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MANUAL FOR DEPARTMENT OF ENERGY INTERFACE WITH THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

U.S. DEPARTMENT OF ENERGY
Office of the Departmental Representative to the Defense Nuclear Facilities Safety Board

Distribution:
All Departmental Elements

Initiated By:
Office of the Departmental Representative

MANUAL FOR DEPARTMENT OF ENERGY INTERFACE WITH THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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1. PURPOSE. This document presents the process the Department of Energy (Department) will use to interface with the Defense Nuclear Facilities Safety Board (Board) and its staff. The requirements set forth in this Manual apply to Department personnel who are to use them to facilitate the quality and responsiveness of the Department's interactions with the Board and its staff. Contractor responsibilities are listed in attachment I, Contractor Requirements Document.

2. REFERENCE. National Defense Authorization Act, Fiscal Year 1989, (P.L. 100-456, September 29, 1988), as amended by National Defense Authorization Act, Fiscal Year 1991, (P.L. 101-510, November 5, 1990); National Defense Authorization Act, Fiscal Years 1992 and 1993 (P.L. 102-190, December 5, 1991); Energy Policy Act of 1992 (P.L. 102-486, October 24, 1992); and National Defense Authorization Act, Fiscal Year 1994 (P.L. 103-160, November 30, 1994).

3. CONTACT. Mark B. Whitaker, Jr., Departmental Representative to the Defense Nuclear Facilities Safety Board, Office of the Under Secretary (S-3.1), 202-586-3887.

BY ORDER OF THE SECRETARY OF ENERGY:

ARCHER L. DURHAM
Assistant Secretary for
Human Resources and
Administration

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CHAPTER I

OVERVIEW

1. INTRODUCTION. This document presents the process the Department of Energy (Department) will use to interface with the Defense Nuclear Facilities Safety Board (Board) and its staff. The requirements and guidance set forth in this Manual apply to Department personnel who are to use them to facilitate the quality and responsiveness of the Department's interactions with the Board and its staff. The Department's interface process was originally formalized on June 7, 1994, in "Management Direction for Interface with the Defense Nuclear Facilities Safety Board," a memorandum from Charles B. Curtis to Distribution (see subparagraph 2e). Contractor responsibilities are listed in attachment I, Contractor Requirements Document.

   a. The Board is an independent executive branch establishment responsible for providing advice and recommendations to the President and the Secretary of Energy regarding public health and safety issues at Department defense nuclear facilities.

      (1) The Board is chartered by Congress through the National Defense Authorization Act (see subparagraph 2a) to perform the following functions:

         (a) review and evaluate the content and implementation of the standards relating to the design, construction, operation, and decommissioning of the Department's defense nuclear facilities (including applicable Department Orders, regulations, and requirements);

         (b) investigate any event or practice at Departmental defense nuclear facilities that has adversely affected or may adversely affect public health and safety;

         (c) systematically analyze design and operational data, including safety analysis reports, from any Departmental defense nuclear facility;

         (d) review the design and construction of a new Departmental defense nuclear facility and make recommendations considered necessary to protect public health and safety; and

         (e) make such recommendations to the Secretary with respect to Departmental defense nuclear facilities, including operations of such facilities, standards, and research needs, as the Board determines are necessary to ensure adequate protection of public health and safety.

(2) Defense nuclear facilities include production and utilization facilities, facilities involved in assembly, disassembly, and testing of weapons, and nuclear waste storage facilities.

(3) Board oversight authority extends throughout the life cycle of applicable facilities, from design, construction, and operation through decommissioning. For the purposes of oversight, the Board defines decommissioning to encompass activities leading up to environmental restoration, including deactivation, decontamination, final process runs, removal of special nuclear material, residues, and wastes, and other activities necessary to ensure adequate protection of public health and safety (see subparagraph 2l).

b. The Board communicates with the Department through recommendations, trip reports, requests for information, other written correspondence, meetings, discussions, and site visits.

c. The Department and the Board share the common goal of ensuring adequate protection of public and worker health and safety and the environment at defense nuclear facilities. To accomplish this goal, the Department's policy (see subparagraphs 2a and 2b) is to:

(1) fully cooperate with the Board;

(2) provide access to information necessary for the Board to accomplish its responsibilities;

(3) thoroughly consider the recommendations and other safety information provided by the Board;

(4) consistently meet commitments to the Board; and

(5) conduct interactions with the Board in accordance with the highest professional standards.

d. If a conflict arises between Department personnel and the Board staff, the issue shall be brought promptly to the attention of local Department management, who will assist in resolving the issue. If difficulty persists, local Department management shall notify the Departmental Representative at Department Headquarters.

2. REFERENCES.

a. National Defense Authorization Act, Fiscal Year 1989, (P.L. 100-456, September 29, 1988), as amended by National Defense Authorization Act, Fiscal Year 1991, (P.L. 101-510, November 5, 1990); National Defense Authorization Act, Fiscal Years 1992 and 1993 (P.L. 102-190, December 5, 1991); Energy Policy Act of 1992 (P.L. 102-486, October 24, 1992); and National Defense Authorization Act, Fiscal Year 1994 (P.L. 103-160, November 30, 1994).

b. Memorandum, Hazel R. O'Leary to Distribution, "Defense Nuclear Facilities Safety Board," May 17, 1993.

c. Defense Nuclear Facilities Safety Board Policy Statement PS-1, "Criteria for Judging the Adequacy of Department Responses and Implementation Plans for Board Recommendations," October 19, 1990.

d. Defense Nuclear Facilities Safety Board Policy Statement PS-2, "Board Policy on Transmittal of Trip Reports and Other Safety Information to the Secretary of Energy," December 31, 1992.

e. Memorandum, Charles B. Curtis to Distribution, "Management Direction for Interface with the Defense Nuclear Facilities Safety Board," June 7, 1994.

f. Memorandum, Hazel R. O'Leary to Distribution, "Distribution of Evaluations and Assessments to the DNFSB," September 7, 1994.

g. Privacy Act Overview, 5 U.S.C. Section 552a(b)(3). DOE System of Records, General Personnel Records, 55 Federal Register 3840, February 5, 1990. DOE System of Records, Personnel Radiation Records, 58 Federal Register 59246, November 8, 1993.

h. Memorandum, Donald W. Pearman, Jr. to Distribution, "Updated DOE Cost Estimating Guide" distributing the Cost Estimating Guide, Volume 6, Cost Guide, Office of Infrastructure Acquisition (FM-50), Revision 0, November 1994.

i. Memorandum, Mark B. Whitaker to Distribution, "Completion vs. Closure of DNFSB Commitments," March 20, 1996.

j. Memorandum, Thomas P. Grumbly to all Departmental elements, "Review of Correspondence to the Defense Nuclear Facilities Safety Board," June 7, 1996.

k. Memorandum, Thomas P. Grumbly to all Departmental elements, "Departmental Responsiveness to the Defense Nuclear Facilities Safety Board," January 26, 1996.

l. Defense Nuclear Facilities Safety Board Policy Statement PS-3, “Policy Statement on Board Oversight of Department of Energy Decommissioning Activities at Defense Nuclear Facilities,” August 19, 1996.

3. RESPONSIBILITIES.

a. Secretary of Energy.

(1) Provides full cooperation with the Board, including ready access to Department facilities, personnel, and information (see subparagraph 2a).

(2) Responds to Board recommendations in accordance with the Board's enabling statute (see subparagraph 2a).

(3) Provides the Board with implementation plans for each accepted recommendation and approves any subsequent plan changes that may be necessary (see subparagraph 2a).

(4) Provides annual reports to Congress concerning Board-related activities of the Department (see subparagraph 2a).

b. Under Secretary of Energy.

(1) Ensures Board issues are properly addressed within the Department.

(2) Achieves consensus among affected parties and resolves disagreements within the Department on Board-related activities, as escalated by lower levels of line management.

(3) Resolves any disagreements regarding designation of a cognizant Secretarial Officer to respond to a Board recommendation or other correspondence.

c. Secretarial Officers.

(1) Consistent with guidance from the Under Secretary, implement the Department's policy with respect to the Board.

(2) When assigned as the cognizant Secretarial Officer responsible for responding to a Board recommendation, correspondence, or other Board issue, designate and empower a Responsible Manager to manage the associated planning, response, and implementation activities, consistent with guidance provided. The organizational level of a designated Responsible Manager should be the highest Headquarters or field manager with direct responsibility for overseeing

the identified safety issues and implementing the Department's response (typically either a Deputy Assistant Secretary or Operations/Area Office Manager).

(3) Other Secretarial Officers should support the cognizant Secretarial Officer in responding to and implementing Board recommendations.

(4) Designate and empower a single Point of Contact within their organizations to represent their organizations and work with the Departmental Representative and his/her staff in Board-related matters.

d. Operations/Area Office Managers with Responsibility for Defense Nuclear Facilities.

(1) Designate a single Point of Contact with the authority to represent his/her organization and work with the Departmental Representative and his/her staff in Board-related matters.

(2) Using the appropriate contract vehicle, ensure contractors (management and operations contractors, weapons laboratory contractors, integrating contractors, environmental restoration and management contractors, etc.) acknowledge and implement their interface responsibilities as delineated in this Manual (see attachment I, Contractor Requirements Document).

e. Departmental Representative to the Board.

(1) Represents the Secretary in regular and continuing interactions with the Board.

(2) Advises the Secretary, Under Secretary, Secretarial Officers, and other Department executives of Board priorities, concerns, actions, and plans.

(3) Manages the Department’s interface activities and provides direction and advice to the line on Board-related matters.

(4) Coordinates with affected Secretarial Officers and designates a cognizant Secretarial Officer to respond to a Board recommendation, Board correspondence, or other Board issue.

(5) Facilitates communication and cooperation between Departmental elements and the Board and its staff.

(6) Reviews and concurs with written communications (with the exception of responses to information requests and routine distribution of evaluations/assessments) from the Department to the Board, for consistency and

responsiveness.

(7) Serves as the initial Departmental lead for each incoming Board recommendation until a Responsible Manager is identified.

(8) Manages the Department's Safety Issues Management System for Board-related issues, commitments, and actions.

(9) Prepares reports on Board-related activities for senior Department management, Congress, and the President.

(10) Provides guidance and training on this Manual to Departmental Points of Contact and support personnel.

(11) Maintains and distributes a listing of key Department personnel for Board-related activities.

(12) Maintains the Department's central repository of official Board communications and makes this information available to Department and contractor personnel.

f. Responsible Managers.

(1) For each Board recommendation or letter requesting action and for each Department commitment to the Board, manage the response, planning, implementation, tracking, and closure of the recommendation, action request, and/or associated commitments.

(2) Provide status updates to the Safety Issues Management System.

(3) Prepare, coordinate, and transmit a closure package to the Board upon commitment completion.

(4) The Responsible Manager may delegate day-to-day activities to a working level manager or technical lead.

(5) Keep the cognizant Secretarial Officer informed of any issues that need upper management attention.

g. Issue Lead.

(1) As a member of the Departmental Representative's staff assigned by the Departmental Representative to a specific Board recommendation, supports the designated Responsible Manager throughout the development and implementation of the Department's plan to resolve that recommendation.

(2) Participates as a member of the response team by identifying related Department responses and commitments, providing input on the format and content of the Department's response and implementation plan, and evaluating adequacy and responsiveness to Board criteria.

(3) Facilitates communications between the response team and the Board staff.

(4) Supports the Departmental Representative in meetings with senior Department management for the purpose of developing the Department's strategy, resolving disagreements and conflicts, and conducting briefings and presentations.

(5) Advises the Departmental Representative on concurrence with final implementation plans, commitment closure packages, and other written communications.

(6) Supports the Responsible Manager on identification, tracking, and closure of associated commitments in the Safety Issues Management System.

(7) Assists with Board issues defined by or associated with reports and correspondence other than Board recommendations, as assigned by the Departmental Representative.

h. Points of Contact.

(1) Represent their Secretarial Officers or Operations/Area Office Managers on day-to-day Board-related issues and interactions with the Departmental Representative and his/her staff, other Departmental elements, and the Board staff.

(2) Be cognizant of, and coordinate, day-to-day Board-related activities within their purviews, such as:

(a) assigning responsibilities,

(b) coordinating review and concurrence,

(c) facilitating meetings and site visits,

(d) fulfilling information requests,

(e) capturing commitments made and actions taken during site visits,

(f) following up on commitments and actions to ensure satisfactory completion,

(g) ensuring adherence to this Manual,

(h) communicating and reporting to their management as requested on the status of significant Board actions, and

(i) maintaining accurate status of assigned items on the Safety Issues Management System.

(3) Support Responsible Managers in their organizations in responding to and implementing Board recommendations and other commitments.

(4) Prepare, coordinate, and conduct Department activities to support site visits.

(5) Be sufficiently knowledgeable of Board practices to advise their organizations and assist their management in interfaces with the Board and its staff.

CHAPTER II

RECOMMENDATIONS AND RESPONSES

1. RECOMMENDATIONS.

   a. The Board issues recommendations to the Secretary on issues or circumstances it determines need to be resolved to ensure adequate protection of the public health and safety. The Secretary must respond to each Board recommendation within 45 days of its publication in the Federal Register.

   b. The Secretary may accept or reject the Board's recommendation in whole or in part. Figure 1 provides an overview of the Board recommendation process (see chapter I, subparagraph 2a).

2. RESPONSE DEVELOPMENT.

   a. When a Board recommendation is received, the Departmental Representative shall coordinate with the affected Secretarial Officers to designate the cognizant Secretarial Officer. If necessary, the Under Secretary shall resolve any disagreements regarding designation of the cognizant Secretarial Officer. The cognizant Secretarial Officer shall oversee the development of the Department response and the associated implementation plan (if the recommendation is accepted); resolution of the applicable safety issues; and ultimate closure of the recommendation.

   b. The cognizant Secretarial Officer shall designate a Responsible Manager, typically a Deputy Assistant Secretary or Operations/Area Office Manager, to manage development and implementation of an adequate response and, if necessary, an implementation plan for resolving the Board recommendation. An Operations/Area Office Manager should be considered for recommendations that are limited to a single site; a Deputy Assistant Secretary is more appropriate for recommendations with implications for multiple sites and organizations. This Responsible Manager may, in turn, identify a technical lead to assist in coordinating response development and implementation planning. The selection of an appropriate Responsible Manager and an experienced technical lead with the necessary technical, communications, and management skills is key to the Department's success. The continuous commitment of the Responsible Manager and technical lead throughout the life of a recommendation has also proven to be important for effective Department interface with the Board.

