

The



August 2010



Message

Independent Oversight Reforms Feature Targeted Reviews and Site Awareness Initiatives

Over the past year, the Office of Health, Safety and Security (HSS) has made significant strides in reforming the independent oversight of safety and security, consistent with the Deputy Secretary’s End-State Vision for Safety and Security Reform. These efforts have already begun to yield definitive benefits to both HSS and Department of Energy (DOE) line management. HSS has shifted its independent oversight priorities to DOE activities that pose greater operational risk and to the Department’s most important national security assets, as well as to DOE organizations experiencing significant performance problems. Our intent is to increase the value of independent oversight activities by supporting line management in achieving mission goals and effectively managing safety and security risks. This article provides some highlights of HSS’s new oversight priorities.

Enhanced Focus on Independent Oversight of Nuclear Safety

Consistent with the recommendations of a 2008 Government Accountability Office report on HSS nuclear safety oversight and the Department’s action plan, HSS has increased its oversight focus on the safety of DOE high risk nuclear facilities. The most significant changes in the approach to independent oversight of nuclear safety are the establishment of a site lead program and targeted review program.

Establishment of a Site Lead Program

HSS is assigning site lead responsibilities to senior nuclear engineers on staff as a part-time duty to be performed primarily from DOE Headquarters. Site leads will be assigned for DOE and National Nuclear Security

Administration (NNSA) sites that manage most of the Department’s hazard category 1 and 2 nuclear facilities; they will be responsible for maintaining operational awareness of site activities and operations and for facilitating and coordinating the conduct of independent oversight appraisals and mission support activities at those sites. To meet these goals, the site leads will maintain a close working relationship with the Headquarters and field program representatives who are responsible for nuclear safety-related activities at their respective sites in order to stay abreast of both site operations and assessment activities. This initiative, which was first piloted at the Los Alamos National Laboratory (LANL), has proven successful in significantly increasing the frequency and quality of communications between HSS and line management and has enabled better targeting of independent appraisals and collaborative reviews. The site lead program is a critical element in HSS’s new business model for ensuring that independent oversight activities are selected and planned based on an evaluation of current events, relative risks, and operational schedules.

Site leads have been assigned to LANL, Lawrence Livermore National Laboratory, Savannah River Site, and Hanford Site, and feedback from

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site management on the LANL pilot has been used to refine the concept. Within the next year, site leads will also be assigned to the Idaho National Laboratory, Pantex Plant, Nevada National Security Site, and Y-12 National Security Complex.

Targeted Reviews

Another key element of the refined approach to the independent oversight of nuclear safety is to conduct targeted reviews. Targeted reviews are smaller in scope, but conducted more frequently than historical independent oversight evaluations. The intent of targeted reviews is to select reviews based on risks and other priorities that are determined through data analysis, trending, and input from internal and external sources. These reviews differ from past inspections in that review priorities will be determined based on analysis of complex-wide data and trends. The reviews may focus on selected facilities or topics at a particular site, or they may examine specific aspects of nuclear safety across multiple sites in a consistent manner. For example, based on recent trends, HSS will continue to devote particular attention to reviewing nuclear facility construction activities and nuclear facilities undergoing modification or a change in mission.

Other Nuclear Safety Initiatives

In addition to enhancing the nuclear safety oversight approach, HSS has implemented new mechanisms to better monitor and communicate the status of nuclear safety programs across the DOE complex. In June 2009, HSS established a Nuclear Safety Coordinating Committee consisting of those HSS offices with nuclear safety-related responsibilities or interests. One purpose of the committee is to implement an integrated process within HSS to

analyze nuclear safety performance. This information is then used to identify and prioritize nuclear safety improvement initiatives in such areas as policy development, technical assistance, oversight, and enforcement. The committee, which meets monthly, has been instrumental in ensuring that HSS presents a consistent and well-founded perspective on the priorities and needs for promoting the continuous improvement of DOE nuclear safety performance.

