

ORO CONTROL FORM - FINAL DIRECTIVE

PART A (To be completed by the Division of Primary Interest (DPI))

1. **NUMBER AND TITLE OF DIRECTIVE:** **ORO O 250, Chapter XI, DELEGATIONS OF AUTHORITY, MEMORANDUMS OF UNDERSTANDING, AND AUTHORIZATION AGREEMENTS, dated 10/31/2003**

2. **PURPOSE OF TRANSMITTAL:** New Directive Revised Directive

3. **THIS DOCUMENT MAY AFFECT THE WORK PERFORMED BY THE FOLLOWING CONTRACTORS:** (Check appropriate boxes)

No (all contractors)

Yes If yes, whom? Bechtel Jacobs Co. ORAU UT-Battelle

Other contractors (list by type)

Many ORO contractors have approved Work Smart Standard (WSS) Sets or Standards/Requirements Identification Documents (S/RIDs) that may affect applicability of contractor requirements from this Directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.

4. **SIGNIFICANT PROVISIONS:** Are there any significant changes or impacts? No Yes
If yes, describe: This Chapter is a new Chapter in the 250 Series. This new Chapter provides information on the Delegations of Authority (both Secretarial Delegations of Authority and ORO Delegations), Memorandums of Understanding (including Memorandums of Agreement and Other Agreements), and Authorization Agreements.

5. **CONTACT POINT:** Wayne H. Albaugh Directives Management Group, AD-440 576-0974
Name Organization Telephone

PART B (To be completed by the Directives Management Group (DMG)):

6. **FILING INSTRUCTIONS:**

<u>Remove</u>	<u>Dated</u>	<u>Insert</u>	<u>Dated</u>
N/A		ORO Control Form	10/31/2003
		ORO O 250, Ch. X	10/31/2003

ORO Directives are available on the ORO Directives Management Home Page at http://www.ornl.gov/doe/doe_oro_dmg/oro_dir.htm. The ORO Directives will no longer be mailed in printed copy unless you do not have Internet capabilities.

7. **APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH THE OFFICIAL DIRECTIVES DISTRIBUTION LIST:**

Original Signed By
Wayne H. Albaugh 10/31/2003
Signature: DMG Team Leader, AD-440 Date

INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED

Rev. 10/31/2003

NNSA/YSO CONTROL FORM – FINAL DIRECTIVE

PART A (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

DIRECTIVE NUMBER, TITLE, AND DATE:

ORO O 250, CHAPTER XI, DELEGATIONS OF AUTHORITY, MEMORANDUMS OF UNDERSTANDING, AND AUTHORIZATION AGREEMENTS, dated 10/31/2003

PURPOSE OF TRANSMITTAL: New Directive Revised Directive

DOES THIS DIRECTIVE CANCEL/REPLACE OR EXTEND ANY OTHER DIRECTIVES? Yes No
If "Yes," list what action (cancel/replace or extend) and list the Directive(s), including the number(s), title(s), and date(s):

The attached Directive is forwarded for review and action. Complete Part B and forward this form to ORO DMG, AD-440, by **11/21/2003**.

PART B (To be completed by the NNSA Y-12 SITE OFFICE, Y12-01):

CONTRACTOR APPLICABILITY:

Does this Directive affect the work performed by BWXT Y-12, L.L.C.? Yes No

Does this Directive affect the work performed by BWXT Y-12, L.L.C., subcontractors? Yes No

If "Yes," list the subcontractors:

Many contractors have approved Standards/Requirements Identification Documents (S/RID) or Work Smart Standards (WSS) Sets that may affect applicability of contractor requirements from this Directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.

SIGNIFICANT PROVISIONS: Are there any significant changes or impacts? Yes No

List summary of Directive changes and, if "Yes" above, describe the significant changes or impacts:

IMPLEMENTATION: Does the Directive contain special implementation requirements and/or dates? Yes No

If "Yes," describe:

FOR DOE DIRECTIVE – SUPPLEMENTAL DIRECTIVE REQUIRED?

