

## U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)

<b>MD 9.23</b>	<b>ORGANIZATION AND FUNCTIONS, OFFICE OF NUCLEAR SECURITY AND INCIDENT RESPONSE</b>	<b>DT-16-42</b>
----------------	---	-----------------

<i>Volume 9:</i>	Organization and Functions
------------------	----------------------------

<i>Approved By:</i>	Victor M. McCree Executive Director for Operations
---------------------	---

<i>Date Approved:</i>	October 21, 2016
-----------------------	------------------

<i>Expiration Date:</i>	October 21, 2021
-------------------------	------------------

<i>Issuing Office:</i>	Office of Nuclear Security and Incident Response Program Management, Policy Development and Analysis Staff
------------------------	---

<i>Contact Name:</i>	Marshall Kohen
----------------------	----------------

### EXECUTIVE SUMMARY

Management Directive 9.23, "Organization and Functions, Office of Nuclear Security and Incident Response," is issued to reflect the responsibilities of the office.

## TABLE OF CONTENTS

I.	SUPERVISION.....	2
II.	FUNCTIONS .....	2
III.	DELEGATION OF AUTHORITY TO THE DIRECTOR.....	3
IV.	REDELEGATION OF AUTHORITY BY THE DIRECTOR.....	4
V.	ORGANIZATIONAL STRUCTURE AND INTERNAL ASSIGNMENTS.....	4
VI.	REFERENCES.....	4

## **I. SUPERVISION**

The Office of Nuclear Security and Incident Response (NSIR) is under the supervision of a director who reports to the Deputy Executive Director for Reactor and Preparedness Programs (DEDR).

## **II. FUNCTIONS**

- A.** This office develops agency policy and provides management direction for the evaluation and assessment of technical issues involving security at nuclear facilities, and serves as the agency's emergency preparedness (EP), incident response and security interface with other U.S. Federal agencies.
- B.** Specifically, the office—
  - 1. Develops EP policies, regulations, programs, and guidelines for currently licensed nuclear reactors, potential new nuclear reactors, fuel cycle licensees and large materials licensees.
  - 2. Develops contingency plans and conducts emergency response training and activities for safety and security events affecting NRC-licensed facilities and NRC operations. These activities include leading the agencywide continuity of operations effort, which ensures the agency is able to continue to perform its essential functions and respond during potential emergencies impacting buildings occupied and operated by NRC.
  - 3. Manages the NRC Operations Center and develops and directs the NRC program for response to incidents.
  - 4. Serves as the NRC's EP, incident response and security interface with other U.S. Federal agencies, including the Departments of Homeland Security, Energy, State, Defense, and Justice; the National Security Council; the Federal Emergency Management Agency; the Environmental Protection Agency; the Federal Aviation Administration; and intelligence and law enforcement agencies.
  - 5. Analyzes, characterizes, and reviews the threat environment to establish and ensure an adequate basis for security policy affecting regulated activities.
  - 6. Manages NRC's activities related to intelligence analysis, coordination, liaison and dissemination. Serves as the designated Federal Intelligence Coordination Office for NRC. The Chief of the Intelligence Liaison and Threat Assessment Branch is designated as the Federal Senior Intelligence Coordinator.
  - 7. Administers the NRC's defensive Counterintelligence (CI) Program, including providing CI awareness training for NRC staff and foreign CI threat training for NRC travelers. Works with staff from the Office of Administration for foreign assignee and visitor vetting, and the protection of classified information and systems from foreign intelligence entities.

