

**PREDECISIONAL
DRAFT**

Strengthening Worker Health and Safety and Security Functions at DOE



July 24, 2006

**PREDECISIONAL
DRAFT**

**PREDECISIONAL
DRAFT**

**Strengthening Worker Health and Safety
and Security Functions at the Department of Energy**

Creation of the Office of Health, Safety and Security

Introduction

One of Secretary Bodman's first stated priorities was worker health and safety. And he has, since his arrival, continually emphasized the need for the Department to have a safe and secure work environment for all Federal and contractor employees. The Secretary also has stressed the importance of clear roles and responsibilities and personal accountability in advance of this priority.

In reviewing the worker health and safety functions within DOE, and the various DOE Program Offices that have a role in advising the Secretary and Deputy Secretary on the worker health and safety posture of the Department, it became apparent that change was necessary to clarify those roles by providing a more focused and integrated organizational approach that is driven by one robust program office. It was determined that further strengthening of worker health, safety and security could be accomplished through the creation of a new office, the Office of Health, Safety and Security. While the responsibility for effective implementation of health, safety and security programs resides with the Department's line managers (e.g., Administrator for NNSA, and the Under Secretaries for Energy and Science), this new office will enhance the effectiveness and efficiency of health and safety, environment, and security programs across the complex by providing DOE program offices and their sites with more effective and consistent policy, assistance, independent oversight and enforcement.

Over the past several months, senior managers from the Department have held discussions with Congressional staff, members of Congress, the Office of Management and Budget, the Defense Nuclear Facilities Safety Board (DNFSB), and affected Departmental employees, as well as with other stakeholders and employee representatives such as the Government Accountability Project (GAP), the Project on Government Oversight (POGO), the Building and Construction Trades of the AFL-CIO, and the United Steel Workers. The purpose of these discussions was to address the merits of the approach the Department was considering to strengthen health and safety functions and to solicit feedback.

Based on these discussions and the Secretary's emphasis on worker health and safety, he has determined it is necessary to strengthen and elevate the worker health and safety programs within the Department of Energy. The proposed creation of the Office of Health, Safety and Security will ensure that all health and safety functions currently managed by the Office of Environment, Safety and Health will continue in a more integrated and effective manner to enhance the protections afforded our workers and the public. These changes will also gain the added benefits of an integrated management approach for safety and security, where both disciplines will benefit from an increase in coordination and cooperation. In 2004, the Department made a similar change to the security organization which has proven to be very effective at improving the integration of policy, technical assistance, and oversight, and in managing its security responsibilities. Through discussions with key Department stakeholders (noted above), the following organizational factors were identified as key to improving the health, safety, and security functions of the Department:

**PREDECISIONAL
DRAFT**

**PREDECISIONAL
DRAFT**

- **Continue as a direct report to the Secretary / Deputy Secretary:** Consistent with the Department's efforts to instill an integrated management approach with clear responsibilities and accountability, the Office of Health, Safety and Security should support the Secretary and the Deputy Secretary in assuring effective protection of the workforce, public and the environment from hazards associated with Department sites and operations, and our national security assets from all internal and external threats. Therefore the office must report directly to the Secretary / Deputy Secretary, maintain independence from the line organizations, and have unencumbered access to senior program managers.
- **Continuity of leadership:** The Department's Office of Health, Safety and Security must maintain institutional stability, continuity and impartiality in meeting the Department's mission across the complex. The Secretary will appoint a career Federal professional to lead this office who possesses an extensive understanding of Departmental operations and who will sustain focus on worker health, safety and security programs through changes in Administrations and will be personally accountable to the Secretary / Deputy Secretary.
- **Better alignment of separate responsibilities outside of safety and security to other DOE offices:** The current safety and security organization includes certain functions that are more appropriate for a line organization such as management of a laboratory or facility and extensive review of authorization basis documentation or facility design. The Department is aligning these responsibilities with the appropriate functional office so that the Office of Health, Safety and Security can work exclusively on health, safety and security policies, issues and programs including providing independent oversight.
- **Better alignment of health, safety and security responsibilities:** The Office of Health, Safety and Security must be functionally organized to provide line managers with the assistance and tools necessary to ensure the effectiveness of all programs that are important to worker health and safety, the environment and national security. This includes existing programs and functions such as Voluntary Protection Program, current and former worker health studies and surveillance, support the Energy Employees Occupational Illness Compensation Program, safety-related quality assurance, and other functions discussed in this document.
- **Increased collaboration:** There are opportunities for increased coordination among several health, safety and security functions, such as training, policy development, technical assistance, independent oversight, and enforcement. For example, the National Training Center has the proper infrastructure to design and sustain training activities for both safety and security. Additionally, there are opportunities for increased coordination between the function of the Office of the Departmental Representative (DR) to the Defense Nuclear Facilities Safety Board (DNFSB) which must be a priority of the new organization. This new office must work closer on a continuing basis with key stakeholders such as unions and workers in addition to line management. Realignment of environment, safety and health policy as well as health studies and surveillance can facilitate opportunities for collaboration and provide opportunities for improvement.
- **Strengthened line management accountability:** Closer coupling of the independent oversight function of Office of Security and Safety Performance Assurance (SSA) and the analysis function of Office of Environment, Safety and Health (EH) will result in improved reporting on performance to the Secretary / Deputy Secretary and support their need to hold line managers accountable for performance. Additionally, enhanced capability to identify Department-wide worker health and safety, environmental, and security issues assist line management (program offices and the field) in addressing those issues that are significant to protecting the environment and the health and safety of workers and the public.

**PREDECISIONAL
DRAFT**

PREDECISIONAL DRAFT

- **Strengthened capability to address Department-wide issues:** A high priority should be establishing a dedicated group to focus on assisting line organizations to resolve issues utilizing a structured approach to identify and address causes to prevent recurrence of safety incidents throughout the Department. Closer coupling of the Department's representative to the DNFSB to the worker safety and health policy, technical assistance and independent oversight functions will facilitate improvements in addressing issues identified by external sources. Further benefits will be gained through the integration of the safety and security functions. The Department has already seen the benefit of a similar effort involving security policy, technical assistance, and independent oversight.
- **Strengthened corporate training for both safety and security professionals:** The new Office will establish a unified center for DOE training support in the safety and security areas will provide a comprehensive and coordinated approach for enhancing and maintaining the expertise, knowledge and skills for all safety and security professionals within the Department. This is essential to address the human capital concerns associated with an aging workforce and efforts to attract and retain the future workforce the Department needs to continue its mission in a safe, secure, and effective manner.

Mission Statement for New Office of Health, Safety and Security

The Office of Health, Safety and Security works in partnership with the safety and security communities to better coordinate and integrate the roles of enforcement, independent oversight, security, worker health, safety and environmental programs within the Department to achieve a safer, healthier, more secure, and environmentally responsible work environment. The Office of Health, Safety and Security provides the leadership and strategic vision necessary to manage the Department's major staff organizations responsible for providing DOE-wide health and safety, environment, and security policy development and technical assistance; worker health and safety programs; environmental protection; safety and security training; independent oversight; enforcement; and interface with the Defense Nuclear Facilities Safety Board.

Department Objectives in Strengthening the Health, Safety and Security Functions

The creation of a new office that integrates worker health, safety, environment, and security functions at the Department of Energy will create an environment better suited to address cross-cutting issues, increase collaboration and sharing of technical expertise, decrease stove-piping, and increase accountability for worker health, safety and security responsibilities. The integrated approach and functional alignment of responsibilities in the new office will prevent overlap in reporting, policy and guidance development, and technical assistance responsibilities while increasing the effectiveness of communication and accountability for worker health, safety and security at DOE. Worker health, safety and security are the Department's most significant cross-cutting activities with a common purpose to provide for the protection of the workers and public from hazards associated with Department sites and operations.

The Department identified the following key objectives in strengthening health, safety, security and environmental functions at DOE.

Improve the quality and timeliness of ES&H policy and directives: To address concerns of overlapping directives and to develop highest quality policies, the current ES&H policy elements will be integrated to provide better guidance on health and safety across the complex. In addition,

PREDECISIONAL
DRAFT

**PREDECISIONAL
DRAFT**

interfaces with line organizations and other stakeholders will be strengthened to facilitate efforts to obtain and evaluate input in the early stages of policy development. The results of health studies and surveillance will be better utilized in the development of policy and improvements in protection of the workforce. Accountability for the development of quality products in accordance with established schedules will be strengthened and efforts will be prioritized based on the highest priority needs.

Enhance worker health and safety based on priorities developed from operating experience, health studies and surveillance, and independent oversight results: The new organization will bring several types of experience to bear to assist line managers, including experience with all safety disciplines, and will focus on making improvements to worker health and safety and 10 CFR 851 implementation. For example, worker health and safety can be improved by addressing a weak point in the integrated safety management system (i.e., work planning and control at the activity level). Based on independent oversight assessments and operating experience, as well as program office and field input, the new organization will work with line managers to provide greater assurance that management systems adequately identify and analyze hazards and provide appropriate controls to protect the health and safety of workers. In doing so, it will examine the specific types of problems that are being experienced (e.g., electrical events and workplace monitoring) and recommend specific solutions (e.g., new methods, tools, guides) as needed. However, the major focus will be on solving the systemic causes of deficient performance to reduce and prevent events. Another focus of the improvements will be to perform better analysis of data and use the analysis more effectively to drive improvements in areas of weaknesses or in response to adverse trends. The new organization will combine all of the health and safety analysis efforts and DOE-wide programs into a single organization that will be accountable for performing integrated analysis of operating experience and assessment data to identify problem areas and provide a foundation for Department-wide solutions. The new organization will combine the efforts of policy, technical assistance, analysis, and training to work toward providing line organizations better tools and guidance in these areas. Feedback from independent oversight appraisals will be utilized to make adjustments as needed.

Improve issues management to provide a foundation for continuous improvement and preventing recurrences of events: Issues management is an important element of DOE's improvement program and encompasses such processes as corrective action management, issue tracking and monitoring, and lessons learned dissemination and application. Issues management is widely recognized as an area of significant weakness across DOE organizations and sites. The Secretary has recognized that while deficiencies in DOE safety programs have often been identified they have often not been adequately corrected. Improvements in issues management represent one of DOE's greatest opportunities to enhance health and safety programs across DOE. An effective issues management program has the potential to reduce the number of accidents and events at DOE sites and to ensure that management expectations for important new requirements and initiatives are effectively communicated, understood, implemented, and verified to meet expectations.

The new organization will focus on addressing the current weaknesses, their underlying causes, and the gaps in the current initiatives. There are a number of Department-wide and site-specific actions that need to be taken to improve issues management in field elements, and contractor programs. The new organization will place a high priority on facilitating a change in culture that results in a work environment that values the identification of safety issues by all Department employees and contractor staff and where management is responsive in determining the causes and ensuring effective resolution.

**PREDECISIONAL
DRAFT**

PREDECISIONAL DRAFT

Enhance Federal expertise and training, particularly in the area of line management oversight of field operations and applying resources more effectively: Raising the skill level of Department environment, safety and health line management oversight personnel is a recognized need. The new organization will have a unique opportunity to ensure that DOE technical resources work with the National Training Center to improve Federal expertise and skill level, particularly as it applies to line management oversight. For example, there is a need for standards for Federal personnel in oversight and issues management skills. The current standards are focused on furthering technical education; however, there is a need to increase the focus on the skills needed to perform effective line management oversight as well.

More broadly, DOE as a whole needs to better apply the resources it has, including recognizing that there are a limited number of DOE personnel who have both the technical expertise and training for conducting effective line management oversight activities. These individuals need to be utilized to their full capacity to perform more effective line management oversight. DOE also needs to streamline line management oversight activities to eliminate unnecessary activities and non-value added oversight.

Improve worker health, safety, and security interface to help solve the major security challenges and meet the DOE mission: The Department faces some operational and security challenges that cannot be effectively addressed unless the health, safety, and security organizations are fully engaged as part of a cooperative effort led by Headquarters. These include: the new Design Basis Threat and the associated need to apply new security technologies to control costs, and the elite force concept. One advantage of the integrated safety and security organization is an improved ability to address the significant challenges in the security arena using a cooperative approach. As one example, worker health and safety expertise will be essential to ensuring that risks are understood and carefully evaluated as the Department evaluates new security technologies for use, such as remote operated weapons and carbon dioxide deterrents in vaults. As another example, the elite force initiative will mean more intensive security training, which will inevitably imply an increase in the potential for training-type injuries (e.g., twisted ankles, muscle fatigue). Working together, worker health, safety and security can evaluate and implement the best strategies to minimize such injuries.

Implement a risk management approach that evaluates worker health, safety, security, and program risks: The new organization will work with line management toward an integrated risk management approach that better balances security risks with health and safety risks; and worker health, safety and security risks against the importance of the operational / production mission. This is not an easy task but can be made more achievable if all organizations work together through one DOE worker health, safety and security organization. This effort will result in improved processes to determine risks and their application so that line managers prioritize resources to focus on addressing the highest risks.

Details of the Reorganization

The new organization will integrate certain functions within the existing EH, SSA, and DR organizations to ensure clarity of health, safety and security responsibilities and accountability while transferring some current functions that more appropriately belong with line management or in other programs, such as the management of laboratory operations. The new organization will also perform independent oversight and enforcement of worker health, safety and security to provide senior DOE management with independent perspectives about the effectiveness of DOE

PREDECISIONAL
DRAFT

PREDECISIONAL DRAFT

worker health, safety, environmental and security policies and programs and to ensure that oversight and enforcement results are optimally used to make improvements in related policies and programs across DOE. The result will increase efficiency by clarifying responsibilities, enhancing accountability, and creating an environment more suited to addressing Department-wide issues and the sharing of technical expertise.

The Office of Health, Safety and Security will provide the Secretary, Deputy Secretary, and the Under Secretaries together with senior Departmental management with a periodic analysis assessing line management effectiveness of worker health, safety and security performance within the Department. This analysis will be based on an integrated assessment of health, safety, security, and environmental programs using performance data as well as independent oversight assessments and enforcement actions.

