

SUBJECT: DEPARTMENTAL DIRECTIVES PROGRAM

1. **PURPOSE.** The directives program is the means by which the Department of Energy (DOE) defines policies, requirements, and responsibilities as well as promotes safe, secure, efficient, cost-effective DOE operations conducted in accordance with applicable laws, regulations, Executive orders, and technical standards. Directives include Policy Statements, Orders, Notices, Manuals, Guides, and technical standards. Technical standards are issued by the Office of Environment, Safety, and Health. The objectives of the directives program are—
 - a. to establish requirements and responsibilities for management of the DOE directives program;
 - b. to establish requirements and responsibilities for directives pre-coordination, development, and review;
 - c. to define requirements for consistency in content, execution, and evaluation for DOE directives;
 - d. to promote clear, up-to-date, succinct, cost-effective, and outcome-oriented directives; and
 - e. to support efforts to avoid duplication of existing requirements contained in applicable laws, regulations, or Executive orders.
2. **CANCELLATION.** DOE O 251.1A, *Directives System*, dated 1-30-98. Cancellation of an Order does not, by itself, modify or otherwise affect any contractual obligation to comply with the Order. Contractor requirement documents (CRDs) that have been incorporated into or attached to a contract remain in effect until the contract is modified to either eliminate requirements that are no longer applicable or substitute a new set of requirements.
3. **APPLICABILITY.**
 - a. **Departmental Elements.** Except for the exclusions in paragraph 3c, this Order applies to all Departmental elements. (Go to <http://www.directives.doe.gov> for the current listing of Departmental elements.) This list automatically includes all Departmental elements created after the Order is issued.

Directives containing classified or unclassified controlled information (e.g., official use only or unclassified controlled nuclear information) are not excluded from following the formatting standards and conducting an appropriate review.

The Administrator of the National Nuclear Security Administration (NNSA) will assure that NNSA employees and contractors comply with their respective

responsibilities under this Order. Nothing in this Order will be construed to interfere with the NNSA Administrator's authority under section 3212(d) of Public Law (P.L.) 106-65 to establish Administration specific policies, unless disapproved by the Secretary.

- b. DOE Contractors. Except for the exclusions in paragraph 3c, the CRD (Attachment 1) sets forth requirements. The CRD will apply to the extent set forth in each contract.
 - c. Exclusions. This Order does not apply to the development and issuance of DOE technical standards (see DOE M 251.1-1B, Chapter I for general information).
4. REQUIREMENTS. Detailed directives processing requirements are described in DOE M 251.1-1B, *Departmental Directives Program Manual*, dated 8-16-06, which supplements this Order.
- a. Directives Management. Directives must not be developed or revised before a documented justification memorandum is submitted and a directives track is selected.
 - (1) A justification memorandum must include a description of the compelling need for the proposed directive, a cost-benefit analysis identifying the impact on programs and affected entities, the value added potential, the technical impact (positive or negative) if appropriate, the impact on other directives, and a processing schedule. (See DOE M 251.1-1B, Chapter II, paragraph 2b.)
 - (a) For non-NNSA elements, the memorandums are submitted by the Secretarial Officer (SO) or senior level designee and concurred on by the Office of Management (see DOE M 251.1-1B, Chapter II, Appendix A).
 - (b) NNSA elements will coordinate with the Office of Information Resources (within the Office of Administration, Office of Management) prior to beginning development or revision of directives. Justification memorandums will be reviewed and a recommendation will be forwarded by the Office of Management to the Associate Administrator for Management and Administration for approval/disapproval to begin development or revision of a directive. (See DOE M 251.1-1B, Appendix B.)
 - (2) Each SO or senior level designee must appoint a directives point of contact (DPC) to act as liaison between the organization and the Office of Information Resources. SO or appointed senior level designee must

ensure that the DPC's actions and submissions properly represent the official position of the organization.

- (3) Departmental elements and contractors must be afforded the opportunity to participate in directives development (pre-coordination and Department-wide review and comment).
- (4) Directives must establish performance-based management goals that align with program objectives and define performance measures where appropriate.
- (5) Directives must be reviewed and certified for accuracy and continued relevance every 4 years. (See DOE M 251.1-1B, Chapter VI).
- (6) A directives feedback reporting system will be administered and maintained for suggested improvements, best practices, and lessons learned (see DOE M 251.1-1B, Chapter VII). Comments reported will be considered during directives review or the next revision.
- (7) Justification memorandums must be concurred on by the appropriate central technical authorities (CTAs) when the proposed directive affects nuclear safety.
- (8) Directives that affect nuclear safety must be pre-coordinated with the appropriate CTA prior to submission for Department-wide review and comment.
- (9) In accordance with P.L. 104-113, National Technology Transfer and Advancement Act of 1995, and Office of Management and Budget Circular A-119, *Federal Participation in the Development and Use of Voluntary Standards*, adoption of voluntary consensus standards in lieu of creating DOE-unique standards is encouraged, when appropriate and applicable.
- (10) Supplemental directives must not contradict or delete provisions in DOE Policies, Orders, Notices, or Manuals (see DOE M 251.1-1B Chapter VIII). Supplemental directives—
 - (a) are for local use only;
 - (b) are issued to address matters covered by or to implement requirements contained in Departmental directives;
 - (c) are to be consistent with Departmental directives;
 - (d) do not duplicate requirements; and

