



Department of Energy  
Office of Science  
Washington, DC 20585

September 12, 2012

Office of the Director

MEMORANDUM FOR ALICE C. WILLIAMS  
ASSOCIATE PRINCIPAL DEPUTY ASSISTANT SECRETARY  
FOR ENVIRONMENTAL MANAGEMENT

JOSEPH A. MCBREARTY  
DEPUTY DIRECTOR OF FIELD OPERATIONS

FROM:

MARCUS E. JONES   
ASSOCIATE DIRECTOR OF SCIENCE FOR  
SAFETY, SECURITY AND INFRASTRUCTURE

SUBJECT:

ACTION: Memorandum of Agreement between the Office of Science  
and the Office of Environmental Management

**ISSUE:** There is a need to formalize the mutually agreed upon path forward concerning the selection of an Officially Designated Federal Security Authority (ODFSA) for Building 3019 safeguards and security (S&S) operations, security systems, and material control and accountability (MC&A) operations at the Oak Ridge National Laboratory (ORNL).

**BACKGROUND:** On August 31, 2012, Johnny Moore, Manager, ORNL Site Office, was delegated the authority as ORNL's ODFSA for S&S functions, Protection Program operations, and information systems. This delegation; however, did not delineate the complex S&S operations at Building 3019. Therefore, EM and SC agree that the clear delegation of an ODFSA for S&S, security systems, and MC&A at Building 3019 is an urgent priority for both organizations.

**RECOMMENDATION:** Concur with and sign the attached memorandum of agreement establishing dual ODFSA's designations for Building 3019 operations.

Attachment



**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE OFFICE OF SCIENCE  
AND  
THE OFFICE OF ENVIRONMENTAL MANAGEMENT**

**1. PURPOSE**

This Memorandum of Agreement (MOA) is entered into by the Office of Science (SC) and the Office of Environmental Management (EM) to formalize the mutually agreed upon path forward concerning the selection of an Officially Designated Federal Security Authority (ODFSA) for Building 3019 safeguards and security (S&S) operations, security systems, and material control and accountability (MC&A) operations at the Oak Ridge National Laboratory (ORNL).

**2. AUTHORITY**

EM enters into this agreement as the party responsible for the disposition of U-233 in Building 3019 on the ORNL reservation per the 2006 Energy and Water Development Appropriations Act (H.R. 2419), which stated, "The conferees direct the Department to terminate promptly the Medical Isotope Production and Building 3019 Complex Shutdown project. The responsibility for disposition of the U-233 is transferred to the Defense Environmental Management program per DOE's recommendation..."

SC enters into this agreement as the party responsible for the long-term stewardship of the ORNL and as the party responsible for S&S at ORNL.

**3. BACKGROUND**

Building 3019 is located on the central campus of ORNL and has been the Department's repository for U-233 since 1962. Building 3019 is considered to be a safeguards Category 1 facility and a nuclear safety Category 2 facility due to the type and quantity of stored material. The facility currently has a non-enduring status under the Department's Design Basis Threat policy. The continued storage of the U-233 in a 1940's vintage Category 2 nuclear facility represents a safety and security risk, as well as a risk to recent SC investments on the laboratory campus, and is not conducive to the world-class, open, collaborative research required of ORNL.

On August 31, 2012, Johnny Moore, Manager, ORNL Site Office, was delegated the authority as ODFSA for S&S functions, Protection Program operations, and information systems. This delegation; however, did not delineate the complex S&S operations at Building 3019. Therefore, EM and SC agree that the clear delegation of an ODFSA for S&S, security systems, and MC&A at Building 3019 is an urgent priority for both organizations.

#### 4. PROVISIONS OF AGREEMENT

- a. EM has dispositioned the canister inventory containing the Zero Power Reactor (ZPR) plates and further commits to disposition the remaining canister inventory as soon as reasonably achievable given the technical and budgetary challenges.
- b. SC commits to accepting the ODFSA delegation for Building 3019 S&S and security systems operations. Johnny Moore, as the currently designated ODFSA for ORNL, is delegated as the ODFSA for Building 3019 S&S and security systems operations.
- c. EM commits to accepting the ODFSA delegation for Building 3019 MC&A operations. Mark Whitney, EM Manager, OR Site Office, is delegated as the ODFSA for Building 3019 MC&A operations.
- d. EM and SC mutually agree that funds for all costs associated with Building 3019 are the responsibility of, and will be funded by, the parties as identified below:
  - i. The EM effort at Building 3019 includes facility operations, maintenance, and eventual decontamination and demolition, and processing and disposal of materials. EM, as the party responsible for disposition of the U-233 inventory, agrees to fund all costs related to disposition of the U-233.
  - ii. EM agrees to fund security costs associated with preparation and approval of any vulnerability analyses needed for protection of the U-233 until it is dispositioned. EM further agrees to fund all costs associated with the MC&A program associated with disposition of the U-233 in Building 3019.
  - iii. The SC effort at Building 3019 includes Protective Force operations inside and outside Building 3019 and a central alarm station. SC, as the party responsible for S&S at Building 3019 agrees to fund all costs associated with an armed, equipped, and appropriately trained Protective Force and a fully operational central alarm station.
- e. EM and SC mutually agree to continue current operations with Isotek Systems LLC, UT-Battelle LLC, and WSI Oak Ridge LLC in accordance with the Tri-Party Memorandum of Agreement, entitled "U-233 Disposition Project" Revision 1 dated August 23, 2012, and subsequent revisions.
- f. From a security perspective, EM will coordinate, prepare, review, and approve the vulnerability assessment (VA). EM will also review and concur on the site safeguards and security plan (SSSP) and provide any concerns or comments to SC.

- g. From a security perspective, SC will coordinate, prepare, review, and approve the SSSP. SC will also review and concur on the VA and provide any concerns or comments to EM.
- h. SC acknowledges that Johnny Moore will be further designated as a Contracting Officer Representative for ORNL activities in the current and subsequent Protective Force contract with the Oak Ridge Office.
- i. EM and SC mutually agree that no direction related to security will be given unilaterally to the U-233 disposition contractor and that the EM Manager is the site-level decision-making authority for issues impacting, among other things, U-233 disposition project operations, cost or schedule.

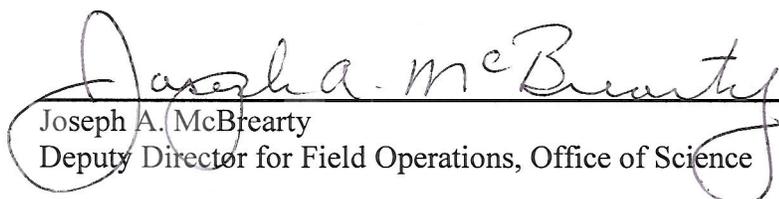
**5. EFFECTIVE DATE**

This MOA shall be effective upon the signature of both parties and shall remain in effect until a date mutually agreed by both parties with rescission in writing. This MOA may be modified or amended between the effective date and date of termination by mutual agreement of both parties and in writing.

**6. RESOLUTION OF DISPUTES**

Both parties will work to resolve cooperatively all issues related to the planning, budgeting, and execution of this agreement. When disputes arising under this agreement cannot be resolved, the matter shall be addressed to the Under Secretary for Nuclear Security and the Under Secretary for Science.

**Approved:**

 9/13/12  
 Joseph A. McBrearty Date  
 Deputy Director for Field Operations, Office of Science

 9/13/12  
 Tracy Mustin Date  
 Principal Deputy Assistant Secretary  
 for Environment Management