This month, HSS also deployed a Nuclear Safety Information website to consolidate and simplify accessibility to DOE nuclear safety-related information. The website provides information on all HSS activities relating to nuclear safety, including links to independent oversight reports and enforcement activities involving nuclear facilities or operations. It also lists the independent oversight activities that are planned or have been conducted to date under the site lead and targeted review programs. The website provides access to a redesigned Safety Basis Information System that is intended to facilitate monitoring of the safety basis status of DOE nuclear facilities, and it contains a newly developed document describing DOE's regulatory framework for nuclear safety. HSS invites you to visit the website at <http://www.hss.doe.gov/nsrf> and welcomes your feedback on the content and utility of the website. Comments may be submitted using the "Contact Us" feature on the web page.

Independent Oversight of Nuclear Security and High Value Information Assets

The refined approach to conducting independent oversight of security at facilities housing the most sensitive

security assets shares some common attributes with the nuclear safety approach, such as focusing on higher risk operations, using smaller teams, and providing greater value to the mission. The security component of this program will retain some of the traditional elements of independent oversight because of the unwavering need to ensure constant protection of DOE's vital nuclear security assets. For example, HSS will continue to perform periodic assessments of sites and organizations possessing strategic quantities of special nuclear material. HSS will also continue to perform periodic physical security and cyber security inspections relating to the protection of the Department's most sensitive classified information, including Top Secret and Sensitive Compartmented Information, Sigma Restricted Data, and special access programs. In both cases, these assessments will concentrate on evaluating those areas that are most relevant to protecting this material and information. In addition, these assessments will focus on testing security performance, including force-on-force testing of protective forces and penetration testing of computer networks.

Cyber Security Mission Support

With respect to cyber security oversight, reform efforts closely mirror those of other HSS safety and security reform initiatives in that sites that have no highly sensitive assets will not be subject to periodic reviews.

Under this reform paradigm, HSS's cyber oversight program, which will typically involve smaller teams and may not include all cyber security subtopics, will also support reform objectives by placing increased emphasis on contractor assurance

systems. In fulfilling its assigned Federal Information Security Management Act responsibilities pertaining to national security systems, HSS will focus on the Department's most sensitive classified information and networks. This includes continued collaborations with the Office of Intelligence and Counterintelligence and Departmental special access programs. With respect to mission support activities, HSS will share its unique cyber penetration testing capabilities with line management to

help them more completely understand and manage cyber security risks.

Summary

The reforms described here are intended to increase the effectiveness, efficiency, and value to mission of the independent oversight function by concentrating on areas of greatest risk or potential consequence. These changes have promoted dialogue between HSS and line, policy, and staff organizations and helped achieve a common understanding of where the

skills and expertise of the independent oversight staff can best benefit the Department. This dialogue has also resulted in greater opportunities for independent oversight to assist line management in solving problems. HSS will continue to build upon these relationships by using the feedback obtained from operational experience and from internal and external stakeholders to further refine the independent oversight program as a means for supporting the safe and secure accomplishment of the Department's vital missions. ■

HSS Instrumental in Reforming the Personnel Security Process

HSS has been actively involved in efforts to transform the Department's personnel security process in response to significant, continuing concerns about security clearance timeliness. In 2004, Congress called for improvements and established specific timeliness goals as part of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). In addition, Executive Order 13467, signed on June 30, 2008, established a Federal-level Suitability and Security Clearance Performance Accountability Council that is responsible to the President for achieving reform goals, ensuring alignment, measuring agency performance, holding agencies accountable for implementation, and establishing information technology requirements.

Because of the significant efforts of HSS's Office of Departmental Personnel Security (HS-1.4) and the Department's eight adjudicative sites, the Department met and exceeded the IRTPA goals over a year ago

and has implemented a number of improvements.

Improvement Initiatives

The Department's overall initiatives have applied both additional resources and improvements in policy, processes, and information technology to meet the requirements of IRTPA. In April 2006, the Department fully implemented the electronic Questionnaire for Investigation Processing (**eQIP**), and in July 2008, the Department implemented the Office of Personnel Management (OPM) **eDelivery** tool. eDelivery allows the electronic assembly and delivery of a closed case file from OPM to the requesting agency via encrypted transmission, replacing the process of mailing closed case files and increasing the timeliness, efficiency, and accuracy of the investigative process. Benefits of implementing eDelivery include significant reductions in the time needed to adjudicate clearances and the amount of paper used in the clearance process. To date, the DOE

has received 53,800 investigative files via eDelivery.