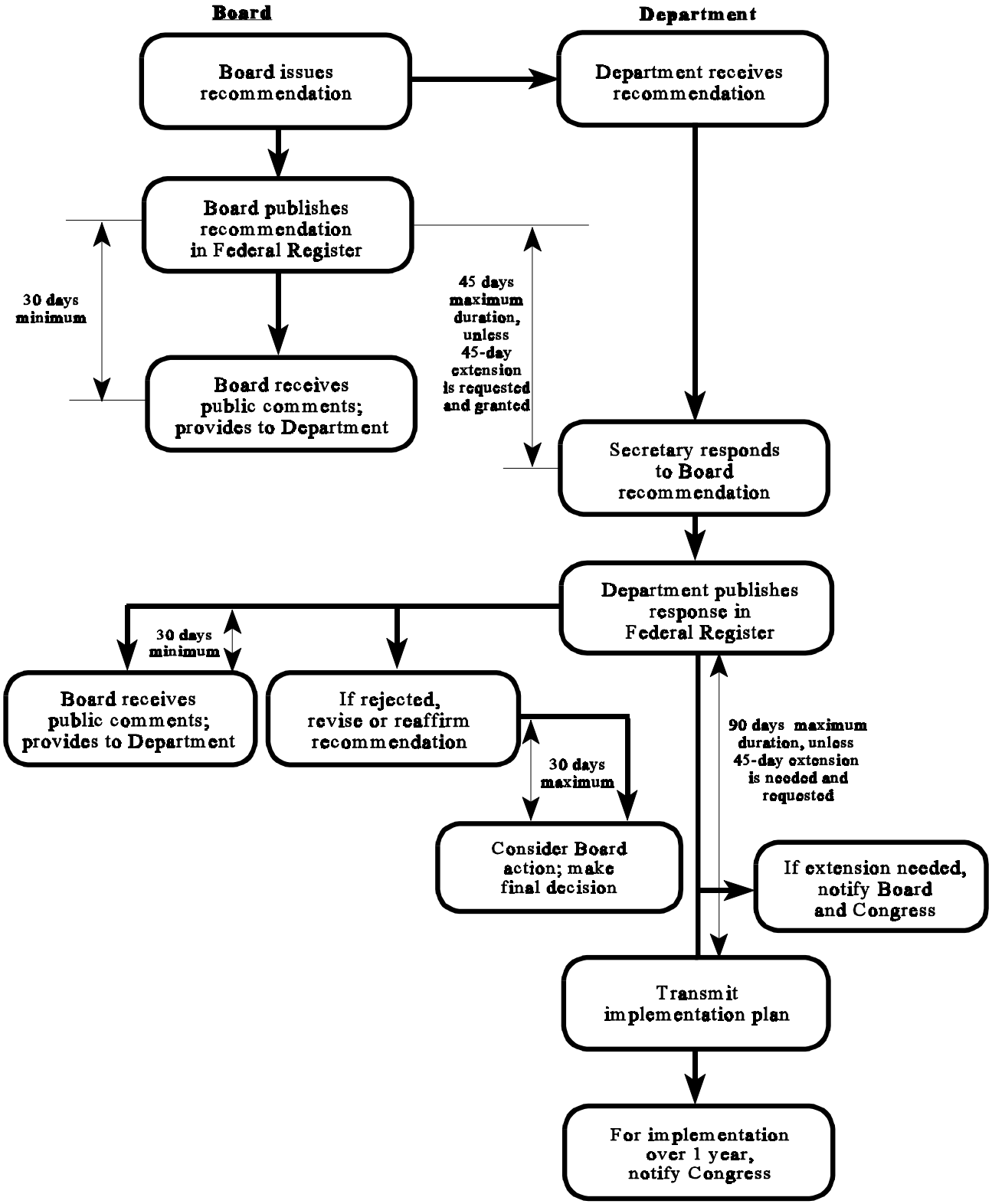

Figure 1 Recommendation Process Overview

c. The Responsible Manager shall establish a response team to support the development and implementation of the Department's response. Secretarial Offices and Operations/Area Offices expected to be major stakeholders in the implementation plan should provide members for this team. The Points of Contact should assist the Responsible Manager in obtaining appropriate team participation from their respective organizations, including field representatives, as appropriate. Team participants shall have the authority to speak for their management. The Responsible Manager should solicit early involvement of the Office of General Counsel to support the response team in addressing legal issues or procedural requirements. The Departmental Representative's office shall designate an Issue Lead to support the Responsible Manager as a member of the response team.

d. The response team should promptly begin development of Department's response and the associated implementation plan, if expected to be necessary. To promote timeliness and responsiveness, affected Departmental elements should follow the process presented in attachment II and summarized in figure 2.

e. The response team shall, as a minimum, consider the following topics:

(1) significant safety issues associated with the recommendation,
(2) underlying causes and implications of these issues,
(3) existing programs and activities that can be built upon,
(4) strategic input from affected Departmental elements,
(5) costs and benefits associated with implementation, and
(6) the impact on ongoing Departmental programs and activities.

f. Prior to obtaining concurrence on the Secretary's response letter, the Responsible Manager should estimate the associated costs and contribution to safety and brief Department senior management concerning this information.

3. ACCEPTING A RECOMMENDATION.

a. If the Secretary accepts the recommendation, the Responsible Manager shall prepare the Department's response letter which (see chapter I, subparagraph 2c):

(1) demonstrates an understanding of what is being recommended,

(2) commits the Department to take action to meet the recommendation within the context of the Department's acceptance,

(3) identifies the Responsible Manager by name, and

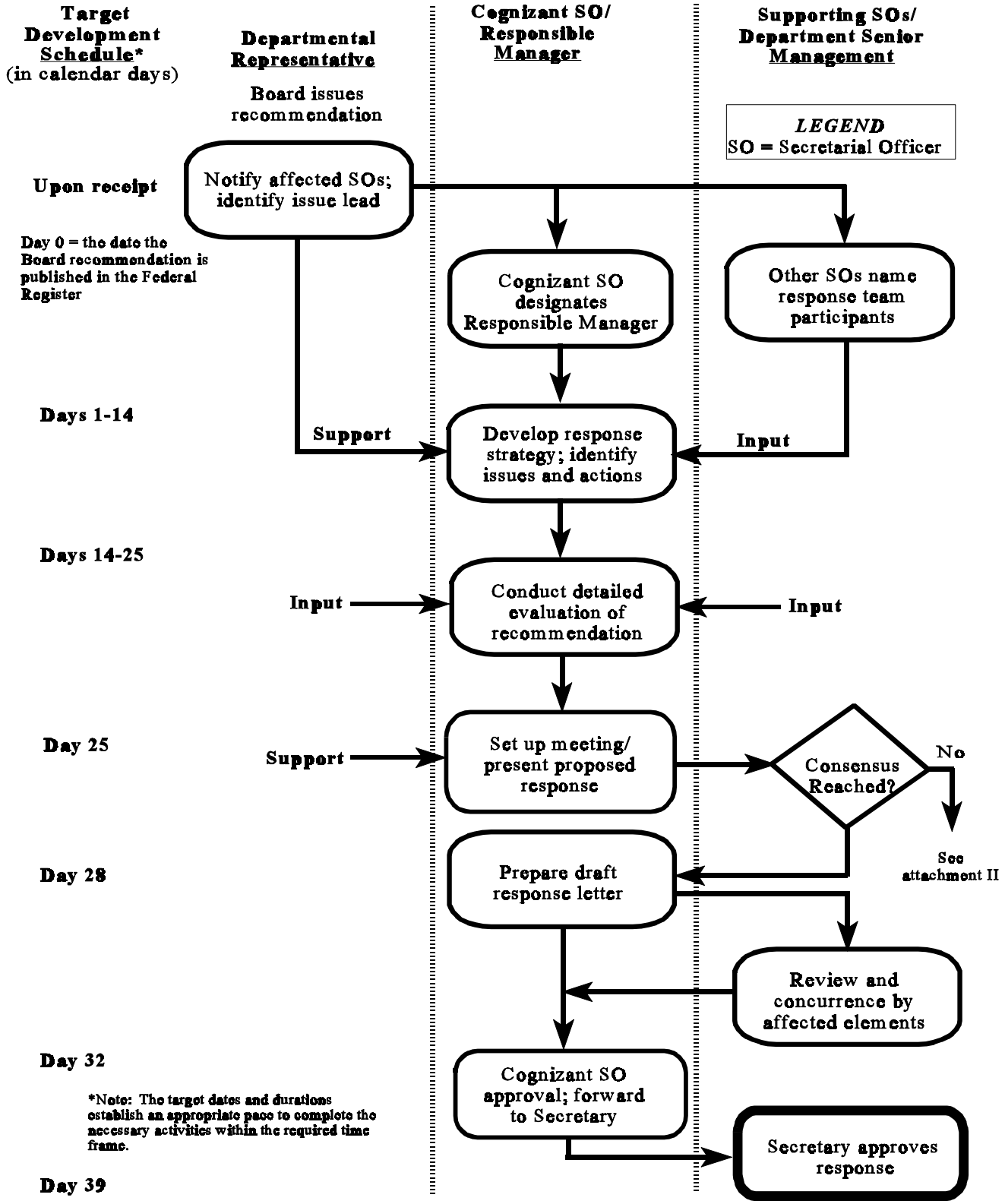

Figure 2. Department Response Process Overview.

(4) identifies specific actions the Department intends to undertake so the Board can determine if the material terms of the recommendation will be met.

b. Unconditional acceptance of Board recommendations shall be carefully considered by the response team. If a response letter is sent which simply states that the Secretary agrees with or accepts a recommendation, the Board will interpret this action as an unconditional acceptance of the Board's recommendation and the Board's interpretation thereof. The Board will ordinarily consider unacceptable any subsequent contradiction or retrenchment from the response's unconditional acceptance (see chapter I, subparagraph 2c).

4. REQUESTING A RESPONSE EXTENSION. If requested by the Secretary, the Board may grant additional time, not to exceed 45 days, for the Department to respond to the Board's recommendation. Requests for additional time should be reserved for exceptional circumstances (e.g., when a complex technical analysis is required prior to finalizing the Department's response). The Responsible Manager shall initiate a request for additional time when it is clear that an adequate response cannot be completed within the initial 45 days. Regardless of when the request is submitted, the extension begins after the initial 45 days has expired. The Issue Lead should support the Responsible Manager by coordinating this request.

5. REJECTING A RECOMMENDATION, IN WHOLE OR IN PART.

a. The Secretary may reject a recommendation, in whole or in part. The Board prefers that the Department identify substantive differences that the Department may have with a recommendation in the Department's response letter. The Board may accept a Department response which rejects portions of a recommendation if, based on the Board's judgment, sound reasons are given for rejecting the recommendation and alternative means of protecting the public health and safety are specified (see chapter I, subparagraph 2c).

b. If the Secretary rejects a recommendation in whole or in part, the Board may reaffirm or revise the original recommendation and notify the Secretary. The Secretary shall provide a final decision to the Board within 30 days of notification of the Board's reaffirmation or revision.

c. The cognizant Secretarial Officer shall ensure that this final decision is reached and a final response to the Board is prepared for the Secretary's approval. This final response prepared by the cognizant Secretarial Officer shall identify the parts of the recommendation that are accepted and rejected, and describe the reasons for the decision. The cognizant Secretarial Officer, the Responsible Manager, the Departmental Representative, and response team members should perform the same roles in developing this final response as they performed in developing the initial

response. The Department shall publish the final decision in the Federal Register and also transmit it to the Speaker of the House of Representatives, and to the Senate Committees on Armed Services and Appropriations (see chapter I, subparagraph 2a).

6. REPORT IF IMPLEMENTATION IS IMPRACTICABLE.

a. The Department may reject a recommendation, in whole or in part, based on budgetary considerations or impact on defense weapons requirements. If the Secretary determines implementation of a recommendation is impracticable because of budgetary considerations or impact on the Secretary's ability to meet the Annual Nuclear Weapons Stockpile requirements, the Secretary must submit a report to the President of the United States, the Speaker of the House, and the Senate Committees on Armed Services and Appropriations, containing the recommendation and the Secretary's determination (see chapter I, subparagraph 2a).

b. The cognizant Secretarial Officer, supported by the Departmental Representative, shall prepare this report. The affected Secretarial Officers, the Departmental Representative, and the Office of General Counsel shall concur in the final report. The Departmental Representative shall present the report to the Secretary through the Under Secretary for approval and transmittal to the President and Congress.

CHAPTER III

IMPLEMENTATION PLANNING

1. IMPLEMENTATION PLAN DEVELOPMENT. The Secretary must submit an implementation plan to the Board within 90 days of the date the Secretary's acceptance of the recommendation is published in the Federal Register (see chapter I, subparagraph 2a). The response team should begin implementation plan development (figure 3) immediately after the recommendation is received and conduct plan development in parallel with development of the Department's response. The cognizant Secretarial Officer, Responsible Manager, and response team that developed the Department's response should develop the associated implementation plan.

   a. Team Leadership. Regardless of whether the Responsible Manager delegates coordination of implementation planning to a technical lead, he/she must maintain clear sponsorship and open communications with the response team. The Responsible Manager should engage in the development process by interacting with the team, reviewing progress, ensuring adequate technical basis, making key decisions, advocating the Department's position to the Board and its staff, and keeping the cognizant Secretarial Officer informed. He/she should also ensure that the implementation plan is complete, responsive, and achievable and that the resource impact of the implementation plan is understood, acceptable, and consistent with the associated safety improvement.

   b. Internal Coordination.

      (1) Organizations that have an interest in the outcome of an implementation plan should be identified by the Responsible Manager early in the development process and should be included in or represented on the response team and be kept fully informed of the team's activities.

      (2) To ensure effective coordination, the Responsible Manager should prepare early in the process a schedule for plan development that identifies milestones and responsibilities. The Responsible Manager should use periodic status reports to keep everyone informed of progress, upcoming activities, action items, and responsibilities.

      (3) As requested, the affected Points of Contact should assist the Responsible Manager and response team, by coordinating review and comment, comment resolution, and concurrence within their respective organizations.