The new organization will identify Department-wide deficiencies and work to address them with integrated approaches that involve the policy, assistance, analysis, and independent oversight functions. Such integrated approaches have proven to be very successful within the security community and are being used to address high priority initiatives such as implementation of the new design basis threat, and application of new security technologies. Similar approaches will be used in the safety arena to identify and address recurring problems.

A major focus of the new office will be to support the program offices and field elements in their efforts to implement effective health and safety programs. Input from workers and stakeholders is a crucial element of implementing effective worker health and safety policy. Immediate priority areas for improvement include: work planning and control, workplace monitoring oversight and self assessment programs; issues management at all levels (Department, Program Office, and field); and configuration management for nuclear safety systems.

Organizational Structure and Functions

The Chief Health, Safety and Security Officer will provide the overall management, leadership, and direction to the new organization. This new position will report directly to the Secretary / Deputy Secretary and signifies an elevated position in the organization for health, safety and security. The Chief Health, Safety and Security Officer will be a career professional responsible for ensuring continuity, stability, and extensive knowledge of worker health, safety and security programs and cross-cutting issues within the Department. This position will be accountable to the senior leadership of the Department and to the Congressional committees having oversight or authority of the Department for safety and security commitments.

The Deputy Chief for Operations and Deputy Chief for Technical Matters positions will report to the Chief Health, Safety and Security Officer on worker health, safety and security performance across the DOE complex. The Deputy Chief for Operations will provide operational direction to the offices. The Deputy Chief for Technical Matters is responsible for providing technical advice and strategic planning related to worker health and safety, environment, and security related issues.

To address all related worker health, safety, environmental and security issues, the Chief Health, Safety and Security Officer will establish an organization that includes strong links between policy, technical assistance, analysis, line managers, workers and stakeholders and with a strong focus on solving problems.

**PREDECISIONAL
DRAFT**

Functions that the Office of Chief Health, Safety and Security Officer will perform:

- Department-wide safety functions including developing and maintaining DOE-wide safety rules, policies and directives (including nuclear safety policies) and policy assistance and interpretation
- Department-wide security functions including developing and maintaining DOE-wide security rules, policies and directives and policy assistance and interpretation
- Provide technical assistance to program offices and field elements on complex safety and security problems and interfaces
- Manage DOE-wide and cross-cutting safety and security programs and maintain information and reporting systems (ORPS, CAIRS, SSIMS, NMMSS, LANMAS, lessons learned, VPP, etc.)
- Analyze complex-wide data to identify trends and cross-cutting issues
- Manage safety-related quality assurance programs such as Behavior Based Safety, Corrective Action Management Program, Laboratory Accreditation Program, Voluntary Protection Program, safety-related quality assurance requirements, and software quality assurance issues
- Manage the international and domestic health programs to include the current and former worker health surveillance and study efforts and support implementation of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA)
- Conduct independent oversight of security, cyber security, emergency management, and environment, safety, and health programs
- Manage enforcement programs in safety and security
- Serve as principal liaison with the DNFSB
- Support safety and security training through management of the National Training Center
- Perform various operational aspects of security (e.g., classification, personnel security, headquarters security force, executive protection)

The organizational chart for the new Office of Health, Safety and Security is presented in Attachment 1. A cross-walk of the high-level functions previously performed by EH and SSA to where those functions reside following the creation of the new Office is presented in Attachments 2 and 3. It should be noted that no existing function in either EH or SSA will be eliminated but will be appropriately realigned as described in this report. The realigned organizational elements and a brief summary of their roles are as follows:

- The **Office of Health and Safety** will focus on maintaining and improving worker health and safety policies and assisting line management in interpreting policies and implementing worker health and safety programs. This office will help address Department-wide safety issues that impact multiple DOE sites and that would benefit from a DOE-wide approach to resolution. This Office will have four subordinate offices. One office will focus on worker safety and health policy development, maintenance, and interpretation. A second office will focus on technical assistance and issues management, and will be the focal point for interface with the line management program offices, field elements and stakeholders. The third office will manage studies that evaluate domestic health effects to include health surveillance and studies. Domestic health studies and surveillance will examine current and former worker health and health effects and ensure this information is used to protect workers and the public and to continuously improve worker health and safety policies. This office will also support implementation of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). The fourth office will examine the affects to populations from U.S. nuclear weapons testing or accidents and operations involving radiological materials and other international health studies. These offices will work together with a major focus on helping

**PREDECISIONAL
DRAFT**

the program offices and field elements to solve problems and improve safety programs and performance. The combination of these functions into a single office with a primary mission of worker health and safety policy and technical assistance will enable the Office of Health, Safety and Security to focus on helping the program offices and field elements to solve the highest priority health and safety issues and to direct DOE support resources to where they are most needed.

- The **Office of Nuclear Safety and Environment** will focus on maintaining and improving nuclear safety and environment policies and assisting line management in interpreting those policies and implementing safety programs. This office will help address Department-wide safety issues that impact multiple DOE sites and that would benefit from a DOE-wide approach to resolution. This Office will have two subordinate offices. One office will focus on policy development, maintenance, and interpretation with a second office focusing on technical assistance and issues management, and will be the focal point for assisting line management program offices, field elements and stakeholders. These subordinate offices will work together with a major focus on helping the program offices and field elements to solve problems and improve nuclear safety and environmental programs and performance. These offices will also work very closely with the corresponding offices of Health and Safety to ensure an effective approach to policy development and technical assistance for all health, safety and environmental program.
- The **Office of Corporate Safety Analysis** will perform required reporting and regulatory coordination, manage certain DOE-wide programs (such as lessons learned) and perform analysis of data and trends for the Department. This Office will have two offices. One office will focus on DOE-wide safety programs and processes to include: Behavior Based Safety, Corrective Action Management Program, Laboratory Accreditation Program, Voluntary Protection Program, safety-related quality assurance programs, and software quality assurance issues. The second office will focus on analyzing information to identify trends and problem areas and providing information to other elements within the Office of Health, Safety and Security and line management that will help to focus resources and solve problems.
- The **Office of Enforcement** will perform the Price Anderson Amendment Act enforcement actions and will focus on the new worker safety rule (10 CFR 851) as it is implemented. To ensure a coordinated and consistent approach to enforcement, this office will also include the security enforcement function and related civil penalties for security violations specified in 10 CFR 824. This change will enable the relatively new security civil penalties function to benefit from the experience of the mature nuclear safety enforcement function and will ensure DOE sites experience a consistent and coordinated approach to enforcement.
- The **Department Representative (DR)** to the Defense Nuclear Facilities Safety Board (DNFSB) will be a direct report to the head of the new office. DR will work closer with other safety offices and with line management to provide a formal infrastructure for and appropriate expertise to support the resolution of cross-cutting nuclear safety issues. DR will place more emphasis on ensuring a systematic analysis of DNFSB recommendations and interactions; ensure that DOE implementation plans for DNFSB recommendations are coordinated, comprehensive, and reflect DOE priorities; and represent the DOE position to the DNFSB. DR will also continue to facilitate the coordination of the Facility Safety Representative Program.

**PREDECISIONAL
DRAFT**

**PREDECISIONAL
DRAFT**

- The **National Training Center (NTC)** will be the unified center for DOE training support in the safety and security areas. The NTC will assume some of the functions previously performed by EH elements to ensure a consistent and coordinated approach to training support activities. NTC will work closely with all safety and security elements within the Office of Health, Safety and Security and will be better aligned to draw on the new office's safety personnel to assist in the training efforts.
- The **Office of Independent Oversight** will provide an independent assessment of the effectiveness of policies and programs in safeguards and security; cyber security; emergency management; ES&H; and other critical functions of immediate interest to the Secretary, the Deputy Secretary, and the Administrator of the National Nuclear Security Administration. The new organization will improve the communication and coordination between oversight and ES&H policy and technical assistance, generating a synergy that will facilitate communication and be more responsive to the needs of the program offices and field organizations.
- The **Office of Security Policy** will develop and maintain safeguards and security policy for the protection of the National Security and other critical assets entrusted to the Department. Through a closer working relationship with ES&H policy and technical assistance, security policy development will be better positioned to address ES&H concerns that relate to security programs and policies.
- The **Office of Technology and Security Field Assistance** will assist in protecting the Department's critical assets and national security by providing security expertise to assist field elements in planning site protection strategies and by coordinating with domestic authorities to provide safeguards and security technical assistance, technical systems support, and new technology development and deployment opportunities.
- The **Office of Security Operations** will protect personnel, facilities, property, classified information, and sensitive unclassified information in DOE Headquarters under all conditions; manage access authorization functions; and ensure that executives and dignitaries are fully protected.
- The **Office of Classification** will develop and interpret Government-wide and Department-wide policies, procedures and guidance, perform document reviews, and conduct training to ensure the accurate identification of information and documents that must be classified or controlled under statute or Executive order to protect the National Security, and sensitive but unclassified Official Use Only or Unclassified Controlled Nuclear Information for the effective operation of the Government.
- The **Office of Resource Management** will provide infrastructure support and administrative functions (e.g., financial support, information management, human resources) previously performed by the EH Office of Planning and Administration and the SSA Office of Resource Management will be merged into the Office of Health, Safety and Security, Office of Resource Management. This Office will perform the human resources, financial management, and information management functions for the new office. Combining similar functions will ensure coordination and result in efficiencies.

EH and SSA Functions that Transfer to Other Organizations: The analysis of EH and SSA functions identified a number of functions that should be transferred to other organizations

**PREDECISIONAL
DRAFT**

**PREDECISIONAL
DRAFT**

because they are line management responsibilities (such as laboratory operations) or would function better as a part of another office.

The EH and SSA functions that will be transferred to other offices include:

- Provide support for non-safety-related quality assurance program elements. This function will be transferred to the Office of Management because many aspects of quality assurance are related to product quality not safety. The Office of Health, Safety and Security will retain the quality assurance aspects that relate to safety.
- Perform nuclear safety research. This function will be transferred to NNSA to capitalize on NNSA's work on the research mission and the work of the NNSA national laboratories.
- Support technical reviews of authorization bases documents. This function is more properly a line management responsibility. The function will be transferred to the ESE and NNSA Central Technical Authorities and the personnel who perform these functions will be allocated to NNSA and ESE.
- Provide support on safety regulation expectations of newly constructed facilities and new start projects. This function is more properly a line management responsibility. The function will be transferred to the ESE and NNSA and the personnel who perform these functions will be allocated to NNSA and ESE.
- Manage the Radiological Environmental Science Laboratory at INL. This function will be transferred to the Office of Nuclear Energy to take advantage of their work with the nuclear research mission and because they have the resources to manage facilities.
- Management of the HEPA Filter Test Facility, located at Oak Ridge, will be transferred to the Office of Environmental Management, who has the majority of nuclear facilities with HEPA filters that require testing. The operation of this facility, and periodic reports, are required as commitments to the DNFSB and are necessary to maintain a credible nuclear safety posture for the ventilation systems that rely on these filters to prevent releases from buildings.
- Manage and operate New Brunswick Laboratory, located at Argonne National Laboratory (ANL), which has the primary mission of research and development of nuclear measurement standards. This function will transfer to the Office of Science to capitalize on that Office's work with the research mission and its resources in managing facilities at ANL.
- Manage the National Environmental Policy Act (NEPA) Program staff assure that the Department's proposed actions comply with the requirements of NEPA and related environmental requirements. This function will be assigned to the Office of General Counsel (GC) because it has synergies with the functions of GC in ensuring that the Department's activities comply with applicable legal requirements including NEPA and other environmental laws.
- Support management of personnel and procurement, budget processes, and information management systems. Some human resources, budget, procurement and information technology support staff will transition to the Office of Management. Due to efficiencies realized in forming the new organization, the Office of Health, Safety and Security will not

**PREDECISIONAL
DRAFT**

PREDECISIONAL DRAFT

require all of the personnel who currently perform these functions. They will be utilized better by Office of Management (MA) in fulfilling its management function.

- Manage foreign travel and the exchange visitor program. These functions are assigned to MA, which is better suited to perform the required reviews.
- Manage foreign visits and assignments. This function is assigned to the counterintelligence function of the Office of Intelligence and Counterintelligence to capitalize on its work in counterintelligence.

The initial major emphasis will be on implementing the new Office of Health, Safety and Security to help program offices and field elements solve problems and improve worker health, safety, environment, and security programs and performance so that sites can better accomplish the DOE mission and strategic goals while still maintaining strong oversight and enforcement. In addition, the consolidation of functions within organizations will promote and facilitate accountability for performance. Further, the transfer of certain functions to other DOE organizations will enable the Office of Health, Safety and Security to better focus on its mission and will promote overall efficiency of DOE through better alignment of functions with organizations that are best suited to perform them.

Implementation Plan

DOE organizations (SSA, EH, program offices, and staff organizations) worked together to examine the previous EH and SSA functions and the personnel who perform those functions. Based on the analysis of functions and the alignment of those functions, the resources (people and expertise) needed to perform the functions in the new office were identified and a cross-walk of individuals from EH, SSA, and DR was developed. Additionally, based on the realignment of certain functions to other DOE organizations, a cross-walk was developed for those individuals who will transfer to other organizations. While it is not anticipated that the creation of the new Office of Health, Safety and Security will require employees to change their current work location (i.e., Germantown to Forrestal), there may be a few individuals that will need to change their work location to ensure they are properly integrated into their new organization; however, no employee will lose their job. DOE will meet all National Treasury Employees Union (NTEU) collective bargaining obligations in implementing the creation of the new office.

As required by law, funding for these programs will be executed consistent with the President's FY 2007 request and amounts appropriated by the Congress.

