

December 23, 2005

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - COMSECY-05-0049 - DELEGATION
OF AUTHORITY FOR IMMEDIATE SECURITY THREATS TO NRC
LICENSEES

The Commission has approved the staff's proposal to provide a limited number of NRC senior managers the authority to issue immediately effective orders, including oral orders, to one or more licensees in the event of an imminent security threat requiring such urgent action that insufficient time exists to invoke the emergency powers reserved to the Chairman or his designee in accordance with Presidential Reorganization Plan No.1 of 1980. The staff should revise the appropriate Management Directives and current Operations Center procedures to incorporate this delegation and to ensure that the Chairman and the Commission will be notified immediately whenever such an order is issued. The Staff should prepare a brief stand-alone summary of this new procedure to ensure that everyone involved has a complete understanding of the process. This delegation is strictly limited to individuals occupying the designated positions and may not be re-delegated further to subordinate managers or to individuals occupying the designated positions in an acting capacity.

If the Chairman or his designee invokes the emergency powers provided to the Chairman by section 3 of Reorganization Plan No.1 of 1980, the authority to issue orders under this delegation for the duration of that emergency is superseded. The EDO's memorandum delegating the authority to issue immediately effective orders, including oral orders, the appropriate Management Directives, and the current Operations Center procedures should be revised to make this limitation explicit.

If the imminent threat procedures are put into effect, the Operations Center should complete the NRC imminent threat delegation of authority call list.

Regular communications testing should be performed to ensure that appropriate officials can be quickly contacted. The Headquarters Operations Officer (HOO) should routinely performance test the imminent threat procedure to ensure that required communications can be performed effectively and expeditiously.

The staff should develop a procedure to ensure that at least one of the executives vested with the subject authority is known by the HOO to be immediately reachable at any given time to ensure the most timely contact and decision-making possible under the anticipated circumstances.

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR