Programs*: Approval authority for exemptions to requirements of this order and concurrence authority on the DOE Continuity of Operations Plan.
5. DOE O 151.1C, *Comprehensive Emergency Management System*: Approval authority for proposed alternative standards for emergency management and exemptions to requirements of this order.
6. DOE O 225.1B, *Accident Investigations*:

4.a: Consider the criteria identified in appendix A, the value of the knowledge to be gained by conducting the investigation, and other relevant factors, to determine whether an Accident Investigation Board (AIB) must be appointed. This determination must be made expeditiously, taking into account that timeliness is crucial to conducting an accurate investigation, preserving the accident scene and evidence, and identifying causal factors (see appendix B, Definitions). The Head of HQ Elements Must document the determination and immediately notify HSS of the determination whether to appoint or not appoint an AIB. If the Chief Health, Safety, and Security Officer does not concur with rationale for not appointing an AIB, the Chief may elevate the matter for resolution by the Deputy Secretary. After resolution, the Head of HQ Elements must document the final determination of a decision not to conduct an investigation with a copy to HSS.

5.a.(1): Consider the criteria identified in appendix A, the value of the knowledge to be gained by conducting the investigation, and any other relevant factors, to determine whether an AIB must be appointed.

5.a.(2): Serve as the Appointing Official for AIBs for programs, offices, and facilities under their authority. Alternatively, if you and HSS agree that it is in the best interest of DOE, HSS will serve as the Appointing Official and conduct the accident investigation.

5.a.(3): Maintain a staff of trained and qualified personnel to serve in the capacity of Chairperson and DOE Accident Investigators for AIBs and, upon request, provide them to support other AIBs.

5.a.(4): If requested by the AIB Chairperson, review the draft AIB report for factual accuracy within the timeframe allowed so that comments may be considered for incorporation into the final draft report.

5.a.(5): Distribute accident investigation reports to all heads of EM Field Elements and direct an extent-of-condition review be conducted for issues identified during EM accident investigations that are applicable to work locations and operations.

5.a.(6): As appropriate, require the submittal of corrective action plans to address the Judgments of Need, approve the implementation of those plans, and track the effective implementation of those plans to closure.

7. DOE O 232.2, *Occurrence Reporting and Processing of Operations Information*:

5.a.(1) and 5.e: Serve as Program Manager that includes authority for implementing the occurrence reporting requirements and EM HQ event notification guidance.

8. DOE O 252.1A, *Technical Standards Program*:

5.b.(2): Designate a Technical Standards Manager (TSM) to serve as the organization's point of contact for technical standards activities and to coordinate with the Technical Standards Program (TSP) Manager by participating in the TSM Committee.

5.b.(3): Ensure through the TSM that technical standards identified or developed by elements of HSS for DOE-wide use are products of the TSP or recognized standards development organizations.

9. DOE O 414.1D, *Quality Assurance*:

5.b.(1): Notify cognizant contracting officers, (for other than field-issued contracts), of those contractors that should include the Contractor Requirements Document (CRD) or its requirements, as appropriate. Direct the contracting officer, as necessary, to ensure appropriate quality requirements are implemented by the contractor.

5.b.(2): Act as the approval authority or delegate such authority, as appropriate, for the Quality Assurance Plan (QAP) within EM and the DOE Field Elements and contractors within EM.

5.b.(4): Ensure development and approval of the QAP governing the work of EM that meets the requirements of paragraph 4 of DOE O 414.1D.

5.b.(5): Ensure reviews are performed of the EM QAP per paragraph 4.b.(2) of

DOE O 414.1D.

5.b.(6): Ensure review and approval of new or revised QAP for: (a) field elements under EM; and (b) contractors within the purview of EM, if approval authority is not delegated.

5.b.(7): Ensure that QAPs are reviewed, and either rejected or approved within 90 calendar days of receipt. Requests for review/approval that are not approved or rejected within 90 calendar days from receipt will be deemed approved.

5.b.(8): Ensure review of safety documentation for the facility or activity to validate that safety software has been properly identified.

5.b.(9): Ensure review of grading levels of safety software for approval by the QAP approval authority.

