



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

EXECUTIVE OFFICE

June 2, 2015

In reply refer to: A-7

MEMORANDUM FOR ELLIOT E. MAINZER, ADMINISTRATOR and CHIEF EXECUTIVE OFFICER,
BONNEVILLE POWER ADMINISTRATION

THROUGH:

CLAUDIA R. ANDREWS

CHIEF OPERATING OFFICER, BONNEVILLE POWER ADMINISTRATION

JOHN L. HAIRSTON

DEPUTY CHIEF ADMINISTRATIVE OFFICER (ACTING), BONNEVILLE POWER
ADMINISTRATION

THOMAS A. MCDONALD

CHIEF COMPLIANCE OFFICER, COMPLIANCE AND GOVERNANCE (ACTING),
BONNEVILLE POWER ADMINISTRATION

FROM:

THOMAS J. OLESEN

CHIEF SUPPLY CHAIN OFFICER, BONNEVILLE POWER ADMINISTRATION

SUBJECT:

DIRECTIVES EXEMPTION APPROVAL MEMORANDUM

PURPOSE: To document BPA's ongoing exemption from DOE Order 460.1C, *Packaging and Transportation Safety*.

BACKGROUND: This Order establishes safety requirements for the proper packaging and transportation of offsite shipments and onsite transfers of radioactive and other hazardous materials for modal transportation. 460.1C is not currently applicable to BPA and it should not be applicable in the future.

JUSTIFICATION: BPA operations are not involved with any activities associated with the packaging and transportation of off-site or onsite shipments of any Type A or Type B radioactive materials.

Bonneville is also not subject to the Quality Assurance requirements of section 4.a.(3) since it does not manage or transport Type B and fissile radioactive materials.

BPA has independent contracting authority (Bonneville Project Act of 1937, section 2(f), 16 USC 832a (f) that is inconsistent with the reporting requirements assumed in the order, placing contract responsibility at the Department level.

BPA's relationship with contractors is markedly different than the relationship DOE has with its Management and Operating contractors as defined in the Federal Acquisition Requirements Subpart 17.6-Management and Operating Contracts. BPA is granted independent contracting authority pursuant to the Bonneville Project Act of 1937 (16 U.S.C. § 832a(f)) and is exempt from the Federal Acquisition Regulations (FAR) pursuant to the Federal Property and Administrative Services Act of 1939. As such BPA does not utilize Contract Requirements Documents (CRD) referenced in this Order (Policy, etc.). With regard to BPA contractors, all requirements and expectations for both BPA and its Contractors are incorporated into the Bonneville Purchasing Instructions (BPI) requiring contractors to comply with all BPA policies.

BPA follows the Packaging and Transportation Safety requirements of the Department of Transportation for hazardous materials Title 49 CFR, Parts 100 – 173 regulations described in 4.a.(1) and 4.a. (4), 4.b, 4.c, 4.d, and 4.e. An additional layer of supervision by EM duplicates the responsibilities exercised by Bonneville's environmental program.

Bonneville's has its own robust environmental protection program and staff which provides effective oversight for the management of transportation of hazardous materials and substances from BPA facilities. Bonneville's hazardous materials and transportation and training needs are accomplished fully and solely through application of the Title 49 CFR requirements.

RECOMMENDATION: Recommend that you approve this exemption document.

Elliot E. Mainzer, Administrator and Chief Executive Officer, Bonneville Power Administration

APPROVE: *Elliot E. Mainzer* DISAPPROVE: _____ DATE: 6/26/15

CONCURRENCES/ CONSULTATIONS: Kriss Grisham – DOE-EM

cc:

Skila Harris

Senior Advisor, Power Marketing Administration, Department of Energy