

U.S. Department of Energy
Washington, D.C.

ORDER

DOE O 153.1B

Approved: 08-05-2026

SUBJECT: NUCLEAR EMERGENCY SUPPORT TEAM CAPABILITIES

1. **PURPOSE.** To establish flexible and adaptive response capability requirements and responsibilities for the Nuclear Emergency Support Team (NEST). This Order is not intended to provide operational or readiness reporting procedures. It provides the basic management structure, authorities, and principles for NEST operations.
 - a. Department of Energy (DOE)/National Nuclear Security Administration (NNSA) is responsible for NEST's statutorily assigned missions of responding to United States (U.S.) nuclear weapon accidents, protecting public health and safety, and operational nuclear forensics.
 - b. NNSA's Office of Counterterrorism and Counterproliferation (CTCP) (NA-80) serves as the lead organization for the management of NEST capabilities and operations.
 - c. This Order directs operational readiness to respond to, manage, and resolve events where NEST assets, both human capital and physical equipment and capabilities must be employed.
2. **CANCELS/SUPERSEDES.** DOE Order (O) 153.1A, Departmental Nuclear Emergency Support Team Capabilities, dated November 17, 2022. 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contract unless and until the contract or regulatory commitment is modified to either eliminate requirements that are no longer applicable or substitute a new set of requirements.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 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 106-65, National Defense Authorization Act for Fiscal Year 2000, to establish Administration-specific policies, unless approved by the Secretary.

- b. DOE Contractors. Except for the equivalencies/exemptions in paragraph 3.c, the 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 153.1B. Equivalencies and exemptions to this Order are processed in accordance with DOE O 251.1, *Departmental Directives Program*, current version.
- d. Equivalency. In accordance with the responsibilities and authorities assigned by Executive Order 12344, *Naval Nuclear Propulsion Program*, codified at 50 United States Code (U.S.C.) Sections 2406, Deputy Administrator for Naval Reactors, 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, directs NA-80 to maintain a multi-mission emergency response capability through NEST, and authorizes NEST to conduct operational activities.
- b. The Deputy Under Secretary for CTCP will designate a NEST Director who, under the authorities granted by this Order, is responsible for all NEST operational activities.
- c. The authorities granted by this Order to the NEST Director are delegable as required to enable an efficient, rapid, and effective NEST response capability, unless otherwise specified. Delegation of appropriate authorities will be implemented in writing. The NEST Director may delegate authorities to 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.
- d. To the extent operationally practical, NEST adheres to other applicable DOE/NNSA Orders during response operations while saving lives, protecting critical infrastructure/property and the environment, and protecting U.S. national security and strategic interests.
- e. NEST assets and capabilities could be leveraged domestically and overseas.
- f. See detailed listing of references in Attachment 2 that give DOE/NNSA NA-80 the authority to provide guidance on how to develop, sustain, and execute its response mission.

g. Management and Administration.

- (1) NEST response operations are coordinated through a dedicated Crisis Action Team (CAT), designated as the Nuclear Incident Team (NIT). This CAT works in concert with the DOE Unified Coordination Structure (UCS) and interagency partners to ensure a cohesive U.S. Government (USG) response. The NEST Director has the authority to employ NEST as well as activate this dedicated CAT.
- (2) The mission of the NIT is to implement the expeditious employment of and provide support to and coordination for employed NEST assets, provide situational awareness for DOE/NNSA senior leaders and decision makers, and enable the NEST Director command and control of NEST operations. The NIT is also represented in the DOE UCS Command and General Staff.
- (3) DOE Complex. DOE/NNSA laboratory, plant, and site (LPS) personnel make up a significant element of NEST's response capability. Each LPS that supports NEST has the responsibility to identify, train, and maintain response personnel and equipment as part of normal operational readiness. During declared NEST training, drills, exercises, and response operations, risk management and acceptance for personnel employed to conduct these activities is the responsibility of the NEST Director.

h. Safety.