10. DOE O 420.1C, *Facility Safety*:

5.b.(1): Ensure that the requirements of this order and the CRD are implemented for facilities, activities, or programs under their cognizance. Review, and where justified, approve requests for equivalencies and exemptions to the requirements of this order, processed in accordance with DOE O 251.1C, *Departmental Directives Program*.

5.b.(2): In accordance with section 3.c.(1) of this order, approve the basis for not including multiple physical barriers to prevent or mitigate the unintended release of radioactive materials to the environment, as part of the hazard category 1, 2 and 3 nuclear facility designs, where justified by sound technical basis.

11. DOE O 425.1D, *Verification of Readiness to Start Up or Restart Nuclear Facilities*:

4.b.(1): Startup Authorization Authority (SAA) for a newly constructed Hazard Category 3 nuclear facility.

4.b.(2): SAA for the restart of a Hazard Category 3 nuclear facility following conversion of an existing facility.

4.b.(3): SAA for a nuclear facility, activity, or operation that has upgraded its Hazard Categorization to Hazard Category 3.

4.b.(5): SAA for a nuclear facility following a shutdown due to violation of a Safety Limit approved by a HQ official.

4.b.(6): SAA for the restart of a Hazard Category 2 nuclear facility, activity, or operation following an extended shutdown.

4.b.(7): SAA for the restart of a Hazard Category 2 nuclear facility, activity, or operation following shutdown because of substantial process, system, or facility modifications.

12. DOE O 433.1B, *Maintenance Management Program for DOE Nuclear Facilities*:

5.a.(2): For Government-owned and Government-operated activities, serve as approval authority for nuclear maintenance management program documents prepared in accordance with the CRD, attachment 1.

5.a.(4): Review and approve requests for equivalencies and exemptions from requirements of this order after resolving comments in accordance with DOE O 251.1C.

13. DOE O 440.1B, *Worker Protection Program for DOE (Including the NNSA) Federal Employees*:

5.a.(6): Review and be the approving authority for exemptions to requirements contained in this order (except for those exemptions related to Occupational Safety and Health Administration standards).

14. DOE O 450.2, *Integrated Safety Management*:

5.b.(1): Develop and maintain an Integrated Safety Management (ISM) System Description Document and an organizational Functional Responsibilities and Authorities (FRA) for your HQ office. The System Description and FRA can be provided in separate documents or in the same document.

5.b.(2): Review and approve Field Elements' ISM System Descriptions. Monitor the status of Field Element and Field Element contractors' ISM systems; monitor Field Elements' establishment and implementation of safety goals and objectives.

5.b.(3): Determine the need for, and frequency of, ISM Declarations for Field Element and contractor facilities and activities based on hazards, risk, and performance history with input from Field Elements.


5.b.(4): Define the delegations of authorities and specify the responsibilities that are assigned to specific offices within your organizations in a FRA document.

5.b.(5): Establish minimum expectations in terms of individual and organizational capabilities for assigned safety responsibilities or delegated safety authorities.

5.b.(6): Establish secretarial office level Memorandum of Understanding, as appropriate, that define the agreed-upon procedures governing operations at locations where multiple program offices conduct work.

15. DOE O 470.4B, *Safeguards and Security Program*: Approval authority for deviations under this order relevant to safeguards and security program directive requirements.
16. DOE O 471.1B, *Identification and Protection of Unclassified Controlled Nuclear Information*, and DOE O 471.6, *Information Security*: Approval authority for equivalencies and exemptions to security and physical protection requirements of these orders.
17. DOE O 470.4B, *Safeguards and Security Program*; DOE O 472.2, *Personnel Security*; DOE O 473.3, *Protection Program Operations*; and DOE O 474.2, *Nuclear Material Control and Accountability*: Approval authority for equivalencies and exemptions to security requirements contained in safeguards and security directives DOE O 470.4B, DOE O 472.2, DOE O 473.3, and DOE O 474.2

Delegation of Authority Approved:


Matthew Moury
Deputy Assistant Secretary for
Safety, Security, and Quality Programs
Environmental Management

3/24/14
Date