

Approved: 11-17-2022

**SUBJECT: DEPARTMENTAL NUCLEAR EMERGENCY SUPPORT TEAM  
CAPABILITIES**

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1. **PURPOSE.** To establish radiological/nuclear (RN) incident response capability requirements and responsibilities for the Department of Energy's (DOE) National Nuclear Security Administration (NNSA). This Order (O) is not intended to provide operational procedures or readiness reporting. It provides the basic management structure and principles when responding to RN incidents, accidents, or other emergencies.
  - a. The DOE/NNSA supports United States (U.S.) Government efforts to conduct RN incident response operations by engaging its countering weapons of mass destruction, U.S. nuclear weapon accident/incident response, public health and safety, nuclear forensics, and emergency management core missions and associated capabilities.
  - b. The Office of Counterterrorism and Counterproliferation (NA-80) serves as the lead organization within the DOE/NNSA for the operational management of RN incidents, accidents, or other emergency response activities.
  - c. This Order promotes operational readiness when preparing/training for, responding to, and managing the resolution of RN incidents, accidents, or other emergencies.
2. **CANCELS/SUPERSEDES.** DOE Order (O) 153.1, *Departmental Radiological Emergency Response Assets*, dated 6-27-2007. Cancellation of a directive does not, by itself, modify or otherwise affect any contractual or regulatory obligation to comply with the directive. Contractor Requirements Documents (CRDs) that have been incorporated into a contract remain in effect throughout the term of the contract unless and until the contract or regulatory commitment is modified to either eliminate requirements that are no longer applicable or substitute a new set of requirements.
3. **APPLICABILITY.**
  - a. **Departmental Elements.** With the exception of the equivalency in paragraph 3.c., this Order applies to all Departmental elements.

The Administrator of the National Nuclear Security Administration (NNSA) must assure that NNSA employees comply with their responsibilities under this directive. Nothing in this directive will be construed to interfere with the NNSA Administrator's authority under section 3212(d) of Public Law (P.L.) 106-65 to establish Administration-specific policies, unless approved by the Secretary.
  - b. **DOE Contractors.** Except for the equivalencies/exemptions in paragraph 3.c., the Contractor Requirements Document (CRD), Attachment 1, sets forth

requirements of this Order that will apply to contracts that include the CRD or its requirements. The CRD will apply to the extent set forth in each contract.

- c. Equivalencies/Exemptions for DOE O 153.1A. Equivalencies and exemptions to this Order are processed in accordance with DOE O 251.1, *Departmental Directives Program*, current version.

Equivalency. In accordance with the responsibilities and authorities assigned by Executive Order 12344, codified at 50 U.S.C. sections 2406 and 2511 and to ensure consistency throughout the joint Navy/DOE Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this Directive for activities under the Director's cognizance, as deemed appropriate.

#### 4. REQUIREMENTS.

- a. This Order implements higher-level policy and directs NA-80 to maintain a Nuclear Emergency Support Team (NEST) authorized to conduct RN operations in response to RN incidents, accidents, and other emergencies. NEST encompasses all DOE/NNSA radiological and nuclear emergency response functions, including all field-deployed and remote technical support to public health and safety missions, countering weapons of mass destruction (WMD) operations, and responses to U.S. nuclear weapon accidents.
- b. NA-80 adheres to other applicable DOE/NNSA Orders during RN operations while maintaining the necessary flexibility that is required to save lives and to protect property and the environment, unless explicitly stated otherwise in this Order.
- c. International activities and domestic activities encompassing multiple jurisdictions will have full coordination, authorizations, and agreements as part of preplanning, and as reasonable during responses, to RN incidents, accidents, or other emergencies.
- d. See detailed listing of references in Attachment 2 that give DOE/NNSA NA-80 the authority to develop, sustain, and execute its RN response mission using processes that have been established through interagency and local partnerships.
- e. Management and Administration.
  - (1) The RN response effort is coordinated through a dedicated Crisis Action Team (CAT) that addresses all RN incidents, accidents, or other emergencies. This CAT works in concert with the DOE Unified Coordination Structure (UCS) as well as interagency partners to ensure a cohesive U.S. Government response. The NNSA NEST Emergency Response Official (ERO) is the NA-80 representative with authority to alert, activate, mobilize, and deploy the NEST as well as activate this dedicated CAT.