- (e) are issued only if necessary to promote safe, secure, cost-effective, and efficient operations.
- (11) Contractor requirements must be clearly defined in a CRD attached to a directive and are not to be part of the text of the directive (see Attachment 1 of this Order).
- (12) Directives must—
- (a) be consistent with environment, safety, health, and security requirements, standards, and work performed;
 - (b) promote efficient, cost-effective means of fulfilling program objectives;
 - (c) receive concurrence for development and revision and approval for publication;
 - (d) follow format and content standards established by this Order (an Order template is available online at <http://www.directives.doe.gov/directives/writingDirective.html#templates>);
 - (e) reflect Headquarters responsibilities for program planning and direction, implementation of externally imposed requirements and field responsibility for program execution;
 - (f) apply across at least two organizational lines (see DOE M 251.1-1B, Chapter I).
- (NOTE: Implementation decisions are made at the appropriate level commensurate with the scope of work and the hazards.)
- (13) Writers, OPIs, and DPCs must work closely with the Office of Information Resources for coordinating directives development, processing, and approval.
- (14) The Office of Information Resources will submit monthly progress/metrics reports to the Deputy Secretary. Reports will include adherence to and deviations from the directives schedule.
- (15) The Office of Information Resources will maintain a master schedule of directives that will be developed or revised each calendar year, and will publish the schedule on the directives portal at <http://www.directives.doe.gov/references/index.html#directives>. (See DOE M 251.1-1B, Chapter VI)

b. Directive Draft Review.

- (1) Drafts must be processed within one of the following four directives tracks (see DOE M 251.1-1B, Chapter III).
 - (a) Track 1—30 calendar days,
 - (b) Track 2—60 calendar days,
 - (c) Track 3—90 calendar days, or
 - (d) Track 4—120 calendar days.
- (2) Non-NNSA SOs or senior level designees requests for deviations from established processing tracks must be submitted in writing to the Office of Information Resources.
- (3) NNSA elements must coordinate requests for deviations from established processing tracks with the Office of Information Resources. The Office of Information Resources will forward recommendations to the NNSA Office of the Associate Administrator for Management and Administration for approval.
- (4) Consolidated comments must be considered only when forwarded under the authority of an SO or senior level designee.
- (5) The Departmental Representative to the Defense Nuclear Facilities Safety Board (DNFSB) will coordinate directives review and comment resolution with the DNFSB.
- (6) Before a directive is approved and issued for publication, all major comments must be addressed and conflicts resolved (see DOE M 251.1-1B, Chapter V).
- (7) An impasse process must be followed when issues raised in review remain unresolved (see DOE M 251.1-1B, Chapter V).

c. Review and Certification.

- (1) By October 1 each year, the Office of Information Resources will identify and forward to heads of Departmental elements a listing of directives under their purview that are due for review, revision, or certification in the upcoming calendar year.
- (2) SOs must review Orders and Manuals under their purview every 4 years to certify their accuracy and continued relevance.

- (3) The Departmental Representative to the DNFSB must concur on cancellation of directives that affect safety and health at defense nuclear facilities.
- (4) The appropriate CTA must concur on cancellation of directives affecting nuclear safety.

d. Training.

- (1) Within 18 months of publication of this directive, all directives writers (OPI) and DPCs/delegates must participate in mandatory training on the directives process.
- (2) Writers (OPI) and DPCs/delegates must participate in annual refresher courses.

e. Implementation.

- (1) The requirements of this directive and its associated directives are effective immediately.
- (2) Unless otherwise stated, requirements of new or revised directives will be fully implemented within 12 months of issuance.
- (3) For safety directives, implementation methods must ensure an adequate level of safety commensurate with the hazards associated with the work.
- (4) Guides can serve as reference sources for acceptable, non-mandatory implementation methods to satisfy requirements of Orders, Notices, and Manuals. NOTE: Guides do not establish requirements or constitute the basis for a finding of non-compliance with a specific requirement.
- (5) Alternative methods that satisfy the requirements of an Order, Notice, or Manual also may be acceptable.

5. RESPONSIBILITIES. Detailed responsibilities are described in DOE M 251.1-1B.

a. Secretary of Energy approves or delegates the Deputy Secretary to approve final directives.

b. Deputy Secretary.