Currently, HSS is working with the U.S. Army Central Clearance Facility and the Department of Defense (DoD) Business Transformation Agency to participate in an **eAdjudication** pilot program. The Director of National Intelligence recently authorized a standard set of computer-executed business rules for use by Federal departments and agencies when conducting automated clean case screening of National Agency Checks with Local Agency Checks and Credit Check (NACL) investigations. The NACL business rules have been shown to be effective in identifying clean cases or cases with no actionable issues for automated adjudicative determinations, and OPM has approved the Department to transmit NACL investigations to DoD for eAdjudication processing. A memorandum of agreement is being finalized to formalize the Department's participation in the eAdjudication pilot – the first non-DoD agency to utilize this capability.

In addition, HSS is partnering with the NNSA Service Center to integrate the center's personnel security case management system as an operational module of the Department-wide Central Personnel Clearance Index system. This integration effort will allow for seamless electronic receipt, processing, and storage of all investigations and associated records. Once fully implemented, the integrated system will increase operational efficiency and reduce paper record storage. The Department will continue to leverage information technology processes for continuous improvement in the timeliness, consistency, and accuracy of personnel security investigations and adjudication.

Achievements to Date

The IRTPA required Federal agencies to complete 90% of their initial national security adjudications within an average of 20 days by December 2009. This was an aggressive goal, and most agencies were not close

to meeting this requirement when the law was signed. (For example, in the second quarter of FY 2008, DOE was completing 90% of its national security adjudications within an average of 53 days.) In collaboration with the eight Departmental adjudicative sites – DOE Headquarters Operations, NNSA Service Center, Pittsburgh Naval Reactors, Idaho Operations Office, Richland Operations Office, Savannah River Operations Office, Oak Ridge Operations Office, and Chicago Office – HSS developed strategic initiatives to support the Department in working toward meeting the December 2009 timeliness goal. Since then, the eight adjudicative sites have improved internal processes, reassessed and/or realigned resources, reprioritized workloads, and leveraged automation initiatives to meet the stringent national goal.

As a result of these efforts, the Department first exceeded the IRTPA goal in April 2009, when 90% of

its national security adjudications were completed within an average of 12 days. The Department has consistently surpassed the IRTPA goal since then and is now one of the top five Federal agencies in meeting personnel security adjudicative timeliness goals. This improvement in adjudicative efficiency has also significantly reduced the inventory of cases pending adjudication, creating a more manageable caseload. Whereas in July 2008, there were 5,782 cases pending adjudication Department-wide, only 1,580 such cases were pending in June 2010 – a reduction of more than 70%.

HSS is committed to implementing additional process improvements to further enhance the DOE adjudicative process. The combined efforts of the personnel security community will ensure that the Department remains in the vanguard of national personnel security reform initiatives and continues to achieve long-term adjudicative performance at the highest level. ■

Status Report on Safety and Security Directives Reform

The April 2010 HSS Message described the background and path forward on reform of the Department's safety and security directives that are under HSS responsibility. On March 16, 2010, the Deputy Secretary of Energy, Daniel Poneman, approved the Department's plan for safety and security reform, including end-state visions for safety and security. One important aspect of the reform effort is to increase usage of national and international consensus standards wherever such standards are available and applicable. The Department's

reform plan received concurrence from all of the Department's senior leaders, who committed to provide the necessary support in partnership with HSS to achieve the desired reform.

The goal of directives reform is a set of requirements that effectively and efficiently provides for the protection of workers, the public, the environment, and national security assets. The requirements must be sufficient to direct the Department in performing its mission using the high standard of safety

and security that its stakeholders expect. While requirements may be streamlined through consolidation or elimination of duplicative or unnecessary provisions, the reduction is intended solely to improve the clarity and usability – and hence the effectiveness – of requirements, not to reduce DOE's expectations for high standards of safety and security. This effort to overhaul the directive system is being undertaken with the objective of strengthening and improving the system while continuing to ensure adequate levels of protection and prevent accidents and incidents.