- (1) NEST assets will operate under governing instructions, which will include health and safety plans (HASPs) to identify and mitigate expected specific hazards with the objective of performing work in a safe and environmentally sound manner. These plans may deviate from other departmental directives and will prioritize life-saving objectives and operational effectiveness in dynamic environments and allow for appropriate deviations, when necessary, under the authority of the NEST Director.
- (2) NEST members will be trained and equipped for all projected operational environments, both permissive and uncertain, to include urban, rural, and maritime environments with possible austere conditions. The NEST Director will accept risks associated with these activities following an assessment of the risk to the NEST and, when possible, a review of applicable interagency risk assessments. NEST responds with the necessary personal response equipment and required technical tools and capability to function mostly self-sufficiently. NEST may require some logistical support (i.e., transportation, security, facility access) from partner agencies depending upon the response location.

- (3) NEST training to prepare personnel for operations in hazardous environments may require exposure to similar hazards in a training environment. To the extent practical, training environment hazards will be kept to the minimum level required to reduce risks to personnel in expected operational environments. These potential risks will be communicated to NEST response personnel, with adequate time before training events are conducted for cognizant management officials to assess risks to their personnel.
- (4) To the extent practical, the NEST Director should be present at any NEST training event deemed as moderate-to-high risk, where safety and/or security risks cannot be otherwise mitigated, and where direct oversight would enhance mission assurance. As necessary, these events may be executed under NEST Director approved HASPs without this direct oversight.
- (5) NEST personnel designated for global deployment must take all actions necessary to qualify fully for foreign travel in accordance with DOE O 550.1, *Official Travel*, or any successor policy.
- (6) NEST personnel shall have appropriate safety and health training and be provided with appropriate personal protective and monitoring equipment as required to mitigate assessed operational risks.
- (7) During response operations, NEST actions protect lives, critical infrastructure and property, the environment, and U.S. national security and strategic interests in a time-sensitive manner and require the flexible application of approved directives, plans, and procedures.
 - (a) When preservation of life, critical infrastructure or property, or the protection of strategic national interests requires an immediate decision that deviates from DOE directives or established NEST instructions, plans, or procedures, the NEST Director has the authority to deviate as warranted and to implement that decision immediately.
 - (b) The NEST Director will document any such deviations in writing within 24 hours. Reports will provide justification with as much detail as possible about the special circumstances that existed at the time that warranted deviation from pertinent directives.
- (8) During declared NEST training events, drills, exercises, and operations, the NEST Director or the Director's officially delegated representative fulfills the role of the safety-responsible line manager for all NEST responders until formally redeployed to home stations.

i. Security and Information Management.

- (1) NEST will adhere to security measures for the identification and protection of classified matter.
- (2) The NEST Director may establish, as required, enhanced compensatory control measures to manage operationally sensitive information.
- (3) The NEST Director, via the DOE Office of Environment, Health, Safety, and Security, must ensure that NEST personnel are granted derivative classification authority, unclassified controlled nuclear information (UCNI) reviewing authority, and associated training as required to execute NEST operations in adherence to information security requirements.
- (4) During a NEST operation involving a nuclear device, special nuclear material (SNM), or classified components, the senior DOE/NNSA response official 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 for the purpose of safeguarding classified 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 War (DoW), the NEST Director may establish a Temporary Limited Area (TLA) or Temporary Sensitive Compartmented Information Facility (TSCIF) at the applicable classification level to safeguard classified information (to include restricted data), and NEST equipment. Temporary Protected Areas and Temporary Material Access Areas may also be established as required to safeguard certain SNM or U.S. nuclear weapons.
- (5) During declared NEST-activated response training events, drills, exercises, and operations, the NEST Director fulfills the role of the security-responsible line manager for all NEST responders. The NEST Director does not fulfill this responsibility for training events hosted at LPS, or partner facilities, and/or fully managed by the LPS.

j. Readiness Assurance.

- (1) The readiness of NEST assets must be maintained and tracked under governing programmatic plans which describe readiness assurance requirements.
- (2) Response timelines must meet interagency requirements while delivering timely and actionable decision support to federal, state, local, Tribal, and/or territorial departments/agencies, and operational mission partners.

- (3) CTCP programs supporting NEST capabilities will incorporate continuous improvement and quality management principles into the management of these programs, accounting for experience gained during NEST training, drills, exercises, and operations.
- (4) Readiness to support domestic NEST missions, protect the American public, U.S. national security, and strategic interests must be prioritized over foreign assistance in the event of a capacity limitation that would degrade NEST readiness for these missions.

k. Public Affairs.