- (2) Nuclear Incident Team (NIT). This DOE/NNSA CAT for RN incident or accident operations functions within the DOE UCS. The mission of the NIT is to coordinate the deployment of and provide support to deployed NEST assets, coordinate with NEST Technical Reachback and Liaison Officers, and maintain situational awareness for DOE/NNSA senior leaders and decision makers. The NIT is also represented in the DOE UCS Command and General Staff as requested through the NIT Manager. The NIT is activated when the NEST ERO requires additional support or when directed by the DOE/NNSA NA-80 Office of Nuclear Incident Response (NA-84) Director.
- (3) National Laboratories/Weapon Complex Facilities. The National Laboratories and the Weapons Complex personnel make up a significant element of the DOE NEST response force. Each Laboratory/Weapon Complex Facility that supports the program has management responsibility to identify, train, and maintain the responder force as part of normal operational readiness. During drills, exercises, and real-world operations the official operational risk management of personnel who deploy to the field in support of the mission falls under the operational responsibility of the Federal Team Leader (FTL) for that operation.

f. Safety.

- (1) The NEST will operate under governing response plans, which include approved deployment specific safety and health plans with the objective of performing work in a safe and environmentally sound manner. These plans may deviate from other departmental directives.
- (2) The NEST is trained and equipped for operations under permissive environments only. It is the policy of DOE/NNSA not to deploy the NEST into non-permissive environments, such as high-intensity conflicts. The deployment decision of NEST to semi-permissible environments will be determined on an as-needed basis and will use applicable interagency assessments coordinated through NEST leadership.
- (3) Personnel designated for worldwide deployment must obtain and maintain immunizations and must take all other actions necessary to qualify fully for worldwide deployment.
- (4) Personnel shall have appropriate safety and health training and provided appropriate safety protective and monitoring equipment as required per the approved deployment specific safety and health plan.
- (5) During an actual response to an RN incident, accident, or other emergency, NEST actions protect lives, property and the environment in a time-sensitive manner and require flexible application of approved plans and procedures.

- (a) When preservation of life and critical infrastructure/property requires an immediate decision that deviates from DOE/NNSA directives or default NEST plans and procedures, the on-scene Senior Response Official (SRO) has the authority to deviate as warranted and to implement that decision immediately.
- (b) The SRO will report deviations in writing within 24 hours to the NA-84 Director. Reports will provide a justification with as much detail as possible about the special circumstances that existed at the time that warranted deviation from pertinent directives.
- (c) The deployed Federal Team Leader (FTL) fulfills the role of the safety-responsible line manager for all deployed members of NEST until formally redeployed to home stations.

g. Security and Information Management.

- (1) The NEST will adhere to security measures for the identification and protection of classified matter.
- (2) The NA-84 Director, via the DOE Office of Environment, Health, Safety, and Security, must ensure that personnel in applicable NEST positions, as listed in this Order, are granted derivative classification authority, Unclassified Controlled Nuclear Information (UCNI) reviewing authority, and associated training.
- (3) During an off-site RN incident or accident involving a nuclear weapon, special nuclear material, or classified components in DOE/NNSA custody, the senior DOE/NNSA representative having custody of the material at the scene may declare a National Security Area (NSA) for safeguarding classified information (to include Restricted Data), equipment, and material. An NSA is an area established on non-federal lands located within the U.S. or its possessions or territories for the purpose of safeguarding classified defense information or protecting DOE/NNSA equipment and/or material. Within an established NSA, or National Defense Area (NDA) if established by elements of the Department of Defense (DOD), the SRO may take extra measures establishing a Temporary Limited Area (TLA) at the applicable classification level to safeguard classified information (to include Restricted Data), and NEST-deployed equipment. Establishing Temporary Protected Areas (TPAs) and Temporary Material Access Areas (TMAAs), in conjunction with the Lead Federal Department or Agency, may also be appropriate to safeguard certain special nuclear material (SNM) or U.S. nuclear weapons.
- (4) The deployed FTL fulfills the role of the security-responsible line manager for all deployed members of NEST.

h. Readiness.

- (1) The NEST must maintain a governing response plan, which describes readiness and safety requirements.
- (2) Response timelines must meet interagency requirements while delivering timely and actionable decision support to Federal, State, Tribal, and/or Local departments/agencies, and operational mission partners.
- (3) A formal Corrective Action Program will be maintained, managed through the Office of Nuclear Incident Response (NA-84) and/or the Office of Nuclear Forensics (NA-83), as appropriate, to ensure that appropriate and timely improvements identified through planning, training, exercises, and actual responses / real-world deployments are incorporated into the NEST governing response plans and safety requirements.
- (4) Responding to requests for international assistance must not compromise domestic readiness.

i. Public Affairs.

- (1) Public information coordination with mission partners should be defined in the NEST governing response plans and will be consistent with overarching DOE and NNSA public affairs requirements. There are certain incidents, accidents, or other emergencies where DOE will not allow mission partners to formally or informally represent DOE equities.
- (2) For incidents or accidents involving nuclear weapons, components, or materials, the NNSA Office of Public Affairs and the SRO have the authority to confirm to the appropriate public authorities the presence of nuclear weapons or components at the event site to ensure public safety and to reduce public alarm.
- (3) In coordination with the NNSA Office of Public Affairs, Public Affairs member(s) to include Headquarters (HQ) staff and field Public Affairs Officials can be deployed in support of response activities and will speak on behalf of the NNSA. Deployed Public Affairs Office representatives will serve as DOE/NNSA liaisons to coordinate messages and information at the Joint Information Center, facilitate on-site media availabilities, and authorize release of information specific to an incident, accident, or other emergency.
- (4) The SRO may represent NNSA on public matters, in coordination with the NNSA Office of Public Affairs.

j. Human Capital.