Project Management Plan

In June 2010, HSS finalized its Project Management Plan (PMP), Revision 2, to provide direction for implementing the Department's 2010 safety and security reform plan in a disciplined manner. The PMP provides additional project controls based on stakeholder feedback to help ensure that reform efforts achieve their improvement goals without compromising on safety and security standards. Significant project controls include establishment of Executive Steering Committees, a Requirements Framework for each topical area to ensure that a systems approach is used in making changes, red-team reviews prior to submittal of a draft for DOE-wide reviews, and a checklist of criteria that must be addressed for each directive. The project scope includes the following topical areas: worker safety; nuclear safety, environmental management, and quality assurance; operating experience; oversight and enforcement; security; and classification.

For directives reform, all changes are being made within the established Departmental directives program, which provides multiple opportunities for review and comment. For each identified directive action, formal Justification Memos are developed and approved by the Department's Directives Review Board. Once the scope and schedule of planned actions are approved, the revised or consolidated directives are developed by teams of subject matter experts, with input from the associated Executive Steering Committee, and then released for DOE-wide review. Review, comment resolution, concurrence, and approval proceed in accordance with the Department's established directives process. The PMP process (see the process chart

on page 6) augments the established Departmental directives program with additional stakeholder reviews and inputs.

HSS continues to make steady progress on the directives reform effort. To date, more than half of all HSS directives have approved Justification Memos outlining the planned actions. HSS is working closely with key stakeholders to finalize the specific scope of directive revisions, consolidations, re-certifications, and cancellations in each of the topical areas. Executive Steering Committees for all topical areas are established with appropriate representation of senior executives from primary line stakeholders and actively participate in formulating and reviewing directive changes. They have also been briefed on PMP content and expectations. Topical area leads have drafted Requirements Frameworks to describe the underlying analysis, assumptions, and engineering design for the associated requirements sets; these framework documents are being refined and will ultimately be reviewed by the responsible Executive Steering Committees to coordinate planned actions within each topical area. Topical area leads have established project milestones for each planned directive action, and HSS has issued an Integrated Project Schedule. Higher-priority changes are being actively worked, engaging line and external stakeholders; lower-priority actions are planned for later in the year.

HSS is receiving strong participation and support from line stakeholders in a large number of reform-related activities, including: (1) establishing the scope of planned directives changes; (2) developing draft revisions to streamline

directive requirements and eliminate overly prescriptive, process-focused requirements; (3) reviewing proposed revisions before they are placed in DOE-wide review; and (4) resolving review comments. As needed for major changes, HSS is establishing teams of experts from across the DOE organization, including field organizations, and soliciting contractor input. HSS continues its outreach to the Defense Nuclear Facilities Safety Board; various internal and external stakeholders, including the National Laboratory Directors Council (NLDC) and unions; and key Congressional staff and committees.

Recent Accomplishments

In June 2010, the revised Conduct of Operations Order (DOE Order 422.1) was approved for use, significantly updating the predecessor document that was developed in 1990. In addition, 12 outdated directives were approved for cancellation. HSS has also made progress on three near-term security directive changes to provide relief from burdensome requirements: (1) a page change to the Information Security Manual (DOE Manual 470.4-4A) regarding requirements for accountable classified removable electronic media has been concurred upon in a DOE-wide review and is moving forward to approval; (2) a page change to the Safeguards and Security Program Planning and Management Manual (DOE Manual 470.4-1) regarding movement from the security deviations process to the DOE-wide exemption process has completed DOE-wide review and is in concurrence review; and (3) a significant revision to the Unclassified Foreign Visits and Assignments Order (DOE Order 142.3) has also completed DOE-wide review and is in concurrence review.

Summary Metrics on Directives Reform

The current status of the entire set of 107 HSS directives (March 2010 to date) is:

- Directives cancelled – 13
- Directives revised – 6
- Directives in DOE-wide review (RevCom, Concurrence, or Comment Resolution) – 14