- (1) The NEST Director will ensure that public information coordination with mission partners is defined in NEST instructions, plans, and procedures and are consistent with overarching national, DOE, and NNSA public affairs requirements.
- (2) For incidents or accidents involving nuclear weapons, components, or materials, the NNSA Office of Communications and the NEST Director 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 Communications, Public Affairs representatives, to include HQ staff and field Public Affairs Officials, can be deployed in support of response activities to speak on behalf of the NNSA. Deployed Public Affairs representatives will serve as DOE/NNSA liaisons to coordinate messages and information at Joint Information Centers, facilitate on-site media availabilities, and authorize release of DOE/NNSA information specific to NEST response operations.
- (4) The NEST Director may represent NNSA on public matters, in coordination with the NNSA Office of Communications.

l. Human Capital.

- (1) Federal and contractor NEST personnel are mission essential and required to execute the Department's Primary Mission Essential Functions as defined in DOE O 150.1B, *Continuity Programs*. To the extent possible, NEST personnel must be excepted from employment limitations associated with lapses in appropriations, security conditions, safety stand-downs, and other situations involving work stoppage.

m. Training and Standardization.

- (1) CTCP programs will develop and provide a formal, standardized training program as well as validated proficiency testing to NEST personnel and interagency mission partners to build and sustain mission readiness.

- (2) Universal Task List requirements will be standardized and validated for NEST Field Elements, Home Teams, and partner training to ensure NEST readiness, safety, and effectiveness.
- (3) DOE/NNSA and contractor employees will actively engage in supporting NEST training, drills, exercises, and operations. This includes requirements for attaining and retaining NEST qualification and for planned and unplanned NEST operations.

n. Legal.

- (1) As required, Legal will support the review and approval of contractor indemnification requests made in accordance with the procedures set forth in DOE Acquisition Guide, Chapter 50.101-2, Extraordinary Contractual Actions.
- (2) Legal will provide legal guidance on issues that may arise before, during, and after deployment of the NEST for an exercise or an incident.

o. Mission Support.

- (1) At the discretion of the NEST Director, in consideration of available mission capacity, and with the request of the relevant mission owner, NEST may provide support for other Departmental missions outside of the bounds of NEST's statutorily assigned mission space. This support should be provided in cases where NEST maintains capabilities and skills unique within the Department that materially contribute to the success of the mission in question.
- (2) As required, the NEST Director may request the assignment of Departmental resources and capabilities not directly maintained as NEST assets to a NEST training, drill, exercise, or operation. At the discretion and with the agreement of the responsible Departmental element, these resources may be assigned as a component of a NEST Field Element or Home Team and operate under the authority of the NEST Director. The NEST Director will ensure that all assigned personnel, equipment, and other capabilities adhere to the safety, security, and other standards directed under this Order.

5. RESPONSIBILITIES.

a. Secretary of Energy.

- (1) Serve as the DOE senior official responsible for the implementation of NEST response capabilities in accordance with the requirements of this Order.
- (2) Issue an indemnification memo or deployment order on an as-needed basis.

- b. Deputy Secretary.
 - (1) As the Secretary's delegate, adjudicate any remaining impasse on NEST response activities.
- c. Under Secretaries.
 - (1) Direct applicable program offices, laboratory, and field offices to support the NEST response mission.
 - (2) Direct the development of procedures and guidance on how to apply the requirements of this Order.
- d. Administrator, National Nuclear Security Administration. Serve as the NNSA senior official responsible for the implementation of NEST response capabilities in accordance with the requirements of this Order.
- e. Principal Deputy Administrator, National Nuclear Security Administration. As the Administrator's delegate, ensure the implementation of NEST response capabilities in accordance with the requirements of this Order.
- f. Deputy Administrator for Defense Programs, National Nuclear Security Administration.
 - (1) Maintain the capability to accept custody of and handle the disposition of damaged or recovered U.S. nuclear weapon(s), nuclear weapon component(s), or SNM.
 - (2) Approve the final disposition plan for U.S. nuclear weapons. These decisions include the decision to disassemble, destroy, employ extended staging, and the method of destruction, if applicable.
 - (3) Provide subject matter experts to support development of system-specific incident/accident response capabilities including safety and health, tooling, training, components and subassemblies, response personnel, and participation in exercises.
 - (4) Ensure needed technical response capability for incidents or accidents is prepared prior to fielding of new weapons, modifications, life extensions, and alterations.
- g. Assistant Deputy Administrator, Office of Secure Transportation.
 - (1) Act 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) Accept damaged U.S. stockpile weapon(s) and transports to a designated disposition location.

