



# DIRECTIVE

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**Subject: DIRECTIVES PROGRAM**

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**Number: D-21.1**

**Approved:**

**Review:**

**Certified:**

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**Responsible Office: Office of the Executive Director of Operations**

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1. **PURPOSE.** The purpose of this Directives Program is to provide the framework of the Directives and Supplementary Documents that support the Defense Nuclear Facilities Safety Board (Board) and its staff's activities subject to strategic plans, applicable statutes, regulations, Executive Orders, and Board policies.
2. **CANCELLATION.** This Directive cancels Directive D-21.1, Directives Program, dated April 28, 2017.
3. **APPLICABILITY.** This Directive applies to all administrative units of the Agency, all Office Directors, and all Board employees and takes precedence over all other Agency Directives and other documents with respect to developing, approving, formatting, revising, or cancelling Agency Directives and Supplementary Documents. No single Agency Directive or Supplementary Document takes precedence over another (e.g., overrides requirements or responsibilities), except for this Directive relative to the development, approval, revision, or cancellation of Directives and Supplementary Documents. Where conflicts exist between Directives or Supplementary Documents, the General Manager, in consultation with the Technical Director and General Counsel, will confirm that a conflict exists and advise the Executive Director of Operations (EDO) when appropriate revisions are required.

Notwithstanding the provisions in this Directive, the legal functions of the Office of the General Counsel remain independent of the Office of EDO and any legal advice or the Ethics and Alternative Dispute Resolution programs are not subject to the authority of any Directive enacted by the EDO. As Agency employees, however, all employees, including those within the Office of the General Counsel, will be subject to Administrative Directives issued by the EDO as delegated by the Chair.

4. **EXEMPTIONS.** Exemptions from this Directive or individual requirements contained in this Directive must be documented and justified by the requesting Office Director, with concurrence from the other Office Directors, and approved by the EDO.

5. **POLICY.** The Chair delegates to the EDO the authority to issue Directives consistent with Board policies and legal requirements. The EDO uses the Directives Program to govern the preparation, coordination, approval, publication, dissemination, implementation, and internal review of all documents falling under the authority of this Directive. The Directives Program includes the following:

A. Directives:

- I. Describe policies and establish or describe programs, and major activities; define requirements, delegate authority, and assign responsibilities as necessary to carry out Board and staff activities subject to strategic planning documents, applicable statutes, regulations, executive orders, and Board Policies;
- II. Do not duplicate or conflict with existing requirements contained in applicable statutes, regulations, executive orders, and Board Policies;
- III. Are simultaneously assigned for review and concurrence by all Office Directors. Any non-concurrences shall be documented and accompany the proposed Directive when it is routed for approval by the EDO and review by the Board;
- IV. Are provided to the Office of the Inspector General (OIG) for concurrent review and comment at the same time as the Office Directors;<sup>1</sup> and
- V. Are signed and issued by the EDO after five business days elapse after transmittal to the Board. Directives issued by the EDO must conform with Board Policies.

B. Supplementary Documents:

- I. May include Operating Procedures, Instructions, Work Practices, or Notices;

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<sup>1</sup> OIG review and comment on a policy document is limited to the detection of fraud, waste, and abuse, and ensuring the effectiveness and efficiency of Board operations. To remain independent and objective, the OIG will also provide comments on matters in Directives which may impinge on the OIG's access to information or otherwise limit its ability to conduct or exercise any statutory authority, but will not otherwise comment on the substantive content of the document from a policy-setting or technical determination perspective of the Board. OIG review is not part of the concurrence process, but a response to OIG comments, as well as an explanation of any decision by the DNFSB not to adopt OIG comments will be provided prior to final adoption of the Directive.

- II. Shall provide detailed requirements, responsibilities, processes, and procedures for conducting the Agency's activities;
  - III. Shall follow a consistent format and structure, and shall be approved as defined in Operating Procedure (OP)-21.1-1;
  - IV. May not replace a Directive nor be a placeholder for a Directive or any item that constitutes a matter of policy, without the approval of the Board; and
  - V. If the Supplementary Document is a Notice, it must be converted to or incorporated into another Board Directive Program document within one year of the effective date of the Notice unless an extension is granted, or the Notice is allowed to expire.
6. **REQUIREMENTS.**
- A. The EDO shall administer the Directives Program for the Agency.
  - B. Directives shall undergo a Certification Review for accuracy and continued relevance every five (5) years or less.
  - C. Supplementary Documents shall undergo a Certification Review for accuracy and continued relevance every five (5) years or less.
7. **RESPONSIBILITIES.** Assigned duties under A., C., and D. below are delegable.
- A. **The Chair:**
    - I. Delegates to the EDO the authority to issue and maintain Directives in accordance with the provisions of this Directive; and
    - II. May direct the establishment of new Directives.
  - B. **The Executive Secretary:**
    - I. Transmits draft directives to the Board, allowing Board Members five business days to review each draft directive; and
    - II. Notifies the EDO upon the expiration of the Board's review period.
  - C. **The EDO:**
    - I. Administers the Agency's Directives Program including the review and revision of existing Directives previously approved by the Board;