8. Provides security policy and oversight for nuclear reactors, decommissioning facilities, spent fuel storage installations, uranium fuel fabrication facilities, mixed-oxide fabrication and processing facilities, other source material and use facilities, other special nuclear material facilities, enrichment facilities, associated waste processing facilities, and transportation activities.
9. Provides advice, technical support and assistance regarding licensing and rulemaking activities to the Office of Nuclear Material Safety and Safeguards, the Office of Nuclear Reactor Regulation, and the Office of New Reactors.
10. Develops and oversees security inspection programs carried out by headquarters and regional offices.
11. Administers and serves as the principal point of contact for the NRC's secure telecommunications and classification/declassification programs.
12. Provides expertise supporting multilateral and bilateral efforts, including assistance and training for foreign regulatory agencies in the areas of EP and security, participation with the International Atomic Energy Agency in development of global guidance, and serving on delegations according to U.S. Government initiatives.
13. Ensures that the DEDR is fully and currently informed about matters under the purview of NSIR.
14. Supervises, directs, coordinates, and approves the activities, including administrative functions, of the various organizational units within the office.
15. Performs other functions as may be assigned by the Commission, the Executive Director for Operations (EDO), or the DEDR.

### **III. DELEGATION OF AUTHORITY TO THE DIRECTOR**

The Director of NSIR is authorized and directed to take action as necessary to carry out the functions and responsibilities assigned by this directive or other official directives or communications, subject to the limitations prescribed therein. This delegation includes the authority to—

- A.** Provide technical support to the issuance of safeguards and security orders for imposing requirements and other appropriate orders for modification, suspension, and revocation of licenses.
- B.** Issue immediately effective orders to respond to imminent security threats for both reactor and materials licensees. The Director and Deputy Director, who is also delegated this authority, may not redelegate the authority to issue orders in response to an imminent security threat.

#### **IV. REDELEGATION OF AUTHORITY BY THE DIRECTOR**

- A.** The Director authorizes and directs the Deputy Director to act in his or her stead during his or her absence.
- B.** The Director may, except where expressly prohibited, redelegate the authorities delegated by this or other official directives or communications, subject to the limitations stated below and to other stipulations the Director may deem necessary.
- C.** The Director must stipulate in each delegation of authority any limitations on further re delegation.

#### **V. ORGANIZATIONAL STRUCTURE AND INTERNAL ASSIGNMENTS**

Organization charts and functional descriptions for NSIR and its components are posted on the NRC internal Web site (<http://www.internal.nrc.gov/HR/organization.html>) and the NRC public Web site (<http://www.nrc.gov/about-nrc/organization/nsirfuncdesc.html>). Deviations from the standard organizational structure that affect positions or functions at the branch level or above must be coordinated with the appropriate regional and headquarters offices, concurred on by the Office of the Chief Human Capital Officer, and approved by the DEDR.

#### **VI. REFERENCES**

##### ***Code of Federal Regulations***

- 10 CFR 1.46, "Office of Nuclear Security and Incident Response."
- 10 CFR Part 25, "Access Authorization."
- 10 CFR Part 26, "Fitness for Duty Programs."
- 10 CFR Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material."
- 10 CFR Part 40, "Domestic Licensing of Source Material."
- 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities."
- 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants."
- 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material."
- 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
- 10 CFR Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste."
- 10 CFR Part 73, "Physical Protection of Plants and Materials."
- 10 CFR Part 76, "Certification of Gaseous Diffusion Plants."

10 CFR Part 95, "Facility Security Clearance and Safeguarding of National Security Information and Restricted Data."

10 CFR Part 110, "Export and Import of Nuclear Equipment and Material."

***Nuclear Regulatory Commission Documents***

Management Directives—

MD 12.2, "NRC Classified Information Security Program."

MD 12.7, "NRC Safeguards Information Security Program."

Memorandum to Glenn Tracy, Director NSIR, from William Kane, DEDO, "Delegation of Authority to Approve Individuals as Authorized Derivative Classifiers," October 10, 2002.

Memorandum to list of addresses, from R.W. Borchardt, EDO, "Delegation of Authority to Issue Orders in Response to Imminent Security Threats," November 20, 2009 ([ML092670411](#)).

NRC Web Site on Organization of the Agency:  
<http://www.nrc.gov/about-nrc/organization.html>.

***United States Code***

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801 et seq.).

Reorganization Plan No. 1 of 1980 (NRC).