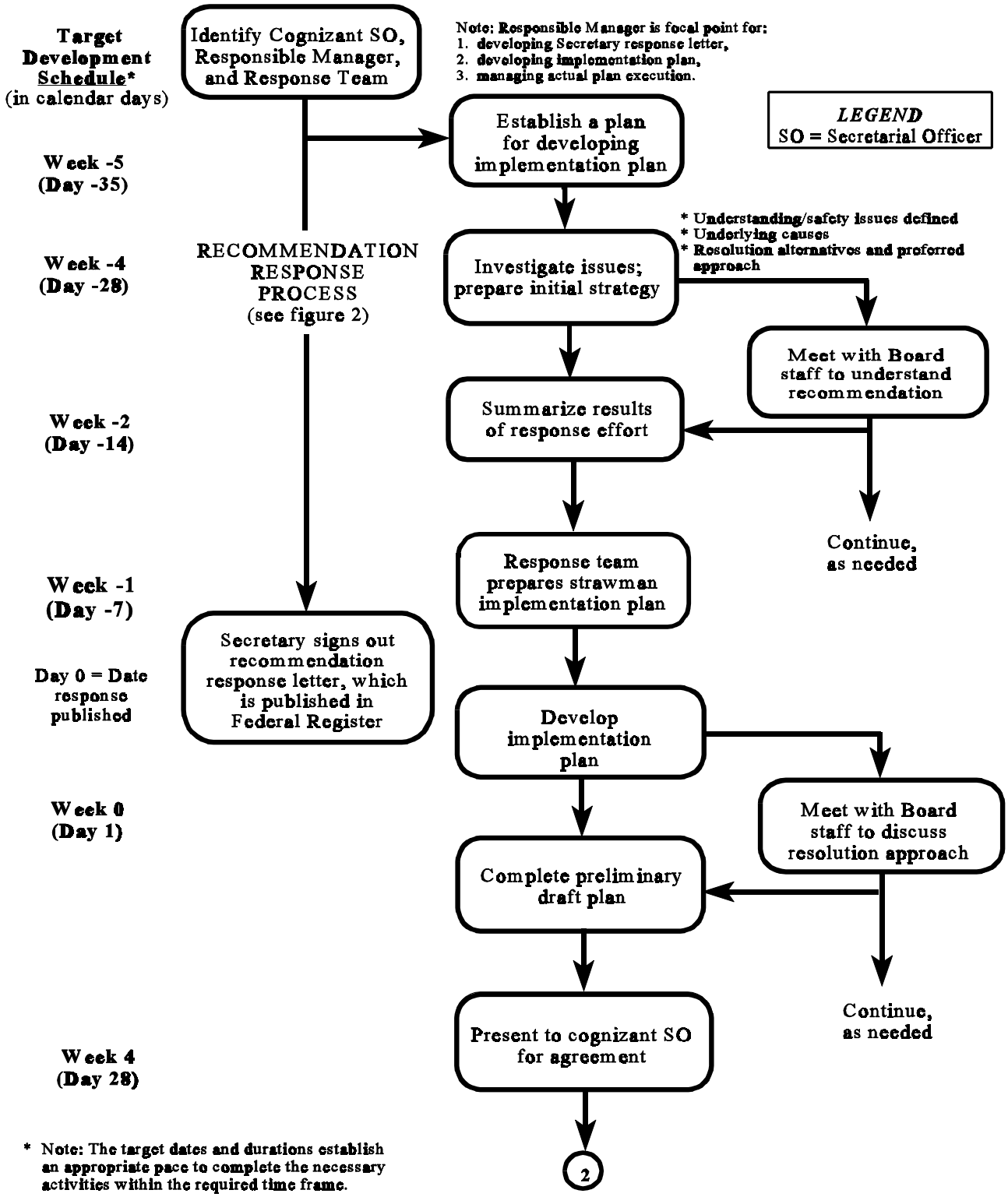

Figure 3. Implementation Planning Process Overview.

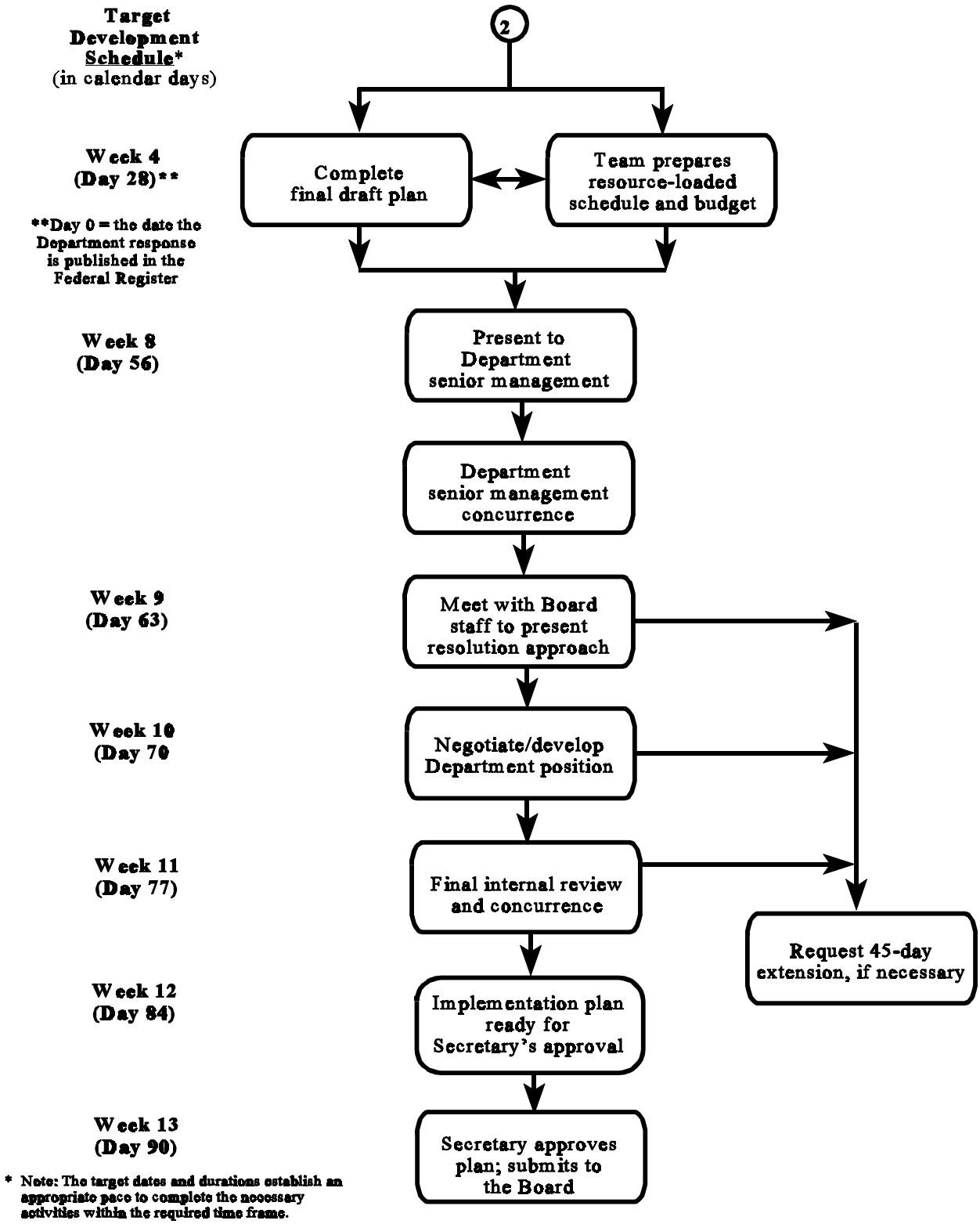

Figure 3. Implementation Planning Process Overview (continued).

(4) The response team should meet frequently to ensure effective progress in developing the implementation plan. Team participants should be prepared to represent the views of their respective organizations. As necessary, the Responsible Manager should ensure that these meetings include participation by the appropriate managers to obtain decisions on resolution approaches, responsibilities, and schedules.

c. Interaction with the Board and its Staff.

(1) The response team should interact with the Board staff during implementation plan development to the extent necessary to understand the Board's recommendation. The Responsible Manager should focus early meetings on gaining a full understanding of the recommendation's content and intent, and avoid discussing the Department's planned resolution approach until the Department has developed an adequate framework and basis for resolution.

(2) In communicating the framework and basis for resolution, the response team should discuss underlying causes and assumptions, potential resolution alternatives, and advantages and disadvantages of the various alternatives.

(3) In developing potential resolution alternatives, the response team should try to build on existing programs and activities and invent new ones only when necessary.

(4) The response team should request the Board staff's opinion, to the extent possible, on whether proposed resolution alternatives satisfy the intent of a recommendation. The response team should not request the Board staff to define or select resolution alternatives.

(5) The response team should provide the Board staff with adequate opportunities (typically at least two) to review draft plan information during the development process. The response team should request the staff to provide its comments on the draft plan in writing.

(6) The Issue Lead should assist the Responsible Manager in arranging for and conducting interactions with the Board staff. If interactions with the Board members are necessary, the Departmental Representative should support the cognizant Secretarial Officer in arranging for and conducting interactions at this level.

(7) The Responsible Manager should participate in major interactions and be cognizant of all interactions with the Board or its staff. In certain situations, the Board may form a staff committee, including a lead negotiator, corresponding to

the response team. If the Board does not identify a lead negotiator, the Departmental Representative should request the Board staff supervisor or technical manager to participate in joint Department/Board staff meetings whenever commitments are negotiated.

(8) Toward the close of the development period, the response team should seek closure with the Board staff on the scope of commitments and an indication that the staff will recommend acceptance of the proposed plan to the Board. If such indication is not received, the Responsible Manager should inform the cognizant Secretarial Officer so that interaction with the Board members can be arranged as necessary.

d. Schedule, Cost, and Funding.

(1) Resolution of an issue (i.e., completion of all actions identified in the implementation plan) should result in tangible improvement to safety within the defense nuclear facilities complex. If possible, the Responsible Manager should establish the resolution scope based on the goal of completion within 1 year of plan issuance. To accomplish this goal, the resolution focus may need to be on gaining substantive control of an issue rather than closing all loose ends. For example, issue resolution may need to be defined in the implementation plan as developing training and conducting initial sessions, rather than as completing training of all Department personnel and performing a follow-up evaluation. The goal of resolution within 1 year, based on the expectations of Congress in establishing the Board, should be strictly pursued by the Responsible Manager for recommendations that are narrowly focused and affect only one site and one headquarters office. Recommendations that involve major systemic changes, multiple Headquarters offices, and multiple sites can require more than 1 year for resolution. The Responsible Manager shall carefully consider exceptions to the 1-year goal.

(2) The Board will review the Department's implementation plan to determine whether it provides a realistic and achievable schedule for plan implementation (see chapter I, subparagraph 2c). Department senior management will need a planning-quality schedule and cost estimate (i.e., rough order-of-magnitude estimate) so that they can analyze the resource impact of the plan before committing to it. The cost estimate will also be used to assess cost-benefit and relative priorities among various potential safety improvements. The desired degree of accuracy for this planning estimate is minus 50 percent to plus 100 percent (see chapter I, subparagraph 2h).

(3) The response team should prepare a planning-quality schedule and cost estimate prior to plan submittal for Secretary approval. To accomplish the schedule and cost estimate within the allotted time window, the response team should:

(a) begin development work as soon as possible,

(b) include a person with cost/schedule expertise,

(c) develop a reasonably accurate preliminary scope of work early in the 90-day window (see figure 3).

(4) The response team, with the direction of the cognizant Secretarial Officer, should identify how the implementation plan will be funded. Resources will likely need to be reallocated to ensure funding during the initial phases of implementation; the sources of these resource reallocations should be identified by the affected Secretarial Officers. Funding allocations beyond the initial phases of implementation should be established by the affected Secretarial Officers through the Departmental budget process to ensure that sufficient resources will be available to meet the Secretary's commitment to the Board. The Responsible Manager should apply schedule and cost performance monitoring techniques to improve management effectiveness during plan implementation.

2. IMPLEMENTATION PLAN FORMAT AND CONTENT.

a. The primary purpose of the implementation plan is to describe the appropriate actions and schedule for ensuring that the accepted recommendation is resolved. The Board uses the following six substantive criteria to judge the adequacy of an implementation plan (see chapter I, subparagraph 2c).

(1) **Understanding.** The implementation plan must show an understanding of the safety issues raised by the Board's recommendation.

(2) **Responsiveness.** The Department's planned course of action must address the complete Board recommendation and accomplish satisfactory resolution of the underlying safety issues.

(3) **Assumptions.** The important (engineering, technical, administrative, or legislative) baseline assumptions for successful plan implementation must be detailed.

(4) **Planning Detail.** The Department's approach to resolve the associated safety issues must be described in sufficient detail to permit the Board to

independently determine that the approach and schedule are reasonable and achievable.

(5) **Technical Basis.** The Department's plan must be based on sound evaluation, including identification of the underlying causes.

(6) **Focus on Closure.** The Department's plan must define completion deliverables for demonstrating safety issue resolution in a verifiable manner.

b. Response teams should prepare implementation plans consistent with the Format and Content Guide provided in attachment III to address these six substantive criteria. Attachment III applies to recommendations received after 1994; this guidance may be considered for major revisions of previous implementation plans. In some cases, exceptions and additions to this recommended format may be appropriate and should be made on a case-by-case basis.

3. TRANSMITTAL OF IMPLEMENTATION PLANS. The implementation plan is a Secretarial commitment. The Responsible Manager shall obtain final concurrence and approval of the implementation plan in accordance with established Department procedures. The Points of Contact should assist in expeditiously acquiring concurrence within their respective organizations. After the implementation plan is approved and signed by the Secretary, the Executive Secretariat will formally transmit it to the Board. As with other outgoing correspondence to the Board, the Departmental Representative's staff will distribute copies of the transmitted implementation plan to the affected Secretarial Officers and Operations/Area Office Managers.

4. EXTENSION NOTIFICATION.

a. The Secretary may obtain one 45-day extension for submitting an implementation plan by notifying the Board, the Speaker of the House of Representatives, and the Senate Committees on Armed Services and on Appropriations. These extension requests by the Secretary should be reserved for exceptional circumstances. If an extension is needed, the Responsible Manager, supported by the Issue Lead, should begin drafting a notification letter at least 30 days prior to the expiration of the original 90-day time period. In conjunction, the Departmental Representative should verbally advise the Board regarding the Department's intent to request an extension and the reasons for the delay.

b. The Responsible Manager shall prepare the notification letter to provide the following information:

(1) the reasons for the delay,

(2) the current status of the draft implementation plan, and

(3) the actions being taken by the Secretary to complete the implementation plan.

c. The Responsible Manager, supported by the Issue Lead, should ensure that the notification letter is finalized and signed by the Secretary at least 2 weeks prior to expiration of the original time period.

