

U.S. Department of Energy  
Washington, D.C.

ORDER

DOE 5630.12A  
6-23-92

SUBJECT: SAFEGUARDS AND SECURITY INSPECTION AND ASSESSMENT PROGRAM

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1. PURPOSE. To establish an independent inspection and assessment program to determine the effectiveness of the Department's safeguards and security policies and procedures, including their implementation across the Department.
  2. CANCELLATION. DOE 5630.12, SAFEGUARDS AND SECURITY INSPECTION AND EVALUATION PROGRAM, of 2-3-88.
  3. BACKGROUND. The effectiveness of the Department's safeguards and security programs shall be determined through a program of independent inspections and assessments conducted by the Assistant Secretary for Environment, Safety and Health (EH-1) through the Deputy Assistant Secretary for Security Evaluations (EH-4).
  4. REFERENCES.
    - a. Title 42, United States Code (U.S.C.), 2283, Atomic Energy Act of 1954 (as amended), "Protection Of Nuclear Inspections," which establishes the legal requirement for oversight.
    - b. DOE 5630.11, SAFEGUARDS AND SECURITY PROGRAM, of 1-22-88, which establishes the policy and responsibilities for the safeguards and security program.
    - c. DOE 5630.13, MASTER SAFEGUARDS AND SECURITY AGREEMENTS, of 2-3-88, which establishes the policy, requirements, responsibilities, and authorities for the development of Master Safeguards and Security Agreements.
    - d. DOE 5630.14, SAFEGUARDS AND SECURITY PROGRAM PLANNING, of 11-16-88, which establishes a standardized approach to protection program planning, and to prescribe Department of Energy policy, objectives, responsibilities, and authority for that planning process.
    - e. DOE 5632.1A, PROTECTION PROGRAM OPERATIONS, of 2-9-88, which establishes Department of Energy policies for the physical protection of security interests and baseline physical protection standards.
    - f. "SAFEGUARDS AND SECURITY STANDARDS AND CRITERIA," of 10-88, which establishes standards and associated criteria for evaluating safeguards and security systems.

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All Departmental Elements

INITIATED BY:  
Assistant Secretary for  
Environment, Safety & Health

5. DEFINITIONS.

- a. Closeout Briefings provide a summary of the inspection results to DOE management. A DOE Field Office closeout briefing is normally conducted by the EH-4 inspection team prior to their departure and another is conducted for the Lead Program Secretarial Officer as soon as possible following their return to Headquarters.
- b. Draft Inspection Reports contain inspection observations, findings, analyses, and ratings. Draft inspection reports are provided to managers as appropriate to allow timely discharge of their respective duties and responsibilities.
- c. Findings are concise, factual statements of key observations and conclusions resulting from an inspection and/or assessment activity.
- d. Lead Program Secretarial Officer is the Program Secretarial Officer (PSO) assigned line management responsibility and accountability for Headquarters and field operations and to which one or more multi program field offices report directly.
- e. Program Secretarial Officer is a senior outlay program official and includes the Assistant Secretaries for Conservation and Renewable Energy (CE), Defense Programs (DP), Fossil Energy (FE), Nuclear Energy (NE), Environmental Restoration and Waste Management (EM) and the Directors of Energy Research (ER), Civilian Radioactive Waste Management (RW), and New Production Reactors (NP) .
- f. Protection Program includes all aspects of the DOE's activities directed toward protection of national security interests and DOE property. Any adverse impacts on the health and safety of the public resulting from implementation or failure of elements of the protection program are also included.
- g. Protection Program Topic Areas are subject areas used by EH-4 to logically address the many elements of a protection program. These are generally organized about the protection program areas defined in the Safeguards and Security Standards and Criteria. From time to time modifications of the scope of certain topic areas may be necessary to accommodate site-specific concerns and programs as well as changes in threats, protection concepts and technologies.
- h. System Performance Tests evaluate all or selected portions of safeguards and/or security systems as they exist at the time of the test.

- i. Validated Data, are inspection or assessment data which have been determined to be factually accurate. Typical validation procedures include review of data with appropriate contractor and Federal staff and management.

