

DOE 5630.13A

6-8-92

THIS PAGE MUST BE KEPT WITH DOE 5630.13A, MASTER SAFEGUARDS AND SECURITY AGREEMENTS.

DOE 5630.13A, MASTER SAFEGUARDS AND SECURITY AGREEMENTS, HAS REVISED DOE 5630.13 TO REFLECT ORGANIZATIONAL TITLE, ROUTING SYMBOL, AND OTHER EDITORIAL REVISIONS REQUIRED BY SEN-6. NO SUBSTANTIVE CHANGES HAVE BEEN MADE. DUE TO THE NUMBER OF PAGES AFFECTED BY THE REVISIONS, THE ORDER HAS BEEN ISSUED AS A REVISION.

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

ORDER

DOE 5630.13A

6-8-92

SUBJECT: MASTER SAFEGUARDS AND SECURITY AGREEMENTS

1. **PURPOSE.** To establish the Department of Energy (DOE) policy, requirements, responsibilities, and authorities for the development and implementation of Master Safeguards and Security Agreements (MSSA's).
2. **CANCELLATION.** DOE 5630.13, MASTER SAFEGUARDS AND SECURITY AGREEMENTS, of 2-3-88.
3. **SCOPE.** The provisions of this Order apply to Departmental Elements and contractors performing work for the Department as provided by law and/or contract and as implemented by the appropriate contracting officer.
4. **APPLICABILITY.**
 - a. Facilities which have Category I quantities of special nuclear material (SNM) or those facilities that have Category 11 quantities within the same protected area that roll-up to a Category I quantity,
 - b. Facilities which have a radiological sabotage threat which would cause an unacceptable impact on the health and safety of the public,
 - c. Facilities which have an industrial sabotage threat which would cause an unacceptable impact to those DOE programs supporting national defense and security, and/or
 - d. Other facilities that Heads of Departmental Elements deem appropriate.
5. **POLICY.**
 - a. Levels of protection shall be provided in consideration of the potential risks to national security and the health and safety of the public.
 - b. The levels of protection identified in approved facility MSSA's shall be the basis for facility planning, executing, and evaluating the protection program.
6. **DEFINITIONS.** See Attachment 1.

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7. CONCEPT OF OPERATIONS.

- a. The MSSA establishes a formal agreement requiring the joint approval of the field element manager and the cognizant Program Secretarial Officer(s) for the levels of protection of graded safeguards and security interests from theft, sabotage, and other malevolent acts associated with SNM or vital assets which may adversely affect national security or the health and safety of the public. Such agreements take into account DOE policy applicable to specific sites and/or programs, to achieve acceptable protection levels that minimize inherent risks on a cost-effective basis.
- b. The MSSA's contain summary level information adequate to describe the basis supporting the agreement, assumptions, exceptions, and conclusions.
- c. The MSSA includes statements of the facility's safeguards and security performance levels based on the status of several complementary performance indicators such as the results of vulnerability assessments, system performance tests, surveys, inspections, evaluations, and training levels as well as the field element managers' judgment of the effectiveness of the protection system.
- d. MSSA's are supported by backup documentation, adequate to validate the MSSA maintained at the field organization or contractor facility. This may include vulnerability assessments, cost/benefit analyses, implementation procedures, guidelines, performance exercises, and other studies.
- e. The MSSA may be used to document exceptions to safeguards and security policy and to provide the basis for relief from certain safeguards and security requirements.
- f. Each signatory agrees to support the safeguards and security commitments set forth in MSSA's under their cognizance to the fullest extent practicable. Planning and budget submittals shall be consistent with the commitments made in the MSSA. Funding constraints applied as part of the budget submission and authorization process may necessitate changes in plans documented in the MSSA's.
- g. The MSSA is reviewed and updated annually.
- h. If tests or other indicators demonstrate that the actual level of protection is less than that approved in the MSSA, action must be taken to compensate for identified vulnerabilities.
- i. All Departmental Elements managing facilities included in paragraph 3 shall prepare MSSA's. An MSSA shall designate facility levels of protection which the appropriate field

organization, Program Secretarial Officer, and Headquarters safeguards and security responsible official acknowledge to be adequate.