- (1) DOE/NNSA must remain willing and prepared to execute uniquely challenging internal, national, and international emergency responses to

protect our Nation's security, the public health and safety, classified government material, property, and the environment.

- (2) Eligible DOE/NNSA and contractor employees will actively engage in supporting RN training, exercises, and actual responses for incidents, accidents, or other emergencies. This includes requirements for qualification, for retaining qualifications, and for participating as qualified NEST personnel.
- (3) Federal and contractor NEST personnel are mission essential personnel.

k. Legal.

- (1) Indemnification process status checks are included in NIT operations and are in accordance with Federal Acquisition Regulation Subpart 50.1, Extraordinary Contractual Actions.
- (2) NA-80 ensures the implementation of processes for the Department's preparation, coordination, and approval in determining whether to provide indemnification for unusually hazardous or nuclear risks as a form of extraordinary contractual relief pursuant to Public Law No. 85-804.
- (3) DOE's emergency response personnel are covered during operational deployments under the Public Safety Officers' Benefit Act.

5. RESPONSIBILITIES.

a. Secretary of Energy.

- (1) Approving official for RN responses to incidents, accidents, or other emergencies involving Presidential Authority decisions, as defined in applicable National Security Policy Memoranda or Presidential Policy Directives.
- (2) Issues an indemnification memo or deployment order on an as-needed basis.
- (3) Approves designation and deployment of a Senior Energy Official (SEO) when required.
- (4) Approves an employee or contractor of DOE as a member of an emergency response team, to perform official duties of the Department, pursuant to a deployment order.

b. Deputy Secretary. As the Secretary's delegate, adjudicates any remaining impasse on RN responses (incidents, accidents, or other emergencies) involving Presidential Authority decisions.

- c. Under Secretaries.
  - (1) Direct applicable program offices, laboratories, sites, and field offices to support the RN response mission.
  - (2) Develop procedures and guidance on how to apply the requirements of this Order.
  - (3) Facilitate NNSA provision of additional responders from a trained volunteer cadre of federal and contract personnel during national RN incidents, accidents, or other emergencies.
- d. Administrator, National Nuclear Security Administration. Serves as the NNSA senior official responsible for the implementation of the DOE/NNSA RN response capabilities in accordance with the requirements of this Order.
- e. Principal Deputy Administrator, National Nuclear Security Administration. As the Administrator's delegate, ensures the implementation of the DOE/NNSA RN response capabilities for incidents, accidents, or other emergencies, in accordance with the requirements of this Order.
- f. Deputy Administrator for Defense Programs, National Nuclear Security Administration.
  - (1) Maintains the capability to accept custody of, and handle the disposition of, damaged or recovered U.S. nuclear weapon(s), nuclear weapon component(s), or special nuclear material (SNM).
  - (2) Approves the final disposition decisions for U.S. nuclear weapons. These decisions include the decision to disassemble, destroy, employ extended staging, and the method of destruction, if applicable.
  - (3) Provides subject matter experts to support development of system-specific incident/accident response capabilities including safety and health, tooling, training, components and subassemblies, response and home team personnel, and participate in exercises.
  - (4) Ensures needed technical response capability for incidents, accidents, or other emergencies, is prepared prior to fielding of new weapons, modifications, life extensions, and alterations.
- g. Assistant Deputy Administrator, Office of Secure Transportation (OST).
  - (1) Acts for the Deputy Administrator for Defense Programs to coordinate and manage the Transportation Safeguards System for the routine safe and secure movement of nuclear weapons and SNM.

