

Attachment 1

April 3, 2002

MEMORANDUM TO: John T. Greeves, Director, DWM/NMSS
Michael F. Weber, Director, FCSS/NMSS
Donald A. Cool, Director, IMNS/NMSS
E. William Branch, Director, SFPO/NMSS

FROM: Martin J. Virgilio, Director, NMSS Original signed by:

SUBJECT: TRAINING DELEGATION OF AUTHORITY

Effective April 8, 2002, the authority to approve and authorize requests for external training (Form 368) may be redelegated from the Division Director to the managerial level of Section Chief, per memorandum from the OHR, dated March 6, 2002 (Attachment 1). The NMSS Delegation of Authority had been amended to show this change (Attachment 2).

Each Division, in accordance with its established procedures, should continue to manage and monitor its training funds allotment.

Attachments:

1. March 6, 2002 OHR Memo
2. NMSS Delegation of Authority.

CONTACT: Elise A. Heumann, NMSS/PMDA
(301) 415-6347

DISTRIBUTION:

NMSS Off Dir r/t NMSS r/f Subject File eds FCSS SFPO
IMNS DWM DOA

*See Previous Concurrence

Doc: Training DOA

ML

OFF:	PMDA/RMT*	PMDA/RMT*	PMDA/DD*	PMDA/D	NMSS/DD	NMSS/D
NAME	ESchultz/am	EHeumann	DGillen	JLihenan	MFederline	MVirgilio
DATE	03/29/02	03/29/02	04/01/02	4/1/02	4/3/02	4/1/02

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 6, 2002

MEMORANDUM TO: Office Directors and Regional Administrators
(See Attached List)

FROM: Paul E. Bird, Director *James J. McDevitt*
Office of Human Resources

SUBJECT: DELEGATION OF PERSONNEL MANAGEMENT TRAINING
AUTHORITY

In my memorandum dated October 13, 2000, (ADAMS ML003760292, attached), you were delegated certain personnel authorities relating to approval and authorization of requests for external training on NRC Form 368, "Training Request and Authorization." You were also authorized to redelegate this authority to other managers at the Division Director or above level in your Office, at your discretion.

After more than a year's experience with this delegated authority, most Offices and Regions have gained enough experience in managing external training to allow for further redelegations below the Division Director level, again at your discretion. If, given your office's/region's structure and internal operating procedures, you believe that approval and authorization of external training for your employees could be effectively managed at a managerial level below that of Division Director, you may redelegate this authority.

Please notify me in writing if you redelegate your authority to a level lower than Division Director. If you have any questions, please call me or Carolyn Bassin on 415-7516.

Attachment: As stated

October 13, 2000

MEMORANDUM TO: Office Directors and Regional Administrators
(See Attached List)

FROM: Paul E. Bird, Director */RA/*
Office of Human Resources

SUBJECT: DELEGATION OF PERSONNEL MANAGEMENT TRAINING
AUTHORITY

In my memo of August 30, 2000, Implementation of Decentralized External Training, I informed you that external training budget execution would be decentralized in FY 2001. In order for you to administer the external training budget for your Office or Region, I am delegating to you certain personnel authorities relating to training and development. Attached for your signature is a Delegation of Personnel Management authority relating to external training and development. You may wish to redelegate this authority to other managers at the Division Director or above level in your Office so that they can approve and authorize requests for external training on NRC Form 368, "Training Request and Authorization."

Members of your staff have received appropriate training and guidance materials in the procedures to be followed in implementing this authority. Please sign and date the attached delegation at the signature line and return it to me. If you have any questions, please call me or Ken Raglin on 415-7516.

Attachment: As stated

DELEGATION OF PERSONNEL MANAGEMENT TRAINING AUTHORITY

OFFICE DIRECTORS AND REGIONAL ADMINISTRATORS IDENTIFIED BELOW ARE HEREBY DELEGATED AUTHORITY TO:

Approve and authorize requests for external training in accordance with the spirit and provisions of the Government Employees Training Act (GETA); 5 CFR Part 410, "Training"; Management Directive 10.77, "Employee Development and Training"; any other applicable policy issues; and HR-issued implementing procedures except as expressly excluded.