5. BOARD ACCEPTANCE. The Board's practice is to review and formally accept or not accept each implementation plan submitted by the Department. Upon receipt of an acceptance letter from the Board, the Departmental Representative should notify the affected Secretarial Officers and Operations/Area Office Managers of the acceptance. If the Board does not accept an implementation plan, the cognizant Secretarial Officer shall initiate actions to expeditiously resolve the Board's comments and resubmit the plan for Board review and acceptance.

6. CHANGES TO IMPLEMENTATION PLANS.

a. Changes to commitments, actions, or completion dates may be necessary due to additional information, improvements, or changes in baseline assumptions. The Responsible Manager should identify necessary changes and, with the support of the Issue Lead, bring to the Board staff's attention any substantive changes to an implementation plan as soon as identified, and prior to passing of the completion date. The Responsible Manager and Issue Lead should discuss with the Board staff any proposed changes to implementation plan commitments before formal submittal.

b. Any revision to the scope or schedule of plan commitments must be approved by the Secretary (see chapter I, subparagraph 2a). Commitment revisions shall be clearly identified and described by the Responsible Manager along with the bases for the revisions. Fundamental changes to the strategy, scope, or schedule of the plan shall be prepared by the Responsible Manager and provided to the Board through formal revision of the implementation plan approved by the Secretary. Other changes to the scope or schedule of planned commitments shall be prepared by the Responsible Manager and formally submitted in appropriate correspondence signed by the Secretary, along with the basis for the changes and appropriate corrective actions. Examples of this type of change include:

(1) a change in approach, based on new knowledge, that still fulfills the committed objective, scope, and schedule, but in a different manner than originally planned, or

(2) a change in intermediate milestone dates for a plan commitment for which the original plan commitment scope and ultimate completion date are preserved.

c. The Responsible Manager should carefully consider the cumulative effect of the plan changes made through the Department to Board correspondence so that the fundamental approach, scope, and schedule of the plan are not altered; if these are altered in a fundamental way, the Responsible Manager shall prepare a formal plan revision.

d. Responsible Managers should prepare major changes to implementation plans consistent with the Format and Content Guide provided in attachment III. Completed actions that are still important to the resolution of the original safety issue should be described and identified as actions already completed.

e. The letter submitting a revised implementation plan should describe the Department's intentions regarding existing commitments under the existing implementation plan, if previously accepted by the Board. Suggested text: “With submittal of this revised plan, the Department will now focus its implementation efforts on the approach described herein, rather than that previously described and accepted by the Board.”

f. Periodic progress reports may be used to report variances to commitments when these variances have already been discussed with and acknowledged by the Board staff. For example, if commitment completion will be delayed by several weeks from the committed due date, the Responsible Manager should report this variance in the periodic progress report. Periodic reports are not to be used to report changes to plan commitments.

7. PLAN IMPLEMENTATION.

a. The Responsible Manager shall ensure that the associated safety issues are resolved as described in the implementation plan and that the associated commitments are managed to closure.

b. The Safety Issues Management System shall be used as a tool to identify, track, and close Department commitments to the Board. As committed actions are completed, the Responsible Manager shall prepare a closure package and transmit this package to the Board.

c. The Responsible Manager should prepare periodic progress reports and appropriate correspondence to inform the various Department implementing elements and the Board regarding the status of plan implementation. As needed, the Responsible Manager should also provide oral presentations, topical reports, and documents to the Board and its staff to update them on implementation progress.

d. The Responsible Manager should anticipate and manage implementation problems so that they have a minimum impact on plan commitment dates. The Responsible

Manager and the Issue Lead should inform the cognizant Board staff member in advance of any planned milestone due dates that will be missed. The cognizant Secretarial Officer should periodically review implementation progress and assist in solving implementation problems.

e. If the Department's implementation plan for an active Board recommendation is no longer valid or responsive, the Responsible Manager for that plan shall aggressively pursue development of a valid plan (see chapter I, subparagraph 2k). If the Department determines that completion of all or part of an implementation plan is impracticable due to budgetary considerations, or an adverse impact on satisfying the Department's annual weapons stockpile requirements, the Secretary must submit a report describing the Secretary's determination to the President, to the Senate Committees on Armed Services and Appropriations, and to the Speaker of the House of Representatives (see chapter I, subparagraph 2a).

8. IMPLEMENTATION IN EXCESS OF 1 YEAR OF DURATION. The Secretary must submit a report to Congress if completion of activities described in the implementation plan requires longer than 1 year from the date it was transmitted to the Board (see chapter I, subparagraph 2a). The Responsible Manager should prepare and submit this report prior to exceeding the 1-year period, if possible, and no later than 30 days following the end of the 1-year period. The report must state the reasons for the delay and when implementation will be completed. This reporting requirement normally should be met by the Responsible Manager by addressing it as part of the Department's Annual Report to Congress, when the Responsible Manager knows that implementation will require more than 1 year.

9. CLOSURE OF RECOMMENDATIONS.

a. The Board reserves the right to close recommendations and commitments based on their assessment of the actions completed by the Department. Responsible Managers can and should identify to the Board when Department actions are complete on a given commitment or recommendation. Responsible Managers shall closely monitor implementation plan progress and push for closure of recommendations when issues are resolved (see chapter I, subparagraph 2k).

b. When all actions and commitments in an implementation plan are complete and corresponding closure packages have been transmitted to the Board, the cognizant Secretarial Officer shall propose closure of the original recommendation in a letter to the Board using the following sentence: “The Department has completed the commitments identified under the Department's implementation plan for this recommendation, and proposes closure of this recommendation.” (See chapter I, subparagraph 2i). Alternatively, proposed recommendation closure may be based on resolution of the original safety concerns on some other basis than completion of the associated implementation plan commitments. For such cases, the cognizant

Secretarial Officer's rationale for proposing closure shall be spelled out for the Board's consideration.

CHAPTER IV

SAFETY ISSUES MANAGEMENT

1. IDENTIFYING SAFETY ISSUES. In analyzing Board recommendations and other Board letters and requests for action, the Responsible Manager should identify the salient safety issues being raised. Correct identification and formulation of the underlying safety issues establishes a framework to focus Departmental efforts. By focusing on the underlying safety issues, the Department can more efficiently and effectively apply resources to achieving real safety improvements. The Safety Issues Management System is designed to facilitate line management efforts in managing and closing safety issues.

2. MAKING COMMITMENTS.

   a. The Department establishes commitments in order to resolve identified safety issues. A commitment to the Board is defined as any documented obligation by the Secretary, or designee, that describes products to be delivered on a specified schedule. Only the Secretary, a Secretarial Officer, or a properly designated representative may make commitments to the Board. Departmental elements may agree to take actions within their authorities in response to Board and Board staff requests and inquiries. These action items also need to be satisfied to maintain an effective working relationship with the Board and its staff; they shall be tracked and managed at the Departmental level where the action items are undertaken.

   b. The principal source of Department commitments is the implementation plans developed in response to Board recommendations. Commitments may also be made in other types of correspondence to the Board such as responses to trip reports or responses to Board letters requesting Department action or information. Additionally, documented Board requests taken for action are also considered commitments because it is the Department's policy to respond to such formal requests originating from the Board.

   c. Prior to authorizing new Department commitments in response to Board initiatives, the cognizant Secretarial Officer shall consider the appropriateness and value derived. If new commitments are needed, preference should be given to building upon existing programs and activities rather than creating new programs and activities. The cognizant Secretarial Officer should designate a Responsible Manager to assist in assessing the need and formulating new commitments.

   d. The Responsible Manager shall ensure that each newly proposed commitment is clearly delineated in its source document. The Responsible Manager should ensure that each commitment is uniquely numbered and includes the following information:

(1) a complete statement of the commitment;

(2) the manager responsible for implementing the commitment (i.e., Responsible Manager);

(3) applicable facilities and programs;

(4) implementing activities and deliverables (i.e., specific work products) to demonstrate completion; and

(5) specific due dates for those deliverables.

e. As part of implementing assigned commitments, the designated Responsible Manager shall provide status updates to the Safety Issues Management System and prepare a closure package upon commitment completion. For commitments related to a Board recommendation and the associated implementation plan, the designated Responsible Manager shall perform tracking and closure for all associated commitments. The Responsible Manager may designate a technical lead to assist in coordinating implementation, tracking, and closure.

f. The following is an example of the desired presentation for commitments attached to outgoing correspondence to the Board.

Commitment 2: The Department will establish an entry-level technical recruitment policy and centrally managed intern program which fully uses administrative authorities available to attract top-quality technical talent.

Responsibility: Assistant Secretary for Human Resources will prepare the new policy and guidance documents; Administration Secretarial Officers and Operations Office Managers will have responsibility for implementing these policy and guidance documents.

Applicability: All defense nuclear facilities and programs.

Deliverable: Approved policy and guidance document.

Due Date: March 1994.

The Responsible Manager, with the support of the Departmental Representative staff, should discuss the proposed commitments with the Board staff prior to finalizing them. The Responsible Manager shall obtain appropriate Department concurrence and approval of outgoing correspondence containing commitments.

3. TRACKING COMMITMENTS.

a. The Departmental Representative's staff should review implementation plans and incoming and outgoing correspondence containing commitments to identify each commitment and enter the corresponding commitment information into the Safety Issues Management System data base. The Departmental Representative's staff should obtain the concurrence from the Responsible Manager that the commitment information has been correctly identified and entered.

b. The Departmental Representative's staff should issue data base reports monthly on the status of commitment implementing activities to Responsible Managers, Points of Contact, Secretarial Officers, the Board, and other interested Departmental elements. Before the end of each month, the Responsible Managers should review these status reports and update implementation status by forwarding any changes to the corresponding Issue Lead. The Issue Lead should review this update information for completeness and accuracy and the Departmental Representative's staff should update the data base as requested.

c. In addition to monthly data base reports, the data base should be made available, on a phased approach and schedule, to line Responsible Managers and field contacts. The Departmental Representative's staff should provide timely updates to the on-line data base information based on input from Responsible Managers.

d. The Responsible Manager should anticipate and manage implementation problems so that they have a minimum impact on commitment due dates. The Responsible Manager and the Issue Lead should inform the cognizant Board staff member in advance of any planned milestone due dates that will be missed.

4. REVISING COMMITMENTS.

a. Commitments may be revised during their execution. Revisions to commitments require the same authorization as for the original commitments. For example, if the original commitment went out under a Secretarial signature, then the Secretary must approve any subsequent commitment revisions, whether in content or in due date. Outgoing correspondence to the Board that contains commitment revisions shall be prepared by the Responsible Manager and shall clearly identify and describe the revisions, and the bases for the revisions. Acceptable reasons for revising commitments include the following examples:

(1) an improved or more cost-effective method of accomplishment is identified;

(2) additional or supplemental actions are needed;

(3) commitments are no longer applicable due to a change in mission or need; or

(4) schedule changes are necessary due to changes in Department priorities.

b. The Responsible Manager, supported by the Departmental Representative's staff, should discuss commitment revisions in advance with the Board staff. The Responsible Manager should address any Board staff concerns with the proposed revisions. If necessary, the cognizant Secretarial Officer and the Departmental Representative should interface with the Board to resolve differences with proposed commitment revisions.

5. CLOSING COMMITMENTS.

a. A commitment is considered complete when the commitment activities are implemented, deliverables are developed and approved, and a closure package is prepared and ready for Board staff review. A closure package is the set of documents that provides objective evidence of completion of commitment implementing activities. When the Responsible Manager determines that a commitment is complete and ready for closure, he/she shall prepare and transmit a closure package that includes the following items:

(1) the original commitment statement,

(2) a description of how the Department satisfied the commitment, and

(3) the promised deliverables or evidence of completion of the implementing activities.

b. The Responsible Manager shall obtain concurrence on the closure package transmittal from those Departmental elements necessary to ensure that the completed actions are consistent with the original commitment. As with other outgoing Board correspondence, the Responsible Manager shall obtain concurrence from and provide the Departmental Representative with a copy of closure package transmittals.

c. To propose closure of commitments, the Responsible Manager shall prepare the closure package transmittal letter using the following sentence: "The Department has completed the actions identified under this commitment, and proposes closure of this commitment" (see chapter I, subparagraph 2i). After transmittal, the Responsible Manager, with the assistance of the Issue Lead, should contact the Board staff to arrange discussions or review the closure package if desired.

d. The Departmental Representative's staff shall update the completion and closure status of the commitment in the Safety Issues Management System.

e. The Responsible Manager shall retain commitment closure packages such that the closure packages can be retrieved, if necessary, within 2 hours of a request.

CHAPTER V

CORRESPONDENCE MANAGEMENT

1. INCOMING CORRESPONDENCE.

a. Upon receipt of incoming correspondence from the Board (other than Board recommendations, which are addressed in chapter 2), the Department addressee shall verify that the Departmental Representative is on the copy list or promptly provide him/her with a copy. The Departmental Representative shall review incoming correspondence for required actions and initiate assignments of responsibility, consistent with input from the affected Secretarial Officers and the Under Secretary. When a letter or trip report is addressed directly to a Secretarial Officer or Operations/Area Office Manager, that individual shall assume lead responsibility for determining whether a response to the Board is necessary and developing and coordinating that response. Responses are appropriate when the Board requests a response, or when the Department wants to clarify facts or issues associated with the incoming correspondence. For incoming letters requiring response, the Departmental Representative's staff shall track the response as a deliverable in the Department's Safety Issues Management System.

b. The following guidelines should be used in responding to incoming correspondence.

(1) The Responsible Manager should evaluate the implications of the information contained in the letter or trip report on the subject facilities and programs. Coordinating with the affected Departmental elements, he/she should develop a coordinated response to the Board. The Departmental Representative will assist the Responsible Manager with the resolution of internal disagreements or conflicts, as requested.

(2) The Responsible Manager shall describe commitments and noted actions contained in the response in a manner consistent with the guidance on making commitments.

(3) The Responsible Manager shall route the final version of the letter for concurrence to those organizations affected by the commitments contained in the response and to the Departmental Representative. Unless otherwise specified by the Board letter or trip report, the coordinated response should be transmitted to the Board within 45 days from the date of the initiating letter or trip report.