- (2) Accepts damaged U.S. stockpile weapon(s) and transports to a designated disposition location.
  - (3) May provide transportation for the NEST, nuclear weapons, nuclear weapon components, and SNM within the continental United States.
  - (4) Ensures integration of OST personnel into an RN response.
  - (5) Establishes an NSA when applicable and required.
- h. Associate Administrator for Counterterrorism and Counterproliferation (CTCP).
- (1) Provides NA-80 with strategic direction and oversight of NEST capabilities in response to countering weapons of mass destruction, U.S. nuclear weapons accident/incident response, and public health and safety events.
  - (2) Provides HQ-level programmatic management, direction, and operational integration of the NEST response assets, and serves as the HQ point-of-contact for external inquiries regarding the response capabilities.
  - (3) Approves prioritization of NEST employment to meet multiple domestic or international needs.
  - (4) Provides interagency coordination by maintaining liaison with HQ and senior leaders responsible for operational elements of appropriate Federal agencies, including, but not limited to, coordinating integration of the NEST into interagency agreements, plans, procedures, and exercises.
  - (5) Communicate needs for the distribution of funding or reprogramming of funds as required to the Associate Administrator for Management and Budget.
  - (6) Terminates declared states of emergency in consultation with field offices and other NNSA offices as appropriate.
  - (7) Notifies the Department of Homeland Security after receiving a request for RN response support to applicable incidents, accidents, or other emergencies.
  - (8) Keeps the Associate Administrator for Emergency Operations apprised of deployments and on-scene situations where the NEST is deployed.
  - (9) Ensures the Secretary, Deputy Secretary, NNSA Administrator, Under Secretaries, Program Secretarial Officers, Associate Administrator for Emergency Operations, and the field and site managers are kept fully and currently informed about NA-80 matters that affect their responsibilities.



- (10) Serves as the lead of the Unified Coordination Group (UCG) within the Unified Command System (UCS) should its assets be activated for an RN incident, accident, or other emergency.
- (11) Provides a representative to the UCS Command and General Staff should it be activated for a NEST response, or as requested.

i. Associate Administrator for Emergency Operations.

- (1) Serves as the Department's Office of Primary Interest for emergency management program activities, excluding Energy Emergencies, in accordance with DOE O 151.1, *Comprehensive Emergency Management System*, current version.
- (2) Administers and manages the Emergency Management Enterprise, Headquarters Emergency Operations Center, and Headquarters Unified Coordination System General Staff, serving as the emergency manager for initial activations.
- (3) Draws upon a volunteer cadre as needed to support responsibilities of the Unified Coordination System.
- (4) In consultation with the DOE Emergency & Incident Management Council recommends and deploys an SEO, subject to the approval of the Secretary/Deputy Secretary of Energy.

j. Associate Administrator for Congressional and Intergovernmental Affairs.

- (1) In coordination with the DOE HQ Assistant Secretary of Congressional and Intergovernmental Affairs, develops and maintains relevant sections of the *NEST Public Information Plan for Radiological Incidents and Accidents* and necessary implementing procedures, as applicable to congressional and intergovernmental engagements.
- (2) Develops and authorizes congressional and intergovernmental messaging associated with an RN response to incidents, accidents, or other emergencies; leads messaging efforts to Congress and intergovernmental stakeholders.
- (3) Deploys qualified and Q cleared intergovernmental and congressional affairs personnel to serve on the UCS Command and General Staff and provides information/briefings to stakeholders and Congress, as needed.

k. Director, NNSA Office of Public Affairs.

- (1) In coordination with the DOE HQ Director of Public Affairs, develops and maintains relevant sections of the HQ Emergency Public Information Plan and necessary implementing procedures.

- (2) Develops and authorizes public messaging associated with an RN response to incidents, accidents, or other emergencies; leads public messaging efforts.
  - (3) Provides qualified and Q-cleared, as required, personnel to integrate into the Public Affairs elements (e.g., a Joint Information Center) of a response and coordinates with other agencies.
- l. Associate Administrator for Management and Budget. Coordinates with the Budget Execution Officer and the Chief Financial Officer to ensure the necessary distribution of funding or request reprogramming of funds when needed.
- m. Associate Administrator for Information Management and Chief Information Officer.
- (1) Ensures NEST has fixed and worldwide field deployable classified communications systems. Provides and maintains interoperable classified communications (data, voice, video) capabilities to reliably and independently coordinate across the U.S. Government (USG).
  - (2) Manages the operation and maintenance of the Emergency Communications Network (ECN) and associated infrastructure, ensuring NEST has operationally ready, fixed and mobile communications capabilities sufficient to fully support RN response requirements of DOE/NNSA and its Governmental partners.
  - (3) Provides ECN with operationally effective information protections for RN incidents, accidents, and other emergencies, safeguarding classified information (to include Restricted Data) for NEST and its Governmental partners.
  - (4) Maintains an appropriate number of qualified, secure telecommunications support personnel for worldwide deployment or remote site activation, to provide technical telecommunications support to NEST activities.
  - (5) Actively supports Information Management program participation in RN training and exercise events to ensure operational readiness.
- n. Associate Administrator for Environment, Safety, and Health. Provides expertise or resources within organization's mission functions through the DOE Unified Coordination System General Staff in support of radiological or nuclear response to incidents, accidents, or other emergencies.
- o. Director, NNSA Office of Nuclear Incident Response.
- (1) Oversees NEST response asset planning and support provided to field elements, other Federal agencies, or to state, local, or tribal governments, to ensure a cohesive Departmental response.

