

**U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)**

<b>MD 9.8</b>	<b>ORGANIZATION AND FUNCTIONS, OFFICE OF INVESTIGATIONS</b>	<b>DT-10-03</b>
<i>Volume 9</i>	NRC Organization and Functions	
<i>Approved By:</i>	R. William Borchardt Executive Director for Operations	
<i>Date Approved:</i>	April 5, 2010	
<i>Expiration Date:</i>	April 5, 2015	
<i>Issuing Office:</i>	Office of Investigations	
<i>Contact Name:</i>	Sandra Hackworth 301-415-3486	
<b>EXECUTIVE SUMMARY</b>		
Directive and Handbook 9.8 are being updated to reflect the current organizational structure, responsibilities, and authorities of the Office of Investigations.		

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**I. SUPERVISION**

The Office of Investigations (OI) is under the supervision of a Director who reports to the Deputy Executive Director for Materials, Waste, Research, State, Tribal and Compliance Programs in the Office of the Executive Director for Operations (OEDO).

**II. FUNCTIONS**

OI conducts and supervises NRC investigations of alleged or suspected wrongdoing by licensees, certificate holders, applicants, and their contractors and vendors and assures the

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quality of investigations. OI does not conduct investigations of NRC employees or NRC contractors.

Specifically, the office—

- A. Develops and implements policy, procedures, and quality control standards for the conduct of all OI investigations, including those standards set forth by the President's Council on Integrity and Efficiency.
- B. Plans, coordinates, directs, and executes administrative affairs of the office.
- C. Maintains current awareness of inquiries and inspections by other agency offices to identify the need for investigations.
- D. Keeps the Commission, the EDO/DEDO, and involved NRC offices currently apprised of matters under investigation as they affect public health and safety, the common defense and security, or environmental quality. Keeps the Commission currently apprised of information developed relative to functions performed by other offices. Provides final reports to OEDO and the appropriate regional administrator for appropriate action.
- E. Makes appropriate referrals to the Department of Justice.
- F. Maintains liaison with Federal, State, and local law enforcement agencies and organizations to ensure the timely exchange of information of mutual interest.
- G. Issues subpoenas under Section 161c of the Atomic Energy Act of 1954, as amended, where necessary or appropriate for the conduct of investigations.
- H. Carries out any other functions assigned by the Commission.

### **III. DELEGATION OF AUTHORITY TO THE OFFICE DIRECTOR**

The Director is authorized and directed to act in accordance with Commission-approved policy on investigations and to—

- A. Develop, administer, maintain, and monitor a program to perform thorough, timely, and objective investigations.
- B. Conduct and supervise investigations within the scope of NRC authority, except those concerning NRC employees and NRC contractors, at the request of the Commission, OEDO, regional administrators, or on the Director's initiative.
- C. Develop, administer, and maintain a quality control system and standards for the initiation, conduct, and supervision of all investigations undertaken by OI.
- D. Develop, administer, and maintain a program to ensure the proper level of training for the investigative staff of OI.

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- E. Keep abreast of the NRC inspection program for licensees and applicants, and their contractors or vendors, in order to advise the Commission, OEDO, and regional administrators of the need for investigations.
  - F. Establish and maintain systems and procedures to ensure that appropriate organizational components of NRC are promptly notified and fully informed of those matters under investigation that may affect public health and safety, the common defense and security, environmental quality, or the antitrust laws.
  - G. Make referrals, as appropriate, to the Department of Justice stemming from investigations by OI.
  - H. Administer oaths and affirmations where needed.
  - I. Issue subpoenas (*ad testificandum* and *duces tecum*) where necessary or appropriate for the conduct of investigations. Before the issuance of any subpoenas, the Director will provide for legal coordination by the Office of the General Counsel. This authority may be redelegated as authorized by the Commission.
  - J. Develop policy options for the Commission's consideration on matters within the above-mentioned authority.
  - K. Supervise, direct, coordinate, and approve the activities, including administrative functions, of the various organizational units within OI.

