



Department of Energy
National Nuclear Security Administration
Washington, DC 20585

March 13, 2006

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The Honorable A. J. Eggenberger
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, N.W., Suite 700
Washington, D.C. 20004-2901

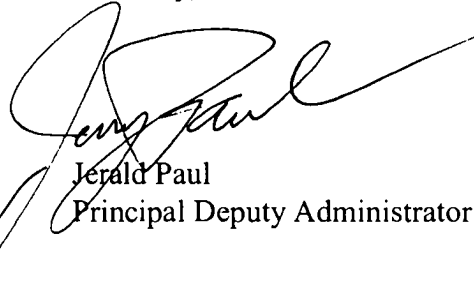
Dear Mr. Chairman:

Enclosed is the National Nuclear Security Administration (NNSA) approach and schedule for completing actions necessary to complete Commitment 9B of the Defense Nuclear Facilities Safety Board Recommendation 2004-1 on delegations of safety authorities. The approach implements the process criteria and attributes conveyed in the December 27, 2005, memorandum from the Deputy Secretary that satisfied Commitment 9A.

The NNSA considers this schedule to be reasonably aggressive and will result in a comprehensive process ensuring appropriate implementation and review of safety delegations.

If you have any questions, please contact Xavier Ascanio at (301) 903-3757.

Sincerely,



Jerald Paul
Principal Deputy Administrator

Enclosure

cc w/enclosure:
M. Whitaker, DR-1





Department of Energy
National Nuclear Security Administration
Washington, DC 20585

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SAFETY BOARD

February 13, 2006

OFFICE OF THE ADMINISTRATOR

MEMORANDUM FOR DEPUTY SECRETARY OF ENERGY

FROM: LINTON F. BROOKS
ADMINISTRATOR

A handwritten signature in black ink, appearing to read "L. Brooks", is written over the printed name of the administrator.

SUBJECT: ACTION: DELEGATIONS OF SAFETY AUTHORITIES

The attachment to this memorandum provides the proposed National Nuclear Security Administration (NNSA) approach and schedule for completing the actions directed in your memorandum of December 27, 2005, on delegations of safety authorities. The approach implements the process criteria and attributes set forth in the attachment to the memorandum, i.e., *Department of Energy (DOE) Process for Delegating Safety Authorities*, and will result in a comprehensive process that ensures appropriate implementation and review of safety delegations. NNSA considers the associated schedule to be reasonably aggressive. However, while the schedule supports NNSA's needs, it represents a delay from the direction provided in your December 27, 2005, memorandum. Restrictions on making new delegations of safety authorities to the field will be maintained until this process has been completed.

If you have any questions, please contact Xavier Ascanio at (301) 903-3757.

Attachment



NATIONAL NUCLEAR SECURITY ADMINISTRATION (NNSA) Proposed Approach to Safety Delegations

Reference 1: Clay Sell memorandum on Delegations of Safety Authorities dated December 27, 2005

Reference 2: Secretary Bodman letter dated June 10, 2005, Implementation Plan (IP) to Improve Oversight of Nuclear Operations (in response to DNFSB Recommendation 2004-1)

Background:

Deliverable A of commitment 9 of the 2004-1 IP (Reference 2) calls for process criteria to be defined for delegating authorities to field personnel for fulfilling assigned safety responsibilities, and for performing periodic self-assessments on assignment of responsibilities and authorities to Headquarters personnel. These criteria were approved by Reference 1.

Reference 1 requires NNSA to establish the necessary procedures to implement the process criteria and attributes described in its attachment (DOE Process for Delegating Safety Authorities) and to confirm that the process has been applied to all existing field delegations before restrictions placed on safety delegations to the field by Secretary Abraham on July 21, 2004, can be lifted. The delegation process must be a formal, documented process that establishes minimum expectations for individual and organizational capability and capacity for safety delegations. Reference 1 requested that NNSA provide a report concerning these actions by January 31, 2006.

Deliverable B of commitment 9 requires a Central Technical Authority (CTA) report to the Secretary on the status of process implementation and to "determine whether all existing delegations of authority to the DOE Field Offices are being made using these new processes and criteria." This report is due at the end of February 2006. Deliverable C of commitment 9 requires program offices to complete self-assessments of responsibilities and authorities to Headquarters personnel. The due date for this item is listed in the IP as 12 months after the criteria are issued (originally September 2005); however, since there was a three-month delay in issuing the criteria, this date now becomes December 2006.

