

U.S. Department of Energy

Oak Ridge Office

ORO O 440
Chapter IV
Change 5

DATE: 08/17/2006

SUBJECT: RADIATION PROTECTION OF THE PUBLIC AND THE ENVIRONMENT

1. PURPOSE. This Chapter correlates to DOE 5400, Change 2, RADIATION PROTECTION OF THE PUBLIC AND THE ENVIRONMENT, dated January 7, 1993. This Oak Ridge Office (ORO) Chapter assigns responsibility and accountability and provides administrative and/or contractual guidance to ORO and its contractors. Nothing in this issuance changes any requirements contained in any Department of Energy (DOE) Directive.
2. CANCELLATION. This Chapter cancels and replaces ORO O 440, Chapter IV, Change 4, RADIATION PROTECTION OF THE PUBLIC AND THE ENVIRONMENT, dated June 21, 2004.
3. APPLICABILITY. The provisions of this Chapter apply to ORO Principal Staff, management and operating contractors, other contractors that have responsibility for operating DOE-owned facilities, and other contractors with responsibility for radiation protection of the public and the environment to the extent set forth in their contract.
4. RESPONSIBILITIES. Many ORO contractors have developed Standards/Requirements Identification Documents (S/RIDs) or Work Smart Standards (WSS) Sets that may not include requirements referenced or included in DOE 5400, Change 2, or this Chapter. Interpretation and performance of Federal responsibilities outlined below must take into account the approved standards set for each particular contract and must not be deemed to add any requirements to the approved set.
 - a. Manager, ORO.
 - (1) Approves and forwards to the relevant program office(s) and the DOE Headquarters (HQ) Deputy Assistant Secretary for Environment (EH-4) reports on conditions that are required to be reported by DOE 5400, Change 2, Chapter II, Paragraph 7.
 - (2) If avoidance of the higher exposures is impracticable, transmits to the DOE HQ Assistant Secretary for Environment, Safety, and Health (EH-1) requests for temporary increases in the public dose limit pursuant to DOE 5400, Change 2, Chapter II, subparagraph 1a(4).
 - (3) Temporarily suspends requirements of DOE 5400, Change 2, when doing so is in his/her judgment necessary to minimize damage to life or property or to protect public health and safety. Whenever this provision is invoked, such suspension and the reason therefore are to be reported to DOE HQ EH-1, at the earliest practical time.

- b. Assistant Manager for Environment, Safety, and Health (AMESH).
 - (1) Reviews and concurs/nonconcurr in requests for exceptions to the dose limit standards of DOE 5400, Change 2, or other DOE guidelines concerning environmental radiological protection of the public and the environment.
 - (2) Provides oversight of contractor programs for radiation protection of the public and the environment, as requested.
 - (3) Concurr/non-concurr on reports to the Manager, ORO, that describe conditions identified in DOE 5400, Change 2, Chapter II, Paragraph 7.
 - (4) Concurr with the Contracting Officer's Representatives (CORs) decision to temporarily suspend requirements of DOE 5400.5, Change 2, when doing so is in his/her judgment necessary to minimize damage to life or property or to protect public health and safety.
 - (5) Reviews and concurs/nonconcurr in requests to establish volumetric limits for radioactivity to regulatory agencies and DOE HQ EH-1.

- c. Director, Environmental and Quality Management Division (E&QMD).
 - (1) Reviews plans, reports, and documents that are developed, as required by DOE 5400, Change 2, and DOE O 231.1A, Change 1, ENVIRONMENT, SAFETY, AND HEALTH REPORTING, dated June 3, 2004, to ensure they are technically correct, adequately address current and upcoming environmental and public radiological issues, meet DOE requirements, and cover the scope of the ongoing radiological protection programs.
 - (2) Provides technical support to the CORs to accomplish radiological protection of the public and the environment objectives; and assists in routine and special communications with regulatory agencies, DOE HQ, the public, and others.
 - (3) Advises and assists the COR and contractors to ensure that prescribed environmental radiological standards, policies, laws, and permits are considered in the specifications of new facilities, during decontamination and decommissioning of facilities, in the establishment of volumetric limits for radioactivity, and during remedial action activities.
 - (4) Recommends concurrence/non-concurrence by the AMESH with exceptions to the dose limit requirements of DOE 5400, Change 2, or other DOE guidelines concerned with radiological protection of the public and the environment that must be submitted to DOE HQ for approval.
 - (5) Coordinates the preparation of ORO-wide consensus comments on draft guidance, draft reports, memoranda of understanding, pending legislation, and other documents issued/distributed by the DOE HQ EH-4 concerning radiation protection of the public and the environment.
 - (6) Coordinates the preparation of the Annual Radionuclide National Emission Standards for Hazardous Air Pollutants reports required by DOE 5400, Change 2, and Title 40, Code of Federal Regulations (CFR), Part 61, Subpart H.