- (3) May provide transportation for NEST responders, nuclear weapons, nuclear weapon components, and SNM within the continental United States.
- (4) Ensure integration of Office of Secure Transportation personnel into a NEST response.
- (5) Establish an NSA when applicable and required.
- h. Deputy Under Secretary, Office of Counterterrorism and Counterproliferation.
 - (1) Designate a NEST Director to execute the authorities granted under this Order and assigns programmatic resources as required to support the NEST Director's execution of assigned missions.
 - (2) Provide strategic direction and oversight of NEST capabilities.
 - (3) Provide programmatic management, direction, and integration of NEST capabilities and serve as the point of contact for external inquiries regarding NEST.
 - (4) Provide interagency coordination including, but not limited to, coordinating integration of 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) Keep the Associate Administrator, Office of Emergency Management apprised of NEST operations.
 - (7) Ensure the Secretary, Deputy Secretary, the Administrator, NNSA, Under Secretaries, Program Secretarial Officers, the Associate Administrator for Emergency Management, and the field and site managers are kept fully and currently informed about NA-80 matters that affect their responsibilities.
 - (8) Serve as the lead of the Unified Coordination Group within the UCS should NEST assets be activated for a response.
 - (9) Provide a representative to the UCS Command and General Staff, should it be activated, during a NEST response or as requested.
 - (10) Develop, maintain, and publish a metrics system to capture and track objective data regarding the status of NEST programs and performance.
 - (11) Ensure NEST instructions, plans, and procedures are approved.

- (12) Ensure readiness assurance and continuity of operations activities are implemented regarding NEST.
- (13) Ensure that all nuclear threat 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.
- (14) Coordinate use control information with DOE/NNSA Office of Weapon Security and Control Division.
- (15) Provide advice and assistance to the DOE Office of Environment, Health, Safety, and Security during the development and revision of classification guidance related to NEST response activities and act as the cognizant program office for such classification guidance and instruction; designate which NEST personnel require Derivative Classification and UCNIR Reviewing Official authorities.
- (16) Ensure the establishment, publication, implementation, and maintenance of the NEST Universal Task List in support of standardized NEST training and response.
- (17) Monitor, track, and analyze trends in the resolution and integration of lessons learned from training, drills, exercises, and operations.
- (18) Directly enable interagency partners by meeting standardized technical training requirements through the development and execution of training campaign plans.
- (19) Ensure readiness of NEST and partners by developing and delivering standardized curriculum that builds and sustains critical skills.
- (20) Establish a Federal Curriculum Council to standardize all NEST-focused standards and training across the office of CTCP.
- (21) Ensure the integration of nuclear device understanding into emergency response policies and procedures across federal, state, local, and international government levels.
- (22) Inform the development and validation of detection technologies and device response tools to ensure NEST has high confidence in recommending courses of action for Counter Weapons of Mass Destruction operations under national incident response policy.
- (23) Ensure that NEST international responses are properly coordinated with the Department of State and other U.S. interagency counterparts as required by federal policies.
- (24) Facilitate requests for and offers of NEST assistance with international partner governments or entities.

