




**Department of Energy  
National Nuclear Security Administration  
Washington, DC 20585**



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TO: JOHN W. LUBINSKI  
DIRECTOR, OFFICE OF NUCLEAR MATERIALS  
SAFETY AND SAFEGUARDS  
NUCLEAR REGULATORY COMMISSION

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DEPARTMENT OF ENERGY

SUBJECT: DOE/NNSA Nuclear Emergency Support Team Offsite Activities

The Department of Energy / National Nuclear Security Administration's (DOE/NNSA) Office of Counterterrorism and Counterproliferation (CTCP) is responsible for maintaining a multi-mission nuclear emergency response capability to contend with the nation's most pressing nuclear and radiological challenges. The DOE/NNSA Nuclear Emergency Support Team (NEST) encompasses all DOE/NNSA nuclear and radiological emergency response functions, including all field-deployed departmental activities in support of public health and safety missions, countering weapons of mass destruction operations, and responses to U.S. nuclear weapon accidents. As such, NEST assets are expected to prepare for and respond to both nuclear and radiological incidents and accidents worldwide under the direction of a DOE federal response official. NEST conducts offsite departmental activities, to include exercises and training, to effectively sustain and execute its real-world radiological and nuclear emergency response functions.

These departmental activities are self-regulated according to 10 C.F.R. Part 835, which addresses occupational radiation protection. It states: "The rules in this part establish radiation protection standards, limits, and program requirements for protecting individuals from ionizing radiation resulting from the conduct of DOE activities." (10 C.F.R. § 835.1(a)) The conduct of DOE/NNSA activities includes the transport of and offsite training activities using radioactive materials, known as "sealed sources," outside of DOE/NNSA premises. NEST is responsible for controlling the locations of these activities during training events. It has thus been determined that NEST is regulating departmental activities described through the application of 10 C.F.R. Part 835. This memo is intended to address the application of 10 C.F.R. Part 835 to DOE/NNSA departmentally-directed activities only.

The DOE/NNSA Office of CTCP and the DOE Office of Environment, Health, Safety and Security promote and implement the highest levels of safety for all NEST operations while ensuring adherence to federal regulations. The DOE Office of Environment, Health, Safety and Security provides oversight of DOE radiological / nuclear safety and security operations and, for cases

associated with a NEST operation, coordinates with and provides advice to CTCP on regulatory and radiological health and safety issues. These offices ensure federal regulatory compliance in the course of NEST's execution of DOE/NNSA's critical no-fail missions.

Please contact Rick Christensen, Deputy Director of the DOE/NNSA Office of Nuclear Incident Response (NA-84), at [rick.christensen@nnsa.doe.gov](mailto:rick.christensen@nnsa.doe.gov) / (202) 586-0997 with any questions or concerns regarding NEST operational activities.

**Cc:**

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