Is a new or revised supplemental Directive required? Yes No

If "Yes," target date for submission of YSO Directive is _____.

IDENTIFY CONTACT POINT: Diane McCarten 576-9330
Name Telephone

APPROVED BY COR FOR DIRECTIVES: Diane McCarten 11/17/2003 576-9330
Signature Date Telephone

PART C (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

DOE Directives are available on the DOE Directives Portal at <http://www.directives.doe.gov/>. ORO Directives are available on the ORO Directives Management Group Home Page at http://www.ornl.gov/doe/doe_oro_dmg/oro_dir.htm. Directives will no longer be mailed in printed copy unless you do not have Internet capabilities.

APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH OFFICIAL DIRECTIVE DISTRIBUTION LIST:

Wayne H. Albaugh, AD-440 11/19/2003
Name Date

INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED.

(Revised 11/06/2003)

U.S. Department of Energy

Oak Ridge Operations

ORO O 250 Chapter XI

DATE: 10/31/2003

**SUBJECT: DELEGATIONS OF AUTHORITY, MEMORANDUMS OF UNDERSTANDING,
AND AUTHORIZATION AGREEMENTS**

1. PURPOSE. This Chapter assigns responsibility and accountability and describes Oak Ridge Operations (ORO) participation in the development of Delegations of Authority, Memorandums of Understanding (MOUs), and Authorization Agreements (AAs). This Chapter assigns responsibilities and accountability and provides administrative guidance to ORO and National Nuclear Security Administration Y-12 Site Office (YSO). Nothing in this Chapter changes any requirements contained in any Department of Energy (DOE) Directive.
2. CANCELLATION. None.
3. APPLICABILITY. The provisions of this Chapter apply to the Federal Staff at ORO and YSO only.
4. RESPONSIBILITIES.
 - a. Manager.
 - (1) Receives a Secretarial Delegation of Authority (SDOA) from a DOE Assistant Secretary of Energy. If so stated within the Delegation, this authority may be further delegated to an ORO Assistant Manager and/or to a lower-level managerial position.
 - (2) Provides copies of SDOAs, Oak Ridge Operations Delegations of Authority (ORODs), MOUs, Memorandums of Agreement (MOAs), AAs, and other Agreements to DMG no later than one month after the Agreement is finalized.
 - b. Assistant Managers.
 - (1) After receipt of an SDOA from the ORO Manager, if so stated within the SDOA that it can be further delegated, the Assistant Manager(s) may delegate to a lower-level Federal and/or contractor staff.
 - (2) Provides copies of SDOAs, ORODs, MOUs, MOAs, AAs, and other Agreements to DMG no later than one month after the Agreement is finalized.
 - c. Divisions of Primary Interest (DPIs) and Principal Staff.
 - (1) Provides copies of SDOAs, ORODs, MOUs, MOAs, AAs, and other Agreements to DMG no later than one month after the Agreement is finalized.

- d. Team Leader, Directives Management Group.
 - (1) Develops and maintains databases for Delegations of Authority (e.g., SDOAs and ORODs); and MOUs, MOAs, and other Agreements, which are readily accessible to ORO/YSO Staff and contractors through the DMG Home Page.
 - (2) Develops and maintains a web site page for AAs which is readily accessible to ORO Staff, YSO Staff, and contractors through the DMG Home Page.

5. REQUIREMENTS AND PROCEDURES.

- a. Delegations. Two different kinds of Delegations of Authority are being utilized at ORO. These are SDOAs and ORODs.

The first and highest level is the SDOA which is a legal instrument used to transfer authority granted to the Secretary of Energy by statute, Executive Order, or regulation to an Assistant Secretary, Head of a Department Element, or Field Element. The authority to delegate these high-level responsibilities is provided to the Secretary by statute (including Section 642 of the Department of Energy Organization Act and 5 U.S.C. Section 302). These authorities are normally assigned through formal memorandum from Headquarters (HQ) to the Field.