THIS DELEGATION EXPRESSLY EXCLUDES THE AUTHORITY FOR THE OFFICE DIRECTOR/REGIONAL ADMINISTRATOR TO:

- a. Approve, authorize, and certify funds for training and development obtained through interagency agreements, commercial contracts, or other procurement actions funded by HR such as FEI's "Leadership for a Democratic Society," "NRC and Its Environment," and the SES Candidate Development Program.
- b. Approve, authorize or certify funds for training and development for employees in programs such as the Executive Leadership Program, Congressional Fellowship Program, and other similar centrally funded programs that require agency-wide competitive selection.

In exercising this delegation, the Office Director/Regional Administrator accepts full responsibility for ensuring compliance with applicable civil service laws, rules and regulations, and Agency policies and procedures.

The Director, HR, will:

- a. provide continuing technical direction and guidance with regard to training activities within each office/region;
- b. evaluate training practices and programs within each office/region;
- c. take such corrective measures as may be necessary and appropriate to ensure compliance with applicable laws, rules, and regulations and NRC policies and practices.

THIS AUTHORITY IS DELEGATED TO:

Chief Information Officer
Chief Financial Officer
Director, Office of Administration
Director, Office of Nuclear Material Safety and Safeguards
Director, Office of Nuclear Reactor Regulation
Director, Office of Nuclear Regulatory Research
Regional Administrator, RI
Regional Administrator, RII
Regional Administrator, RIII
Regional Administrator, RIV

OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
 DELEGATION OF AUTHORITY
 [October 31, 2000]
 [as Amended 11/16/01 and 03/29/02]

ACTION	SIGNATURE AND APPROVAL AUTHORITY
<u>Director, NMSS</u>	
1. Orders (10 CFR 2.202)	Director, NMSS
2. Confirmatory Action Letters	Director, NMSS
3. Demands for Information (10 CFR 2.204)	Director, NMSS
4. Construction Permits (10 CFR 50 - Production Facilities)	Director, NMSS
5. Operating Licenses (10 CFR 50 - Production Facilities)	Director, NMSS
6. Director's Decision (10 CFR 2.206)	Director, NMSS
7. Issue subpoenas under Section 161c. of the Atomic Energy Act with concurrence of the Office of the General Counsel.	Director, NMSS
8. Issuance of certain enforcement actions pertaining to violations in all areas in which NMSS evaluates, directly manages, or conducts inspections. If there is overlap between regional and NMSS inspection authority, and a dispute arises as to which office should issue the enforcement action, the Office of Enforcement (OE) should be consulted.	Director, NMSS ^{1/}
a. Sign and issue escalated enforcement actions (other than orders), after coordination with OE and approval of the appropriate Deputy EDO, and Commission, when required. (Severity Level I and II Notices of Violation)	Director, NMSS ^{1/}
b. Sign and issue escalated enforcement actions, after coordination with OE, Severity Level III Notices of Violation.	Deputy Director, NMSS ^{1/}
c. Sign and issue actions or letters exercising discretion in accordance with Section VII.B.2 through 6 of the NRC Enforcement Policy, for matters that would otherwise be Severity Level IV violations. OE should be consulted by telephone prior to exercising this discretion.	Division Director ^{1/} SFPO Director

ACTION	SIGNATURE AND APPROVAL AUTHORITY
<u>Director, NMSS (cont'd)</u>	
d. Conduct pre-decisional enforcement conferences for cases being considered for escalated enforcement action.	Deputy Division Director ^{1/} SFPO Deputy Director
e. Approve, sign, and issue non-escalated enforcement actions, including Severity Level IV Notices of Violation.	Section Chief ^{1/}
<i>Amendment #1</i>	
f. <i>Approve, sign, and issue non-escalated enforcement actions on NRC Form 591s.</i>	<i>Qualified Inspectors</i>
9. Issuance of waiver for any requirement or extension of the time period for any requirement listed for an inspector, reviewer, or project manager/technical reviewer in NRC Inspection Manual Chapter 1246.	Deputy Division Director SFPO Deputy Director
<u>Deputy Director, NMSS</u>	
10. Review and approve Instant Cash Awards for NMSS employees (these are Special Achievement Awards for Special Acts or Services of up to \$400).	Deputy Director, NMSS
11. Reviewing Official for SES Performance Plans for Deputy Division Directors and below.	Deputy Director, NMSS
<u>Director, Program Management, Policy Development and Analysis Staff (PMDA)</u>	
12. Center for Nuclear Waste Regulatory Analyses (Center) Activities:	Director, PMDA
a. Overall programmatic performance of operations;	Director, PMDA
b. Assuring appropriate integration of work assigned;	Director, PMDA
c. Assessment of Center performance; Chairman of Center Review Group;	Director, PMDA
d. Recommend approval, disapproval, or suspension of costs requested for reimbursement by the Center based on review of the Center's progress and performance.	Director, PMDA
13. Allowance Financial Manager under Chief Financial Officer Act of 1990.	Director, PMDA ^{2/}
14. Signature authority on human resources actions (SF-52) for NMSS.	Director, PMDA