#### **IV. REDELEGATION OF AUTHORITY BY THE OFFICE DIRECTOR**

- A. The Commission has authorized the Director of OI to redelegate authority to issue subpoenas in OI investigations to the OI regional Field Office Directors, with prior legal coordination by the Office of the General Counsel and notification to OI headquarters.
- B. The Director may, except where expressly prohibited, redelegate to others authority delegated by this or other official directives or communications subject to the limitations stated below and such other stipulations as are deemed necessary:
  - 1. Such re delegation must be in writing, and copies must be filed with the Secretary of the Commission, the General Counsel, and the EDO.
  - 2. The Director must stipulate any limitations on further re delegation of authority.

#### **V. REDELEGATION OF AUTHORITY TO THE DEPUTY DIRECTOR**

The Deputy Director is authorized and directed to act in the stead of the Director during his or her absence.

#### **VI. ORGANIZATIONAL STRUCTURE AND INTERNAL ASSIGNMENTS**

An organization chart showing internal organization of OI and a statement of functions of the subdivisions of OI are issued by the Director as Handbook 9.8, Sections I and II.

## **VII. REFERENCES**

### ***Code of Federal Regulations***

10 CFR 1.36, "Office of Investigations."

### ***United States Code***

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011(c)).

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5846).

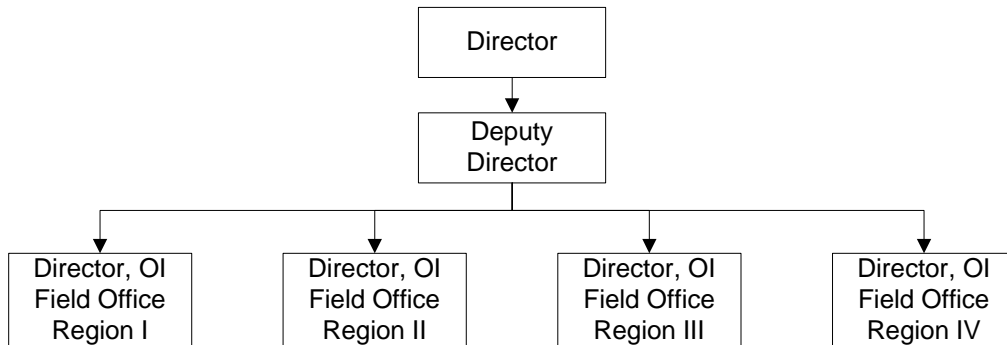
**U.S. NUCLEAR REGULATORY COMMISSION DIRECTIVE HANDBOOK (DH)**

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**I. ORGANIZATION CHART**



## **II. DESCRIPTION OF FUNCTIONS**

### **A. Director**

The Director of the Office of Investigations (OI) manages and directs the conduct and supervision of NRC investigations and ensures their quality within the scope of OI authority by developing policy, procedures, and quality control measures for the investigations; ensures that an adequate number of qualified and trained professional investigators are available; maintains current awareness of Commission inquiries and inspections in order to advise the Commission, the Executive Director for Operations, or regional administrators of the need for investigations; ensures that appropriate Commission principals are promptly informed of investigative matters having safety, security, or environmental implications; and makes appropriate referrals to the Department of Justice.

### **B. Deputy Director**

The Deputy Director of OI assists the Director in the accomplishment of office functions and oversees direction of management activities related to OI's assigned mission; during the absence of the Director, acts for the Director with full and complete authority over the activities of OI; directs and supervises headquarters investigators and Directors of OI Field Offices; monitors ongoing investigations to ensure conformance with OI investigative policy and procedures, to identify safety, security, or environmental issues raised during investigations, and to identify circumstances warranting referral to the Department of Justice; through operations officers, provides day-to-day advice and counsel to field offices regarding investigative matters; and implements office investigative control programs and recommends modifications thereto.

### **C. Directors, OI Field Offices**

Directors of OI Field Offices conduct and supervise investigations and ensure their quality within the NRC regions with which they are co-located, as well as in other regions when directed by the Director of OI; ensure that the Director of OI and the regional administrators are fully and currently informed of significant investigative matters affecting inspection programs or the regions; maintain current awareness of inquiries and inspections within the region in which they are co-located to identify the need for and recommend investigations; and establish and maintain effective liaison with Federal, State, and local law enforcement agencies and organizations within their areas of concern.