6. CONCEPT OF OPERATION.

- a. EH-4 shall conduct an independent inspection and assessment program, consisting of inspections, assessments, special studies and other activities as appropriate, which will evaluate the effectiveness of DOE safeguards and security policies and programs, including their implementation across the Department.
- b. The EH-4 program shall be independent of PSOs and other program line management having responsibility for protection program activities; however, the EH-4 activities will remain supplemental and complimentary to the line management oversight responsibilities including self-assessment activities. On all inspections and assessments, EH-4 will coordinate with other programs to the maximum extent consistent with its independent oversight role.
- c. EH-4 shall determine whether safeguards and security policies, programs, procedures, systems, personnel, and/or operations are able to meet protection program objectives when challenged by the spectrum of threats as defined in DOE threat statements, such as the DOE generic threat statement for nuclear facilities, or as may be otherwise Departmentally approved.
- d. If no approved threat exists for an inspected site, the Deputy Assistant Secretary, EH-4, in coordination with the Office of Safeguards and Security, the Lead PSO and the cognizant field office manager shall select an approved threat statement to be employed as a basis for inspection and assessment activities.
- e. Inspections shall use DOE Orders, the Safeguards and Security Standards and Criteria, approved site safeguards and security plans, approved exceptions, and other DOE policy guidance, such as Implementation Bulletins published by the Director, Naval Nuclear Propulsion Program, as the basis for program rating. Other DOE-approved handbooks, procedural guides, and/or protocols may be used to develop detailed, site-specific inspection and assessment procedures and plans.

- f. For DOE facilities licensed by other agencies (e.g., Nuclear Regulatory Commission (NRC)), EH-4 activities will take into account inspection and assessment activities of such agencies. For NRC regulated activities, such as the Civilian Radioactive Waste Management Program, EH-4 oversight activities will be based on NRC safeguards and security regulations. EH-4 activities will be structured to minimize or eliminate duplication of oversight efforts.
- g. Inspections shall be conducted to review the effectiveness of the implementation of DOE protection programs and to determine the degree of compliance with applicable requirements in selected topic areas at a specific location. Inspections include the conduct of activities at the management level and incorporate the results of system performance testing. The inspection and system performance testing results are analyzed and documented. The factual accuracy of observations and findings are verified with the staff or management personnel deemed best able to confirm the accuracy of the data.
  - (1) Inspections shall be Comprehensive Inspections, Safeguards and Security Readiness Reviews, or Special Inspections.
    - (a) Comprehensive Inspections review all major aspects of the site protection program and assign ratings as appropriate. Notice of inspection dates is given at least 30 calendar days in advance.
    - (b) Safeguards and Security Readiness Reviews (SSRR) are conducted to assess routine facility status, to address special concerns, or to provide spot checks of the implementation of specific policies and procedures. SSRRs will follow up on problems previously identified at the site, probe areas known to be widespread problems across DOE, and investigate or sample features critical to effective protection program performance. They have limited scope and ratings may or may not be assigned. Short-notice or no-notice of inspection dates shall be provided.
    - (c) Special Inspections are conducted to meet nonrecurring needs, such as followup of unsatisfactory ratings or as otherwise directed by DOE management. Special Inspections will vary in scope from coverage of one or two topics or locations up to a scope similar to a Comprehensive Inspection. Because of the unique nature of each Special Inspection, the appropriateness of assigning topic ratings will be determined on a case-by-case basis. Notice of inspection dates will be given at least 30 calendar days in advance whenever practical.

- (2) Inspections may result in the assignment of one of three ratings: satisfactory, marginal, or unsatisfactory. These ratings may be applied to protection program topic areas, summary areas, or, in the case of special inspections and safeguards and security readiness reviews, may be applied to a single facility rating for the areas emphasized during that inspection. The degree of risk for vital national security interests may be considered when assigning ratings. The ratings are defined below.
  - (a) A Satisfactory rating is achieved when the protection afforded by program elements within a rated area meets identified protection needs or provides reasonable assurance that those protection needs will be met should they arise.
  - (b) A Marginal rating is achieved when protection afforded by program elements within a rated area only partially meets identified protection needs or provides questionable assurance that those protection needs will be met should they arise.
  - (c) An Unsatisfactory rating is achieved when protection afforded by program elements within a rated area does not meet identified protection needs or does not provide adequate assurance that those protection needs will be met should they arise.
- (3) In order to provide DOE management with a clearer depiction of the overall status of the protection program at the inspected site, these ratings may be reported for one or more of three summary areas - Protection of Special Nuclear Material, Protection of Classified Matter, and Safeguards and Security Management and Oversight. Topical ratings, if reported, may be combined with other integrating factors to determine ratings for these summary areas.
- (4) In addition to ratings, inspections produce findings. Findings which reflect protection program shortcomings must be addressed in corrective action plans and progress toward their resolution will be monitored by EH-4, Office of Safeguards and Security (SA-10), and others as directed by DOE policy.
- (5) Normally, prior to departing an inspected site, EH-4 shall provide the DOE Field Office Manager, or other appropriate management representatives as identified by the DOE Field Office Manager, with a closeout briefing summarizing the inspection findings and ratings and a draft copy of the inspection report.