ACTION	SIGNATURE AND APPROVAL AUTHORITY
<u>Director, Program Management, Policy Development and Analysis Staff (PMDA) (cont'd)</u>	
15. Approve/disapprove all cancellations of training for NMSS (MD 10.77 12/18/96).	Director, PMDA
16. Contracting (By memo from Director, NMSS, dated 5/18/94)	Director, PMDA ^{3/}
a. Sign and issue Requests for Procurement Action (RFPAs), Requests for Assistance Action (RFAAs) for Grants and Cooperative Agreements, and Requisitions for Supplies, Equipment, or Labor Services (NRC Form 30).	Director, PMDA ^{3/}
b. Sign and issue requests for proposal to DOE for work to be performed by the national laboratories.	Director, PMDA ^{3/}
c. Authorize, sign, and issue NRC Forms 173, Standard Order for DOE Work (SOEW), NRC Forms 173A, Standard Order for Interagency Work (SOIW), and accompanying statements of work, task descriptions, or modifications to work statements.	Director, PMDA ^{3/}
d. Sign and approve DOE Source Selection Justifications (NRC Form 367).	Director, PMDA ^{3/}
e. Sign and approve Justifications for Task Order Technical Assistance Contracts.	Director, PMDA ^{3/}
f. Sign and issue Source Evaluation Panel Designations.	Director, PMDA ^{3/}
g. Sign and approve Source Evaluation Panel Reports (Competitive Range Reports and Final Evaluation Reports).	Director, PMDA ^{3/}
h. Enter into, extend, modify, and terminate those reimbursable agreements and Memoranda of Understanding with other entities that involve funds.	Director, PMDA ^{4/}
<u>General</u>	
17. Withholding of information from public disclosure with Decision and Notice to Applicant.	Division Director SFPO Director
18. Denial of licenses	Division Director SFPO Director

ACTION	SIGNATURE AND APPROVAL AUTHORITY
<u>General (cont'd)</u>	
19. Denial of Individual Amendments	Division Director SFPO Director (May be redelegated in writing)
20. Grant exemptions from the regulations.	Division Director SFPO Director (may be redelegated in writing to Branch Chiefs or SFPO Deputy Directors citing specific types of exemptions)
21. Correspondence to Applicants and Licensees:	Project Manager
a. All correspondence related to the routine processing of applications and related safety, safeguards, and environmental reviews, transmitting comments to applicant.	Project Manager
b. All other correspondence (the Branch/Section Chief is expected to determine whether the subject matter goes beyond routine processing).	Project Manager
22. Letters to Federal Agencies, State and local governments, and Tribal Nations providing information and/or requesting comments on the following:	Branch Chief SFPO Deputy Director
a. Draft Environmental Assessments (when appropriate).	Branch Chief SFPO Deputy Director
b. Draft Environmental Impact Statements.	Branch Chief SFPO Deputy Director
23. Recommend to the Commission rules and regulations and amendments thereto on matters within your delegated authority; develop policy options for Commission consideration on matters within your delegated authority.	Division Director SFPO Director
24. Recommend research to enable the Commission to effectively perform its functions.	Branch Chief SFPO Deputy Director
25. Recommend and/or concur in rulemaking to enable the Commission to effectively perform its functions.	Division Director SFPO Director

ACTION

SIGNATURE AND
APPROVAL AUTHORITYGeneral (cont'd)