The formation of the new office will consist of a three-phased implementation approach and will require the coordinated efforts of various DOE organizations (e.g., support from the human resource function, Congressional Affairs, General Counsel, and other staff offices). An Office of Health, Safety and Security Transition team will be assembled to ensure that management expectations are reflected in the establishment, staffing, and operations of the new offices and to ensure all existing functional responsibilities continue to be met. The transition team will be led by the Deputy Chief for Operations and include senior leadership of the new office.

Phase 1 – Immediate Actions: Certain actions are ongoing, such as initial coordination with senior Congressional staff and Members of Congress, as well as OMB, and preliminary briefings for the staff who would transfer from EH, SSA, or DR to the new Office of Health, Safety and Security. Other actions that will be completed within 30 days of Secretarial approval of the new

PREDECISIONAL
DRAFT

**PREDECISIONAL
DRAFT**

organization are focused on notification and coordination to ensure that interested parties are aware of the transition and its benefits. Actions in this phase include:

- The Department, led by senior staff members of the new Office, will hold “all hands” meetings to explain the new organization, management expectations, planned actions, and priorities to the staff (i.e., those that transfer from EH, SSA, and DR). HR will provide assistance and information as required.
- The Department will continue to coordinate with OMB and Senate and House of Representatives committees with jurisdiction over the Department that deal with health, safety and security aspects of DOE operations to ensure they are informed of the details of the actions to form the new organization.
- The Department will coordinate with external organizations including non-Federal employees, labor unions, DNFSB, and other stakeholders to ensure they are informed of the details of the actions to form the new organization.

Phase 2 – Short-Term Actions: Actions to be taken within 90 days of approval of the Office focus on refining, streamlining, and integrating the EH, SSA and DR functions into the new Office in an efficient manner that promotes employee ownership and buy-in and that considers the needs of interested parties, particularly the DOE program offices, field elements and site contractors.

- Office of Health, Safety and Security will conduct a series of field visits to seek the site office, contractor, and labor union feedback, which will be used to refine the approach to safety policy, field support/assistance, and analysis.
- Office of Health, Safety and Security will lead an extensive effort to solicit feedback from staff members, DOE program offices, and DOE sites.
- HR will take the necessary actions to make the corresponding personnel moves effective.
- Office of Health, Safety and Security leadership will continue to coordinate formation issues and lead communications with external and internal organizations, to include defining lower tiers of the new organizational element and selecting individuals to fill the key management positions.
- Office of Health, Safety and Security will conduct a series of meetings with program office personnel to seek their perspectives on improvements that can be made in safety policy, programs, guidance, assistance, training, or other areas that fall within its safety responsibilities. Office personnel will also meet with other Headquarters organizations to gain their perspective, such as the Office of the General Counsel and the Office of Management (including organization elements that have responsibility for managing directives and for aviation safety).

Phase 3 – Implementation: Within one year of approval, the strategy for the new organization is to be fully implemented. During the first year, the Office of Health, Safety and Security will focus primarily on identifying (based primarily on line management feedback) the highest priority safety issues and developing and implementing plans to address them. One of the first priorities of the new organization will be a series of technical assistance visits; these visits will be performed to reflect senior management priorities and will focus on helping specific sites to develop solutions to safety problems.

**PREDECISIONAL
DRAFT**

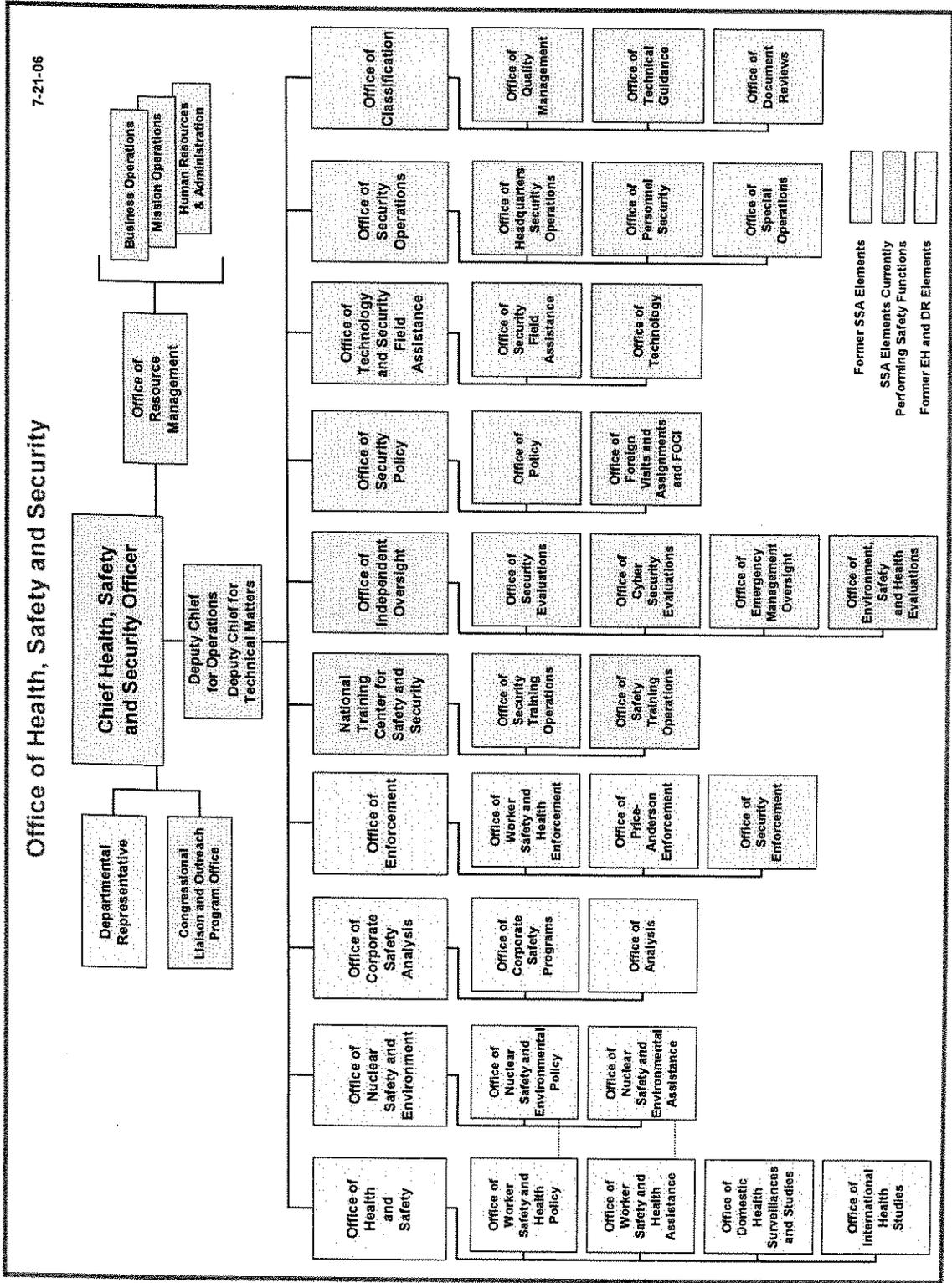
**PREDECISIONAL
DRAFT**

List of Acronyms

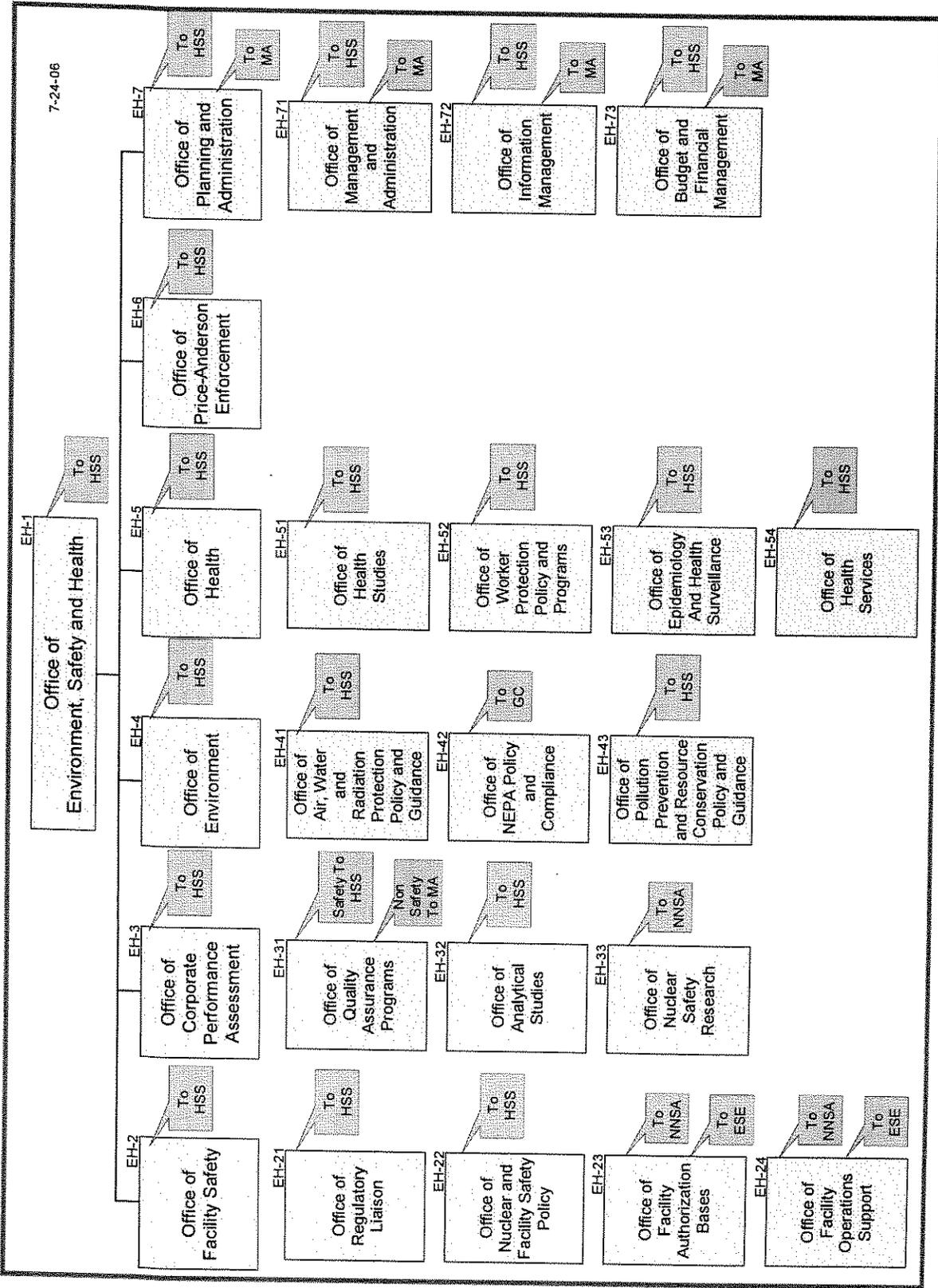
AFL-CIO	American Federation of Labor - Congress of Industrial Organizations
ANL	Argonne National Laboratory
CAIRS	Computerized Accident Incident Reporting and Recordkeeping System
CFO	Office of the Chief Financial Officer
CIO	Office of the Chief Information Officer
DOE	Department of Energy
DNFSB	Defense Nuclear Facilities Safety Board
DR	Office of Departmental Representative to the DNFSB
EEOICPA	Energy Employees Occupational Illness Compensation Program Act
EH	Office of Environment, Safety and Health
ES&H	Environment, safety and health
ESE	Office of the Under Secretary of Energy
GAP	Government Accountability Project
GC	Office of General Counsel
HEPA	High Efficiency Particulate Air (filters)
HR	Office of Human Capital Management
HSS	Office of Health, Safety and Security
INL	Idaho National Laboratory
LANMAS	Local Area Network Material Accounting System
MA	Office of Management
NBL	New Brunswick Laboratory
NEPA	National Environmental Policy Act
NMMSS	Nuclear Materials Management and Safeguards System
NNSA	National Nuclear Security Administration
NTC	National Training Center
NTEU	National Treasury Employees Union
OMB	Office of Management and Budget
ORPS	Occurrence Reporting and Processing System
POGO	Project on Government Oversight
RESL	Radiological and Environmental Sciences Laboratory
SC	Office of the Under Secretary for Science
SSA	Office of Security and Safety Performance Assurance
SSIMS	Safeguards and Security Information Management System
VPP	Voluntary Protection Program