- (7) Recommends concurrence/non-concurrence by the AMESH with reports to the Manager, ORO, that describe conditions identified in DOE 5400, Change 2, Chapter II, Paragraph 7.
 - (8) Recommends concurrence/non-concurrence by the AMESH with request to establish volumetric limits for radioactivity to regulatory agencies and DOE HQ, EH-1.
- d. Contracting Officers/Contracting Officer's Representatives.
- (1) Carry out those responsibilities identified in DOE 5400, Change 2, Sections 9b(3)(a) and 9b(3)(b).
 - (2) Concur with and forward to the Manager, ORO, for approval requests for exceptions to the dose limit requirements of DOE 5400, Change 2, or other DOE guidelines concerned with radiological protection of the public and the environment.
 - (3) Conduct or oversee appraisals of contractors' compliance with the requirements of DOE 5400, Change 2, and this Chapter, including resolution of deficiencies.
 - (4) Utilize, and require contractors to utilize, the As Low As Reasonably Achievable (ALARA) process for all DOE activities and facilities as specified in DOE 5400, Change 2, Chapter II, Paragraph 2.
 - (5) If appropriate, concur with and forward to the Manager, ORO, requests for exemptions, where the site is not in compliance, to applicable requirements and programs of DOE 5400, Change 2, and approve/disapprove plans and schedules for achieving compliance. Exemption requests for areas of noncompliance are to be forwarded to the appropriate program office(s).
 - (6) Concurs with and forwards to the Manager, ORO, for approval, reports on conditions that are required to be reported by DOE 5400, Change 2, Chapter II, Paragraph 7.
 - (7) Recommend to the Manager, ORO, approval of a temporarily suspension of the requirements of DOE 5400, Change 2, when doing so is, in their judgment, necessary to minimize danger to life or property or to protect public health and safety.
 - (8) For real property that has been remediated to as low as practicable levels and is to be released for general public use, provide a statement specifying the levels of residual radioactive material present at sites where the cost of remedial action for contaminated soil is unreasonably high in terms of long-term benefits and where the residual materials do not pose a clear present or future risk after necessary control measures have been taken. Provide this statement to State and/or local agencies in accordance with the guidelines of DOE 5400, Change 2.
5. REQUIREMENTS AND PROCEDURES. None.

6. REFERENCES.

- a. Title 40, CFR, Part 61, Subpart H, NATIONAL EMISSION STANDARDS FOR EMISSIONS OF RADIONUCLIDES OTHER THAN RADON FROM DEPARTMENT OF ENERGY FACILITIES.
- b. DOE O 231.1A, Change 1, ENVIRONMENT, SAFETY, AND HEALTH REPORTING, dated June 3, 2004.

7. DEFINITIONS. None.

8. CONTRACTOR REQUIREMENTS DOCUMENT. See Contractor Requirements Document, Attachment 1 of this Chapter.

9. ATTACHMENTS.

Attachment 1 - Contractor Requirements Document.

CONTRACTOR REQUIREMENTS DOCUMENT

Contractors identified in Paragraph 3 of this Chapter will accomplish the following, to the extent set forth in their contract:

1. Establish and maintain an Environmental Radiation Protection Program consistent with the requirements of DOE 5400, Change 2 and this Chapter.
2. Develop and implement the As Low As Reasonably Achievable (ALARA) process for radiation protection of the public and the environment for all Department of Energy (DOE) activities and facilities consistent with DOE 5400, Change 2, Chapter II, Section 2.
3. Ensure that DOE environmental radiation protection standards and guides are incorporated in plans and specifications for all new facilities, in major modifications to existing facilities, in decontamination and decommissioning of existing facilities, in the establishment of volumetric limits for radioactivity, and in remedial action activities.
4. Forward to the Contracting Officer's Representative (COR) requests for dose limit exceptions pursuant to DOE 5400, Change 2, Chapter II, subparagraph 1a(4) or other DOE guidelines concerned with radiological protection of the public and the environment.
5. If the site is not in compliance with applicable requirements and programs of DOE 5400, Change 2, initiate requests for exemptions and develop a plan and schedule, based on the availability of funds, for achieving compliance. Request will be submitted to the COR.
6. Conduct self-assessments of the Environmental Radiation Protection Program in accordance with their Integrated Safety Management Description regarding feedback and continuous improvement.
7. Multiple contractors on a site will have documented agreements among themselves delineating responsibilities for DOE 5400, Change 2.
8. Forward to the COR reports on conditions that are required to be reported by DOE 5400, Change 2, Chapter II, Paragraph 7.