- | | | |
|-----|---|--------------------------------------|
| 26. | Staff Reports to ACRS and ACNW; primary point of contact. | Division Director
SFPO Director |
| 27. | Notices to the <u>Federal Register</u> and request to publish. | Project Manager |
| 28. | Administrative approval of travel: | |
| a. | Domestic Travel (Approval must be one level above the proposing level); | SFPO Deputy Director
Branch Chief |
| | - Approve requests for official travel and travel vouchers (NRC Form 279, 64, 64A or B) for NRC employees and others under their jurisdiction. | SFPO Deputy Director
Branch Chief |
| | - Approve local travel vouchers (SF 1164) for NRC employees and others under their jurisdiction. | SFPO Deputy Director
Branch Chief |
| | - Authorize approved official travel when there is no expense to the NRC. | SFPO Deputy Director
Branch Chief |
| b. | Foreign Travel (Approval must be one level above the proposing level); | Deputy Director, NMSS |
| | - Approval of foreign travel requests (NRC Form 445) for NRC employees under their jurisdiction. | Deputy Director, NMSS |
| | - Approval of foreign travel requests (NRC Form 445) for contractors under their jurisdiction. | Deputy Director, NMSS |
| 29. | Approval of Official Change of Station Travel Vouchers (NRC Form 264). | Division Director
SFPO Director |
| 30. | Approve and authorize requests for external training (Form 368) in accordance with the spirit and provisions of the Government Employees Training Act (GETA); 5 CFR Part 410, "Training;" Management Directive 10.77, "Employee Development and Training;" any other applicable policy issues; and HR-issued implementing procedures. (Note exceptions in footnote ^{5/} .) | Section Chief ^{5/} |

ACTION	SIGNATURE AND APPROVAL AUTHORITY
--------	----------------------------------

General (cont'd)

- | | |
|---|--|
| 31. Human Resource Actions: | |
| a. Termination of an employee during trial period. | Branch Chief
SFPO Deputy Director
(one level above
proposing level) |
| b. Adverse actions (non performance-based). | Branch Chief
SFPO Deputy Director
(one level above
proposing level) |
| c. Performance-based actions (involve intent to separate employees or reduce in grade). | Branch Chief
SFPO Deputy Director
(one level above
proposing level) |
| d. Memoranda of Admonition and formal letters of reprimand. | Immediate Supervisor |

Division of Industrial and Medical Nuclear Safety

- | | |
|---|--|
| 32. Issue, renew, amend and terminate Byproduct, Source and Special Nuclear Material licenses. | Branch Chief
(may be redelegated
in writing) |
| 33. Approval of registration certificates and amendments thereto for sealed sources and devices. | Branch Chief
(may be redelegated
in writing) |
| 34. Enter into, extend, modify, and terminate those reimbursable agreements and Memoranda of Understanding with other entities that do not involve funds. | Division Director |

Division of Fuel Cycle Safety and Safeguards

- | | |
|--|-------------------|
| 35. Construction Permit Safety Evaluation Reports (SER) for Production Facilities. | Division Director |
| 36. Operating License Safety Evaluation Reports (SER) for Production Facilities. | Division Director |
| 37. Construction Permit Amendments for Production Facilities. | Branch Chief |

ACTION

SIGNATURE AND
APPROVAL AUTHORITYDivision of Fuel Cycle Safety and Safeguards (cont'd)

- | | | |
|-----|--|--|
| 38. | Operating License Amendments for Production Facilities. | Branch Chief |
| 39. | Safeguards Functions: | Division Director |
| a. | Pursuant to Section 204 of The Energy Reorganization Act of 1974, as amended, monitor, test, and recommend upgrading of physical security and MC&A systems for nuclear materials licensed under The Atomic Energy Act of 1954, as amended. | Division Director |
| b. | Pursuant to Section 204 of The Energy Reorganization Act of 1974, as amended, develop, in consultation and coordination with the Department of Energy, contingency plans for dealing with threats, thefts and sabotage relating to special nuclear materials, nuclear facilities and high-level radioactive wastes resulting from all activities licensed under The Atomic Energy Act of 1954, as amended. | Division Director |
| 40. | Safeguards license conditions. | Branch Chief |
| 41. | Approve and grant exemptions to physical security and MC&A plans. | Branch Chief |
| 42. | Issue, renew, amend and terminate Byproduct Source and Special Nuclear Material licenses. | Branch Chief |
| 43. | Pursuant to Title I of the Uranium Mill Tailings Radiation Control Act of 1978, provide advice, consultation and concurrence as required in all aspects of the Department of Energy actions implementing Title I to prevent or minimize hazards associated with designated inactive mill tailings sites. | Branch Chief
(may be redelegated
in writing) |
| 44. | Issue, renew, amend and terminate licenses for uranium recovery and tailings disposal operations. | Branch Chief
(may be redelegated
in writing) |
| 45. | Enter into, extend, modify, and terminate those reimbursable agreements and Memoranda of Understanding with other entities that do not involve funds. | Division Director |