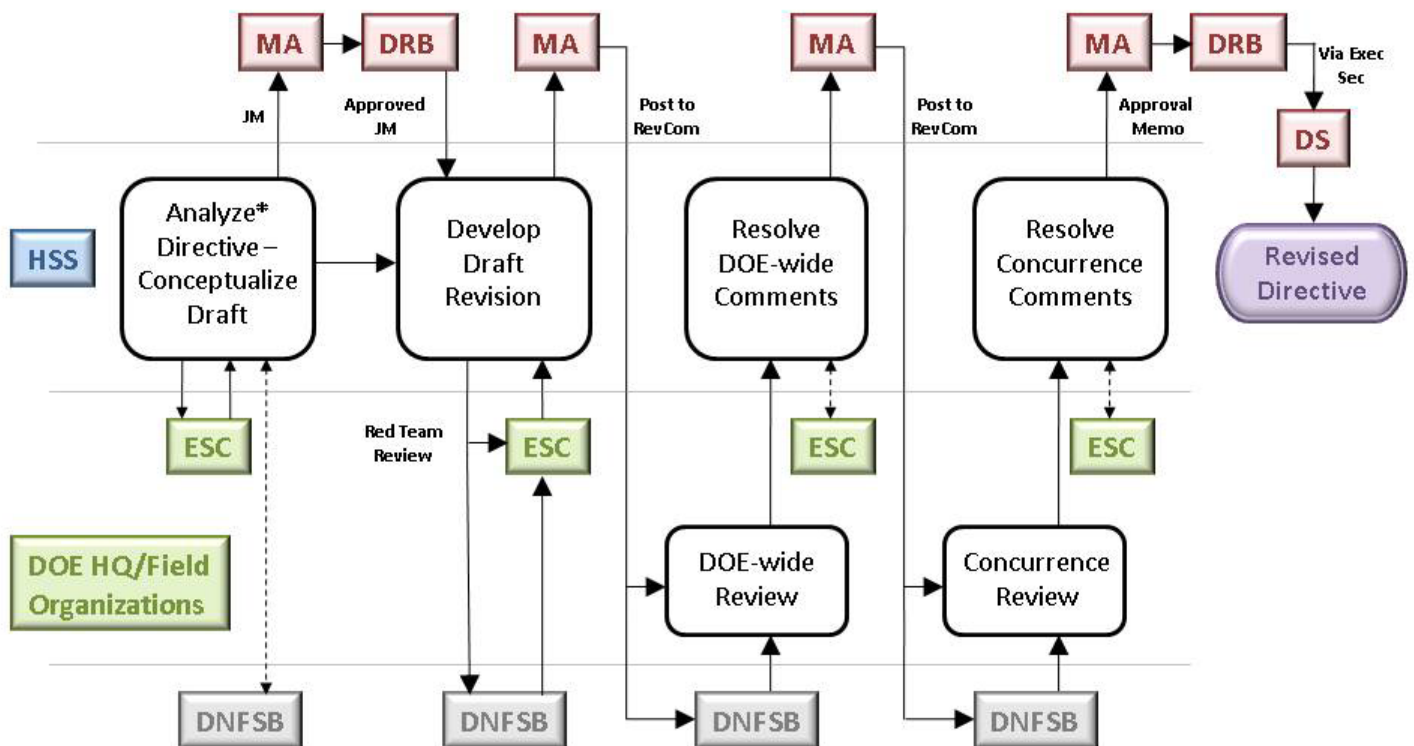
- Directives in development following approval of intent by the Directives Review Board – 26
- Directives under staff review to identify changes to meet the end-state vision – 48

Suggestions, Questions, or Offers to Help

If you have suggestions on specific requirements that do not add value to safety and security and should be

considered for revision or elimination, please contact the appropriate HSS topical area lead with your suggestions. If you are willing to help in the process of developing or reviewing these changes, please offer your assistance to the appropriate HSS contacts (see page 7). If you have general questions about this reform effort, please contact Stephen Kirchhoff (202/586-3773 or stephen.kirchhoff@hq.doe.gov) or Bill Eckroade (202/287-5403 or william.eckroade@hq.doe.gov). ■

HSS Directives Process (for Revised Directives)



* Within the context of a Systems-Wide Approach for each topical area that provides the appropriate standards of protection while eliminating duplication and conflicting requirements.

CONCEPTUALIZE → DEVELOP → REVIEW → CONCUR → APPROVE

MA	DOE Office of Management
DRB	Directives Review Board
ESC	Executive Steering Committee
DS	Deputy Secretary
DNFSB	Defense Nuclear Facilities Safety Board

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Solicitation of Comments, Questions, and Suggestions



HSS welcomes your thoughts about our newsletter. Please send or phone comments, questions, or suggestions to:

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