- (2) Designates an SRO to act as the single point of contact for the deployed NEST.
- (3) Ensures the interoperability and integrated field response of the NEST as one of the Departmental Primary Mission Essential Functions.
- (4) Approves activation, mobilization, and deployment of the NEST, and declares emergency conditions for response; this authority may be delegated, as appropriate, to maintain 24-hour response capability.
- (5) Ensures preparedness of the NEST Incident Management Team to deploy in support of the SRO for off-site RN events, establish procedures for assuming command of a nuclear weapon incident or accident under DOE/NNSA custody and integrating into Unified Command for all other RN events.
- (6) Ensures that all improvised nuclear device design or concept-related work is coordinated with the Office of Nuclear Threat Science (NA-82) to fulfill requirements in DOE O 457.1, *Nuclear Counterterrorism*, current version.
- (7) Coordinates use control information with the DOE/NNSA Office of Weapon Security and Control Division.
- (8) Provides advice and assistance to the DOE Office of Environment, Health, Safety, and Security during the development and revision of classification guidance related to RN response for an incident, accident, or other emergency, and acts as the cognizant program office for such classification guidance and instruction; designates which NEST personnel require Derivative Classification and UCNI Reviewing Official authorities.
- (9) Ensures coordination between the SRO and the SEO through the DOE Unified Coordination System.
- (10) Establishes procedures for establishment of a Temporary Limited Area (TLA) within a declared National Security Area (NSA) or National Defense Area (NDA) to safeguard classified information (to include Restricted Data) or government equipment in an event involving a nuclear weapon, SNM, or classified components.
- (11) In coordination with the NNSA Offices of Public Affairs, and Defense Programs, establishes procedures for publicly acknowledging the presence of nuclear weapons, nuclear weapon components, or SNM at the scene of an incident or accident.
- (12) Keeps the Associate Administrator for CTCP apprised of all deployments and on-scene situations where the NEST is deployed.

- (13) Determines a set of criteria for termination of an emergency and coordinates with Unified Command at the scene (including the SRO or SEO), DOE/NNSA HQ, and other participating Federal agencies on the timing for declaring termination of emergency operations responding to a nuclear incident, accident, or other emergency.
  - (14) Ensures preparedness for the NEST deployment and response capabilities as needed to support the DOE or NNSA sites for any off-site event involving the actual or potential loss of control or release of radioactive materials from a DOE or NNSA site/facility/activity. NA-84 will assist the site with interagency coordination and situational assessments.
  - (15) Ensures a metrics system for measuring performance and capturing and tracking objective data regarding the status of RN incident response programs and performance is developed, maintained, and published.
  - (16) Ensures response plans are approved for implementation.
  - (17) Monitors, tracks, and analyzes trends in the resolution/integration of lessons learned from exercises and actual responses through a formal Corrective Action Program.
  - (18) Conducts readiness assurance and continuity of operations activities regarding the NEST.
- p. Director, NNSA Office of Nuclear Forensics.
- (1) Coordinates NEST nuclear forensics capabilities planning and support provided to field elements, other Federal agencies, or to state, local, or tribal governments, to ensure a cohesive Departmental response.
  - (2) Designates and deploys a Federal Team Leader (FTL) to the event location to act as the single point of contact for DOE/NNSA nuclear forensics support.
  - (3) Provides direction for the management and operation of the nuclear forensics capabilities.
  - (4) Monitors, tracks, and analyzes trends in the resolution/integration of lessons-learned from exercises and actual responses.
  - (5) Ensures the interoperability and integrated field response of nuclear forensics capabilities.
  - (6) Ensures that all improvised nuclear device design or concept-related work is coordinated with the Office of Nuclear Threat Science (NA-82) to fulfill requirements in DOE O 457.1, current version.

- (7) Conducts readiness assurance and continuity of operations activities regarding nuclear forensics capabilities.
- (8) Provides advice and assistance to the DOE/NNSA classification office during the development and revision of classification guidance related to nuclear forensics and acts as the cognizant program office for this classification guidance and instruction.
- (9) Ensures coordination between the FTL and the SRO through the NIT.
- (10) Keeps the Associate Administrator for NA-80 apprised of all nuclear forensics deployments and on-scene situations.
- (11) Determines a set of criteria for termination of an emergency and coordinates with Unified Command at the scene (including the SRO or SEO), DOE/NNSA HQ, and other participating Federal agencies on the timing for declaring termination of emergency operations responding to a nuclear forensics incident, accident, or other emergency.
- (12) Ensures a metrics system for measuring performance and capturing and tracking objective data regarding the status of nuclear forensics programs and performance is developed, maintained, and published.
- (13) Ensures response plans are approved for implementation.
- (14) Monitors, tracks, and analyzes trends in the resolution/integration of lessons-learned from exercises and actual responses through a formal Corrective Action Program.
- (15) Conducts readiness assurance and continuity of operations activities regarding the NEST.

q. Site/Field Office Managers.