(4) For responses that require more than 45 days to prepare (or require more preparation time than that specified by the Board in their information request), the Responsible Manager should prepare and transmit a letter acknowledging receipt of the initiating letter or trip report, and providing the Department's plans and schedule for response.

(5) The Board routinely transmits trip reports to the Department, sometimes for action and sometimes for information only. The Board's policy is to transmit trip reports to the Department if, in the Board's view, the reports contain safety information that might prove useful to the Secretary, the Department, and site contractors in their joint pursuit of safer conditions and practices at defense nuclear facilities. The Board has been most interested in conveying information that will accomplish one of the following purposes:

(a) stimulate line management self-assessment of questionable practices or operations;

(b) assist in determining the root causes of specific safety problems; or

(c) aid in identifying generic problems at facilities that might benefit from cross-transfer of remedial know-how from other facilities that faced similar problems (see chapter I, subparagraph 2d).

2. OUTGOING CORRESPONDENCE.

a. Each office and organization should take particular care in preparing and reviewing outgoing correspondence to the Board to ensure that it is complete, accurate, and consistent. To help achieve this objective, the originating organization shall provide for review of all applicable correspondence (with the exception of responses to information requests and routine distribution of evaluations/ assessments) by the Office of the Departmental Representative prior to transmittal to the Board (see chapter I, subparagraph 2j).

b. The Responsible Manager shall route outgoing correspondence containing commitments to the Board for concurrence to those organizations affected by the commitments and to the Departmental Representative. A copy of outgoing correspondence and the associated signature concurrences shall be established by the cognizant organization and transmitted to the Departmental Representative. The Departmental Representative’s staff will process commitments in accordance with the Safety Issues Management System.

c. The Responsible Manager shall use the following approval guidelines to determine the minimum approval level for outgoing correspondence to the Board.

Type of Correspondence	Minimum Approval
Correspondence establishing Department commitments or policy, such as recommendation responses, implementation plans, and responses to Board requests for action and trip reports.	Addressee on Board letter or recommendation (typically, the Secretary or Secretarial Officers)
Production and delivery of existing publications, documents, and letters	Responsible Managers; Points of Contact; Departmental Representative

d. The Responsible Manager should address formal correspondence to the Board to the Board chairman (for example, The Honorable Mr. John T. Conway, Chairman) with the salutation of “Dear Mr. Chairman:”.

e. The Responsible Manager should provide an electronic copy of outgoing correspondence to the Office of the Departmental Representative, which will post this information on the Department's Information Data Base.

3. DISTRIBUTION AND RETENTION.

a. The Departmental Representative is responsible for the internal distribution, retention, and subsequent retrieval of incoming correspondence from the Board or its staff. To accomplish this responsibility, the Departmental Representative’s staff shall:

(1) maintain standard distribution lists;

(2) provide a weekly summary to interested parties;

(3) maintain an information data base system; and

(4) provide timely and direct dissemination (via fax or e-mail) of Board-related correspondence that contains time-sensitive or high-interest information.

b. The originating office shall distribute outgoing correspondence to the Board or its staff. The Departmental Representative’s staff can assist in distribution of outgoing correspondence, if necessary.

c. Departmental elements may acquire copies of incoming or outgoing correspondence by contacting the Departmental Representative's office.

d. The Departmental Representative shall review Board-related correspondence for potential generic implications and transmit such documents to the appropriate organizations for their review. Standard distribution of Board-related correspondence by the Departmental Representative should include the Under Secretary, the Associate Deputy Secretary for Field Management, Secretarial Officers, affected Operations/Area Office Managers, and the corresponding Points of Contact. The Points of Contact should distribute correspondence within their respective organizations.

e. Departmental elements that develop or identify Board-related information should evaluate this information for potential generic applications to other Department programs and sites. Points of Contact should transmit information of generic interest to the Departmental Representative, whose staff will make internal distribution of this information, as appropriate.

4. INFORMATION DATA BASE.

a. The Departmental Representative shall maintain the Department/Board Information Data Base (INFOBASE) of documents and letters to, from, by, or relevant to the Department/Board interaction. The INFOBASE is formatted for viewing on the Internet using most Internet browsers. The user may also download (i.e., save to a file) many documents within the INFOBASE. Department personnel with questions regarding access to or contents of the INFOBASE should contact the Departmental Representative's office.

b. The following types of documents are included in the INFOBASE:

(1) Board recommendations;

(2) Department responses and implementation plans;

(3) Secretarial letters to the Board;

(4) Board letters to the Secretary;

(5) selected key letters concerning the status of recommendations;

(6) policy statements and letters from the Secretary and the Board;

(7) Annual Reports to Congress from the Secretary and the Board concerning Board-related matters;

(8) Operations/Area Office questions and answers about the Board;

(9) resumes of the Board and its staff;

(10) Department Guidelines for Interaction with the Board; and

(11) trip reports provided to the Department by the Board.

CHAPTER VI

OTHER COMMUNICATIONS

1. BOARD REQUESTS FOR INFORMATION. The Board and its staff frequently request copies of existing documents. When the Board or its staff requests information, Department personnel should request completion of the Board Information Request Form (attachment IV) and fully cooperate with the Board and its staff in providing the requested information. The affected Secretarial Officer or Operations/Area Office Manager should determine the appropriate response to a request where significant funds or resources are necessary to prepare a new analysis, report, or document.

   a. Response to Information Requests.

      (1) The appropriate Point of Contact should coordinate and transmit one copy of the requested information and/or status of requests. The Point of Contact should ensure that documents are reviewed for accuracy, classification, and completeness prior to transmittal.

      (2) The Point of Contact shall ensure that classified or controlled documents are clearly labeled to ensure proper protection in accordance with security procedures. To ensure that responses are consistent with the expectations of the Board staff, the coordinating organization is encouraged to communicate directly with the requesting Board staff member as necessary for clarification and confirmation.

      (3) The Point of Contact should normally provide readily accessible information requested by the Board staff within 15 working days, using attachment V or other similar cover letter. The Point of Contact should provide the Board staff with an estimated schedule for documents that cannot be readily provided.

      (4) The Point of Contact should routinely provide to the Secretarial Officers and the Departmental Representative a listing of material transmitted to the Board staff (suggested frequency: monthly).

      (5) The Department and the Office of Personnel Management have established routine uses under the Privacy Act to permit disclosure of personnel and radiation exposure documents maintained in certain systems of records to the Board. Thus, the Department may transmit these records to the Board in accordance with the Privacy Act when the records are necessary to satisfy the Board's statutory obligations (see chapter I, subparagraph 2g).

b. On-site Requests for Information by the Board.

(1) The Operations/Area Office Point of Contact shall ensure that Board representatives (including the Board or its staff) have unencumbered access to view information or documents during the course of on-site assessments, inspections, or tours.

(2) If information is requested by the Board or its staff for off-site use or retention, the Operations/Area Office Point of Contact shall ensure the documents are properly and expeditiously processed as described above. A completed Board Information Request Form (attachment IV) may be used to serve both for closure that information was provided while on-site, and for historical tracking of information that the site has provided to the Board and its staff.

(3) When practical, the Operations/Area Office Point of Contact should arrange for the materials to be processed prior to the departure of Board representatives from the site. Presentation materials and handouts that have been reviewed for classification and provided to Board representatives as part of a formal briefing do not require a formal request.

c. Requests for In-process or Draft Documentation.

(1) The Board and its staff have the right to access any Department or contractor information that is necessary to allow them to perform their defined oversight responsibilities (see chapter I, subparagraph 2a). However, the Points of Contact should handle requests for in-process or draft documentation with special care and on a case-by-case basis. In some cases, drafts are highly conceptual, immature, and have not been reviewed or endorsed by Department management. In other cases, drafts may be highly detailed, very mature, and represent the best current Department documentation of the salient issues and analysis. In the former cases, providing these documents without a full characterization of their maturity may result in confusion and unnecessary interaction between the Department and the Board to address topics that have not yet evolved to a final Department position. In the latter cases, providing these documents to the Board staff is productive and useful because access to these documents is needed for the Board staff to perform their duties and the documentation is representative of the Department' current position.

(2) Understanding the Department's responsibilities for “ready access,” responsible Department managers should clearly characterize the status of in-process or draft documentation whenever it is requested or provided. If

the Responsible Manager has clearly characterized the status of the requested documentation and the Board requestor still maintains that the documentation is necessary to facilitate performance of his/her duties, the Point of Contact should provide the requested documentation along with the characterization of its status. In this manner, the Board requestor can obtain a clear understanding of the quality of the requested documentation and can use it appropriately. In practice, forming good working relationships with Board staff members based on trust and openness has proven both possible and beneficial.

d. Formal Reporting Requirements.

(1) The Board may establish reporting requirements for the Secretary which shall be binding upon the Secretary pursuant to 42 U.S.C. 2286b(d).

(2) The information the Board requires the Secretary to report may include any information designated as classified information, or any information designated as safeguards information and protected from disclosure (see chapter I, subparagraph 2a).

(3) The Board typically specifies a due date for the required reports. Departmental elements that receive these reporting requirements shall comply with the requested schedule. If no schedule is requested, the responsible Departmental element should prepare and transmit a letter to the Board within 10 days which acknowledges receipt of the Board's reporting requirements and provides the Department's plans to respond. When the Board establishes reporting requirements authorized by statute, these requests are exempt from using the information request and response guidance provided in this Manual.

(4) Board contacts with the Department and contractor staff pursuant to investigative authority authorized by statute (see chapter I, subparagraph 2a) and subsequent requests for or access to information or documents are exempt from using the information request and response guidance provided in this Manual.

e. Routine Distribution of Evaluations and Assessments to the Board.

(1) The Board has requested that the Department provide them with copies of routinely developed reports in the health and safety areas for defense nuclear facilities (see chapter I, subparagraph 2f). This may include, but is not limited to, the following documents:

(a) Environment, Safety, and Health Oversight Reports, such as Safety Management Evaluations;

(b) Technical Safety Appraisals;

(c) Operational Readiness Reviews/Evaluations, limited to final review and evaluation reports;

(d) Self-assessment documents (Headquarters and field), limited to final Department reports or procedures;

(e) Rules/Orders/Standards development activities applicable to defense nuclear facilities;

(f) Radiological evaluations, limited to final reports from formal Department contractor assessments; and

(g) Five-Year Plans, such as final issuance of Environment, Safety, and Health Management Plans.

(2) Managers responsible for preparing these reports should send copies to their Point of Contact for transmittal to the Board staff with a copy of the transmittal letter to the Departmental Representative. Departmental organizations may establish internal procedures to ensure that the applicable evaluations and assessments are identified and routed in accordance with this section. In addition to forwarding reports, the Department may also meet with the Board to discuss routine evaluations and assessments.

2. PUBLIC AND OTHER BOARD MEETINGS. Adjudicatory hearings, subpoenas, or meetings where formal testimony is taken under oath consistent with authorities granted under statute (see chapter I, subparagraph 2a) are governed by Board procedures. Public and other Board meetings are discussed below.

a. Coordination, Preparation, and Participation in Notice and Comment Meetings.

(1) The Departmental Representative or a designated Point of Contact should serve as the Department lead for coordinating the Department's participation in meetings with the Board members. Coordination responsibilities include ensuring the following:

(a) appropriate participants are selected (with sufficient technical knowledge, accomplished presentation skills, and of appropriate organizational position);

(b) the participants are adequately prepared;

(c) a consensus is reached on major technical or policy issues prior to the meeting;

(d) the views presented represent the views of the Department; and

(e) the information provided is responsive to the Board's needs.

(2) Requests from the Board members for meetings with the Department are routinely made through the Departmental Representative. Other Departmental elements that receive such requests from the Board or its staff shall immediately notify the Departmental Representative or the appropriate Point of Contact.

(3) Requests by Departmental elements for meetings with the Board members shall be made through the appropriate Point of Contact, who shall coordinate with the Departmental Representative. Departmental elements initiating or participating in meetings with the Board members shall keep the Departmental Representative informed of the schedule and content of the meetings.

b. Internal Notice of Meetings.

(1) The designated Department lead for meetings with the Board should prepare and distribute a written notice containing a meeting agenda. The agenda information should be developed by the designated Department lead for the meeting through discussions with the lead Board staff member for the meeting and with Department organizations expected to support the meeting. If the schedule or agenda requested by the Board cannot be accommodated, the Department lead should resolve any issues or conflicts

with the lead Board staff member. The Department lead should provide a notice and agenda which include the following information:

(a) the date, time, and location of the meeting;

(b) the subject of the meeting;

(c) the Board and key Board staff participants;

(d) the Department lead and other participants, including contractor participants;

(e) specific topics to be discussed; and

(f) other special requirements, as applicable.

(2) The Department lead should distribute the notice to the cognizant Secretarial Officer, the Departmental Representative, affected Operations/Area Office Managers, and affected Points of Contact. The Departmental Representative's office should make any additional internal distribution determined to be necessary to ensure that interested parties are notified of the meeting in advance.

(3) If changes in the schedule or agenda topics arise after the notice is issued, the designated Department lead should modify and redistribute the notice. If there is insufficient advance notice of a change in the schedule or agenda to reissue the notice, the Department lead should contact the affected participants by telephone or facsimile to advise them of the changes as soon as possible.

c. Notice to Board of Expected Meeting Attendees. The Departmental Representative should provide the Board staff with advance notice of the expected meeting attendees for meetings at the Board's facilities. This allows the Board and its staff to ensure the proper Board representation and meeting arrangements. The Points of Contact should assist the Departmental Representative in developing an accurate list of expected attendees.

d. Documentation of Meeting Results.

(1) The designated Department lead should promptly prepare a meeting summary using the Board's transcript, if available. This summary should include the following information:

(a) the names and titles of individuals involved;

(b) significant conditions, observations, or issues identified by the Board;

(c) a description of Department action items; and

(d) the responsible organization and due date for each action item.

(2) The Department lead should achieve agreement with affected parties on the action items and associated responsibilities and due dates prior to issuing the meeting summary. Approval authority for action items is established either by the actions being within the normal realm of responsibility for that position or by specific delegation of that responsibility from the responsible Department manager. These action items need to be satisfied to maintain an effective working relationship with the Board and its staff; they should be tracked and managed at the Departmental level where the action items are undertaken.