**PREDECISIONAL
DRAFT**

Attachment 1 – Office of Health, Safety and Security

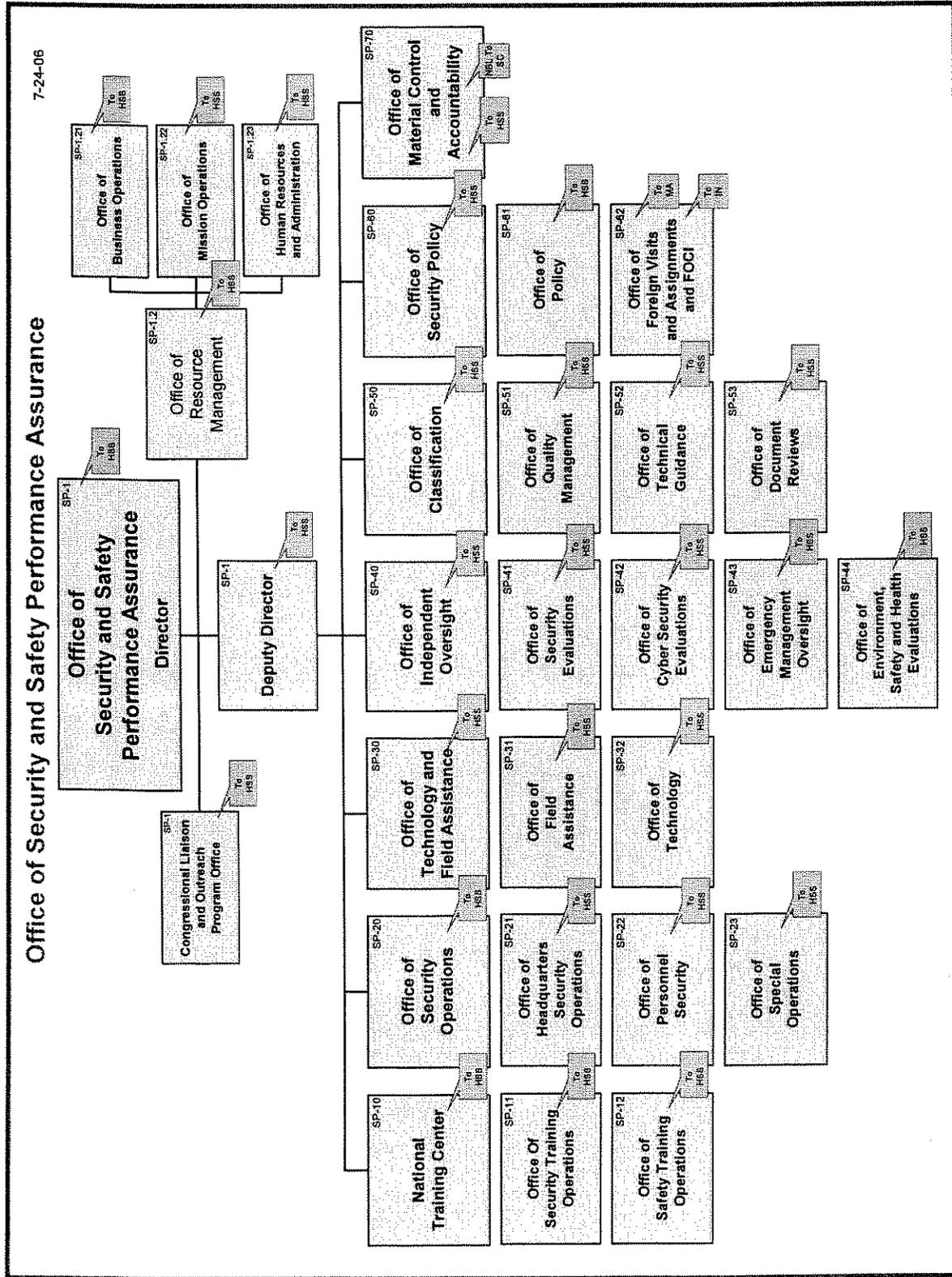


**PREDECISIONAL
DRAFT**
Attachment 2 – Cross-Walk of Current EH Functions



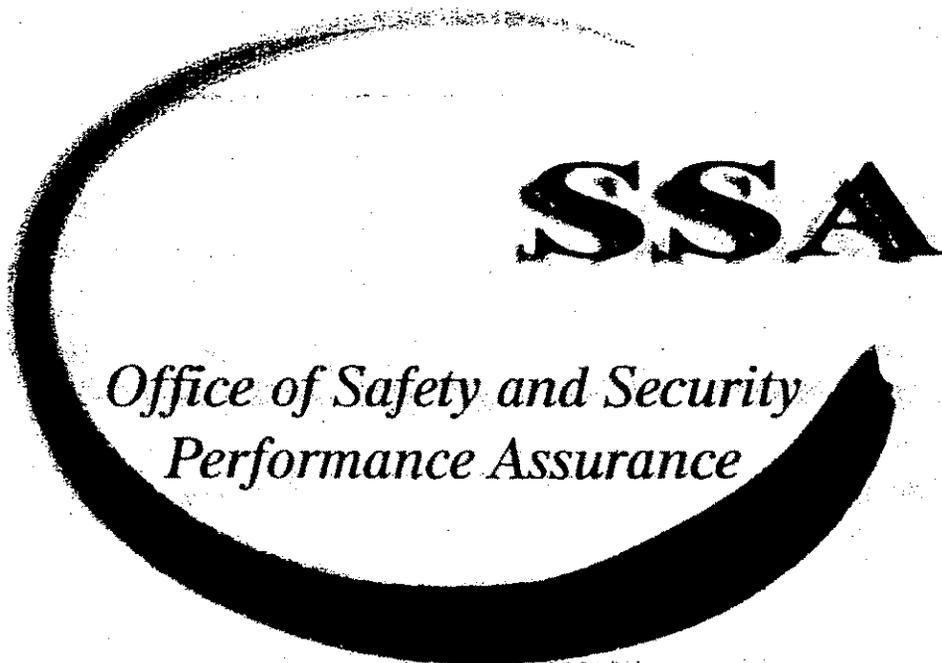
PREDECISIONAL
DRAFT

Attachment 3 – Cross-Walk of Current SSA Functions



FRIDAY, 19 MAR 2006

Proposed Approach for an SSA-EH Merger



Proposed Approach for Implementing an SSA-EH Merger

The Secretary of Energy has developed a plan to strengthen environment, safety, and health (ES&H) programs within the Department of Energy. The plan focuses on by realigning certain Headquarters safety functions and integrating safety and security at Headquarters to better support DOE line management efforts to accomplish the DOE mission in a manner that ensures the public, workforce, and environment are provided a high degree of protection. A key element of the Secretary's plan is the realignment of the functions of the Office of Environment, Safety and Health (EH) and a merger of most safety functions into the Office of Safety and Security Performance Assurance (SSA). The intent of the merger is not to dismantle safety but to enhance the effectiveness and efficiency of ES&H programs across the complex by providing DOE sites with better policy, guidance, information, and assistance as well as continuing to perform independent ES&H oversight to provide senior DOE management with independent perspectives about the effectiveness of DOE ES&H policies and programs.

This document provides information about the proposed new ES&H responsibilities of the expanded SSA organization. SSA will continue to implement its security and independent oversight responsibilities in accordance with established protocols. This document specifically addresses:

1. The purpose of the proposed merger – Why actions will be taken to merge EH and DR into SSA and what advantages will the merged organization provide?
2. The proposed expanded SSA organization and its ES&H functions – How will the ES&H resources be organized, why will the proposed organization help solve the current problems, and how will the current SSA resources complement the EH resources?
3. Proposed cross walk of people – Where will the staff be assigned?
4. Proposed cross walk of budgets – How will the budgets and contracted activities be allocated?
5. Proposed rollout plan – What actions will be taken to communicate and implement the transition?
6. Additional information - Questions and answers.

Section 1. Purpose of the Proposed Merger

The purpose of the proposed merger is to better structure DOE Headquarters safety and security resources to function as an integrated corporate safety and security organization. The primary goals of the consolidated organization are to:

- Ensure that workers, the public, the environment, and national security are provided a high degree of protection from the potential hazards at DOE sites
- Provide more efficient and effective integrated support to DOE program offices, field elements, and site contractors so that they are better able to perform their role in the DOE mission and strategic goals.

The merger is not intended to dismantle the ES&H organization and does not reflect a downgrading of ES&H. To the contrary, the intent is to strengthen ES&H by enhancing DOE's ability to address ES&H issues and to better align SSA and EH resources to take advantage of synergies with program office activities.

The overall approach is to identify the functions that need to be performed by a corporate safety and security organization and to optimally organize those functions to perform the corporate ES&H functions and support DOE line organizations in their efforts to implement effective ES&H programs. Concurrently, the functions that are best performed by line management organizations are being realigned to the line organization in order to ensure that the corporate safety and security organization is fully focused on its corporate safety and security mission. Also, to ensure that ES&H functions are well coordinated, the Office of the Departmental Representative to the Defense Nuclear Facilities Safety Board (DR) will also report to the Director, SSA. The leadership team for the merged organization will include the current SSA Director and Deputy and the most senior manager from the EH organization. Within the merged organization, ES&H functions will have equal status with security and the first tier ES&H offices will report directly to the Office of the Director, SSA.

Some of these organization factors that contributed to the plan to realign the ES&H functions and merge the organizations, along with a brief discussion of how the reorganization will help to address them, are as follows:

- In the previous organizational structure, DOE's ES&H resources were stove piped along technical discipline lines (e.g., nuclear safety and worker safety were in different organizations) and were not optimally organized to work together effectively to help the field elements solve ES&H-related problems in accordance with the Integrated Safety Management concept. In the new organization, ES&H resources will be organized to promote an integrated approach to assisting the field in solving ES&H-related problems.
- Over the years, some EH functions were properly taken over and performed by line management organizations. However, EH staff were not reassigned to the line organizations and EH gradually became overstaffed for its current functions. Further, the long term work environment suffered from insufficiently clear missions/objectives and accountability which contributed to insufficient utilization of the technical staff and acceptance of under performing staff and managers. Most of the EH staff have suitable technical backgrounds and work experience and can be utilized to help DOE accomplish its ES&H responsibilities if placed in the proper organizational structure, aligned with the appropriate functions, given clear expectations and direction, and held accountable for performance against clear goals. SSA will strive to address the staffing issues through several means including:

- "Rightsizing" the new ES&H organizational elements within SSA and, for the staff that transfer to SSA, clarifying assignments and expectations for managers and technical staff in the new organizational structure and holding managers and staff accountable for performance.
- Reassigning staff to other organizations (e.g., line management) where they can be better utilized.
- Proactively exploring buy out and early out authority for excess staff to bring resources in line with functional needs. With proper implementation, these options will also help to ensure that the technical skills are maintained and that the long term ES&H technical resource base is not threatened by the disproportional loss of younger staff (as would typically occur in a reduction in force situation).
- Similar and duplicated functions were being performed by various EH organizational elements, resulting in inconsistencies in approach and communications and significant inefficiencies. All EH functions were reviewed and, as needed, were combined and assigned to a single organizational element to promote consistency and accountability.
- EH was assigned some functions (e.g., supporting authorization basis reviews) that were more properly a line management responsibility. The EH resources assigned to these functions were not being used by the program offices or field because the function was a line management responsibility. These functions were identified and assigned to the line organizations, along with the personnel who perform them. This transfer also will help the National Nuclear Security Administration and Energy, Science and Environment organization address their needs to staff their Central Technical Authority organizations.
- EH managed a number of reporting systems (e.g., ORPS, CAIRS) and databases and generated various corporate reports; these processes were sometime overlapping or redundant and did not always provide value. In the new organization, these functions are consolidated into a single organizational element and will be evaluated to identify opportunities for consolidation, streamlining, and elimination of redundancies and non-value added activities.
- SSA and EH were managing laboratory facilities – the New Brunswick Laboratory (NBL) and the Radiological and Environmental Science Laboratory (RESL), respectively – but do not have the proper infrastructure to manage facilities and facility management is not the proper role of a corporate safety and security organization. The laboratories and the personnel who manage and operate them have been assigned to the appropriate line organization.
- The interface and coordination among EH, DR, and line organizations (including DOE sites) was not sufficiently effective to ensure that Defense Nuclear Facilities Safety Board recommendations were effectively evaluated and the resulting implementation plans represented the optimal solutions. By having DR and EH elements report to a common Director and increasing efforts to communicate with the program offices, the new organization will help DOE to address DNFSB recommendations in a more systematic and effective manner.
- The interface between safety and security organizations was not sufficiently effective in assisting the field address a number of important safety/security interfaces (e.g., safety aspects of new security technologies that could help sites to meet the new design basis threat without dramatically more security police officers). In the new organization, safety and security will both report to SSA and the interfaces will be coordinated at the level of the SSA Director.
- ES&H training courses and supporting activities were being developed by both EH and the National Training Center (NTC), with insufficient coordination. In the new organization, these activities will be coordinated by NTC (drawing on SSA ES&H professionals for

technical expertise), thus enhancing the effectiveness of the NTC as a corporate resource, promoting efficiency by eliminating redundant training efforts, and eliminating confusion associated with conflicting training efforts.

In addition to addressing organizational structure issues, the new organization will be directed to implement a paradigm shift. Specifically, SSA will be directed to implement its new ES&H responsibilities with a primary focus on providing DOE sites with the policy, information, guidance, tools, and feedback to effectively and efficiently implement ES&H programs in a manner that ensures protection of the public, workers, and environment. To this end, SSA will focus on:

- Improving ES&H performance by working with the field to solve difficult and recurring ES&H-related problems.
- Improving DOE Headquarters ability to develop effective ES&H policy and provide better guidance.
- Streamlining the interface between Headquarters and field.
- Enhancing the efficiency, quality, and value to the field of Headquarters ES&H activities.
- Better utilizing the capabilities of the technical staff in a more focused organizational structure with clear missions and accountability for performance.

Section 2 Proposed Expanded SSA Organization and its ES&H Functions

Functions that SSA will Perform. Through a collaborative effort, DOE has assessed the current EH functions to identify the functions that are important to maintain as well as those that should be eliminated, combined, or transferred to another organization. The most important higher-tier ES&H functions that must be performed by the DOE Headquarters corporate ES&H organization include:

- establishing and maintaining ES&H policies, including nuclear safety policies
- developing guidance and interpreting policy when questions arise
- providing technical assistance to the field on complex ES&H problems and interfaces
- performing required corporate reporting
- managing DOE-wide programs and maintaining information systems (ORPS, CAIRS, VPP, lesson learned, etc.)
- managing the domestic health surveillance and studies efforts
- analysis of complex-wide data to identify trends
- implementing the enforcement program.

DOE then organized the functions into three logical categories and established three first-tier offices (reporting to the Office of the Director, SSA) to accomplish those functions. Each of the first tier offices has a number of subordinate offices to focus on specific sets of related functions.

Leadership. The Director, SSA will continue to provide the overall management leadership and direction to the organization, including the security and the ES&H elements. The Director, SSA has over 30 years of experience in managing and directing security and safety programs, including over 12 years providing direction to ES&H independent oversight program. During this time, this individual has been at the forefront of many of the Department's most important ES&H initiatives, including the development and refinement of Integrated Safety Management and new ES&H oversight approaches, such as the technical evaluations of essential safety system at nuclear facilities. The Deputy Director, SSA will also continue to provide operational direction to SSA's subordinate offices. This individual is an ES&H professional with over 25 years of technical and management experience in ES&H. His career includes management positions with the EPA, DOE environmental programs, and DOE independent oversight. The capabilities of the SSA senior management team will be further strengthened by the creation of a new position – the Deputy Director for Technical Matters – reporting to the Director, SSA. The Deputy Director for Technical Matters position will be filled by a Schedule C SES. The Director for the Office of ES&H Policy and Field Assistance will have over 25 years of extensive ES&H professional technical and managerial experience.