The second level of Delegation of Authority is from the Head of the Field Element (or Manager) to an Assistant Manager of the Field Element who, if it is found necessary and feasible, can then in turn delegate the authority to the Head of the Contracting Organization for contractual work at the Field level. These are called ORODs.

DMG maintains a current database and historical, hard-copy library of all Delegations that are provided to, from, and within ORO. Additionally this database and the documents are accessible from the DMG Home Page (http://www.ornl.gov/doe/doe_oro_dmg/) via the “*Delegations of Authority*” link. Also, DOE HQ Secretarial Delegations of Authority are available online at the DOE Directives Portal (<http://www.directives.doe.gov/>), “*DOE Secretarial Delegations*” link. DMG assists in the development of ORO M 411.1-1E, MANUAL OF SAFETY MANAGEMENT FUNCTIONS, RESPONSIBILITIES, AND AUTHORITIES, LEVEL II, FOR OAK RIDGE OPERATIONS (ORO FRAM), in which the SDOAs to Oak Ridge and the ORODs are included.

- b. Agreements. There are many different types of Agreements made within the DOE. Most of the Agreements are of two kinds: (1) Memorandums of Understanding and (2) Memorandums of Agreement. A DOE Order, DOE 1280.1 (replaced by a DOE Order, DOE 1280.1A), once governed the writing of these documents. The Orders were cancelled by DOE N 1321.139, dated March 25, 1994, because the process was already covered by Public Law 93-438 which was superseded by Public Law 95-91 which was also superseded by Public Law 98-216; OMB Circular A-97; U.S. Code Title 31, Part 1535; and U.S. Code Title 42, Part 2051, for such Agreements and arrangements for work.

An MOU is a written Agreement broadly stating basic understandings and describing a mechanism for coordinating activities to be engaged in by the Department and other signatory authorities. It is not limited to understandings with Federal agencies, but may include: local, State, international, tribal, or other Government entities; the private sector; or educational

institutions. A MOU is not a binding contract. It cannot be used to obligate or commit funds or as the basis for the transfer of funds from one agency to another. Agreements within DOE between Departmental organizations are not considered MOUs. These are MOAs. If a commitment, obligation, or transfer of funds is required, a specific MOA or Interagency Agreement shall be developed between DOE and the participating organization.

MOUs and MOAs serve the same purpose. An MOU is an Agreement between DOE organizations and non-DOE organizations. An MOA is an Agreement between DOE organizations.

Types of Agreements currently maintained by DMG are Common Response Plans, Master Agreements for Service, Mutual Aid Agreements, Mutual Agreements, Mutual Agreements with Implementation Plan, MOAs, Memorandums of Cooperation, MOUs, Participation Agreements, Service Arrangements, Service Agreements, Statements of Intent, and Statements of Principles. DMG maintains a current database and historical, hard-copy library of all Agreements with ORO and its organizations. Additionally this database and the documents are accessible from the DMG Home Page (http://www.ornl.gov/doe/doe_oro_dmg/) via the “DOE/ORO Memorandums of Understanding (MOUs) and Memorandums of Agreements (MOAs)” link.

- c. Authorization Agreements. AAs prepared by the contractors are documented agreements between DOE and the contractor that define the authorization basis for a defined scope of work. The AA contains key terms and conditions (controls and commitments) under which the contractor is authorized to perform work. AAs are more thoroughly discussed in ORO O 420, Chapter XI, AUTHORIZATION AGREEMENTS. DMG maintains a historical, hard-copy library of all AAs with Oak Ridge Operations and its organizations. Additionally a listing of AAs with links to the contractor’s AAs web sites is accessible from the DMG Home Page (http://www.ornl.gov/doe/doe_oro_dmg/) via the “DOE/ORO Authorization Agreements” link.