- (1) All Site and Field Office Managers and their staff are expected to encourage and manage their employees' participation in training and response for the Department's NEST as well as their associated reserve/surge capabilities, and to acknowledge the importance of this contribution during performance evaluations.
- (2) Identify and coordinate a volunteer cadre of technical experts needed to support RN responses to incidents, accidents, or other emergencies.
- (3) Notify the Radiological Assistance Program and other required response capabilities through the DOE Watch Office for off-site events that involve the actual or potential loss of control or release of radioactive materials from cognizant sites/facilities/activities to ensure coordinated interagency activities, including radiological monitoring and analysis actions.

- (4) Ensure compliance with DOE O 151.1, current version, on the establishment and maintenance of off-site response interfaces. In accordance with this Order, DOE/NNSA sites, plants, facilities, and laboratories with a Defense Nuclear Facility or Facilities must conduct an exercise or scheduled operation involving one or more of the Department's Radiological Emergency Response Assets (NEST assets) no less than once every 3 years. Requests for participation of the NEST assets must be made to the Director, Office of Nuclear Incident Response, no less than 6 months prior to the exercise.

r. Senior Energy Official (SEO).

- (1) An executive management-level individual designated by the Secretary or Deputy Secretary with decision-making authority and responsibilities for cross-cutting DOE-wide equities.
- (2) Assume full-time duties dedicated to the response and integrate into the local Unified Command to accomplish the following:
  - (a) Enhance Federal government unity of effort.
  - (b) Develop strategic objectives, priorities, and planning efforts for the DOE/NNSA response.
  - (c) Identify gaps that Federal response efforts should address.
  - (d) Interact with senior Federal, state, local, tribal, and territorial officials regarding incident management strategy and execution.
  - (e) Ensure information is appropriately reported pursuant to plans and policies.
  - (f) Assume direct coordination with deployed NNSA employees and/or contractors when the Senior Response Official (SRO) – acting or assigned – is not an NNSA employee.
  - (g) Lead communication efforts with affected parties and the public and serves as the Federal government's principal spokesperson for the DOE/NNSA portion on the response as required.

s. Senior Response Official (SRO).

- (1) Serves as the Commander for the deployed NEST.
- (2) Leads the deployed NEST Incident Management Team.
- (3) Organizes teams to optimize technical support and advice to lead agency and senior decision makers.

- (4) Ensures the NNSA Public Affairs spokesperson for the DOE has the necessary information to support ongoing NNSA Public Affairs messaging efforts. The SRO may serve as the NNSA spokesperson as needed.
  - (5) Makes derivative classification and UCNI reviewing decisions in accordance with appropriate guides.
  - (6) Acts as the single point of contact for DOE/NNSA RN support provided to the primary Federal agency, coordinating agency, and on-scene commander. The deployed NEST will work in support, and under the direction of, the SRO.
  - (7) Determines additional capabilities required for a response and submits requirements to the NIT.
  - (8) Establishes a Temporary Limited Area (TLA) within a declared National Security Area (NSA) or National Defense Area (NDA), as applicable and appropriate, to safeguard classified information (to include Restricted Data) or government equipment in the event involving a nuclear weapon, SNM, or classified components.
  - (9) During any emergency operation or deployment, and in the absence of an NNSA Federal employee, the senior DOE/NNSA Federal employee on scene or deploying with the NEST will be the acting SRO.
- t. Federal Team Leader / Federal Home Team Leader (FTL/FHTL).
- (1) The FTL provides leadership and owns operational management (to include safety and security of all DOE/NNSA employee and contractor response personnel) at the incident, accident, or other emergency location (inclusive of drills and exercises as well as real-world operations) for the deployed team. The senior FTL will serve as the on-scene SRO until, or if, relieved by a more senior NEST Official or the DOE/NNSA -designated SRO. The FTL will then maintain communications and provide continued situational awareness to the SRO.
  - (2) The FHTL provides leadership of the NEST Technical Reachback nodes to ensure a unified response to the first responders or to the deployed NEST.
  - (3) The FTLs can be NNSA or DOE Federal employees, Intergovernmental Personnel Act assignees, Federal employees from other agencies, or military officers from the U.S. Armed Forces formally detailed to DOE/NNSA.
  - (4) FTLs are designated by their respective Asset Program Manager in accordance with their qualification process.

- (5) The deployed FTL fulfills the role of safety- and security-responsible line manager for all deployed members of NEST, from time of departure from their home stations until their return.
- u. Federal Liaison. Represents NNSA equities and serves as conduits of information and expertise at other established management nodes.
6. INVOKED STANDARDS. This Order does not invoke any DOE technical standards or industry standards as required methods. Note: DOE O 251.1D, Appendix J provides a definition for “invoked technical standard.”
7. REFERENCES. See Attachment 2.
8. CONTACT. Questions concerning this Order should be addressed to NA-80 at 202-586-1734.