- (6) Immediately following the inspection, EH-4 shall provide the Lead PSO, or other appropriate management representatives as identified by the Lead PSO, with a draft copy of the inspection report and shall schedule an inspection closeout briefing summarizing the inspection findings and ratings and a draft copy of the inspection report.
- (7) The results of the inspections shall be provided to the Secretary, the Under Secretary, the Lead PSO, other PSOs having national security interests at the inspected site(s), the DOE Field Office Manager, the Office of Security Affairs, the Inspector General's Office, and, as appropriate, the Administrators of the Power Marketing Administrations.
- h. Assessments shall be conducted to address the effectiveness of protection program elements as implemented across the DOE. Assessments are characterized by analysis of complex-wide protection issues and recommendations for improvement. Ratings are not normally assigned. Assessments may also provide an analysis of a specific item of policy as implemented across the DOE complex, rather than an analysis of the broader issues of protection program elements. EH-4 assessments, which address the entire complex, are not to be confused with the self-assessments conducted within specific programmatic areas.
- i. Special studies shall be conducted as required. Special studies are studies which do not fall within the scope of the normal EH-4 products such as inspection reports and assessments, but which are required to address some area of the Department's safeguards and security program.
- j. The results of inspections and assessment program activities shall be integrated and analyzed, together with other pertinent data, to provide the Secretary with an annual independent assessment of the status of safeguards and security across the Department.

## 7. RESPONSIBILITIES AND AUTHORITIES.

- a. The Secretary has overall responsibility and authority for DOE programs and, through the Under Secretary, takes necessary management actions to ensure that the Department's safeguards and security interests are effectively protected.
- b. Assistant Secretary for Environment, Safety and Health, provides management direction and coordination for the independent inspection and assessment of the comprehensive Departmental protection program. EH-1 shall:

- (1) Establish procedures in coordination with PSOs for the implementation of the safeguards and security inspection and assessment program.
  - (2) Provide the Secretary an independent assessment of the status of the effectiveness of the safeguards and security policies and programs of the Department and their implementation in the field through execution of the EH-4 inspection and assessment program.
  - (3) Provide resources to support the EH-4 safeguards and security inspection and assessment program.
  - (4) Advise the Under Secretary of any unsatisfactory ratings:
    - (a) Immediately, if inspection results indicate a significant vulnerability such as unacceptable risk in the areas of special nuclear material theft or diversion, radiological or industrial sabotage, or espionage; or
    - (b) Within 30 calendar days for all other unsatisfactory ratings.
- c. Lead Program Secretarial Officers, in coordination with tenant and landlord PSOs and Managers of DOE Field Offices, shall:
- (1) Provide required support and access for EH-4 teams at all Government and contractor facilities under the Lead PSO's purview to ensure the effectiveness of the inspection and assessment program.
  - (2) Provide to EH-4, for facilities under their jurisdiction, protection program documentation requested, including site-specific safeguards and security plans, policies, and procedures.
  - (3) Designate points of contact to provide information exchange and logistical and scheduling support for EH-4 inspection and assessment activities in the field.
  - (4) Provide formal comments on factual accuracy of the inspection data to EH-4. Comments shall be provided within 15 calendar days of receipt of the draft inspection report.
  - (5) Initiate corrective actions that effectively address the inspection findings in a timely manner, with due regard to the cost-effectiveness of the selected corrective actions.
  - (6) Take the following actions when a facility receives an unsatisfactory rating:

- (a) If the rating indicates a significant vulnerability, such as unacceptable risk in the areas of special nuclear material theft or diversion, radiological or industrial sabotage, or espionage, the Lead PSO, shall:
    - 1 Within 24 hours of receipt of the draft inspection report by the DOE Field Office, identify and implement interim corrective actions to mitigate the identified risk or vulnerability, and
    - 2 Within 72 hours of receipt of the draft inspection report by the DOE Field Office, provide a plan for approval of the Under Secretary describing permanent protective measures required to reduce the level of risk to an acceptable level, including cost and schedule for implementation.
  - (b) For all other unsatisfactory ratings, within 15 calendar days of receipt of the draft inspection report by the Lead PSO, notify the Under Secretary of interim corrective actions taken, or to be taken, and any permanent changes required including implementation schedules to mitigate the identified risk(s) or vulnerability(s).
  - (c) Copies of all correspondence relating to (a) and (b) above shall be provided to EH-4 and SA-10.
- (7) Take the following actions when a facility receives a marginal rating:
- (a) Within 15 calendar days of receipt of the draft inspection report by the Lead PSO, notify the Under Secretary of interim corrective actions taken, or to be taken, and any permanent changes required to mitigate the identified risk(s) or vulnerability(s), including implementation schedule and costs.
  - (b) Copies of all related correspondence shall be provided to EH-4 and SA-10.
- (8) Take the following actions when a facility is in noncompliance with applicable requirements or has an identified performance weakness:



