

memorandum

DATE: June 17, 2002

REPLY TO
ATTN OF: EM-1

SUBJECT: Guidance Requested from the Office of Environment, Safety and Health for 10 CFR 830, Subpart B Implementation

TO: Beverly Cook, Assistant Secretary for Environment, Safety and Health

Consistent with the expectation that line management is responsible for safety, I have focused my attention on the 10 CFR 830, Subpart B, nuclear safety implementation at the Environmental Management (EM) nuclear facilities. I have identified several gaps in the DOE guidance meant to support consistent rule implementation. To fill some of these gaps, I have issued the attached guidance to our field organizations for their use. Representatives of the DOE Office of Environment, Safety and Health (specifically EH-10, EH-23 and EH-53) and General Counsel (GC-52) were consulted and afforded opportunities to comment on this guidance before issuance. I very much appreciate your office's help in working on this guidance.

I believe the guidance would be better located in DOE guides and standards. The purpose of this memorandum is to request your leadership in addressing three issues of concern for the EM community.

1. Development of a standard method to demonstrate compliance with dose threshold for the hazard category 3 nuclear facilities. DOE-STD-1027-92 defines a lower threshold dose criterion for hazard category 3 but not a standard method by which a facility/activity can demonstrate to be below that criterion. In the absence of a uniform method, different sites have devised their own methods of "meeting" this criterion. This seems to foster the very "pencil sharpening" practice that is strongly criticized in DOE G 421.1-2 and DOE-STD-3009-94. EM believes there are both safety and cost benefits to clarifying what distinguishes those facilities/activities which merit the rigors of 10 CFR 830, Subpart B. As EH is the author of DOE-STD-1027-92, it seems most appropriate that EH take the lead on developing this standard method.
2. Acknowledgment that the final hazard categorization, as approved by DOE, determines the applicability of 10 CFR 830, Subpart B.
3. Development of guidance related to rule implementation for on-site packaging and transportation activities. Presently EM sites are in various stages of generating rule compliant safety bases. Expedient development by your office of this implementation guide could ensure consistent safety bases approach and alleviate potential enforcement vulnerabilities.

I would appreciate your leadership in making this effort a high priority in EH. Please let me know the schedule you plan to follow in meeting my request and any additional resources you need from EM. Our staff and contractors stand ready to assist in this effort.

If you have any questions, please contact me, or your staff may contact Sandra Johnson, Director, Office of Safety, Health and Security, EM-5, at (202) 586-0651.


Jessie Hill Roberson
Assistant Secretary for
Environmental Management

Attachment

cc:

Paul Golan, Chief Operating Officer, EM-3

Sandra Johnson, Director, EM-5

Patrice Bubar, Associate Deputy Assistant Secretary, EM-20

Mark Frei, Deputy Assistant Secretary, EM-30

Mark Frei, Acting Associate Deputy Assistant Secretary, EM-40

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