- II. Develops, maintains, and approves OP-21.1-1;
  - III. Coordinates the periodic review of Directives; and
  - IV. Complies with Section 7D for Directives and Supplementary Documents developed within the Office of the EDO.
- D. The General Counsel, in addition to the Office Directors' responsibilities listed in Section 7D, reviews for legal sufficiency, all Directives and Supplementary Documents.
- E. The Office Directors:
- I. Develop, approve, resolve comments on, certify, and sign final Supplementary Documents falling within their purview;
  - II. Develop content for specific Directives and/or Supplementary Documents;
  - III. Simultaneously review new and revised Directives and Supplementary Documents, and provide any comments concerning interfaces, impacts on their Office, and subject matters within their area of responsibility within 10 business days;
  - IV. Resolve opposing comments from reviewing offices;
  - V. Forward draft Directives to the OIG Liaison to coordinate an OIG review and comment period that is concurrent with internal DNFSB offices;
  - VI. Review those Directives and Supplementary Documents under their purview before established deadlines;
  - VII. Re-certify or cancel Supplementary Documents that are within their purview and do not have Agency-wide application; and
  - VIII. Coordinate the review and approval of their own Supplementary Documents.
- F. The OIG reviews and comments on draft Directives to detect fraud, waste, and abuse and support enhancement of program efficiency, as well as ensuring that nothing in the draft Directives impinges on the OIG's statutory rights and authorities.
- G. The OIG Liaison.

- i. Coordinates OIG review and comments on draft Directives; and
  - ii. Manages DNFSB follow-up response to OIG comments.
8. **CONTROLS AND MEASURES.** The Agency's work processes shall be formally assessed according to the controls and measures of individual Directives and Supplementary Documents, and according to statutes and regulations where applicable. The assessments shall be presented to the Executive Committee on Internal Control (ECIC), as outlined in the Agency's Internal Controls Program (D-22.1 and OP 22.1-1).
9. **REFERENCES.**
  - A. 42 U.S.C. § 2286 et seq., Enabling Statute of the Defense Nuclear Facilities Safety Board.
  - B. 41 C.F.R. § 102-193, Creation, Maintenance, and Use of Records.
  - C. Operating Procedure (OP)-21.1-1, Directive and Supplementary Document Procedures.
10. **DEFINITIONS.**
  - A. **Board Policies.** As used in this Directive, Board Policies are those documents issued by the Board under its statutory authority including the Agency strategic plan, strategic goals, budget request, policy statements, work plan, and staffing plan.
  - B. **Directive.** The highest level Directives Program document, used to implement or describe policies, programs, and major activities, define requirements, delegate authority, and assign responsibilities.
  - C. **Supplementary Documents.** Lower tier documents developed at the Office level or below to provide detailed requirements, responsibilities, processes, procedures, guidelines and assistance for conducting the Agency's activities.
  - D. **Instruction.** A Supplementary Document that provides high-level direction for the execution of an Office program or function. Instructions do not assign responsibilities or establish requirements outside of the originating Office and are approved and issued by the Office Director.
  - E. **Notice.** A Supplementary Document issued in response to an agency matter, Chair direction to the EDO, or a Board direction to the EDO requiring prompt action to establish short-term management objectives. A Notice modifying a Directive requires approval by the EDO.
  - F. **Operating Procedure.** A Supplementary Document that implements a Directive or Instruction and provides detailed directions or instructions for the execution of an

Agency-wide or Office-wide program or function. Operating Procedures may impact employees in all Offices

G. Work Practice. A Supplementary Document that provides guidance to Office staff to support the successful accomplishment of work in a specific type of activity.

H. Office Directors. The office directors are the Executive Director of Operations, the General Counsel, the Technical Director, and the General Manager.

11. **CONTACT**. Address questions concerning this Directive to the Office of the EDO.

12. **APPROVAL**. The Chair has signed this Directive after approval by the Board.

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Joyce L. Connery  
Chair

**AFFIRMATION OF BOARD VOTING RECORD**

**SUBJECT:** RFBA by Vice Chair Summers to Revise the Directive on Directives

**Doc Control#:** 2021-300-0018

The Board acted on the above document on 04/09/2021. The document was Approved.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING	COMMENT	DATE
Joyce L. Connery	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/09/2021
Jessie H. Roberson	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/08/2021
Thomas Summers	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/09/2021

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Board Members.

*Shelby Qualls*

Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**  
**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Joyce L. Connery

**SUBJECT:** RFBA by Vice Chair Summers to Revise the Directive on Directives

**Doc Control#:** 2021-300-0018

**DATE:** 04/09/2021

**VOTE:** Approved

**COMMENTS:**

None

*Joyce L. Connery*



**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**  
**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Thomas Summers

**SUBJECT:** RFBA by Vice Chair Summers to Revise the Directive on Directives

**Doc Control#:** 2021-300-0018

**DATE:** 04/09/2021

**VOTE:** Approved

**Member voted by email.**

**COMMENTS:**

None

*Thomas Summers*

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**  
**NOTATIONAL VOTE RESPONSE SHEET**

**FROM:** Jessie H. Roberson

**SUBJECT:** RFBA by Vice Chair Summers to Revise the Directive on Directives

**Doc Control#:** 2021-300-0018

**DATE:** 04/09/2021

**VOTE:** Approved

**Member voted by email.**

**COMMENTS:**

None

*Jessie H. Roberson*