ACTION

SIGNATURE AND
APPROVAL AUTHORITYSpent Fuel Project Office

- | | | |
|-----|---|--|
| 46. | Sign certificates of compliance and approve SER for spent fuel storage casks. | SFPO Director
(may be redelegated in writing) |
| 47. | Issue, renew, amend and terminate Certificates of Compliance for transportation packages and safeguards approval of transportation routes | SFPO Director
(may be redelegated in writing) |
| 48. | Issue, renew, amend and terminate transportation package quality assurance program approvals. | SFPO Section Chief |
| 49. | Enter into, extend, modify, and terminate those reimbursable agreements and Memoranda of Understanding with other entities that do not involve funds. | SFPO Director
(may be redelegated in writing) |

Division of Waste Management

- | | | |
|-----|---|--|
| 50. | Issue high-level waste management Technical Positions. | Division Director
(may be redelegated in writing) |
| 51. | Issue, renew, amend and terminate licenses to dispose of low-level radioactive waste under 10 CFR 61. | Division Director
(may be redelegated in writing) |
| 52. | Issue, renew, amend and terminate Byproduct, Source, and Special Nuclear Material Licenses. | Division Director
(may be redelegated in writing) |
| 53. | Low-Level Waste Management Topical Report approvals. | Branch Chief
(may be redelegated in writing) |
| 54. | Enter into, extend, modify, and terminate those reimbursable agreements and Memoranda of Understanding with other entities that do not involve funds. | Division Director |

Footnotes:

- ^{1/} Authority delegated in writing to the Director, NMSS, from the Director, OE, dated January 13, 2000. Authority may not be redelegated below the levels indicated.
- The Commission's regulations, Enforcement Policy, Enforcement Manual, Enforcement Guidance Memoranda, and other guidance procedures from the Office of Enforcement shall be followed in conducting enforcement activities under this delegation.
- ^{2/} Authority for Certification of Funds was redelegated in writing to individuals in the Resource Management Team, PMDA, June 30, 1999, from the Director, PMDA/NMSS.
- ^{3/} Authority redelegated in writing to the Deputy Director, PMDA, by memorandum dated March 9, 2000, from the Director, PMDA.
- ^{4/} Authority may be redelegated in writing per September 1, 1999, meeting among PMDA/RMT staff, E. Heumann, Acting Team Leader and E. Schultz, Management Analyst; C. Turner, Deputy Director (Acting Director) Division of Planning, Budget and Analysis, OCFO; and OCFO staff members, J. Dorfman, C. Abbott, C. Rose and E. Mulley.
- ^{5/} Authority delegated in writing to the Office Director, NMSS by memorandum dated October 13, 2000, from the Director, Office of Human Resources (OHR) to approve and authorize requests for external training (Form 368). The NMSS Office Director may further redelegate this authority at a *managerial* level below that of Division Director by notifying the Director of OHR in writing, per memorandum dated March 6, 2002, from the Director, OHR, The delegated authority to approve external Training requests (Form 368) does not extend to the following:
- a. Training and development obtained through interagency agreements, commercial contracts, or other procurement actions funded by HR such as FEI's "Leadership for a Democratic Society," "NRC and Its Environment," and the SES Candidate Development Program; and
 - b. Training and development for employees in programs such as the Executive Leadership Program, Congressional Fellowship Program, and other similar centrally funded programs that require agency-wide competitive selection.
- ^{6/} Amendment 1: Authority delegated in writing to the Director, NMSS, from the Director, OE, dated November 8, 2001. Authority may not be redelegated below the levels indicated.

Attachment: Enforcement Terminology