BY ORDER OF THE SECRETARY OF ENERGY:



DAVID M. TURK  
Deputy Secretary



**ATTACHMENT 1**  
**CONTRACTOR REQUIREMENTS DOCUMENT**  
**DOE O 153.1A, DEPARTMENTAL NUCLEAR EMERGENCY SUPPORT TEAM**  
**CAPABILITIES**

Regardless of the performer of the work, the contractor is responsible for complying with this Contractor Requirements Document (CRD) and flowing down CRD requirements to subcontractors at any tier to the extent necessary to ensure contractor compliance. The DOE Nuclear Emergency Support Team (NEST) encompasses all asset capabilities. Any event-specific supplemental plans and procedures developed must also comply with this CRD.

1. Contractors must ensure compliance with asset-specific public affairs plans for NEST assets.
2. Contractors must cooperate with the Senior Response Official (SRO) for any response involving the deployment of the Radiological / Nuclear (RN) response assets. Deployed assets will work in support, and under the direction of, the SRO.
3. Each contractor supporting the RN response assets will be required to provide information for program planning, budget formulation, or documentation of part, or all, of a work assignment. This information will be used for the development of the work authorization statements. Each RN response asset will be required to carry out the work agreed to in the work authorization statement consistent with its terms and conditions; provide quarterly reports on accomplishments, shortfalls, status of specified funding activities, and tasks. These activities will be coordinated by the appropriate site office and through the National Nuclear Security Administration (NNSA) Office of Nuclear Incident Response (NA-84) and/or Office of Nuclear Forensics (NA-83) Program Managers for the associated RN response assets.
4. Each contractor's base contract or implementation plan must include those contractors that may be called upon for NEST responses.
5. The standardized terminology of alert, mobilize, activate, and deploy must be used when referring to RN response asset readiness conditions in plans and procedures. These basic terms are defined as follows:
  - a. Alert: Program personnel are notified that mobilization or deployment is being considered; other personnel remain available for mobilization, activation, and deployment.
  - b. Activate: Department of Energy (DOE) organizations assemble personnel at home stations, but do not deploy. An example is Technical Reachback.
  - c. Mobilize: RN response equipment and personnel who are deployable or who support deployment are assembled at designated locations in preparation for deployment.
  - d. Deploy: RN response assets are physically relocated to the site of an emergency.

6. Contractors must develop the plans and procedures necessary to implement the provisions of this CRD that address the unique operational constraints of the response mission, to be reviewed by applicable NEST Federal Program Managers. These plans and procedures must include Integrated Safety Management concepts, including deployment-specific (domestic and international) safety and health plans.
7. Contractors must maintain the capability for 24-hours/day notification.
8. Contractors with deployable RN response assets must establish, maintain, and practice the ability to safely deploy personnel and equipment to any potential event location within prescribed deployment guidelines. NEST response team members are required to be medically qualified and are responsible for being aware of their ability to operate safely in the deployed environment and knowing their physical capabilities and limitations in the deployed environment.
9. Contractors must ensure that responders have a HSPD-12 identification credential marked to identify them as an "Emergency Response Official" in white lettering on a red background. Contractors must ensure that this marking is removed when deployable personnel are no longer supporting the RN incident response asset. This requirement is subject to the location-specific USA Credentialing Office ability to process this marking.
10. Contractors must require that all contractor RN response personnel who are eligible for worldwide deployment obtain and maintain a valid U.S. passport, current immunizations, and take all other actions necessary to qualify fully for worldwide deployment.
11. All contractor RN response personnel who have, or may have, contact with classified matter must have the appropriate valid security clearance.
  - a. Contractor personnel with potential access to nuclear weapons or related information must have a Q clearance and the appropriate Sigma access.
  - b. Contractor personnel identified to handle Intelligence Information must obtain appropriate clearances and authorizations.
12. All contractor organizations with responsibilities for RN response assets must ensure that individual members of that asset participate in an RN response exercise, drill, or program-approved training event at least once every three years.
13. Contractor organizations must have readiness programs to ensure that emergency capabilities are sufficient to implement RN response plans and that appropriate and timely improvements are made in response to needs identified through coordinated emergency planning, resource allocation, training, drills, exercises, and actual responses to events.
14. When there is a loss of control of known or suspected uncontrolled radioactive materials and taken off-site, the affected Radiological Assistance Program (RAP) Region must be notified. RAP is DOE/NNSA's coordination asset for off-site responses and will conduct radiation monitoring to support the event, as required.