Both the Director, SSA and the Deputy Director, SSA, together with the Director for ESH Policy and Field Assistance have held senior SES management positions in the EH organization in the past. Collectively, these individuals have extensive ES&H technical expertise and proven management capability in the ES&H arena. More importantly, they have a demonstrated capability to lead organizations through periods of changes and ensure that organizational elements have clear missions and priorities, work constructively with line management, are accountable for performance, and provide value to the Department.

Subordinate Organizational Elements. The new SSA offices and a brief summary of their roles are as follows:

- **The Office of ES&H Policy and Field Assistance**, which will focus on maintaining and improving ES&H policies and assisting DOE site in interpreting policies and implementing ES&H programs, as well as helping DOE to address cross-cutting safety issues that impact multiple DOE sites and that would benefit from a DOE-wide approach to resolution. This Office will have four subordinate offices. Two of these offices will focus on policy development, maintenance, and interpretation with one focusing on ES&H policy, one focusing on nuclear safety policy. A third office will focus on field assistance and will be the focal point for interface with the field elements. The fourth office, the Office of Domestic Health Surveillance and Studies, will manage studies that evaluate worker health and health effects and ensure this information is used to protect workers and the public and to continuously improve ES&H policies. These subordinate offices will work together with a major focus on helping the field to solve problems and improve ES&H programs and performance. The integration of these previously stove piped functions into a single office with a primary mission of policy and field assistance will enable SSA to better focus on helping the field to solve the highest priority ES&H issues and to direct corporate resources to where they are most needed. This integration of these previously stove piped functions into a cohesive organization that is focused on solving problems will be led by an experienced SSA manager who has over 25 years of experience in domestic and international safety management and independent oversight, has a demonstrated ability to work constructively with line management, and has successfully led a number of initiatives to enhance DOE safety programs.
- **The Office of Corporate Safety Analysis**, will be under the direction of a current Deputy Assistant Secretary level EH manager who just recently transferred from the Environmental Management where she gained invaluable line management experience. In addition this individual has over 20 years technical and managerial experience in the environmental, safety, and health disciplines. This office will perform required corporate reporting and regulatory interfaces, manage certain DOE-wide programs (such as VPP, lessons learned), perform analysis of data and trends for the Department, and manage the domestic health surveillances and health study efforts. This Office will have three subordinate offices. The Office of Safety Performance Assurance will focus on corporate safety programs and processes (e.g., VPP, FEOSH). The Office of Analysis will focus on analyzing information to identify trends and problem areas and providing information to other SSA elements and line management that will help to focus resources and solve problems. The integration of previously stove piped functions will enable SSA to focus on improving the quality and value of DOE programs and analytical efforts. For example, issues management is a longstanding weakness at DOE Headquarters. The integration of the previously dispersed functions will enable a systematic and comprehensive approach to an effective solution to this longstanding problem. A major focus of this new office will be to identify activities that needed to be combined (e.g., issues management) and those that are not adding value and need to be significantly modified or eliminated.
- **The Office of Enforcement**, will be under the management of the current Director who has substantial experience in managing the enforcement program. This office will perform the Price Anderson Amendment Act enforcement organization. To ensure a coordinated and consistent approach to enforcement, this office will also include the civil penalties function for security violations, which is already an SSA responsibility.

Other Changes. In addition to the new offices, a few other changes will be made in the SSA organization to incorporate the expanded functions and take advantage of the synergies between its new functions and previous functions. These changes include:

- **The Department Representative (DR) to the Defense Nuclear Facilities Safety Board (DNFSB)** will be a direct report staff to the Director, SSA. DR administratively is already within SSA. Within SSA, the DR will work closer with other SSA ES&H offices and with line management. DR will place more emphasis on ensuring a systematic analysis of DNFSB recommendations and interactions, ensure that DOE implementation plans for DNFSB recommendations are coordinated and comprehensive and reflect DOE priorities, and representing the DOE position to the DNFSB.
- The civil penalty enforcement for security violations will be merged into the new **Office of Enforcement**. This change will enable the relatively new security civil penalties function to benefit from the experience of the mature ES&H enforcement function and will ensure that the field experiences a consistent and coordinated approach to enforcement.
- The **National Training Center (NTC)** will be the unified center for DOE training support in the safety and security areas. The NTC will assume some of the functions previously performed by EH elements to ensure a consistent and coordinated approach to training support activities. NTC will work closely with the SSA ES&H elements and draw on the SSA ES&H personnel to assist in the training efforts.
- Some administrative and support functions (e.g., budget support, database management) previously performed by the EH Office of Planning and Administration (EH-7) will be absorbed into the SSA **Office of Resource Management**. This combining of the similar functions will ensure coordination and result in efficiencies.

The revised SSA organization is presented in Attachment 1, which provides a revised top tier SSA organization chart showing the new SSA offices and lower tier organizational charts for the new SSA offices. The mission and functions of the three new first-tier offices, their subordinate offices, and the repositioned and refocused DR office are shown in Attachment 2.

Functions that Transfer to Other Organizations. The assessment of EH functions identified a number of functions that should be transferred to other organizations or discontinued because they are redundant to functions performed by the line. SSA, DOE line management organizations (NNSA/DP, EM, SC, NE), and staff organizations (MA, HR, GC) coordinated their efforts to determine the best placement of the functions that are better performed by an organization other than the expanded SSA corporate safety and security organization.

The previous EH functions that will be moved include:

- Provide support for non-nuclear quality assurance program elements. This function will be moved to MA because most aspects of quality assurance are related to product quality not ES&H (SSA will retain the quality assurance aspects that relate to nuclear safety).
- Function to manage the conduct of international programs and health studies on the affects to populations from U.S. nuclear weapons testing or accidents and operations involving radiological materials. The function will be assigned to SC to capitalize on the scientific synergies and because SSA needs to focus on domestic responsibilities of DOE in protecting the public and workforce.

- Function to perform nuclear safety research. This function will be assigned to NNSA to capitalize on the synergies with the research mission and national laboratories of NNSA.
- Function to support technical reviews of authorization bases documents. This function is more properly and line management responsibility. The function will be assigned to the ESE and NNSA Central Technical Authorities and the personnel who perform these functions will be allocated to NNSA and ESE.
- Function to provide support on safety regulation expectations of newly constructed facilities and new start projects. This function is more properly and line management responsibility. The function will be assigned to the ESE and NNSA and the personnel who perform these functions will be allocated to NNSA and ESE.
- Function to provide corporate management of the Radiological Environmental Science Laboratory at INL. This function will be assigned to NE to take advantage of synergies with the nuclear research mission and because program offices have the infrastructure to manage facilities.
- Function to assure that the Department's proposed actions comply with the requirements of the NEPA and related environmental requirements. This function will be assigned to GC because it has synergies with legal expertise.
- Function to support DOE management of personnel and procurement, budget processes, and information management systems. Some EH-7 support staff will transition to MA. Because of the efficiencies in support functions that SSA will experience in the combined organization, SSA will not need all of the EH-7 personnel who perform these functions and they can be utilized better by MA.

As part of the organizational review, DOE also identified a few current SSA functions that should be transferred to other DOE organizations. These include:

- Manage and operate NBL, which has the primary mission of research and development of nuclear measurement standards. This function will transfer to SC to capitalize on the synergies with the program office research mission and infrastructure for managing facilities.
- Manage foreign travel and the exchange visitor program. These functions are assigned to MA, which is better suited to perform the required reviews.
- Manage foreign visits and assignments. This function is assigned to the counterintelligence function of the Office of Intelligence and Counterintelligence to capitalize on the synergies with counter intelligence.

Collectively, these organizational changes will result in a corporate safety office that is focused on the most important Headquarters safety functions and that is organized to perform them more efficiently and effectively. The major emphasis will be on designing the organization to help the field solve problems and improve ES&H programs and performance so that sites can better accomplish the DOE mission and strategic goals. In addition, the consolidation of functions within organizations will promote and facilitate accountability for performance. Further, the transfer of certain functions to other DOE organizations will enable SSA to better focus on its mission and will promote overall efficiency of DOE by better aligning functions with organizations that are best suited to perform them.

Section 3 Proposed Cross Walk of People

SSA, program offices, and staff organizations worked together to examine the previous EH functions and the personnel who perform those functions. Using the new SSA organization and assignment of functions, the resources (people and expertise) needed to perform the functions in the new offices were identified. Attachment 3 shows the crosswalk of assignments of individuals to the new SSA ES&H first-tier offices. The subsequent assignment to lower tier organizations will be accomplished when managers for the first tier organizations are assigned and their input is considered. Attachment 3 also shows the assignments of individuals to DR and the additional former EH individuals assigned to SSA's Office of Resource Management.

DOE organizations then coordinated the placement of individuals who will transfer to other organizations to perform the functions that transfer to other organizations. Attachment 4 shows the crosswalk of individuals who will transfer from SSA or EH to other DOE organizations.

As part of this process, a few SES staff have not yet been assigned. These individuals are also listed in Attachment 4.

Section 4 Proposed Cross walk of budgets

SSA, program offices, and staff organizations then examined the previous EH functions and the personnel who perform those functions. Using the new SSA organization and assignment of functions, SSA then identified the budgets (including contracts) needed to perform the functions in the new offices. SSA will also coordinate with other DOE organizations regarding the allocation of budgets and contracts to other organizations that will perform functions that transfer to other organizations. A detailed cross walk of the budgets and contracts that will be transferred from one organization to another will be developed after the merger is announced and decisions about resources are finalized.

Section 5 Proposed Rollout plan

The proposed transition will reflect a three-phase approach and will require the coordinated efforts for various DOE organizations (e.g., support from the human resource function, congressional affairs, General Counsel, and other staff offices). An SSA transition team will be assembled to ensure that management expectations are reflected in the establishment, staffing, and operations of the new offices. The transition team will be led by the SSA Deputy Director and include directors of the new offices and ES&H independent oversight (SP-44) personnel.

Phase 1 – Ongoing/Immediate Actions. Actions that are ongoing or that will be completed within 30 days of Secretarial approval of the merger are focused on notification and coordination to ensure that interested parties are aware of the transition and its benefits. Actions in the phase include:

- DOE senior management will seek advice on the approach from the Office of Management and Budget and leadership of the key Senate and House of Representative committees that deal with safety aspects of DOE operations (ongoing)
- SSA will work with the Office of Congressional and Intergovernmental Affairs and with the Office of Public Affairs to coordinate with external organizations including labor unions, DNFSB, Congressional staff, and other such parties. A communications plan has been developed and is included as Attachment 5; it identifies the interested parties and points of contact and identifies responsible individuals and organizations.
- The Secretary/Deputy Secretary provides senior management direction to the affected DOE elements. The Secretary may hold one or more "all hands" meeting with the current EH organization and/or new SSA staff (i.e., those that transfer from EH to SSA) to announce and explain the reorganization to the affected staff.
- The Secretary or his representative will announce the merged organization at an appropriate time to a wider audience.
- SSA will hold an all hands meeting with SSA staff members to explain the new organization, management expectations, planned actions, and priorities.

Phase 2 – Short-Term Actions. Actions to be taken within 90 days of approval of the merger focus on refining, streamlining, and integrating the EH functions into the merged organization in a manner that promotes effective and efficient safety and that considers the needs of interested parties, particularly the DOE field elements and sites.

- SSA will continue to coordinate merger issues and lead communications with external and internal organizations, to include defining lower tiers of the new organizational element and selecting individuals to fill the key management positions.
- HR will take the necessary actions to make the reorganization and the corresponding personnel moves effective.
- SSA will lead an extensive effort to solicit feedback from new SSA staff members, DOE program offices, and DOE sites.
- SSA will conduct a series of meetings with program office personnel to seek their perspectives on improvements that can be made in ES&H policy, guidance, assistance, training, or other areas that fall within SSA's new ES&H responsibilities. SSA has developed lines of inquiry for use during the meetings. SSA will also meet with other Headquarters organizations that have an ES&H role or that have key interfaces with ES&H functions to gather their perspectives, such as the Office of the General Counsel and the Office of Management (including organization elements that have responsibility for managing directives and for aviation safety).

- SSA will conduct a series of field visits to seek the site office, contractor, and labor union feedback, which will be used to refine the approach to ES&H policy, field support/assistance, and analysis.

Phase 3 – Implementation. Within one year of approval of the merger, the strategy is to be fully implemented. Within the first year, SSA's primary focus will be on identifying (based primarily in field feedback) the highest priority ES&H issues and developing and implementing plans to address them, including substantial SSA support and interactions. One of the first priorities of the merged organization will be a series of technical assistance visits; these visits will be performed to reflect senior management priorities and will focus on helping specific sites to develop solutions to ES&H problems. At the request of the Office of Science, a number of SC sites will be included among the initial set of field assistance visits.

Section 6 Additional information

A few questions that may arise and answers to those questions are provided below.

Q: Will ES&H get lost in the security organization? Will visibility of and management support for ES&H be reduced?

A: No. Security and safety will be equal partners. Both security and safety have the common goal of protecting the public, environment, and workers. ES&H of course focuses on protecting against hazards during routine operations and on preventing and mitigating accidents while Security focuses more on deliberate events as well as national security. ES&H will be no less visible and no less important in the new organization. SSA will "flip" the order of "security and safety" in its current name to be the "Office of Safety and Security Performance Assurance" to emphasize that safety is an equal partner with security.

ES&H organizations will not be lowered in visibility. They have reported to an Assistant Secretary who reports to the Secretary (2nd tier reporting). In the new concept, they will report to SSA (which has both security and safety responsibilities and sub-tier organizations) and will still be a 2nd tier reporting to the Secretary. The only difference will be that the ES&H organizations will report through SSA which has both ES&H and Security responsibilities instead of a manager that had solely ES&H responsibilities.