- (25) Ensure that NEST international response actions are adequately reported to foreign partner stakeholders pursuant to international or bilateral agreements and facilitate any requests from the Department of State to that end.
 - (26) Ensure coordination and integration, where possible, of NEST capabilities with strategic international partners and foreign-facing USG stakeholders.
- i. Associate Administrator, Office of Emergency Management.
 - (1) Serve 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) Administer and manage the Emergency Management System and the HQ Emergency Operations Center (which includes the HQ Watch Office); serves as the emergency manager for initial activations.
 - (3) Draw upon a volunteer cadre as needed to support responsibilities of the UCS.
- j. Associate Administrator for Congressional and Intergovernmental Affairs.
 - (1) In coordination with the DOE HQ Assistant Secretary of Congressional and Intergovernmental Affairs, develop and maintain 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) Develop and authorize congressional and intergovernmental messaging associated with NEST response activities; lead messaging efforts to Congress and intergovernmental stakeholders.
 - (3) Deploy qualified and Q-cleared intergovernmental and congressional affairs personnel to serve on the UCS Command and General Staff and provide information/briefings to stakeholders and Congress, as needed.
- k. Director, NNSA Office of Communications.
 - (1) In coordination with the DOE HQ Director of Communications, develop and maintain relevant sections of the HQ Emergency Public Information Plan and necessary implementing procedures.
 - (2) Develop and authorize public messaging associated with NEST response activities; leads public messaging efforts.
 - (3) Maintain applicable sections of NEST-relevant documents.

- (4) Provide qualified and Q-cleared, as required, personnel to integrate into the on-site Public Affairs elements (e.g., a Joint Information Center) of a response and coordinates with other agencies.
- l. Associate Administrator for Management and Budget. Coordinate 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) Ensure NEST has fixed and worldwide field-deployable classified communications systems. Provide and maintain interoperable classified communications (data, voice, video) capabilities to reliably and independently coordinate across the USG using the NESTNet.
 - (2) Support a NEST Communications Program, ensuring NEST has operationally ready, fixed and mobile communications capabilities sufficient to fully support response requirements of DOE/NNSA and its governmental partners.
 - (3) Provide NESTNet architecture to ensure operationally effective information protections for NEST activities, safeguarding classified information (to include restricted data) for NEST and its governmental partners.
 - (4) Actively support the NEST Communications Program Information Management program participation in NEST training and exercise events to ensure operational readiness.
- n. Associate Administrator for Environment, Safety, and Health. Provide expertise or resources within the organization's mission functions through the DOE UCS General Staff in support of NEST response activities.
- o. Director, Nuclear Emergency Support Team.
 - (1) Serve as the command authority for declared NEST training events, drills, exercises, and operations. This responsibility will be officially delegated to another properly qualified individual at times when the NEST Director is unavailable.
 - (2) Issue NEST instructions, plans, and procedures, following coordination and approval by NEST asset program management, to implement the requirements of this Order and ensure an efficient and effective response capability.
 - (3) Serve as the responsible official for DOE Primary Mission Essential Function #2: Respond to Nuclear Incidents.

- (4) Approve the alert, activation, mobilization, and deployment of NEST capabilities.
- (5) Declare entry and exit from emergency conditions for response as required and approve deviations from Order requirements, instructions, plans, and procedures as required to enable mission success, protect public health and safety, national security, and strategic national interests.
- (6) Maintain and execute procedures for establishment of a TLA or TSCIF within a declared NSA or NDA to safeguard classified information (to include restricted data) or government equipment in an event involving a nuclear weapon, SNM, or classified components.
- (7) Keep the Deputy Under Secretary for CTCP apprised of all NEST operations.
- (8) Support DOE or NNSA sites for any offsite event involving the actual or potential loss of control or release of radioactive materials and assist the site with interagency coordination and situational assessments as required.
- (9) Fulfill the role of safety- and security-responsible line manager for NEST personnel, from time of departure/activation from their home stations until their return/termination of response.

p. Site/Field Office Managers.

- (1) All Site and Field Office Managers and their staff are expected to encourage their employees' participation in NEST, support NEST training and response operations, and acknowledge the importance of this contribution during performance evaluations.
- (2) Notify the NEST Director through the HQ Watch Office for radiological/nuclear events that involve actual or potential offsite impacts, including loss of control or release of radioactive materials from cognizant labs, plants, and sites or their activities to ensure coordinated interagency activities, including radiological monitoring and analysis actions.
- (3) In accordance with DOE O 151.1, *Comprehensive Emergency Management System*, current version, DOE/NNSA facilities with radiological materials must invite one or more of the Department's NEST assets to participate in an exercise every 3 years. Requests for participation of NEST assets must be made to the Deputy Under Secretary for CTCP no less than 6 months prior to the exercise.