8. RESPONSIBILITIES AND AUTHORITIES.

- a. Program Secretarial Officers (PSOs) shall:
 - (1) Approve MSSA's that apply to their programs (including subsequent modifications requiring Headquarters approval).
 - (2) -Support commitments made in the MSSA to the fullest extent possible through the budget process.
 - (3) Coordinate the review and approval process with all appropriate organizations.
- b. Director of Security Affairs (SA-1) shall:
 - (1) Establish safeguards and security policies, design basis threat statements, standards, and guidance for the DOE.
 - (2) Support commitments made in the MSSA to the fullest extent possible through the budget process.
 - (3) Review, comment, and concur in MSSAs.
- c. Director of Safeguards and Security (SA-10), shall:
 - (1) Formulate safeguards and security policies, threat statements, standards, and guidance for DOE.
 - (2) Issue guidelines for the preparation, review, revision, and approval of MSSA's.
 - (3) Review and verify MSSA's to ensure that they are complete, the assumptions are supported by technical justification, and that the conclusions are supported by appropriate analyses and detailed documentation.
- d. Director of Security Evaluations (EH-4) shall verify compliance with specific provisions of the MSSA's through inspections and evaluations.
- e. Director, Naval Nuclear Propulsion Program shall, 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.

f. Heads of Field Elements shall:

- (1) Prepare, review, and approve MSSA's for selected safeguards and- security interests-under their jurisdiction.
- (2) Implement, enforce, and maintain the protection measures and terms of the MSSA's under their management jurisdiction.
- (3) Prepare and maintain adequate documentation for validation of MSSA's in support of the requirement of paragraph 7d.
- (4) Inspect, evaluate, and review protection systems to validate assumptions made in the formulation of MSSA's.
- (5) Direct the review and consolidation of appropriate changes and updates to the MSSA's.
- (6) Advise the Office of Safeguards and Security, and appropriate Program Secretarial Officers of significant delays in implementing protection features documented in the MSSA.
- (7) Support commitments made in the MSSA to the fullest extent possible through the budget process.

9. REVIEW AND REVISION OF MSSA's.

- a. Changes that significantly alter the agreed-on protection philosophy or performance standards of protection systems shall require the approval of the cognizant Program Secretarial Officer(s), the Head of the Field Element, and the concurrence of SA-1.
- b. Changes that are consistent with agreed-on protection policy may be made by the Heads of Field Elements with a copy of changes provided to the Office of Safeguards and Security and the cognizant program manager(s).

BY ORDER OF THE SECRETARY OF ENERGY:

DONALD W. PEARMAN, JR.
Acting Director
Administration and Human
Resource Management

DEFINITIONS

1. ACCEPTED RISK. The acknowledgement that a protection system may not achieve 100 percent protection against all occurrences, but further improvement in the system is not justified.
2. CATEGORY I AND CATEGORY II QUANTITIES OF SPECIAL NUCLEAR MATERIALS. See DOE 5633.3, CONTROL AND ACCOUNTABILITY OF NUCLEAR MATERIALS.
3. CONTRACTOR. An entity or person who contracts directly or indirectly to supply goods or services to the DOE. Note: This includes subcontractors of any tier, consultants, agents, and cooperative agreement participants.
4. DESIGN BASIS THREAT POLICY. A policy statement that describes threats that are postulated for the purpose of establishing requirements for safeguards and security significant programs, systems, components, equipment, information or material.
5. EVALUATION. Determination of the effectiveness of a safeguards and security system or program element relative to approved standards.
6. FACILITY. An educational institutions, manufacturing plant, laboratory, office building, or complex of buildings located on the same site that is operated and protected as one unit by the Department or its contractor(s).
7. INSPECTION. The process of gathering information to determine the effectiveness with which protection programs are implemented.
8. LEVEL OF PROTECTION. The degree of safeguards and security provided to protect Departmental interests.
9. MASTER SAFEGUARDS AND SECURITY AGREEMENT (MSSA). A formal understanding among cognizant managers regarding levels of protection and accepted risk.
10. PROGRAM SECRETARIAL OFFICERS (PSO). A senior outlay program official and includes the Assistant Secretaries for Conservation and Renewable Energy, Defense Programs, Fossil Energy, Nuclear Energy, and Environmental Restoration and Waste Management, and the Directors of Energy Research; Civilian Radioactive Waste Management, and New Production Reactors. A lead PSO is the PSO assigned line management responsibility and accountability for Headquarters and field operations and to which one or more multi program field offices report directly.
11. ROLL-UP. Accumulation of a Category I quantity of special nuclear material from Category II quantities located within the same protected area, or for category determinations, the summation of smaller quantities of special nuclear material to obtain a higher category quantity.

12. SABOTAGE.
 - a. Industrial. Any deliberate act, not involving radiological releases, which could have unacceptable impact to DOE programs.
 - b. Radiological. A deliberate act directed against a nuclear materials facility or its components, or a nuclear material or weapon shipment, which could cause an uncontrolled release of radiation or radioactive material.
13. THEFT. The removal of Government property and/or materials from a DOE or DOE contractor-operator facility without permission or authorization and contrary to law, or the unauthorized removal of special nuclear material.
14. VALIDATION. The confirmation by testing that an implemented, operational system or critical system element meets established requirements.
15. VULNERABILITY ASSESSMENT. A systematic evaluation process in which qualitative and/or quantitative techniques are applied to arrive at an effectiveness level for a safeguards and security system to protect specific targets from specific adversaries and their acts.