Discussion:

The following approach is proposed for meeting the requirements for delegations of safety authorities to NNSA Site Offices.

This approach will focus on ensuring that NNSA safety delegation processes and delegations meet the defined process criteria and process attributes. The associated schedule affords NNSA adequate time to institutionalize a credible safety delegation process, and to ensure it is effectively implemented.

As noted in the 2004-1 IP, Section 5.1.4, *Establishing Clear Roles, Responsibilities, and Authorities*, the rigor and formality of the delegation of authority process may vary based on the risk associated with the assigned responsibilities, and nuclear safety responsibilities, such as safety basis processes and start-up approvals, require the highest standard of assurance.

The proposed approach consists of two phases. The first phase is intended to be responsive to concerns with existing safety delegations and will be completed within four months. Although detailed criteria and minimum expectations will not yet have been developed for individuals and organizations receiving delegated safety authority, this phase will evaluate nuclear safety delegations for compliance with the process criteria recently issued in Reference 1 and will assess the adequacy of personnel and resources and for carrying out delegated authorities (e.g., personnel experience and ability, availability of appropriate processes, procedures, and infrastructure). The second phase will build upon the first phase by using the results to help develop and document a comprehensive NNSA process that includes detailed criteria and minimum expectations for ensuring appropriate and consistent delegations of safety authority, and follow-on evaluations of all safety delegations to ensure compliance with the process.

Proposed Approach:

1. Identify existing nuclear safety delegations within NNSA, such as safety basis processes and start-up approvals. Evaluate each of these delegations for compliance with the process criteria identified in Section I, *Delegating Authorities to Field Personnel for Fulfilling Assigned Safety Responsibilities*, of the attachment to Reference 1, and take actions where necessary to bring existing delegations into compliance with the criteria. An initial assessment of the adequacy of the capability and capacity of the individuals and organizations assigned delegated safety authorities will be made.

Proposed completion date for this action: April 2006

Responsible organization: NA-117 and NA-124

2. Develop and document a NNSA process or procedure to ensure that delegations are made carefully, accurately, and meet minimum expectations for individual and organizational capability and capacity, consistent with the process criteria and attributes identified in Section I, *Delegating Authorities to Field Personnel for Fulfilling Assigned Safety Responsibilities*, of the attachment to Reference 1. The results and information learned from the evaluations conducted in action 1 above will be used as input to this effort.

Proposed completion date for this action: June 2006

Responsible organization: CTA

3. Re-evaluate each safety delegation identified in action 1 for compliance with the NNSA process or procedure developed in action 2 above, and take actions where necessary to bring the delegations into compliance with the criteria.

Proposed completion date for this action: September 2006

Responsible organization: NA-117 and NA-124

4. For all safety functions and responsibilities identified in Table 6, *Functions, Responsibilities, and Authorities for Cognizant Secretarial Officers*, of the DOE FRAM (DOE M 411.1C) that are delegated and were not addressed in action 3 above, evaluate each delegation for compliance with the NNSA process or procedure developed in action 2 above, and take actions where necessary to bring the delegations into compliance with the criteria.

Proposed completion date for this action: December 2006

Responsible organization: NA-117 and NA-124

5. Update the NNSA FRAM to assign responsibility for ensuring that the NNSA delegation process or procedure developed in action 2 above is followed, and for maintaining a current up-to-date list of all delegated safety authorities, and information demonstrating compliance with the NNSA process or procedure.

Proposed completion date for this action: First scheduled FRAM revision after June 2006 (following completion of action 2 above).

Responsible organization: NA-3.6

6. NNSA HQ will complete self-assessments of responsibilities and authorities to Headquarters personnel in accordance with the process criteria and process attributes of Section II, *Performing Periodic Self-Assessments on Assignment of Responsibilities or Delegation of Authorities to Headquarters Personnel*, of the attachment to the December 27, 2005, Clay Sell memorandum.

Proposed completion date for this action: December 2006

Responsible organization: CTA