



## Department of Energy

Washington, DC 20585

February 23, 2015

MEMORANDUM FOR INGRID KOLB

DIRECTOR, OFFICE OF MANAGEMENT

THROUGH:

KEVIN T. HAGERTY

DIRECTOR, OFFICE OF INFORMATION RESOURCES

FROM:

GLENN S. PODONSKY

DIRECTOR, OFFICE OF ENTERPRISE ASSESSMENTS

SUBJECT:

**Notice of Intent to Revise DOE Order 227.1, *Independent Oversight Program*, 08-30-11**

### PURPOSE:

This memorandum provides justification for revision of Department of Energy (DOE) Order (O) 227.1, *Independent Oversight Program*. The directive is proposed for revision to reflect the establishment of the Office of Enterprise Assessments (EA) by Secretary Moniz in May 2014, and the Secretary's expectations for the enterprise-wide internal management assessment function performed by EA as articulated in his June 27, 2014, memorandum to all Departmental Elements.

### JUSTIFICATION:

The Atomic Energy Act of 1954, as amended, provides for DOE to be self-regulating in the areas of safety and security. DOE O 227.1 prescribes the requirements and responsibilities for the Department's Independent Oversight Program, which was established and has been maintained through numerous Administrations as an essential element of DOE's approach to self-regulation of its safety and security programs. The Independent Oversight Program is designed to enhance the Department's safeguards and security; cyber security; emergency management; and environment, safety, and health programs by providing the Secretary, Deputy Secretary, Under Secretaries, DOE and contractor managers, Congress, and other stakeholders (workers, unions, interest groups and the public) with an independent evaluation of the adequacy of DOE policy and the effectiveness of line management performance and risk management in safety and security. It is one of two programs (the other being regulatory enforcement) implemented by EA on behalf of the Secretary as elements of DOE's self-regulatory framework; thus, its assessment and oversight responsibilities are similar to that of other federal regulatory agencies (such as the Nuclear Regulatory Commission and Occupational Safety and Health Administration). The current applicability of this order will not change. With a few exceptions,



it will continue to apply to all DOE elements, including the National Nuclear Security Administration; some activities of the Office of Intelligence and Counterintelligence and the Bonneville Power Administration will continue to be excluded from this directive as it relates to environmental and occupational safety and health programs.

The directive was last revised (and renumbered) in 2011. In May 2014, Secretary Moniz established the EA and, in a June 27, 2014, memorandum to all Departmental Elements, affirmed his commitment to the health and safety of DOE and contractor employees and the public, and the protection of DOE's national security assets, and outlined his expectations for the independent assessment function. The revision process will align the Order to the Secretary's expectations.

The revised directive will be developed using input from and interaction with representatives from the offices of the three Under Secretaries. Depending upon the extent of the proposed changes, a requirements crosswalk will be developed, or a justification will be provided within a redline/strikeout version of the directive, as required for directives needing additional documentation per appendix D of DOE O 251.1C. At an appropriate point, input will be solicited from the Defense Nuclear Facilities Safety Board.

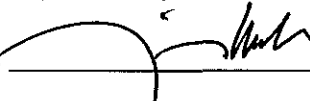
There are no valid external, consensus or other standards (e.g., ISO, VPP, etc.) available which can be used in place of this directive.

**IMPACT:** The proposed directive does not duplicate existing laws, regulations or national standards and during the revision, consideration will be given to its impact on Departmental operations. Consistent with the Secretary of Energy's June 27, 2014, memorandum, the revised directive is expected to provide for a corporate-level assessment program that has sufficient authority to exercise its independence while also recognizing the need to coordinate with line management to ensure effective and efficient use of resources. This independence and authority is imperative to implementing an oversight program that is effective in providing well founded and critically analyzed recommendations regarding DOE safety and security performance to the Secretary and Deputy Secretary as envisioned in establishing EA.

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Ingrid Kolb, Director, Office of Management (MA-1):

Concur:  Nonconcur: \_\_\_\_\_ Date: 2.23-15

Unless determined otherwise by the Directives Review Board (DRB), writers will have up to 60 days in which to develop their first draft and submit to the Office of Information Resources, MA-90

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<u>Standard Schedule for Directives Development</u>	<u>Days</u>
Draft Development	Up to 60 days; EA target is 30 days
Review and Comment (RevCom)	30
Comment Resolution	30
Final Review	30
Total	150

***(NOTE: The standard schedule of up to 150 days will be used unless otherwise specified by the Directives Review Board.)***