(3) The Departmental Representative's office should distribute the summary as necessary to ensure that affected parties are apprised of the meeting results. The Departmental Representative office should also distribute the meeting transcript to interested parties within the Department.

e. Price Anderson Enforcement Process. The Board and its staff have no official involvement in the Price Anderson Enforcement Process. However, the Board has a legitimate interest in the nuclear safety issues and circumstances that prompted any enforcement action and in any corrective actions undertaken to address these safety issues and circumstances. Separate dialogue with the Board or its staff is appropriate to discuss the safety aspects, rather than the enforcement aspects, of these issues.

3. OTHER MEETINGS AND TELEPHONE COMMUNICATIONS.

a. Department personnel contacted by the Board or its staff have the following responsibilities:

(1) be courteous;

(2) be open, honest, and responsive; and

(3) agree to no action items outside their immediate level of authority.

For discussion of complex issues, prior notification, and scheduling of calls and meetings, and preparation of a mutually agreeable agenda are good practices; they allow both parties to be prepared and improve the quality of communications.

b. Department personnel should handle meetings with the Board staff in a similar manner to that described for meetings with the Board members (see section 2 of this chapter). The Department lead for a meeting with the Board staff is the senior manager with responsibility for the issues being discussed. The Department lead should notify the affected Departmental Points of Contact, the Departmental Representative's office, and any other affected Department personnel, and provide information about the time, place, and content of the meeting. The Department lead should reach agreement with the Board staff lead on the meeting agenda, expectations, and participants. The Department lead should provide feedback after the meeting to the affected organizations and the Departmental Representative. The Department lead should identify any actions items, responsibilities, and due dates resulting from the meeting and provide tracking and followup of these items through to their completion.

c. Subsequent to informal meetings and phone communications, Departmental elements shall notify the appropriate Point of Contact of impromptu or working meetings and substantive telephone communications with the Board or its staff. The notification should include any significant information discussed. The Departmental Representative in conjunction with the Point of Contact, should evaluate the information, request the individual to submit a written summary if the information is of wider interest, and distribute the information to interested parties.

CHAPTER VII

SITE INTERFACES

1. PREPARATION FOR SITE VISITS.

a. Schedules and Visit Plans.

(1) The Departmental Representative should coordinate with the Board and its staff, to the extent possible, in long-range scheduling of planned site visits (exclusive of those pursuant to formal investigations) and should publish weekly updates of visit plans for the Department's use.

(2) The Departmental Representative should obtain input from Secretarial Officers and Operations/Area Office Managers regarding site schedules and facility conditions for use in coordination of site visit scheduling with the Board staff.

(3) The Departmental Representative's office should provide copies of the schedules and plans to Secretarial Officers, the Associate Deputy Secretary for Field Management, and Points of Contact.

b. Board Request for Site Visit.

(1) The request for a visit to a facility is normally made by the Board or its staff with the appropriate Operations/Area Office Point of Contact. The Operations/Area Office Point of Contact shall inform the Departmental Representative and the appropriate Secretarial Officer Points of Contact and Program Manager(s) of the request. If the Board or Board staff's request is made directly to Headquarters or others, the cognizant Department staff member should inform and coordinate with the appropriate Operations/Area Office Point of Contact.

(2) The Departmental Representative should ensure prompt distribution of the Board/Board staff requests for site visits. The objective is to ensure that affected Departmental elements receive as much advance notice as possible. The Departmental Representative's office or the Operations/Area Office Point of Contact should distribute additional visit information and a detailed agenda as it becomes available.

(3) The Operations/Area Office Point of Contact should work with the requesting parties to understand the topics being reviewed and to establish an appropriate site visit agenda. If the topics or areas had recently been

reviewed by other Board representatives, the Operations/Area Office Point of Contact should raise this fact with the requesting parties and understand how the information to be reviewed will be new or different from that which was reviewed previously.

c. Responsibilities for Site Visit Preparation, Coordination and Conduct.

(1) The cognizant Operations/Area Office Point of Contact shall prepare, coordinate, and conduct Department activities to support site visits.

(2) The Secretarial Officer Point of Contact should work with the Operations/Area Office Point of Contact to coordinate the involvement of Headquarters and field personnel within their organizations in preparation for and conduct of the site visit.

(3) Each affected Secretarial Officer Headquarters Program Manager should support preparation for and conduct of the site visit in coordination with the appropriate Secretarial Officer and Operations/Area Office Points of Contact. The cognizant Operations/Area Office Point of Contact should ensure:

(a) local facility resources including tour escorts, operational and technical expertise, and a schedule of facility activities for the duration of the site visit are provided;

(b) appropriate communication and responsiveness to requests by the Board or its staff during the visit are provided; and

(c) affected managers, Secretarial Officer Points of Contact, Secretarial Officer Program Manager(s) and participants are kept informed of changes in the schedule or agenda.

d. Internal Notice of Site Visits.

(1) The Operations/Area Office Point of Contact should ensure a visit agenda is prepared and distributed. The agenda should provide:

(a) the name of the facility(ies) or site to be visited;

(b) arrival and departure dates;

(c) dates, times, and locations of meetings and presentations;

(d) names of the Board participants;

(e) purpose of visit, including buildings and programs to be reviewed;

(f) topics to be discussed; and

(g) Department and contractor participants.

(2) The Operations/Area Office Point of Contact and affected Department organizations should develop agenda information through discussions with the lead Board staff member for the visit. If the schedule or agenda requested by the Board cannot be accommodated, the Operations/Area Office Point of Contact, in coordination with affected Department organizations, should resolve any issues or conflicts with the lead Board staff member.

(3) If changes in the schedule or agenda topics arise, the Operations/Area Office Point of Contact should modify and redistribute the agenda. If there is insufficient advance notice of a change in the schedule or agenda to reissue the notice, the Operations/Area Office Point of Contact should contact the affected participants by phone or facsimile to alert them of the changes as soon as possible.

e. Site Access Coordination. The Operations/Area Office Point of Contact shall coordinate security and safety requirements for the Board visitors, including badging, safety instruction, general employee training, escorts, transportation and dosimetry.

f. Access to Subject Matter Experts. The Operations/Area Office Manager, in coordination with the Operations/Area Office Point of Contact, shall arrange for the availability of Department and contractor subject matter experts for potential discussions with the Board and its staff, consistent with the schedule and agenda topics.

2. SITE VISIT PROTOCOL.

a. Entrance Meetings. The Operations/Area Office Manager should request the opportunity to hold an entrance meeting with the Board representatives. The entrance meeting should introduce key personnel, review the planned activities and schedule, identify protocols and procedures that will be used, and discuss any special arrangements that have been or need to be made. If an entrance meeting is held, the Point of Contact should ensure that appropriate Operations/Area Office officials and management representatives from the contractor attend. As a

minimum, the Operations/Area Office Point of Contact should meet with the Board representatives upon their arrival at the site.

b. Facility Tours. The Operations/Area Office Point of Contact should coordinate conduct of requested facility or area tours. To the extent any unannounced tours can be accommodated, Department personnel should assist the Board representatives in this matter. The Operations/Area Office Point of Contact should be notified of any such requests for unannounced tours.

c. Document Reviews.

(1) The Department must provide the Board with access to information necessary for the Board to accomplish its statutory duties. The Secretary may deny this access to information for only two reasons:

(a) the person requesting the information has not been granted an appropriate security clearance or access authorization by the Secretary of Energy, or

(b) the person requesting the information does not need such access in connection with the duties of such person (see chapter I, subparagraph 2a).

(2) The Operations/Area Office Point of Contact should coordinate arrangements for the availability of such documents as may be requested by Board or its staff for review. Department personnel should accommodate, to the extent possible, each request made prior to or during the site visit for documents or other information required by the Board representatives (see chapter VI, paragraph 1b). Department personnel should encourage the Board representatives to use a completed Board Information Request Form (attachment IV), approved by a member of the Board or its staff.

d. Site Visit Meetings.

(1) The Operations/Area Office Point of Contact should serve as the Department lead for site visit meetings. The meetings should be conducted in the same manner as described in chapter VI, subparagraph 2a.

(2) Notice and documentation of site visit meetings are performed as a part of the site visit process in lieu of chapter VI, paragraphs 2b and 2d. Additional meetings requested during the site visit should be accommodated by the Operations/Area Office Point of Contact to the extent possible.

(3) The Board or its staff may also request to attend Department and contractor meetings. These requests generally will be accommodated, consistent with the Department's responsibilities for full cooperation and ready access. The Board/Board staff may be involved in the Department's decision-making process as observers, not as participants, to the extent that their involvement is necessary for the performance of their duties and is in the interest of the Department for facilitating efficient Board oversight.

e. Personnel Interviews.

(1) During the visit, the Board representatives may conduct interviews with site personnel. Department personnel should comply with the interview process and procedures implemented by the Board representatives. Department personnel contacted by the Board have the following responsibilities:

(a) be courteous,

(b) be open, honest, and responsive,

(c) agree to no action items outside their immediate level of authority, and

(d) subsequently contact the Operations/Area Office Point of Contact and report the substance of the interaction.

(2) Department and contractor personnel, such as control room operators, who are directly performing safety-related functions should request Board representatives to schedule interviews at mutually convenient times when safety-related duties cannot be compromised.

f. Perceived or Actual Unsafe Conditions.

(1) If Board representatives identify any perceived or actual unsafe condition, Department and/or contractor personnel shall immediately evaluate the condition and implement the applicable approved facility procedures, if necessary.

(2) The Operations/Area Office Point of Contact should inform the Secretarial Officer and the Departmental Representative of the concern as soon as practical.

(3) The Operations/Area Office Point of Contact should coordinate a response to the Board representative who originally identified the issue within an

appropriate amount of time. The Operations/Area Office Point of Contact should take the initiative to inform the appropriate Board representative of significant occurrences, particularly those related to areas the Board or its staff has been or is investigating. The Operations/Area Office Points of Contact are encouraged to perform as a continuing source of information on site activities for the Board staff lead and site representative for that facility.

g. Exit Meetings. The Operations/Area Office should request the opportunity to hold an exit meeting with the Board representatives. The exit meeting should include a discussion of significant conditions, observations, and issues identified during the visit and reach consensus on follow-up Department information transmittals and action items. When exit meetings are held, appropriate Operations/Area Office officials and management representatives from the contractor should be present.

h. Visit Summaries.

(1) The Operations/Area Office Point of Contact should prepare a visit summary, which includes the following information:

(a) the names and titles of individuals involved,

(b) significant conditions, observations, or issues identified by the Board,

(c) a description of Department action items, and

(d) the responsible organization and due date for each action item.

(2) Department action items require approval by an authorized Department official. Approval authority for action items is established either by the actions being within the normal realm of responsibility for that position or by specific delegation of that responsibility from the responsible Department manager. These action items need to be satisfied to maintain an effective working relationship with the Board and its staff; they should be tracked and managed at the Departmental level where the action items are undertaken.

(3) The Operations/Area Office Point of Contact should transmit the visit summary to the affected Secretarial Officer Points of Contact and the Departmental Representative whenever the site visit has implications beyond the specific site that was visited. The Departmental Representative's office should make additional distribution within the

Department to ensure appropriate parties are apprised of the results.

(4) The Departmental Representative's staff should periodically interact with the Board staff after site visits to verify follow-up actions are fully identified and to receive significant comments and observations. The Departmental Representative's staff should also share this information with the affected parties. The staff should facilitate communications and interaction among the various Operations/Area Office Points of Contact to ensure all are cognizant of emerging Board issues and priorities.

i. Extended Site Visits. The Point of Contact should arrange for periodic progress meetings between Department site management and the Board representative during extended site visits lasting more than 5 days. Summaries of significant issues discussed in the progress meetings should be documented and promptly transmitted by the Operations/Area Office Point of Contact to the Departmental Representative. The Departmental Representative's staff should make additional distribution within the Department to ensure appropriate parties are apprised of the issues.

3. INTERFACE AT FACILITIES WITH BOARD SITE REPRESENTATIVES.

a. The Operations/Area Office Point of Contact shall facilitate the on-site interface activities of the dedicated on-site Board representatives (i.e., site representatives). This facilitating role includes the following responsibilities:

(1) scheduling interviews and other review activities with affected facility personnel,

(2) providing access to facilities and personnel,

(3) identifying and resolving any difficulties getting information or cooperation,

(4) notifying the Board site representative of significant site activities and occurrences, and

(5) providing for distribution of routine information, such as facility operational status, to the Board site representative.

b. The Operations/Area Office Manager should establish the policy regarding use of Board Information Request Forms (attachment IV) for requests by the local Board site representatives. Recommended policy is that documents and information requested and used by the Board site representatives on site does not require use

of the Board Information Request Forms. However, transmittal of documents and information to other Board representatives or off-site should be accompanied by documentation on a Board Information Request Form.

c. To ensure full cooperation, the Operations/Area Office Point of Contact should frequently interact with the on-site Board representative to discuss the status of Board-related issues.

d. The Operations/Area Office Manager should meet periodically with the Board site representative, along with the Point of Contact, to review Board-related issues. If applicable to other sites, the Operations/Area Office Point of Contact should prepare and transmit a summary of such periodic meetings to the Secretarial Officer, the Associate Deputy Secretary for Field Management, and the Departmental Representative. The Departmental Representative's office should make any additional internal distribution determined necessary to ensure that appropriate parties are apprised of the results of such meetings.

CHAPTER VIII

ANNUAL REPORT TO CONGRESS

1. The Secretary shall submit an Annual Report to Congress on Board activities each year at the same time the President submits the budget to Congress (see chapter I, subparagraph 2a). The President historically submits the budget to Congress ten working days following the President's State of the Union address (i.e., during the first week of February).

2. The Departmental Representative's office shall prepare the Annual Report. Responsible Managers shall provide the Departmental Representative with a status update on Department actions in response to active Board recommendations. The Secretarial Officers, in conjunction with the Points of Contact, should provide technical input and concurrence review.

3. The Annual Report to Congress will include the Board-related activities of the Department during the previous year. The Departmental Representative should address the following topics in the report based on actual activities for the year:

   a. Introduction (areas of Board emphasis, recommendations issued);

   b. Departmental initiatives;

   c. status of current year and previous year recommendations and implementation plans;

   d. progress in areas of Board emphasis; and

   e. notification of implementation plans in excess of 1 year.

4. For each active Board recommendation, if the implementation plan has not been or is not expected to be complete within 1 year of plan issuance, the Annual Report should be used by the Responsible Manager to notify Congress that more than 1 year will be required for plan implementation. The notification must state the reasons for the requiring more than 1 year to complete and the date when implementation is expected to be completed (see chapter I, subparagraph 2a).