- (a) Within 15 calendar days of receipt of the draft inspection report by the Lead PSO, inform the Under Secretary of the steps taken to correct, and prevent a recurrence of, items of noncompliance and performance weaknesses.
  - (b) If not addressed in other written communications made pursuant to paragraphs 7c(7) and (8), then additional reporting to EH-4 and SA-10 is required.
- d. Director, Naval Nuclear Propulsion Program (NE-60) shall:
  - (1) In accordance with the responsibilities and authorities assigned by Executive Order 12344 (statutorily prescribed by 42 U.S. C. 7158 note), and to ensure consistency throughout the joint Navy/DOE organization of the Naval Nuclear Propulsion Program, implement and oversee all policy and practices pertaining to this DOE Order for activities under the Director's cognizance.
  - (2) Inform EH-4 of any modifications to DOE safeguards and security orders and policies unique to the operations of the Naval Nuclear Propulsion Program, such as Implementation Bulletins.
- e. Director, Office of Security Affairs (SA-1) shall:
  - (1) Establish safeguards and security program policies, threat statements, standards, requirements, and guidance.
  - (2) Coordinate the resolution of safeguards and security program policy issues identified by EH-4.
  - (3) Provide the Under Secretary and the Deputy Assistant Secretary, EH-4 through EH-1, with an evaluation of proposed corrective actions within 30 calendar days of receipt of correction action proposals from the Lead PSO.
- f. Managers of DOE Field Offices shall:
  - (1) In coordination with the Lead PSO, initiate corrective actions that effectively address EH-4 inspection findings.
  - (2) Support the Lead PSO in providing formal comments on the status of findings identified in draft inspection reports.

- (3) Cooperate in EH-4 inspections and assessments by providing safeguards and security related documentation and information concerning programs under their jurisdiction, participating in special study groups, reviewing draft documents, and ensuring necessary support and access of contractor facilities for which the DOE Field Office provides contract oversight.

g. Deputy Assistant Secretary for Security Evaluations shall:

- (1) Direct, manage, and conduct an independent inspection and assessment program to determine the effectiveness of the Department's safeguards and security policies and procedures, including their implementation across the Department.
- (2) Develop and provide policies, plans, procedures, and schedules for the implementation of an independent safeguards and security inspection and assessment program.
- (3) Submit policy issues identified during inspection and assessment activities to SA-10.
- (4) Maintain awareness of the status of policy issues and programmatic issues including findings and ratings identified during EH-4 inspections and assessments.
- (5) Review and approve the composition of EH-4 teams formed to conduct inspections, assessments, or other activities.
- (6) Evaluate the effectiveness of DOE policies and programs in meeting requirements of Federal Statutes, Executive Orders, and any interagency agreements which may be active pertaining to the protection of national security interests from foreign intelligence exploitation.
- (7) Conduct system performance tests and other activities to assess the effectiveness of management and oversight, protection of special nuclear material, and protection of classified matter at DOE Field Offices, facilities, and Headquarters.
- (8) Prepare reports of inspections and assessments.
  - (a) A closeout briefing on the findings shall be provided to the Manager of the cognizant DOE Field Office and the Lead PSO, or their designated representatives, subsequent to the inspection.

- (b) A draft inspection report shall be made available to the Manager of the cognizant DOE Field Office and the Lead PSO for review and comment.
- (c) For an inspection of Headquarters, the Under Secretary shall be provided a closeout briefing and a draft inspection report.
- (d) Draft assessment reports shall be prepared as part of the assessment process and presented for review and comment to Managers of Headquarters and field organizations who were involved in the study or who have a pertinent interest. Upon receipt of comments, final assessment reports shall be prepared and distributed.
- (e) Final reports shall be published 60 days after receipts of required comments or 60 days after comments are due, whichever results in the earlier published date.
- (f) Final reports shall be submitted to the Secretary of Energy, the Under Secretary, EH-1, SA-1, and other Heads of Headquarters and field elements who have a pertinent interest. The final reports will normally be sent to the Managers and the safeguards and security directors of all DOE Field Offices.
- (9) Coordinate with Managers of DOE Field Offices, SA-1, and PSOs on timely communication of findings.
- (10) Coordinate within EH on matters of environment, safety, and health that may arise in the course of the EH-4 activities.
- (11) Present and defend the results of EH-4 activities.
- (12) Routinely advise the Director, Naval Nuclear Propulsion Program, of EH-4 activities in accordance with and as related to the director's responsibilities. Additionally, coordinate topics to be inspected with NE-60 prior to the conduct of inspections and/or assessments at activities under NE-60 purview in order to identify unique Naval Nuclear Propulsion Program programmatic implementation of DOE requirements.

BY ORDER OF THE SECRETARY OF ENERGY:



DOLORES L. ROZZI  
Director of Administration  
and Human Resource Management