- (1) Resolves or appoints a designee to resolve conflicts when Departmental elements have not achieved resolution through the impasse process (see DOE M 251.1-1B, Chapter V).
- (2) As the Secretary's designee, approves final directives.

- c. Secretarial Officers or Senior Level Designees. An SO may delegate the following responsibilities to a senior level designee. The Office of Information Resources must be notified in writing of this designation.
- (1) Require that organizations in their areas of responsibility comply with the Departmental Directives Program as defined in this Order, DOE P 251.1A, and DOE M 251.1-1B.
 - (2) Approve and submit to the Office of Information Resources a justification memorandum that describes the compelling need for a proposed directive.
 - (3) In consultation with the Office of Environment, Safety and Health, encourage the adoption of voluntary consensus standards in lieu of creating DOE-unique standards, when appropriate and applicable.
 - (4) Review their organizations' directives for accuracy and continued relevance every 4 years to determine whether revision, cancellation, or recertification is needed (see DOE M 251.1-1B, Chapter VI).
 - (5) By January 15 of each year, submit to the Office of Information Resources (within the Office of Administration, Office of Management) a projected list of and schedule for directives to be processed (new or revised) that year (see DOE M 251.1-1B, Chapter VI).
 - (6) Designate and inform the Office of Information Resources in writing of responsible individuals to serve as DPCs.
 - (7) Approve and submit to the Office of Information Resources, through the DPC, consolidated comments for consideration on directives.
 - (8) Designate responsible individuals to notify contracting officers when CRDs must be included in existing contracts as determined by the heads of field elements.
 - (9) Participate in the impasse process when agreement between Departmental elements cannot be reached within designated time frames.
 - (10) Elevate unresolved conflicts through the Office of Information Resources to the Deputy Secretary or designee.
 - (11) Require DPCs, writers, and others involved in directives development to participate in mandatory initial and annual refresher training.
 - (12) Ensure that directives are written to reflect performance-based management goals that align with program objectives and defined performance measures, where appropriate.

d. Director, Office of Management.

- (1) Manages the DOE Directives Program.
- (2) Maintains the system through which Departmental elements comply with directives program requirements set forth in this Order, DOE P 251.1A, and DOE M 251.1-1B.
- (3) Concurs/non-concurs and assigns a directives track for non-NNSA elements' justification memorandum for processing in the Directives Program.
- (4) Reviews and recommends to NNSA approval/disapproval on proposals for development or revision of directives.
- (5) Establishes and maintains a directives feedback reporting system through which suggested improvements, lessons learned, and best practices are reported and considered during directives review or revision.
- (6) Manages Directives Program mandatory training.
- (7) Manages the impasse process.
- (8) By October 1 each year, notifies SOs that directives under their purview are due for review in the coming year.
- (9) Reviews and approves non-NNSA SOs' annual schedules for new or revised directives.
- (10) Reviews and coordinates NNSA's annual schedule for new or revised directives with the NNSA Office of the Associate Administrator for Management and Administration.

e. NNSA Office of Associate Administrator for Management and Administration.

- (1) Approves or disapproves NNSA elements' justification memorandums for development or revision of directives.
- (2) Approves or disapproves NNSA elements' deviations from established processing tracks.
- (3) Approves or disapproves NNSA elements' proposed annual schedule for new or revised directives.

f. Heads of Field Elements.

- (1) Ensure that employees within their organizations participate in the development and coordination of directives through the Directives Program as required by this Order and DOE M 251.1-1B.
- (2) Designate responsible individuals to serve as DPCs.
- (3) Report suggested comments, lessons learned, and best practices in DOE directives to the responsible OPIs and Office of Information Resources.
- (4) Determine which CRDs should be incorporated into contracts.
- (5) Require that DPCs, writers, and others involved in the directives process participate in directives program mandatory initial and annual refresher training.

g. DOE or NNSA Central Technical Authorities.

- (1) Maintain a list of directives of interest to CTAs.
- (2) Concur with—
 - (a) the determination of the applicability of DOE directives involving nuclear safety included in DOE/NNSA contracts pursuant to Department of Energy Acquisition Requirements (DEAR) 970.5204-2(b);
 - (b) directives that affect nuclear safety and are included in DOE/NNSA contracts pursuant to DEAR 970.5204-2(c);
 - (c) justification memorandums that involve nuclear safety directives;
 - (d) all exemptions requirements in nuclear safety directives that were added to DOE/NNSA contracts pursuant to DEAR 970.5204-2; and
 - (e) cancellation of directives affecting nuclear safety.

h. Offices of Primary Interest/Writers. (See definition in DOE M 251.1-1B.)