The advantage to this approach is that DOE will have a common structure and approach for its two most challenging and costly infrastructure functions (ES&H and Security). Also, interfaces between security can be worked out within the SSA organization and thus reduce unnecessary paralyzing deadlocks.

Q: What will SSA's highest priorities be for ES&H issues in the merged organization?

A: Getting the new organization up and running is the first step. The major focus of the new organization then will be to support the field in the efforts to implement effective and efficient ES&H programs. The key element to success will be to get management and working level feedback on the issues that need attention so that we can work to solve them. A few specific priority areas for improvement are evident already and include:

- Feedback and improvement programs
- Issues management at all levels (Department, Program Office, and field)
- Weaknesses in configuration management for nuclear safety systems
- Work planning and control.
- Workplace monitoring.

SSA envisions setting up the organization in a manner that includes strong links between policy, field assistance, and analysis and with a strong focus on solving problems. For example, an individual will be designated to lead the efforts to address longstanding weaknesses in workplace monitoring in a coordinated fashion with all elements (policy, field assistance, analysis) working together. A project management approach, including issue and commitment tracking, will be used for such improvement initiatives. For example, SSA field assistance may focus on coordinating with the field to identify barriers to resolving the problems and on working with the Policy organization to improve guidance.

Q: Does SSA have sufficient safety expertise to manage the EH functions?

A: SSA (and its predecessors) has directed and managed SP-44, the Office of ES&H Evaluations, for more than five years. SP-44 has significant ES&H expertise and is well respected across DOE for its performance of the independent oversight function. The SSA Director and Deputy Director have extensive ES&H technical expertise and proven management capability in the ES&H arena and have held SES management positions in the EH organization in the past. These individuals have been on the forefront of ES&H initiatives, including development of the Integrated Safety Management concept, development of a focused accident investigation program, development of oversight policies, and implementation of programs to collect and analyze site profiles. SSA also has the ES&H expertise of the Office of Independent Oversight's Office of ES&H Evaluations, which has a cadre of technical experts in ES&H disciplines and through its inspections have gained a detailed understanding of the problems that faced by the field in the ES&H arena. Under SSA senior management direction, the Office of ES&H evaluations has demonstrated its ability to identify ES&H problems and recommend constructive solutions through numerous safety management inspections, special studies, and management reviews. In addition, a large number of ES&H professionals will transfer to SSA from EH to perform the ES&H assigned functions to SSA. SSA senior management will apply its safety management expertise and leadership skills to forge a closer working relationship between the ES&H independent oversight program and the ES&H policy, technical assistance, and analysis functions to ensure that all of these functions are working to help DOE identify and solve ES&H problems at Headquarters and the field so that DOE can accomplish its missions and goals effectively, efficiently, and with high regard for the protection of workers, the public, and the environment.

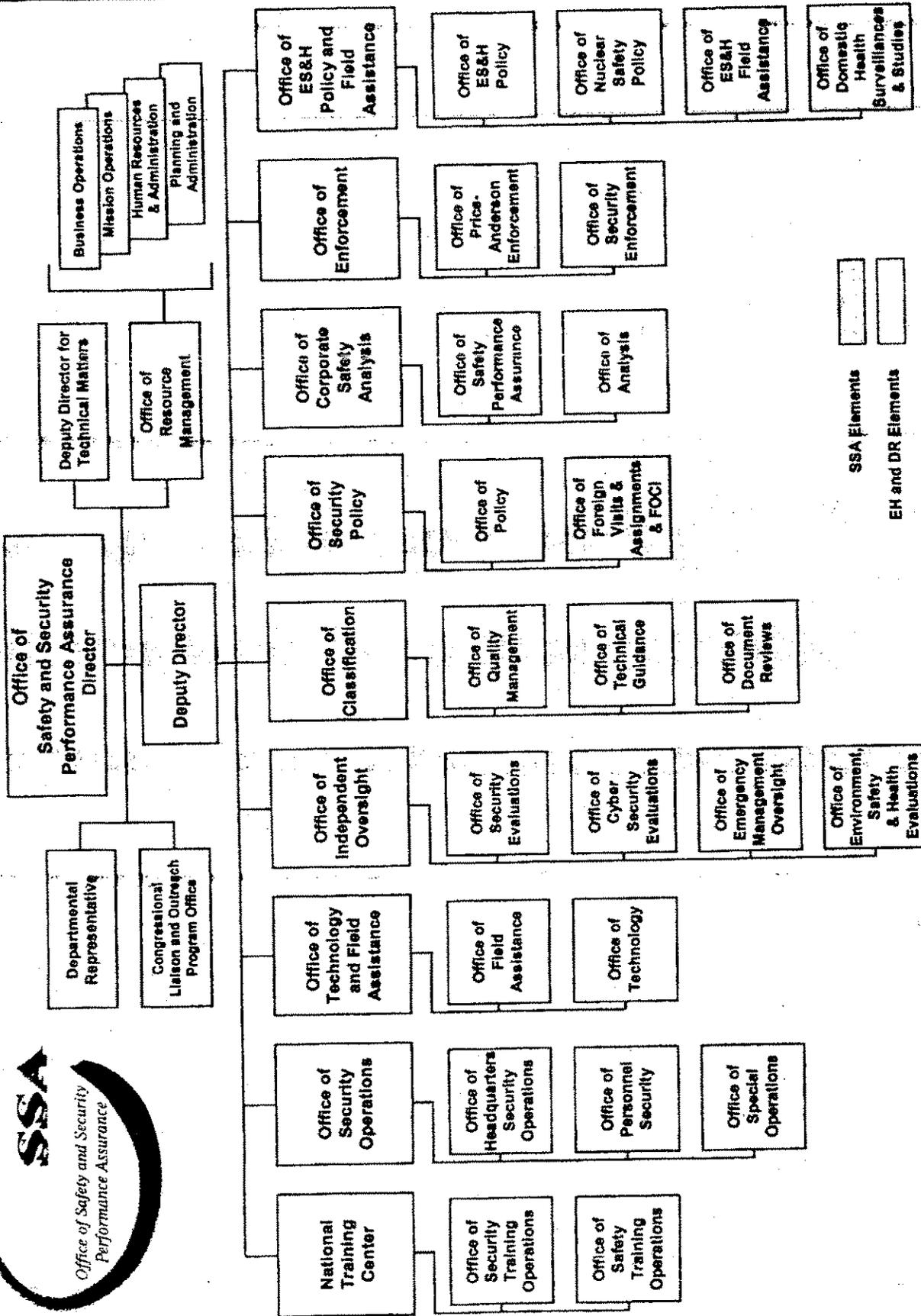
Q: Will this reorganization result in involuntary reductions in force? Will anyone lose their job?

A: This is a restructuring not a reduction in force. Although there will be no involuntary terminations, there is likely to be a number of reassignments as the current organizations are moved or as current organizations are dissolved and the functions and personnel are moved to the new offices or to other DOE organizations. Clearly, many EH personnel will have new supervisors and management chains. But involuntary reductions are not planned.

ATTACHMENT 1

(Insert PowerPoint org chart here)

Office of Safety and Security Performance Assurance



ATTACHMENT 2

New SSA Mission and Functions

Office of ES&H Policy and Field Assistance (Direct report to the Office of the Director, SSA)

Mission

Establish environment, safety and health requirements and expectations for the Department to ensure that the health and safety of workers, the public, and the environment is adequately protected from the hazards associated with Department operations. Provide assistance to field elements in implementation of policy and resolving ES&H issues. Manages studies to determine health effects from exposures to hazardous materials and identify improvements to protection methods.

Functions

- Assures that the Office implements an integrated approach to customer and stakeholder needs in the development and maintenance of ES&H policy and assisting field elements in implementation and in the performance of health studies and surveillances.
- Maintains effective liaison with line managers and other SSA offices and external organizations to identify issues and concerns related to ES&H policy.
- Provides quality management for activities to develop, promulgate and maintain ES&H policy.
- Maintains liaison with regulatory agencies with respect to ES&H matters.

Office of Environment, Safety and Health Policy (Reports to Office of ES&H Policy and Field Assistance)

Mission

Establish environment, safety and health requirements and expectations for the Department to ensure that the workers, public and the environment are adequately protected from hazards associated with DOE sites and operations, risks and environmental impacts are minimized, and compliance with worker safety and environmental protection laws, regulations and standards is achieved.

Functions

- Develops, maintains and publishes Departmental policy and directives relating to the safety and health of workers as appropriate to address DOE specific workplace hazards, and regulations for worker safety and health (10 CFR Part 835, 850, 851).
- Develops, maintains and publishes Departmental policy and directives relating to protection of the workers, public and environment to address regulations for environmental protection (Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation, and Liability Act, Emergency Planning and

Community Right-to-Know Act, Pollution Prevention Act, NEPA, and Toxic Substances Control Act, air, water, and radiation).

- Develops, maintains, and publishes Department policy and directives relating to Integrated Safety Management, environmental management and the integration of environmental management with integrated safety management.
- Develops policy and provides guidance and tools to assist in the estimation of risk and risk management for protection of the public from radiation and other hazardous materials.
- Develops policy and guidance to assist Departmental elements in the implementation of effective institutional environmental controls.
- Consults with line management in the implementation of directives and standards and provides guidance and interpretation on Departmental worker safety and environmental protection directives and standards environmental protection regulations.
- Works with the Office of General Counsel to assist in providing interpretations of worker safety regulations.
- Evaluates the effectiveness of policies and requirements in accomplishing the Department's goals and makes adjustments and improvements based on feedback from line management and independent oversight.
- Assists the National Training Center in the development of training related to worker safety, health and environmental protection requirements and standards.
- Interacts with internal and external entities, to maintain cognizance of best available information and technologies and facilitate adjustments to requirements and expectations as appropriate.
- Reviews OSHA regulations and policies and determine their implication to existing DOE policies, directives and regulations.
- Interacts with internal and external entities advocating the Departmental position on emerging environmental requirements affecting DOE operations and issuance of guidance on Departmental compliance with newly promulgated requirements.
- Develops guidance and coordinates activities to implement the cultural resource management program, including activities affecting Indian Tribal cultural resource sites and items consistent with Federal laws and regulations.

Office of Nuclear Safety Policy

(Reports to Office of ES&H Policy and Field Assistance)

Mission

Establish nuclear safety requirements and expectations for the Department to ensure that the health and safety of workers, the public, and the environment is adequately protected from radiological hazards associated with nuclear facilities.

Functions

- Develops, maintains and publishes Departmental policy and directives relating to protection of the workers, public and environment from the hazards associated with nuclear operations as appropriate and to address DOE specific regulations for nuclear safety (10 CFR Part 830).
- Develops and maintains Departmental policies, guidance related to facility design, facility maintenance, personnel training, conduct of operations, health physics, and fire protection.

- Establishes methodologies and standards for determining acceptable levels of risk from Departmental activities based on an integrated analysis of all safety hazards.
- Consults with line management in the implementation of directives and standards and provides guidance and interpretation on Departmental nuclear and facility safety directives and standards. Works with the Office of General Counsel to assist in providing interpretations of nuclear safety regulations.
- Evaluates the effectiveness of policies and requirements in accomplishing the Department's goals and makes adjustments and improvements based on feedback from line management and independent oversight.
- Assists the National Training Center in the development of training materials related to nuclear and facility safety requirements and standards.
- Interacts with internal and external entities, to maintain cognizance of best available information and technologies and facilitate adjustments to requirements and expectations as appropriate.
- Interfaces closely with industry groups such as the Institute for Nuclear Power Operations, the Nuclear Energy Institute, the Electric Power Research Institute, and the Energy Facility Contractors Group to ensure that the Department is aware of and participates in industry initiatives
- Interface with domestic and international organizations, and observe development and trends of new designs, construction, and operating standards adopted or being considered for use in both the domestic and international industries.
- Provides guidance for use of non-government standards, coordinates the Department of Energy (DOE) and contractor participation in standards organizations, interfaces with national and international standards-making bodies, and maintains an internet accessible database of standards for DOE use.
- Interfaces with other Federal regulatory agencies to ensure DOE facility safety policies and standards are consistent and represent best available information and technology.
- Works closely with the Office of Departmental Representative to interface with the Defense Nuclear Facilities Safety Board on matters concerning nuclear and facility safety policies and requirements.

Office of Environment, Safety and Health Field Assistance
(Reports to Office of ES&H Policy and Field Assistance)

Mission

Supports line organizations in the resolution of ES&H issues and management concerns utilizing a corporate issues management process for crosscutting issues providing technical support for organizational specific issues and concerns.

Functions

- Maintains a cadre of ES&H technical experts and provides technical assistance and support to line management in Headquarters and field organizations on an as-requested basis to facilitate effective and efficient implementation of the Department's Environment, Safety and Health requirements and expectations and resolving technical or performance issues.
- Maintains the corporate ES&H issues management process and ensures effective implementation.

- Facilitates evaluation of cross cutting ES&H issues with line management to determine extent of condition, causes, and actions to prevent recurrence.
- Teams with line management and contractor organizations to take actions that promote and result in the efficient and cost effective implementation of the policy and directives to result in enhanced protection of the workers, public and environment from the hazards associated with DOE sites and operations.
- Provides technical support to the Department's program offices and field elements in understanding environmental requirements
- Supports the National Training Center in the development of training on the corporate issues management process and issues management techniques.
- Supports other SSA offices in the resolution of ES&H issues and concerns.
- Coordinates with the Office of Analysis to develop strategies for evaluating the effectiveness of actions to resolve crosscutting issues.
- Provides corporate support to program and field elements in the interpretation and implementation of statutory and emerging regulatory environmental requirements relative to hazardous waste management, toxic chemical inventory reporting, natural resource trusteeship, and hazardous substance release response

Office of Domestic Health Surveillance and Studies
(Reports to Office of ES&H Policy and Field Assistance)

Mission

Conduct or participate in studies to determine worker and public health effects from exposures to hazardous materials and seek improvements in protection methods.