CHAPTER IX

INTERFACE TRAINING

1. The Departmental Representative shall ensure that appropriate Board interface training and assistance are available to Department personnel.

2. The Departmental Representative, in coordination with the respective Secretarial Officers and Operations/Area Office Managers, should determine the preparation for, formality, extent, conduct, and documentation of such training.

3. Each Secretarial Officer and Operations/Area Office Manager should develop and maintain a list of candidates for Board interface training and make personnel available for training during scheduled sessions.

ATTACHMENT I

CONTRACTOR REQUIREMENTS DOCUMENT

Contractors (management and operations contractors, weapons laboratory contractors, integrating contractors, environmental restoration and management contractors, etc.) shall do the following.

1. Assign Board Coordinators to ensure adequate interface with their Departmental Points of Contact on Board-related matters.

2. Notify their Department counterparts and the Operations/Area Office Point of Contact of any proposed meetings or direct contact with the Board or its staff.

3. Obtain approval from the authorized Department official before committing to completion of actions to the Board or its staff.

4. Have a mechanism in place to expeditiously review and release contractor documents.

5. Contractor personnel contacted by the Board or its staff have the following responsibilities:

   (a) be courteous;

   (b) be open, honest, and responsive;

   (c) agree to no action items outside their immediate level of authority; and

   (d) subsequent to informal meetings and phone communications, notify the appropriate Point of Contact of impromptu or working meetings and substantive telephone communications with the Board or its staff. The notification should include any significant information discussed.

6. Provide a representative at any entrance or exit meetings arranged for a site visit by Board representatives, as requested.

7. Comply with the personnel interview process and procedures implemented by Board representatives during a site visit. Contractor personnel, such as control room operators, who are directly performing safety-related functions shall request Board representatives to schedule interviews at mutually convenient times when safety-related duties cannot be compromised.

8. If Board representatives identify any perceived or actual unsafe condition, immediately evaluate the condition and implement the applicable approved facility procedures.

ATTACHMENT II

RESPONSE TO RECOMMENDATION GUIDELINES

This attachment provides the activities and schedule milestones of a systematic process for responding to Board recommendations. It may be used as a checklist to ensure response development is on target (schedule targets are from publication of recommendation in the Federal Register). The target dates and durations establish an appropriate pace to complete the necessary activities within the required time frames.

Within 2 Days of Receipt

Following receipt of a Board recommendation, the Departmental Representative will notify the affected Secretarial Offices and their Points of Contact and will initiate the response process described below. The Departmental Representative staff will distribute the Board recommendation to Secretarial Officers, their Points of Contact, the Associate Deputy Secretary for Field Management, Operations/Area Offices, and other affected Departmental elements, as appropriate. The Departmental Representative will identify a member of his/her staff as Issue Lead to support coordination of the recommendation response.

Days 1-14

These activities are necessary to initiate the evaluation process:

- identify the Responsible Manager;
- identify the response team;
- assign preliminary team tasks and responsibilities;
- identify significant safety issues associated with the recommendation;
- identify underlying causes and implications of these safety issues;
- develop alternatives for resolving the safety issues; and
- establish recommended courses of action.

The cognizant Secretarial Officer shall identify the Responsible Manager who will manage the response as well as manage development and implementation of the associated implementation plan. The Departmental Representative should inform the Executive Secretariat of the cognizant Secretarial Officer and designated Responsible Manager within 14 days of receipt of the recommendation.

The Responsible Manager, assisted by the Issue Lead, will develop an agenda and call a meeting with the designated representatives of the affected Departmental elements. These individuals (the response team) shall be empowered to represent their management throughout

the evaluation of the recommendation, the development of the Department response and implementation plan, and the actual plan implementation, if necessary.

The Responsible Manager, the Issue Lead, and the response team should ensure the following features that the Board considers key are demonstrated in the Department response: (1) an understanding of what is being asked or recommended; (2) a commitment by the Department to take action to meet the recommendation; (3) the name of the Responsible Manager; and (4) specifications of what the Department intends to do so that the Board can determine if material terms of the recommendation will be met.

Throughout the evaluation process, the Issue Lead should provide guidance and support to the Responsible Manager and the cognizant Secretarial Officer, including performance of the following actions:

- coordinate actions agreed to by the affected parties;
- distribute key documents, comments, and agendas;
- disseminate requests pertaining to the recommendation; and
- facilitate communications between Department and Board staff.

Day 14

The Responsible Manager and the Issue Lead should work together to document the Departmental strategy and identify significant issues, actions, milestones, and responsibilities necessary to develop an acceptable response. The Issue Lead should distribute this information to affected organizations. The Responsible Manager should also make an initial assessment of the need for a 45-day extension request.

Days 14-25

The response team should complete a detailed evaluation of the Board recommendation, which includes consideration of the following:

- applicability and substantive strategic input;
- schedule, cost, and funding for implementation; and
- need and availability of specialized resources for implementation.

Affected organizations should transmit their evaluations and strategic input to the Responsible Manager within the time frame requested. Response team members and Points of Contact should coordinate these inputs from within their respective organizations. To develop the best response, affected Department line managers should consider contractor/laboratory comments, but should validate this input, ensuring its applicability, and verifying cost and time estimates.

The Responsible Manager should work with the Issue Lead to ensure plans and actions are responsive to the Board's recommendation. For clarification or guidance on the meaning or intent of any part of the recommendation, the Issue Lead should provide the necessary liaison with the Board staff, and the Departmental Representative should provide liaison with the Board.

Day 25

In conjunction with the Departmental Representative, the Responsible Manager should develop an agenda and schedule a meeting with the senior management team (affected Secretarial Officers) to present the recommended Department position. The agenda should include discussion of the Responsible Manager's estimate of the associated costs and contribution to safety.

The senior management team, chaired by the Under Secretary, is composed of organizations that have direct line responsibility or significant involvement in activities encompassed by the Department response, and typically includes the following Secretarial Officers:

- Assistant Secretary for Defense Programs (DP-1),
- Assistant Secretary for Environment, Safety, and Health (EH-1),
- Assistant Secretary for Environmental Management (EM-1),
- Associate Deputy Secretary for Field Management (FM-1)
- General Counsel (GC-1),
- Assistant Secretary for Human Resources and Administration (HR-1).

Some recommendations may require one or more of the following additional individuals to participate with the senior management team:

- Chief Financial Officer (CR-1),
- Assistant Secretary for Energy Efficiency and Renewable Energy (EE-1),
- Director, Office of Energy Research (ER-1),
- Director, Office of Nuclear Energy, Science and Technology (NE-1),
- Assistant Secretary for Policy and International Affairs (PO-1)
- Assistant Secretary for Fossil Energy (FE-1).

If consensus is not expected within 5 days, the senior management team should consider requesting from the Board up to a 45-day extension to submit the Department's response. The Responsible Manager, supported by the Issue Lead, shall prepare and coordinate this request.

Follow-up actions for the two possible outcomes from the senior management team meeting (i.e., consensus or not consensus) are described below:

Outcome 1: Senior Team Reaches Consensus on Agency Position

Day 28

The Responsible Manager finalizes the response and with the assistance of the Issue Lead delivers the response to the affected Departmental elements for concurrence. Response team members and Points of Contact should assist in acquiring the appropriate concurrence within their respective organizations.

Day 32

The Responsible Manager submits the response to the cognizant Secretarial Officer for approval and ensures that it is delivered to Executive Secretariat for processing.

Day 39
Secretary approves the response to the Board. This completes the response actions. Follow-up actions are described at the end of this attachment.

Outcome 2: Senior Team Does Not Reach Consensus on Agency Position

Day 26

The Under Secretary should provide guidance and direction to the cognizant Secretarial Officer and Departmental Representative relative to resolution of the issues and conflicts.

Days 27-31

Affected Departmental elements will negotiate and attempt to agree on a position.

Day 32

The senior management team should meet a second time for the purpose of arriving at an agency position.

If the Senior Team agrees on an agency position

Day 35

With the assistance of the Issue Lead, the Responsible Manager prepares and delivers the response to the affected Departmental elements for concurrence. Response team members and Points of Contact should assist in acquiring the appropriate concurrence within their respective organizations.

Day 38

The Responsible Manager will submit the response to the cognizant Secretarial Officer for approval and ensure that it is delivered to Executive Secretariat for processing.

Day 45

Secretary approves the response to the Board. This completes the response actions. Follow-up actions are described at the end of this attachment.

<u>In rare cases when the Senior Team still does not agree on an agency position</u>

Day 33

The Departmental Representative should contact the Executive Secretariat to advise of the need to escalate the response for Departmental management decision. The senior management team should brief the Under Secretary on the remaining material facts preventing development of a unified Department position. The Under Secretary will then render a decision.

Day 36

In extraordinary cases requiring the Secretary's participation to achieve consensus, the Under Secretary should brief the Secretary on the material facts preventing development of a unified Department position. The Assistant Secretary for Environment, Safety and Health, the cognizant Secretarial Officer, and the Departmental Representative should support this briefing, as appropriate. The Secretary will then render a decision.

Day 39

The cognizant Secretarial Officer prepares the response and delivers the response to the Executive Secretariat for processing.

Day 45

Secretary approves the response to the Board. This completes the response actions. Follow-up actions are described below.

Follow-up Actions

These follow-up actions described below should be taken based on the response:

1. If the response **accepts** all or part of the recommendation, the Responsible Manager, supported by the Issue Lead, should complete development of the associated implementation plan (in accordance with chapter III, paragraph 1 of this Manual).

2. If the response **rejects** all or part of the recommendation, the Board may revise or reaffirm its recommendation. Following receipt of the Board's response, the Responsible Manager, supported by the Issue Lead, should prepare the Department's final decision (in accordance with chapter II, paragraph 5 of this Manual).

ATTACHMENT III

FORMAT AND CONTENT GUIDE FOR IMPLEMENTATION PLANS

I. Purpose

This guidance incorporates experience gained and lessons learned from developing and completing implementation plans, in response to Board recommendations, over the last 5 years; helps to focus Department resources on preparing complete, effective implementation plans which improve safety and provide for recommendation closure; provides for consistency of plan format and contents to permit efficient review and use; and addresses the Board's identified criteria for judging the adequacy of implementation plans.

The technical content is the primary measure of an effective plan; this guidance should help focus development of that technical content. This guidance should also aid Department personnel in developing implementation plans that cogently and clearly communicate their technical content. Much of this guidance will be applicable for all implementation plans. However, the subjects of implementation plans can differ significantly, and, in some cases, exceptions and additions to the recommended format and content may be appropriate and necessary on a case-by-case basis.

II. Board Criteria

Board Policy Statement No. 1, “Criteria for Judging the Adequacy of Department Responses and Implementation Plans for Board Recommendations,” October 19, 1990, identifies the following six substantive criteria that must be satisfied before the Board judges an implementation plan to be adequate.

1. Understanding. The Department's implementation plan shows an understanding of the safety issues raised by the Board recommendation.

2. Responsiveness. The Department's planned course of action addresses the complete Board recommendation and accomplishes satisfactory resolution of the identified safety issues.

3. Assumptions. The Department identifies important baseline assumptions for successful plan implementation.

4. Planning Detail. The Department's implementation plan is described in sufficient detail to permit the Board to independently determine that the approach and schedule are reasonable and achievable.

5. Technical Basis. The Department's plan is based on sound technical evaluation, including identification of underlying causes.

6. Focus on Closure. The Department's plan defines completion deliverables for demonstrating safety issue resolution in a verifiable manner.

In addition to the substantive criteria, the Board Policy Statement No. 1 also identifies five procedural requirements for implementation plans: (1) plan submittal meets statutory deadlines; (2) plan provides a realistic and achievable schedule which includes intermediary milestones; (3) plan includes a process for change control of plan itself; (4) plan addresses quality assurance, if appropriate; and (5) plan provides a reporting scheme and schedule.

III. Format and Content

Implementation plans are written for three key audiences: Department personnel/ contractors, the Board and its staff, and the public. Department personnel and contractors will implement the actions described; they need sufficient detail on the scope, schedule, and basis of planned actions so that implementation will be effective and efficient. The Board and its staff will review the Department's plan for adequacy, monitor the plan implementation, and ultimately close out their recommendation based on completion of actions described in the plan. The public is notified of all Board recommendations and often follows the Department's plans to ensure their safety interests are satisfied. The format and content described below are designed to satisfy all three audiences. Each implementation plan should contain the following contents in the format described below.

Title Page

The title page should include the Department's plan title, the plan date, the plan revision number (if not original), and Board recommendation number. The title should be a Department title, demonstrating Department ownership of the plan. For example, the plan title could be "Department of Energy Plan for Improving the Technical Capability in Defense Nuclear Facilities Programs and Training and Qualifications," and the title page might include beneath this title, "(Implementation Plan for DNFSB Recommendation 93-3)."

Executive Summary

The executive summary should summarize: (1) the relevant safety issues, (2) their underlying causes, (3) the resolution approach and schedule, (4) the management approach to ensure plan implementation, and (5) any baseline assumptions critical to successful implementation. If initiation of safety issue resolution is urgent for safety reasons, this summary should highlight key completed and near-term actions.

Table of Contents

The table of contents should include the contents defined in this guidance, in the order described below. The section headings and section numbering provided below should be adopted to ensure that implementation plans are in a consistent format, permitting ease of review and use.

1. Background

This background section should demonstrate an understanding of the problem(s) being addressed. It should provide a clear statement of the safety issues and their significance as determined by the Department's analysis of the problem. The implementation plan should be consistent with the approach described in the Secretary's response letter to the Board's recommendation. In particular, if the Department has set any conditions or limitations on its acceptance of the recommendation, these should be reiterated.

The background section should identify and briefly describe the principal safety issues addressed by the plan. These may be derived directly from the Board's recommendation, from a synthesis or combination of the various Board sub-recommendations, or from the Department's own analysis and implementation planning. The safety issues represent the Department's template to organize and structure implementation actions. Remaining sections of the implementation plan should be structured based on the identified safety issues.

2. Underlying Causes

This section should identify the underlying cause(s) of the subject safety issues, so that it is clear why the planned actions are appropriate. The underlying cause(s) can only be arrived at by understanding and evaluating the direct causes of any technical problems and then identifying the underlying causes that allowed the situation to occur. Underlying cause(s) may relate to hardware performance or capabilities, operation procedures, management controls, personnel performance, and management performance. With these causes identified, the broader implications, beyond the identified situation, should be fully considered in developing a complete and effective resolution approach.