- (1) Under the direction of SOs, develop justification memorandums in accordance with paragraph 4a(1) of this Order.
- (2) Develop draft directives in accordance with legislative, regulatory, program, and mission needs and management direction.

- (3) Develop directives to reflect performance-based management that aligns with program objectives and defined performance measures, where appropriate.
- (4) Ensure that contractor requirements are clearly defined in a CRD attached to a directive and not part of the body of the directive.
- (5) Prior to Department-wide review and comment, pre-coordinate with the Departmental Representative to the DNFSB on all draft directives affecting safety and health at defense nuclear facilities.
- (6) Consult with the Departmental Representative to the DNFSB when canceling directives that affect safety and health at defense nuclear facilities.
- (7) Pre-coordinate draft directives affecting nuclear safety with CTA staff prior to Department-wide review and comment.
- (8) Consult with the CTA when canceling directives that affect nuclear safety.
- (9) Respond to all comments and obtain resolution on all major comments.
- (10) Complete review and comment processing using one of the four directives tracks as identified in paragraph 4b(1) of this Order.
- (11) When resolution on major issues cannot be obtained, refer resolution to the impasse process (see DOE M 251.1-1B, Chapter V).
- (12) Participate in directives program mandatory initial and annual refresher training.

i. Departmental Representative to the Defense Nuclear Facilities Safety Board.

- (1) Maintains a current list of directives of interest to the DNFSB.
- (2) Coordinates directives review and comment resolution with the DNFSB.
- (3) Obtains successful resolution of DNFSB comments or obtains concurrence from the Department's senior management to move forward with directive publication without receiving DNFSB clearance.
- (4) Concurs on cancellation of directives affecting safety and health at non-NNSA defense nuclear facilities.

- (5) Consults on cancellation of directives affecting safety and health at NNSA defense nuclear facilities.
 - j. Directives Points of Contact/Delegates (see definition in DOE M 251.1-1B).
 - (1) Represent their Departmental elements in complying with this Order, DOE P 251.1A, and DOE M 251.1-1B.
 - (2) In consultation with their organizations' management, appoint subject matter experts to review directives that address operations in their areas of expertise.
 - (3) Submit consolidated comments to the OPI on behalf of the SO or senior level designee.
 - (4) Participate in directives program mandatory initial and annual refresher training.
 - k. Contracting Officers/Contracting Officer Representatives. Once notified that contracts under their purview are affected by a CRD, negotiate requirements of the CRD into the laws, regulations, and DOE directives clause of affected contracts.
6. NECESSITY FINDING STATEMENT. In compliance with the statutory requirements in P.L. 104-201, Sec. 3174, Orders relating to the execution of environmental restoration, waste management, or technology development activities at a defense nuclear facility under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq), may be imposed by the Secretary at the defense nuclear facility only if the Secretary finds that the Order is necessary for the protection of human health and the environment or safety, the fulfillment of current legal requirements, or the conduct of critical administrative functions.
7. REFERENCES. The following references are applicable to this Order.
- a. P.L. 106-65, Title 32, National Nuclear Security Administration Act, as amended, which established a separately organized agency within the Department of Energy.
 - b. P.L. 104-201, Section 3174, National Defense Authorization Act for FY 1997.
 - c. P.L. 104-113, National Technology Transfer and Advancement Act of 1995.
 - d. Title 41, Code of Federal Regulations (CFR), Part 102-193.25.
 - e. OMB Circular A-119, Federal Participation in the Development and Use of Voluntary Standards.

- f. DOE P 251.1A, *Departmental Directives Program Policy*, dated 8-16-06.
- g. DOE M 251.1-1B, *Departmental Directives Program Manual*, dated 8-16-06.
- 8. DEFINITIONS. Directives terms and definitions are available in DOE M 251.1-1B, *Departmental Directives Program Manual*, or online at <http://www.directives.doe.gov>.
- 9. CONTACT. Address questions concerning this Order to the Office of Information Resources at 202-586-4716 or by electronic mail at dmteam@hq.doe.gov.



SAMUEL W. BODMAN
Secretary of Energy

CANCELED

CONTRACTOR REQUIREMENTS DOCUMENT
DOE O 251.1B, *DEPARTMENTAL DIRECTIVES PROGRAM*, DATED 8-16-06

Regardless of the performer of the work, the contractor is responsible for complying with the requirements of this contractor requirements document (CRD). The contractor is responsible for flowing down the requirements of this CRD to subcontractors at any tier to the extent necessary to ensure the contractor's compliance with the requirements.

1. The contractor must comply with directions from the contracting officer regarding participation in DOE's directives comment and review process.
2. The contractor must comply with requirements stated in the CRD (Appendix A of DOE M 251.1-1B) when it believes an exemption is necessary or appropriate for a requirement that has been made a part of its contract.

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