6. REFERENCES.

- a. Public Law 93-438, ENERGY REORGANIZATION ACT OF 1974 (replaced by Public Law 95-91).
- b. Public Law 95-91, DEPARTMENT OF ENERGY ORGANIZATION ACT (replaced by Public Law 98-216).
- c. Section 642 of Public Law 95-91, DEPARTMENT OF ENERGY ORGANIZATION ACT (replaced by Public Law 98-216).
- d. Public Law 98-216, REVISIONS, TITLE 31 AND 49, U.S.C. MISCELLANEOUS AMENDMENTS.
- e. U.S. Code Title 5, Part I, Chapter 3, Section 302, DELEGATION OF AUTHORITY.
- f. U.S. Code Title 31, Subtitle II, Chapter 15, Subchapter III, Part 1535, AGENCY AGREEMENTS (originally titled, ECONOMY ACT OF 1932), as amended by Public Law 98-216.

- g. U.S. Code Title 42, Chapter 23, Division A, Subchapter III, Part 2051, RESEARCH AND DEVELOPMENT ASSISTANCE.
- h. Office of Management and Budget (OMB) Circular A-97, "RULES AND REGULATIONS," dated August 29, 1968.
- i. DOE M 411.1-1B, SAFETY MANAGEMENT FUNCTIONS, RESPONSIBILITIES, AND AUTHORITIES, dated May 22, 2001, and any subsequent revisions.
- j. DOE 1280.1, MEMORANDUMS OF UNDERSTANDING, dated September 20, 1985 (replaced by DOE O 1280.1A).
- k. DOE 1280.1A, MEMORANDUMS OF UNDERSTANDING, dated November 15, 1991 (canceled by DOE N 1321.139, dated March 25, 1994).
- l. ORO O 250, Chapter I, Change 3, ORO STANDARDS MANAGEMENT PROGRAM OVERVIEW, dated October 31, 2003, and any subsequent revisions.
- m. ORO O 250, Chapter II, Change 4, ORO DIRECTIVES SYSTEM, dated October 31, 2003, and any subsequent revisions.
- n. ORO O 250, Chapter III, Change 3, ORO TECHNICAL STANDARDS PROGRAM, dated October 31, 2003, and any subsequent revisions.
- o. ORO O 250, Chapter IV, Change 3, IMPACT ASSESSMENTS, dated October 31, 2003, and any subsequent revisions.
- p. ORO O 250, Chapter V, Change 4, DEVELOPMENT, APPROVAL, AND MAINTENANCE OF WORK SMART STANDARDS SETS, dated October 31, 2003, and any subsequent revisions.
- q. ORO O 250, Chapter VI, Change 3, IMPLEMENTATION PLANS AND EXEMPTION REQUESTS, dated October 31, 2003, and any subsequent revisions.
- r. ORO O 250, Chapter VII, Change 3, MAINTENANCE OF STANDARDS/REQUIREMENTS IDENTIFICATION DOCUMENTS, dated October 31, 2003, and any subsequent revisions.
- s. ORO O 250, Chapter VIII, Change 1, REQUIREMENTS CHANGE NOTICES, dated October 31, 2003, and any subsequent revisions.
- t. ORO O 250, Chapter X, DOE DIRECTIVES SYSTEM, dated October 31, 2003, and any subsequent revisions.
- u. ORO M 411.1-1E, MANUAL OF SAFETY MANAGEMENT FUNCTIONS, RESPONSIBILITIES, AND AUTHORITIES, LEVEL II, FOR OAK RIDGE OPERATIONS, dated July 15, 2003, and any subsequent revisions.
- v. ORO O 420, Chapter XI, AUTHORIZATION AGREEMENTS, April 4, 2000, and any subsequent revisions.

7. DEFINITIONS. See Attachment 2 of ORO O 250, Chapter I, ORO STANDARDS MANAGEMENT PROGRAM OVERVIEW, for a glossary of terms used in the ORO Standards Management Program.
8. CONTRACTOR REQUIREMENTS DOCUMENT. None.
9. ATTACHMENTS. None.