Underlying causes that relate to other Department implementation plans in progress should be identified. The extent to which these other plans contribute to the resolution of the subject recommendation's safety issues should also be described.

3. Baseline Assumptions

This section should present the primary assumptions, if any, upon which the implementation planning has been based. These may include engineering, technical, administrative, or legislative assumptions. For example, the following categories of baseline assumptions may be relevant: availability of general or specialized personnel resources, availability of unique or specialized expertise, hardware or system performance, availability of specialized equipment or

parts, legal or statutory requirements, successful completion of precursor activities in other programs, satisfactory progress of necessary research and development efforts, availability of sufficient approved funding in the type and amount needed, and impact of scope changes or expansions on schedule performance. The plan should describe each real and relevant assumption in sufficient detail to allow understanding of potential impact (e.g., what specifically? how many? how much? how long? of what type? how likely?). It is important to fully identify the real and relevant assumptions that may potentially impact successful plan implementation.

4. Summary of Completed and Near-Term Actions

This section should describe mitigating actions that are already complete. The purpose of describing key completed actions is to demonstrate responsiveness during the period between issuance of the Board recommendation and completion of the Department's implementation plan. It may be beneficial to mention the parties involved in plan preparation to show that: (1) the Department organizations, including field representatives, that are necessary for successful implementation were involved in the planning process and (2) there will be a smooth transition from plan preparation to plan implementation. Near-term actions identified in the Secretary's response letter should be included in this section.

In some cases, for safety issues that involve a strong sense of urgency or that will require an extended period to achieve resolution, the Department should describe important near-term initiatives and compensatory actions that will be implemented no later than 6 months, for example, after plan issuance to reduce safety risks associated with the recommendation. These will also demonstrate the Department's commitment to bring the identified safety issues to final resolution. Near-term actions should be extracted and summarized from the full description of planned actions, presented in section 5, Safety Issue Resolution.

5. Safety Issue Resolution

This is the main section of the implementation plan and should be structured using the Department’s identified safety issues, with one section subheading for each issue. Under each subheading, the following structure should be provided: Issue Description; Board Recommendation; Resolution Approach; and Deliverables/Milestones.

Issue Description. The issue description should consist of a summary restatement of the problem, why the problem needs to be addressed, and how addressing the problem will provide a specific safety improvement for the Department. Description of safety improvement objectives should show consistency with overall Department safety objectives.

Board Recommendation. After the Department’s issue description, the text of the original Board recommendation that is pertinent to the issue should be quoted verbatim. The purpose of repeating the Board's recommendation is so that the reader may easily correlate the

Department's plan to the Board's recommendation and demonstrate that the plan is responsive (the entire Board recommendation should be quoted at some place in the Safety Issue Resolution section of the plan).

Resolution Approach. The resolution approach needs to provide: (1) a specific description of the Department's intended course of action that is clear, tangible, and concise and (2) sufficient detail so that one may independently determine whether the approach is reasonable and achievable. This section should specifically describe the safety improvements and how they will be achieved. For example, the resolution approach should not consist of a plan to make a plan or a plan to do an assessment to make a plan. Any changes in equipment, process, procedures, and/or personnel should be discussed in terms of their impact on safety. Where it is absolutely necessary to perform some prior action before the final scope of the resolution actions can be determined, the resolution approach should describe the specific process and criteria that will be used to make these determinations.

Resolution of an issue (i.e., completion of all actions identified in the implementation plan) should result in tangible improvement to safety within the defense nuclear facilities complex. If possible, the resolution scope should be established based on the goal of completion within 1 year of plan issuance. To accomplish this goal, the resolution focus may need to be on gaining substantive control of an issue rather than closing all loose ends. For example, issue resolution may need to be defined in the implementation plan as developing training and conducting initial sessions, rather than as completing training of all Department personnel and performing a follow-up evaluation. The goal of resolution within 1 year, based on the expectations of Congress in establishing the Board, should be strictly pursued for recommendations that are narrowly focused and affect only one site and one Headquarters office. Recommendations that involve major systemic changes, multiple Headquarters offices, and multiple sites can require more than 1 year for resolution. Exceptions to the 1-year goal should be carefully considered.

As part of this discussion, the technical basis for the selected approach should be provided. This technical basis should demonstrate that the Department has performed a reasonable, logical, and, if possible, quantifiable technical evaluation of the problems and solutions and should address the underlying causes described in section 2, Underlying Causes. A strong technical basis is particularly important for resolution approaches that are experimental or unprecedented, or differ from the expectations of the Board and its staff.

The resolution approach should be consistent with the Secretary's response letter to the Board's recommendation and should reiterate any conditions or limitations on the Department's acceptance of the recommendation, along with supporting bases. Where credit is taken for implementation actions described in other Department programs or implementation plans, this should be identified; the implementation plan should not establish new commitments and commitment dates for other ongoing implementation plans in response to Board recommendations.

Deliverables/Milestones. The plan must clearly provide a method for demonstrating completion or closure in a manner that can be readily verified. Commitment deliverables should be tied to plan milestones, readily verifiable, and transmittable to the Board for their review. The plan should demonstrate a focus on closure; the resolution actions and schedule should not be open-ended. For example, rather than defining the resolution scope and closure actions through an ongoing process, such as through periodic reports to the Board, the plan should establish a firm structure for achieving closure. The plan should also reflect a systems engineering approach for resolving the issue that methodically defines the entire effort, from inception to closure, for achieving the identified safety improvement.

In describing intermediary deliverables or commitments, the plan should establish only that number needed to measure performance of the planned resolution approach. Frequently, further definition of intermediary actions is needed to fully describe and measure accomplishment of a commitment These intermediary actions should not be identified as unique commitments but may be noted as actions contributing to commitment completion. For example, completion of a committee evaluation could include the following noted actions, if appropriate: forming the committee, preparing the charter, developing evaluation procedure, conducting the evaluation, preparing a draft report, resolving comments, and preparing a final report. Only those actions considered critical to successful completion of the commitment should be identified and described.

The following information should be provided for each commitment: (1) a complete statement of the commitment; (2) the manager responsible for implementation; (3) the facilities and programs to which it applies; (4) the implementation activities and deliverables that will constitute completion; and (5) the specific due date (such as December 15, 1995) for completion. In addition, to facilitate commitment tracking, each commitment should be uniquely and sequentially numbered. Due dates should correlate to the date for the Department to provide completed deliverables to the Board.

The schedule should be realistic and achievable, and reflect the results of a representative resource-loaded schedule and cost estimate (see discussion on stand-alone attachment on resource-loaded schedule and cost estimate). Intermediary deliverables and milestones should provide meaningful measures of accomplishment toward final issue resolution.

6. Organization and Management

This section describes how the Department will organize and manage implementation of the plan. The Secretarial Officer and other Responsible Managers need to be clearly identified along with their implementation responsibilities. To ensure plan performance, strong consideration should be given to establishing a central project manager who has broad, cross-organizational authorities. To the extent possible, single line authority should be established for plan implementation. If useful, a figure describing the organizational structure for plan implementation should be provided.

This section should also describe specific management systems and controls the Department will use to accomplish planned deliverables on the committed schedule. For example, this section might include a discussion of action item tracking and monitoring, including use of and interface with the Department's Safety Issues Management System. The following management systems should be addressed specifically.

Change Control. Each implementation plan must include a description of its change control process. The following paragraph is recommended to be used for all plans.

> *"Complex, long-range plans require sufficient flexibility to accommodate changes in commitments, actions, or completion dates that may be necessary due to additional information, improvements, or changes in baseline assumptions. The Department's policy is to (1) bring to the Board's attention any substantive changes to this implementation plan as soon as identified and prior to the passing of the milestone date, (2) have the Secretary approve all revisions to the scope and schedule of plan commitments, and (3) clearly identify and describe the revisions and bases for the revisions. Fundamental changes to the plan's strategy, scope, or schedule will be provided to the Board through formal revision of the implementation plan. Other changes to the scope or schedule of planned commitments will be formally submitted in appropriate correspondence approved by the Secretary, along with the basis for the changes and appropriate corrective actions."*

Reporting. Each implementation plan must include a description of its reporting scheme and schedule. Acceptable means of reporting include periodic briefings and periodic progress reports. Briefings have proven to be more effective than written reports. The frequency of these periodic briefings or reports depends on the total scope and schedule of planned actions. Historically, many plans have offered a quarterly reporting frequency. Less frequent reporting, such as on a semi-annual or annual basis, is appropriate where the plan milestones are few and spread out, or the effort is winding down to completion. The following sample paragraph addresses reporting.

> *"To ensure that the various Department implementing elements and the Board remain informed of the status of plan implementation, the Department's policy is to provide periodic progress reports until implementation plan commitments are completed. For this plan, the Department will provide quarterly briefings to the Board and/or its staff, within 1 month of the close of each quarter during plan implementation. Quarters will coincide with the calendar and fiscal year quarters: January-March April-June July-September and October-December."*

Progress reports may be used to report variances to plan commitments but not to make changes to planned commitment dates, unless approved by the Secretary. For example, if commitment completion will be delayed by several weeks from the committed due date, this variance should

be reported in the periodic progress report. Progress reports should not be used to make changes to plan commitments.

Quality Assurance. In appropriate cases, the plan should specify how quality of the planned actions will be ensured. Quality assurance may include qualification of people involved; internal checks on the implementation as the task is completed; final verification; independent oversight; and chain of custody on records, samples, and other critical data and documentation.

Attachments to Implementation Plan (Optional)

Glossary. The glossary should define terms used in the implementation plan that are unique, unusual, or of a highly technical nature that would not be commonly understood.

Acronyms and Abbreviations. This attachment should identify and define all acronyms and abbreviations used in the implementation plan. A minimum number of acronyms and abbreviations enhances general understanding and readability of the plan.

References. This attachment provides bibliographic information for all documents referenced in the implementation plan.

Summary of Commitments. This attachment lists all Department commitments established in the implementation plan. Inclusion of this attachment may be useful to delineate in summary fashion the complete scope of commitments that the Department considers are made by section 5 of the plan. If used, this information should be presented in the same format that will be employed to report status in the periodic progress reports. The following should be provided for each commitment: (1) statement of commitment, (2) Responsible Manager, (3) applicable facilities and programs, (4) closure deliverable(s), and (5) due date.

Summary Schedule. This attachment provides a top-level summary time line that shows the start and end dates of resolution activities for each safety issue. Lower-level schedule summaries may also be necessary to provide an overview understanding of the scope and relationship between major activities.

Crosswalk to Board Recommendation. When the Department has structured the issues in a different manner than portrayed in the Board's recommendation, this appendix should be used to provide a matrix showing that the recommendation is fully addressed. If necessary, the matrix should provide and include the following headings: Board sub-recommendation, Department issue, Plan references, and Discussion.

Stand-Alone Attachment: Resource-Loaded Schedule and Cost Estimate

To ensure that the planned scope and schedule are realistic and achievable, each implementation plan should be submitted for Department management review and approval along with a separate, stand-alone attachment that provides a resource-loaded plan schedule and cost estimate and describes the Department funding to support committed actions. The attachment should also identify the critical path activities on the integrated schedule. The cost estimate should be sufficiently accurate (i.e., rough order of magnitude) to permit the Department to evaluate the cost/benefit of these safety improvements. More detailed attention should be given to complex activities that involve installation or operation of equipment or accomplishment of multiple, dependent activities. The desired degree of accuracy for this planning cost estimate is minus 50 percent to plus 100 percent (FM-50 Cost Estimating Guide).

The resource-loaded schedule should identify what types of resources are needed, when they are needed, how long they are needed, and the total amount of each resource type needed. Budget requirements should include personnel resources by type, contract resources, and capital equipment and expenditures. Resource summaries should be provided by year (i.e., for each fiscal year) and by organizational unit (i.e., responsible Headquarters organization, Operations Office, primary contractor, specialty contractors, supporting Department organizations, etc.). This document should also identify the source of identified budget funds and the type of funding (i.e., capital or operating budget). Where funding needs to be appropriated in Congress, the amounts, schedules, and organizations requesting funding should be identified.

IV. Presentation Tone and Style

The overall tone of the implementation plan should demonstrate the Department’s ownership of the identified safety issues. To show ownership, the Department needs to assess the identified problem area independently, perform its own analysis of the underlying safety issues and causes, reach its own conclusions regarding issue significance, and develop an effective approach for issue resolution. The implementation plan is the Department’s plan for resolving the identified safety issues, not just a mechanism for responding to the Board's recommendation.

The plan should be clear and concise. The Department of Energy Style Guide, Office of the Executive Secretariat, January 1995, is a useful tool to help in the preparation of effective, well-written materials. A review by a technical editor should be considered. Figures should be included where possible to demonstrate understanding of the safety issues and causes, to illustrate resolution approaches and schedules, and to show management structure and controls. The use of “will” statements should be carefully limited. Every “will” statement could be interpreted as an explicit or implied commitment. Where a commitment is not intended, alternate word choice should be selected.

ATTACHMENT IV

BOARD INFORMATION REQUEST FORM

Date: Page ___ of ___

To: Department of Energy Point of Contact, Facility

From: Lead Board Representative (Print/Signature)

Received by: Department or Contractor Representative (Print/Signature)

Item No.	Title, Subject, Drawing Number, etc.	Requestor (Board Representative)	Knowledgeable Contact (DOE or Contractor)	Date Requested By

ATTACHMENT V

INFORMATION REQUEST RESPONSE FORM

Date:

To: Chairman, Defense Nuclear Facilities Safety Board

From: Department Point of Contact (Print/Signature)

Subject: Board Information Request

Reference: Information Request Form, dated _____

The above-referenced Information Request Form provided a list of information requested from the Department of Energy by the Board or its staff. The requested information is forwarded except as noted below (can be handwritten).

a. The following requested items contain UCNI (list item numbers from referenced Information Request Form).

_____

_____

b. Item numbers of information to be provided at a later date (list item numbers from referenced Information Request Form, reasons for delay, and expected delivery date).

_____

_____

c. The following requested items are classified "Confidential" or higher. They will not be forwarded until confirmed by the Board Program Manager (list item numbers from referenced Information Request Form).

_____

_____

Comments or amplifying information.

_____

_____

If you have any questions, please contact (list name and phone number).

_____