Functions

- Manages and supports the conduct of analytic epidemiologic studies and other health studies by external organizations, through formal arrangements, to assess the health implications of exposures to hazardous materials found in the DOE workplace.
- Manages and conducts descriptive epidemiologic studies to assess the health implications of exposures to hazardous materials for workers within the DOE complex.
- Develops and maintains an epidemiologic studies plan that includes DOE and site profiles, using in part the results of analytic and descriptive epidemiologic studies to determine the need for the conduct of future epidemiologic studies.
- Provides input to the Office of ES&H Policy regarding worker protection policy and occupational health programs on opportunities to enhance existing worker protection based upon epidemiologic studies.
- Conducts and manages focused medical monitoring programs on specific hazards of interest to DOE for the protection of workers to provide a greater understanding of the health effects associated with worker or public exposure to that hazard.
- Develops and maintains registries for DOE workers to track their well being and document the progression of health effects associated with exposures to specific hazardous materials of particular interest to DOE.
- Creates and disseminates public health information to allow workers to better and actively manage their exposure to hazardous materials in DOE and manages a program to communicate health effects information and the results of studies to all interested stakeholders within and outside DOE.

Office of Corporate Safety Analysis

(Direct report to the Office of the Director, SSA)

Mission

Manage and promotes corporate safety programs and provide analysis of Department of Energy (DOE)-wide performance in protecting the public, the workers and the environment while performing the missions of DOE. This analysis is valued in corporate decision-making and synthesizes operational information to support continuous environment, safety and health (ES&H) improvement across the DOE complex. Conducts or participates in studies to determine worker and public health effects from exposures to hazardous materials. Seeks improvements in protection methods and provides feedback that is used to enhance safety and health policies.

Functions

- Assures that the Office implements an integrated approach to customer and stakeholder needs in the management of corporate programs, analysis of Department ES&H performance and health surveillance and studies.
- Maintains effective liaison with line managers and other SSA offices to identify issues and concerns.
- Provides quality management of safety analysis and corporate safety program activities and products.

Office of Safety Performance Assurance

(Reports to Office of Corporate Safety Analysis)

Mission

Manages and promotes safety thru the maintenance and implementation of corporate safety programs and processes.

Functions

- Provides a Department-wide focal point for cross-cutting ES&H compliance/performance information. Coordinates, validates, and distributes statutory, regulatory and executive order-mandated corporate ES&H reports.
- Manages and conducts the Federal Employee Occupational Safety and Health (FEOSH) Program for the protection of Federal employees of the Office of Safety and Security Assurance, and promotes the implementation of FEOSH programs in other offices at DOE Headquarters.
- Manages and directs certification program activities (DOE Voluntary Protection Program (VPP), DOE Laboratory Accreditation Program (DOELAP)) aimed at ensuring corporate capabilities and programs that are deployed to protect workers, the environment and the general public are fully operational and effective.
- Manages, maintains and improves the synergy between various reporting and tracking systems. This includes Occurrence Reporting and Processing System, Computerized

Accident/Incident Reporting System, Radiation Exposure Monitoring System and Workers Compensation Reporting to the Department of Labor.

- Manages the Department accident investigation program including: maintaining standards, assisting with Type A Investigations and supporting Type B Investigations as requested, and working with the National Training Center to provide training.
- Provides and maintains a DOE commercial standards subscription service
- Maintains and files a list of DOE facilities with OSHA to which DOE will not exercise its occupational safety and health regulatory authority.
- Maximize the sharing and efficient use of data and information by developing and managing a centralized authority to inventory and integrate environment, safety and health (ES&H) data and information
- Develops and maintains an on-line database of industry standards, programs, policies and activities.
- Serve as the Department's Dam Safety Coordinator/Officer, and oversee the safety of DOE's 15 dams and a number of other water impoundment structures.
- Manages the DOE Seismic Working Group established to meet Executive Order 12941 on Seismic Safety of Existing Federally Owned and Leased Buildings.
- Provide technical assistance and support to the Headquarters Emergency Operations Center (EOC), including supporting the SSA Duty Office point-of-contact for the EOC and to the Department of Homeland Security including the Energy Desk Duty Officer.

Office of Analysis (Reports to Office of Corporate Safety Analysis)

Mission

Provide analysis of Department of Energy (DOE)-wide performance in protecting the public, the workers and the environment while performing the missions of DOE. This analysis is valued in corporate decision-making and synthesizes operational information to support continuous environment, safety and health (ES&H) improvement across the DOE complex.

Functions

- Manages and directs corporate ES&H analyses to support line management decision-making by identifying ES&H performance issues as well as areas of good or improving performance.
- Ensures meaningful and easily understood assessments of the Department's overall effectiveness in protecting the public, the worker, and the environment are produced in a timely manner and communicated to senior management.
- Thru analysis identify and communicate trends in ES&H performance and candidate areas for entry into the corporate issues management process or outliers in performance.
- Provides analysis to determine the effectiveness of actions to address cross cutting ES&H issues.
- Provides a focal point for cross-cutting ES&H performance information. Coordinates, validates, and distributes statutory, regulatory and executive order-mandates and corporate ES&H reports.
- Ensures active liaison with Federal agencies, private industry and international organizations on performance measures.
- Conducts event reviews to validate or improve the investigation, evaluation, and reporting of occurrences and the dissemination of lessons learned

- Provides operational data analysis in support of other organizations including inspections conducted by the Office of Environment, Safety and Health Evaluations.
- Provides input to ES&H policy on opportunities to enhance protection for workers, public and environment from the hazards associated with DOE operations based on the results of analysis.

Office of Enforcement

(Direct report to the Office of the Director, SSA)

Mission

Manage enforcement programs in the areas of nuclear safety, occupational safety and health, and security and manage security inquiry and investigations programs.

Functions

- Provides management oversight and direction Department's Congressionally mandated nuclear safety and occupational, safety and health enforcement programs to include ensuring potential enforcement actions receive the appropriate review and consideration by the Director, Office of Security and Safety Performance Assurance.
- Provides management oversight and direction Department's Security Enforcement Program to include ensuring potential enforcement actions receive the appropriate review and consideration by the Director, Office of Security and Safety Performance Assurance.
- Provides management oversight and direction to the security inquiry and investigations programs.

Office of PAAA Enforcement

(Reports to Office of Enforcement)

Mission

Implement the Department of Energy's (DOE) Congressionally mandated nuclear safety and occupational, safety and health enforcement programs.

Functions

- Initiates and resolves enforcement actions in accordance with the process and procedures set forth in 10 CFR Part 820 Issues Notices of Violation. Coordinates as necessary with the Office of General Counsel (GC) to ensure that legal sufficiency issues are resolved prior to issuance of a Notice of Violation. DOE Field Office and/or Headquarters Price-Anderson Coordinators track the contractor resolution of issues under proposed.
- Investigates potential violations of enforceable requirements, as well as certain nuclear safety and worker safety and health concerns raised by workers.
- Works closely with DOE field and program elements, GC and the Office of Environment, Safety and Health Policy, as necessary, in developing implementation and compliance policies and procedures.

- Assists in creating the infrastructure to implement the compliance assurance programs necessary to comply with enforceable requirements.
- Encourages contractor self-identification and reporting of potential noncompliances which can provide for up to 100% mitigation of civil penalties when contractors promptly identify, report, and correct violations, and coordinates, manages and develops the program and policies for self- identification and reporting for the Noncompliance Tracking System.
- Focuses DOE's limited resources on those violations which, due to the actual or potential safety significance of the violations, are cause for regulatory concern. Analyzes existing information regarding nuclear safety and worker safety and health related events and develops safety significance thresholds for evaluating potential violations for enforcement.
- With support from the appropriate field or Headquarters technical staff, conducts the necessary independent investigation and technical evaluation to determine the facts and safety significance of a case. Violations having the requisite safety significance to warrant a major enforcement action involving a civil penalty constitute the smallest number of cases.
- Holds Enforcement Conferences with contractors when investigations conclude that there is sufficient basis to believe that a violation warranting formal enforcement action may have occurred.
- If a formal enforcement action is considered the appropriate remedy at the conclusion of the enforcement conference, issues the proposed enforcement action.
- Cases having the potential for significant impact on DOE are elevated by the Director, Safety and Security Assurance as appropriate.

Office of Security Enforcement (Reports to Office of Enforcement)

Mission

Implement the Department's Security Enforcement Program in accordance with Title 10, Code of Federal Regulations, Part 824 (10 CFR Part 824).

Functions

- Initiates and resolves enforcement actions in accordance with the process and procedures set forth in 10 CFR Part 824, Procedural Rules for the Assessment of Civil Penalties for Classified Information Security Violations, and 10 CFR Part 1017, Identification and Protection of Unclassified Controlled Nuclear Information. Coordinates as necessary with the Office of General Counsel to ensure that legal sufficiency issues are resolved prior to issuance of a Notice of Violation.
- Works closely with Departmental HQ and field elements and the Office of General Counsel in developing implementation and compliance policies and procedures.
- Analyzes existing information regarding security related events and develops security significance thresholds for evaluating potential violations for enforcement. Focuses DOE's resources on those violations which, due to the actual or potential security significance of the violations, are cause for regulatory concern.
- Encourages contractor self-identification and reporting of potential noncompliance that can provide for the mitigation of civil penalties when contractors promptly identify,

- report, and correct violations; and coordinates, manages and develops the program and policies for self-identification and reporting.
- Reviews and evaluates available information on non-compliances and potential violations, including information reported to the Incident Tracking Analysis Capability (ITAC).
 - Initiates inquiries and investigates potential violations of enforceable safeguards and security requirements, as well as certain security concerns, as directed. Prepares final reports and/or technical evaluations with appropriate findings and recommendations up to and including the recommendation of enforcement action.
 - Recommends whether to conduct an investigation or initiate enforcement actions. Cases having the potential for significant impact on DOE are elevated by the SSA Director, as appropriate.
 - Prepares all recommended enforcement actions including preliminary notices of violation, final notices of violations, and civil penalties, in addition to appropriate transmittal and enforcement letters.
 - Conducts Enforcement Conferences, as approved by the Director, when an investigation concludes that there is sufficient basis to believe that a violation warranting formal enforcement action may have occurred.
 - Maintains a docket for enforcement actions commencing with the filing of an Enforcement Letter.

**Office of the Departmental Representative to the
Defense Nuclear Facilities Safety Board
(Direct report to the Office of the Director, SSA)**

Mission

To provide effective cross-organizational leadership in resolving DNFSB-related technical and management issues necessary to ensure public health and safety.

Functions

- Represents the Secretary in regular and continuing interactions with the Defense Nuclear Facilities Safety Board.
- Advises the Secretary, Under Secretary, Director of Security and Safety Performance Assurance, Secretarial Officers, and other Department executive of Board priorities, concerns, actions, and plans.
- Manages the Department's interface activities and provides direction and advice to the line on Board-related matters.
- Coordinates with affected Secretarial Officers and designates a Cognizant Secretarial Officer to respond to a Board recommendation, Board correspondence, or other Board issue.
- Facilitates implementation of the Department's corporate ES&H issues management process for analysis and resolution of crosscutting issues from DNFSB recommendations and concerns.
- Facilitates communication and cooperation between Departmental elements and the external entities including the DNFSB and its staff.
- Reviews written communications (with the exception of responses to information requests and routine distribution of evaluations/assessments) from the Department to the DNFSB, for consistency and responsiveness.

- Serves as the initial Departmental lead for each incoming DNFSB recommendation until a Responsible Manager is identified.
- Manages the Department's Safety Issues Management System for crosscutting issues from external sources including DNFSB-related issues, commitments, and actions.
- Prepares reports on DNFSB-related activities for senior Department management, Congress, and the President.
- Maintains and provides guidance on the Department's Interface Manual to Departmental Points of Contact and support personnel.
- Maintains and distributes a listing of key Department personnel for DNFSB-related activities
- Maintains the Department's central repository of official DNFSB communications and makes this information available to Department and contractor personnel.