15. In the event of an incident or accident involving a nuclear weapon, special nuclear material, or classified components, contractors must cooperate with DOE/NNSA in establishing and maintaining the appropriate Temporary Limited Area (TLA) within an established National Security Area or National Defense Area to safeguard classified information (to include Restricted Data), equipment, and material.
16. Lessons learned from actual responses and exercises must be incorporated into training programs and into RN response plans and procedures.
17. DOE has provided guidance in the form of “Acquisition Guide Chapter 50.101.2 Extraordinary Contractual Actions (April 2016),” which explicitly describes the “preparation, coordination and approval” process by which contractors can request indemnification during “unusually hazardous or nuclear risks.”



## ATTACHMENT 2: REFERENCES

1. Atomic Energy Act of 1954, as amended.
2. Atomic Energy Defense Act, Title XXXVI of Public Law 107-314, as amended.
3. Environmental Protection Agency requirements implementing the Comprehensive Environmental Response, Compensation, and Liability Act, embodied in 40 CFR Parts 300-374, including Title III, the Emergency Planning and Community Right-to-Know Act, embodied in 40 CFR Parts 350-374.
4. Homeland Security Act of 2002, Public Law 107-296, as amended.
5. National Nuclear Security Administration Act, Public Law 106-65, as amended; 50 U.S.C. § 2401.
6. National Defense Authorization Act for Fiscal Year 2021, Public Law 116-283, as amended.
7. National Defense Authorization Act for Fiscal Year 2022, Public Law 117-81, as amended.
8. Nuclear Non-Proliferation Act of 1978, Public Law 95-242, as amended; 22 U.S.C. § 3201.
9. Public Law No. 85-804.
10. Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 100-707, as amended.
11. Defense Against Weapons of Mass Destruction Act of 1996, Section 1403; 50 U.S.C. § 1431-1434, Public Law 85-804.
12. 10 Code of Federal Regulations (CFR) 835, Occupational Radiation Protection Program.
13. 10 CFR 851, Worker Safety and Health Program.
14. 29 CFR 1960, Federal Employee Occupational Safety and Health.
15. 40 CFR Part 300, National Oil and Hazardous Substances Pollution Contingency Plan.
16. Title 44 Part 351, CFR Emergency Management and Assistance, Chapter I. Federal Emergency Management Agency, Department of Homeland Security, Subchapter F. Preparedness.
17. Executive Order 12656, Assignment of Emergency Preparedness Responsibilities, 1988.
18. 44 CFR 351, Radiological Emergency Planning and Preparedness.

19. 48 CFR § 970.5223-1, Integration of Environment, Safety, And Health into Work Planning and Execution, Department of Energy Acquisition Requirement (DEAR) clause.
20. National Security Presidential Memorandum (NSPM) 28, National Operations Security Program, 2021.
21. NSPM-35, National Technical Nuclear Forensics, 2021.
22. NSPM-36, Guidelines for United States Government Interagency Response to Terrorist Threats or Incidents in the United States and Overseas, 2021.
23. Presidential Policy Directive (PPD) 8, National Preparedness, 2011.
24. PPD-33, Classified title.
25. PPD-35, U.S. Nuclear Weapons Command and Control, Safety and Security, 2015.
26. PPD-38, U.S. Counterterrorism Policy, 2016.
27. PPD -40, National Continuity Policy & DOE Primary Mission Essential Functions #2, 2016.
28. CONPLAN 0300-08/8099-08, Classified, 2008.
29. DOD 3150.08-M, Nuclear Weapon Accident Response Procedures Manual, 2013.
30. Federal Continuity Directive 1, Federal Executive Branch National Continuity Program and Requirements, 2017.
31. Nuclear/Radiological Incident Annex to the Response and Recovery Federal Interagency Operations Plans, 2016.
32. National Response Framework, 2016.
33. National Incident Management System, 2017.
34. Nuclear Weapon Accident Program Plan, 2014.
35. Response Federal Interagency Operations Plan, 2016.
36. Strategic National Risk Assessment, 2011.
37. DOE O 150.1, *Continuity Programs*, current version.
38. DOE O 151.1, *Comprehensive Emergency Management System*, current version.
39. DOE O 251.1, *Departmental Directives Program*, current version.
40. DOE O 452.1, *Nuclear Explosive and Weapon Surety Program*, current version.

41. DOE O 452.2, *Nuclear Explosive Safety*, current version.
42. DOE O 457.1, *Nuclear Counterterrorism*, current version.
43. *DOE Strategic Plan*, 2014.
44. DOE/NNSA Enterprise Strategic Vision, 2015.
45. DOE/NNSA Prevent, Counter & Respond – A Strategic Plan to Reduce Global Nuclear Threats, FY 2020-2024.
46. NNSA Strategic Directive 450.2, *Functions, Responsibilities, and Authorities (FRA) for Safety Management*, current version.