ATTACHMENT 3

Crosswalk of Assignments of Individuals to SSA

SSA Organization	FTEs	Individuals	Previous Organization Routing Symbol	Previous Organization
Office of the Director, SP-1	5	Mark Whitaker John Evans Bob McMorland Joanne Lorence James Heffner	DR-1	Office of the Departmental Representative to DNFSB
Office of ES&H Policy and Field Asst.	12	Harish Chander Richard Englehart Patrick Finn Mary Haughey Burton Rothleder Jim Bisker Jeffrey Feit Gerald Meyers Sam Rosebloom Norm Schwartz Satish Khanna Patrick Tran	EH-2	Office of Nuclear and Facility Safety Policy
	5	Carnes, William Hopkins, Joe Hughes, Earl Minier, Janie Ramsey, Charles	EH-2	Office of Regulatory Liaison
	3	Andrew Lawrence Beverly Stephens Faye Johnson	EH-4	Office of Environment
	15	Andrew Wallo Edward Regnier Gustavo Vazquez Paul Lin Theodore Koss John Stirling Stephen Domotor Rosario Natoli Colleen Ostrowski Leroy Banicki Lois Thompson Emile Boulos Melanie Pearson Patricia Pontes Carolyn Douglas	EH-4	Office of Air, Water & RAD Policy Guide

	14	Thomas Traceski Steven Woodbury John Bascietto James Eagan William Fortune Jane Powers Atam Sikri Gerald Dicerbo Donald Lentzen Beverly Whitehead Michael Silverman Sharon Brown Deborah Garnett Reisa Kall	EH-4	Office of Poll. Prev. & Res. Conserv. Policy Guide
	11	Bill McArthur Ron Eimer Joel Rabovsky David Weitzman Billy Lee Peter O'Connell Jackie Rogers Daniel Marsick David Pegram Judith Foulke Donna Jiggetts	EH-5	Office of Worker Protection Policy and Programs
	1	Steven Yevich	EH-5	Office of Health
	6	Bonnie Richter Barbara Brooks Paul Wambach Clifton Strader Kenneth Matthews Marjorie Lentzen	EH-5	Office of Epidemiology and Health Surveillance
	7	Elizabeth White Janet Normandy Michael Moore Ruth Neta Roger Anders Claudia Beach Delphine Harper	EH-5	Office of Health Services
Office of Corporate Safety Analysis	4	Patrice Bubar Daniel Guzy Felecia Briggs Hillman, Michael	EH-3	Office of Corporate Performance Assurance
	2	Robert Loesch Carlos Coffman	EH-3	Office of Quality Assurance Programs
	14	Frank Tooper Raymond Blowitski Mari-Jo Campagnone Richard Green	EH-3	Office of Analytical Studies

		Richard Lasky Larry McCabe Tako Protopapas Rolland Sigler Terry Krietz Eugenia Boyle Janet Macon Mark Petts Nirmala Rao Thomas Williams		
Office of Enforcement	10	Stephen Sohinki Les Bermudez Peter Rodrik Tony Weadock Howard Wilchins Richard Day Ronald Collins Phil Wilhelm Steven Zobel Annette Bright	EH-6	Office of Price-Anderson Enforcement
Office of Business Operations	1	Ron Barnes	EH-7	Office of Management and Administration
	1	Debra James	EH-7	Office of Budget and Financial Management
Office of Mission Operations	2	Jennie O'Leary Mary Cunningham	EH-7	Office of Information Management

ATTACHMENT 4
Crosswalk of Assignments of Individuals
To Other DOE Organizations

Areas of Agreement					
Function	FTE	Staff		Cur. Org.	New Org.
Transfers from EH before Merger					
Provide support for non-nuclear quality assurance program elements	13	Hardwick, Ray Bowser, Rex Danielson, Gus Detsis, George Guha, Pranab Johnson-James, Denise Lundmark, Frenda	Petersen, Steve Sastry, Rama Sen, Subir Singal, Steve Smith, David Stevens, Robert	EH-2 EH-3	MA
Function to support technical reviews of authorization bases documents and function to provide support on safety regulation expectations of newly constructed facilities and new start projects	11	Tony Eng Frank Chen Pradyot Niyogi Frank Reimann Richard Stark William Weaver	Robert Crowley Darrell Huff William Cooper Braj Singh Prakash Kunjeer	EH-2	ESE
Function to support technical reviews of authorization bases documents and function to provide support on safety regulation expectations of newly constructed facilities and new start projects	10	Roland Felt Dennis Kubicki Paul Wu Sarbes Acharya Usha Comar	John Connelly Sushil Bhatnagar Doug Abramson Vishwa Kapila David Pyatt	EH-2	NNSA
Function to perform nuclear safety research.	2	Rollow, Tom	Keating, Judith	EH-3	NNSA
Function to provide corporate management of the Radiological Environmental Science Laboratory at INL	16	RESL staff 14 at RESL 2 at Idaho Operations Office		EH-3	NE
Function to assure that the Department's proposed actions comply with the requirements of the	14	Barr, Ralph Borgstrom, Carol Bowie, Vivian Cohen, Eric Costner, Brian	Jessee, S. Lee Loving, Jeanie Mansoor, Yardena Mills, Brian	EH-4	GC

NEPA and related environmental requirements		Daniel, James Freeman, Denise	Osborne, Carolyn Sanderson, James Wormley, Lettie		
Function to manage the conduct of international programs and health studies on the affects to populations from U.S. nuclear weapons testing or accidents and operations involving radiological materials.	9	Peterson, Gerald Bhat, Mohandas Fountos, Barry Halter, Barbara Jackson, William	Lawn, Marsha Yarrington, Jeanette Weiss, Joseph Whitmore, Susan	EH-5	SC
Function to support DOE management of personnel and procurement and budget processes	4	Spruill, Nathan Stubblefield, Janet	Dent, Melissa Chapman-Turner, Donna	EH-7	MA
Function to support DOE budget process	3	McCulloch, Katherine	Flowers, Lenora	EH-7	MA
Function to support DOE management of information management systems	6	Root, Sharon Simon, Steve Nakata, Katherine	Toms, Rhonda Fairbanks, Mary Peacher, Teresa	EH-7	MA

Transfers from SSA					
Manage foreign travel	1	Squires, Julia		SSA	MA
Manage exchange visitor program	2	Williams, Rosalee	Hunter, Debra	SSA	MA
Manage foreign visits and assignments	6	Emanuelson, Jennifer Dorsey, Donna Dinterman, Tammy	Baptist, Linda Murray, Christopher Johnson, Timothy	SSA	IN
Manage and operate NBL, with the primary mission of research and development of nuclear measurement standards.	35	All NBL staff (located at Argonne National Laboratory). Also 2 SP-70 staff: Jay Thompson Edward Reynolds		SSA	SC

**SSA-EH Merger
Unassigned SES Managers**

Name	Current Organization	Comments
Steve Cary	EH-5, Office of Health Studies	ESE (J. Sullivan) indicates SC may assume
Kevin Kelley	EH-7, Office of Planning and Administration	Converted to SES in July 2005. He has not yet completed his 1 year probationary period.
Richard Black	EH-22, Office of Nuclear and Facility Safety Policy	ESE (C. Lagdon) indicates ESE may assume
Ed Blackwood	EH-21, Office of Regulatory Liaison	

**SSA-EH Merger
Unassigned EH Staff**

Name	Current Organization	Comments
Eoretta Young	EH-1, Office of Environment, Safety and Health	
Sallie Mitchell		
Lawanda Oates	EH-7, Office of Planning and Administration	

ATTACHMENT 5 Communication Plan

Activity - Congressional Notification: Committees	Primary Responsibility: Congressional & Intergovernmental Affairs and the Office of Security & Safety Performance Assurance	
COMMITTEE	MEMBER(S)	STATUS
SENATE		
Subcommittee on Energy & Water	Senator Pete Domenici (Chairman)	
Senate Committee on Appropriations	Senator Harry Reid (Ranking Minority Member)	
Senate Armed Services Committee	Senator John Warner (Chairman)	
	Senator Carl Levin (Ranking Minority Member)	
Senate Committee on Energy & Natural Resources	Senator Pete Domenici (Chairman)	
	Senator Jeff Bingaman (Ranking Minority Member)	
HOUSE OF REPRESENTATIVES		
Subcommittee on Energy & Water Development	Congressman David Hobson (Chairman)	
House Committee on Appropriations	Congressman Peter Visclosky (Ranking Minority Member)	
House Armed Services Committee	Congressman Duncan Hunter (Chairman)	
	Congressman Ike Skelton (Ranking Minority Member)	
House Committee on Energy & Commerce	Congressman Joe Barton (Chairman)	
	Congressman John Dingell (Ranking Minority Member)	
Subcommittee on Oversight & Investigations	Congressman Ed Whitfield (Chairman)	
House Committee on Energy & Commerce	Congressman Bart Stupak (Ranking Minority Member)	
Subcommittee on National Security, Emerging Threats, & International Relations	Congressman Christopher Shays (Chairman)	
House Committee on Government Reform	Congressman Dennis Kucinich (Ranking Minority Member)	
Subcommittee on Energy	Congresswoman Judy Biggert (Chair)	
Committee on Science	Congressman Michael Honda (Ranking Minority Member)	

Activity - Congressional Notification: Members		Primary Responsibility: Congressional & Intergovernmental Affairs and the Office of Security & Safety Performance Assurance	
SITE	MEMBER(S)		STATUS
Hanford	Senator Maria Cantwell Senator Patty Murray Congressman Doc Hastings		
Lawrence Livermore National Laboratory & Sandia National Laboratories, CA	Senator Barbara Boxer Senator Dianne Feinstein Congresswoman Ellen Tauscher		
Los Alamos National Laboratory	Senator Pete Domenici Senator Jeff Bingaman Congressman Tom Udall		
Nevada Test Site	Senator John Ensign Senator Harry Reid Congressman Jim Gibbons		
New Brunswick Laboratory	Senator Rich Durbin Senator Obama Barack Congresswoman Judy Biggert		
Oak Ridge	Senator Lamar Alexander Senator Bill Frist Congressman Zach Wamp (Helen Hardin)		
Pantex	Senator John Cornyn Senator Kay Hutchison Congressman Mac Thornberry		
Sandia National Laboratories, NM	Senator Jeff Bingaman Senator Pete Domenici Congresswoman Heather Wilson		
Savannah River Site	Senator Lindsey Graham Senator Jim DeMint Congressman Joe Wilson Congressman J. Gresham Barrett		

Activity - Congressional Notification: Staff Primary Responsibility: Congressional & Intergovernmental Affairs and the Office of Security & Safety Performance Assurance

COMMITTEE	STAFFERS	STATUS
SENATE		
Subcommittee on Energy & Water	Scott O'Malia (Majority) Drew Willison (Minority)	
Senate Committee on Appropriations	Kristine Svinicki (Majority) Madelyn Creedon (Minority)	
Senate Armed Services Committee	Bruce M. Evans (Majority) Bob Simon (Minority)	
Senate Committee on Energy & Natural Resources		
HOUSE OF REPRESENTATIVES		
Subcommittee on Energy & Water Development	Kevin Cook (Majority) Scott Burnison (Majority)	
House Committee on Appropriations	Dixon Butler (Minority) Bill Ostendorf Bob DeGrasse	
House Armed Services Committee		
House Committee on Energy & Commerce	Dwight Cates (Majority) Edith Hollerman or Chris Knauer (Minority)	
Subcommittee on Oversight & Investigations		
House Committee on Energy & Commerce		
Subcommittee on National Security, Emerging Threats, & International Relations	Vince Chase (Majority) Larry Halloran (Majority)	
House Committee on Government Reform		

Activity - Other Government Agency Notification	Primary Responsibility: Congressional & Intergovernmental Affairs and the Office of Security & Safety Performance Assurance	
AGENCY	POINTS-OF-CONTACT	STATUS
Office of Management & Budget	Rick Mertens, Donovan Robinson, Leo Sommaripa	
General Accounting Office	Eugene Aloise	
Nuclear Regulatory Commission	Chairman, Nil J. Diaz, and Commissioners	
Defense Nuclear Facilities Safety Board	Chairman, A.J. Eggenberger, and Board Members	

Activity - Labor Union Notification ¹	Primary Responsibility: Office of Security & Safety Performance Assurance	
UNION	POINT(S)-OF-CONTACT	STATUS
National Treasury Employee Union / Local 213 Local 228	To Be Determined	
AFL-CIO	To Be Determined	
PACE / Paper Allied Industrial Chemical and Energy Workers Int Union	To Be Determined	
Building and Construction Trades Department AFL-CIO	To Be Determined	
Atomic Trades and Labor Council	To Be Determined	
International Chemical Workers Union Council	To Be Determined	

¹ These contacts will be at the national level. Site union leadership will be contacted during site visits.

Activity - Internal DOE Notification		Primary Responsibility: Office of Security & Safety Performance Assurance	
ACTIVITY	POINT(S)-OF-CONTACT	STATUS	
Meet with key HQs senior managers	To Be Determined		
Conduct individual site visits to meet with senior DOE and contractor site management	To Be Determined		



Department of Energy
National Nuclear Security Administration
Washington, DC 20585



July 5, 2006

MEMORANDUM FOR ACTING ASSISTANT SECRETARY FOR ENVIRONMENT,
SAFETY AND HEALTH

FROM: Thomas P. D'Agostino 
Deputy Administrator
for Defense Programs

SUBJECT: EXCEPTION FROM REQUIREMENT TO CONDUCT A
TYPE B ACCIDENT INVESTIGATION

On June 28, 2006, two workers were injured during deconstruction activities of a stairwell at TA-50 at Los Alamos National Laboratory (LANL). One worker received multiple fractures to a leg and pelvic region, while the other worker sustained a simple fracture of a leg. Both workers were transported to the Los Alamos Medical Center for treatment. The Emergency Response Team secured the incident area, pending an investigation. The more severely injured worker was subsequently air-lifted to a hospital in Denver and is not likely to return to work until sometime in excess of five days. The Department of Energy (DOE) Order 225.1A (Accident Investigations) directs that a Type B Accident Investigation be conducted when an injured worker is hospitalized for five or more consecutive days, but authorizes the Assistant Secretary for Environment, Safety and Health (EH-1) to waive this requirement.

Based on the conscientious and comprehensive actions being taken by Los Alamos National Security (LANS) and the Los Alamos Site Office (LASO), the LASO Manager has requested an exception from the requirement to conduct a Type B Accident Investigation. I have reviewed the rationale provided by LASO and the circumstances surrounding the crane lifting accident of June 28, 2006, and concur with the requested exception.

Additionally, the National Nuclear Security Administration has directed LASO and LANS to implement a pilot for a new approach to oversight at LANL in order to make the contractor more directly responsible for safety. The actions recommended by the LASO Manager are consistent with the pilot for oversight at LANL and, therefore, Defense Programs concurs with the request for an exception to the requirement to conduct a Type B Accident Investigation. I hope that this approach will generate a better result at LANL that will be long lasting and provide the DOE useful information to improve its oversight programs.

Therefore, it is requested that an exception from the DOE Order 225.1A requirement to conduct a Type B Accident Investigation in this case be approved. Defense Programs will reserve the right to open an investigation should the actions described in the LASO request prove inadequate or if other significant factors arise.

Please direct any questions regarding this matter to Xavier Ascanio, Acting Assistant Deputy Administrator for Facility and Infrastructure Acquisition and Operation (NA-17), at (301) 903-9410 or Sam Johnson, Acting Director of the Office of Environment, Safety and Health and Quality Assurance (NA-173), at (301) 903-5220.

Attachment

cc:

L. Brooks, NA-1

J. Paul, NA-2

G. Podonsky, SP-1