- (4) Ensure readiness to receive and provide temporary safekeeping of SNM and/or material of DOE/NNSA origin outside of regulatory control from NEST. NEST actions to remove these materials from the public domain on short notice are considered exigent (imminent) conditions. Under such conditions, DOE/NNSA facility contractors are authorized to take emergency actions that depart from an approved technical safety requirement in accordance with 10 Code of Federal Regulations (CFR) § 830, Nuclear Safety Management, Subpart B—Safety Basis Requirements, § 830.205, Technical safety requirements, item (b). These emergency removal actions will only be conducted on behalf of DOE, and Site/Field Office Managers are authorized to accommodate these short notice circumstances while permanent material disposition is coordinated. NEST personnel will transport the material to the closest designated DOE facility (e.g., laboratory, plant, or site).
 - (5) Adjust annual contractor assessment metrics of injury/security metrics to remove the impact of safety or security events that occur while response teams are involved in NEST operations.
- 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:



JAMES P. DANLY
Deputy Secretary

ATTACHMENT 1
CONTRACTOR REQUIREMENTS DOCUMENT
DOE O 153.1B, NUCLEAR EMERGENCY SUPPORT TEAM CAPABILITIES

This Order provides the basic management structure and principles for Nuclear Emergency Support Team (NEST) operations. This Contractor Requirements Document (CRD) ensures compliance with this directive. Regardless of the performer of the work, the contractor is responsible for complying with this CRD and flowing down CRD requirements to subcontractors at any tier to the extent necessary to support NEST requirements. Any event-specific supplemental plans and procedures developed must also comply with this CRD.

1. Contractors must ensure compliance with NEST instructions, plans, and procedures, to include public information plans.
2. Contractors must cooperate with the NEST Director for any response involving NEST assets. Response assets will work in support, and under the direction of the NEST Director.
3. Each contractor supporting NEST 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 work authorization statements. Each NEST asset will be required to carry out the work agreed to in the work authorization statement consistent with its terms and conditions; provide required 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 Counterterrorism and Counterproliferation.
4. Each contractor must have an implementation plan and must include those contractors employees who may be called upon for NEST responses.
5. 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 define how the laboratory, plant, and site (LPS) will operate under the federally developed training and deployment plans and will remain consistent with NEST training and standardization developed by the NEST federal leadership under the direction of the NEST Director. These federal leadership plans will define how the NEST Director assumes operational leadership of all NEST members, including contractor personnel, during response training events and during response operations.
6. Contractors must maintain the capability for 24-hour/day notification.

7. These NEST federally developed requirements define how to establish, maintain, train, qualify, and practice the ability to safely deploy personnel and equipment to any projected operational environment within prescribed deployment guidelines. NEST responders are required to be both medically cleared and trained and qualified to operate safely in the assessed field environment. Contractors are responsible for ensuring their employees who are NEST responders meet the qualification requirements as defined by the NEST Director.
8. Contractors must ensure that NEST responders have an 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 personnel are no longer supporting NEST. This requirement is subject to the location-specific USA Credentialing Office ability to process this marking.
9. Contractors must require that all contractor NEST responders 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.
10. All contractor NEST responders who have, or may have, contact with classified matter must have the appropriate valid security clearance.
 - a. Contractor NEST responders with potential access to nuclear weapons or related information must have a Q clearance and the appropriate Sigma access.
 - b. Contractor NEST responders identified to handle Intelligence Information must obtain appropriate clearances and authorizations.
11. All contractor organizations with responsibilities for NEST assets must ensure that individual team members of that asset participate in a NEST response exercise, drill, or training based on NEST campaign planning methodologies-determined frequency.
12. Contractor organizations must have readiness assurance programs to ensure that NEST asset capabilities are sufficient to implement their governing plans, provide a prompt and effective response capability, and incorporate appropriate and timely improvements identified through coordinated emergency planning, resource allocation, training, drills, exercises, and operations.
13. For radiological or nuclear events that involve actual or potential offsite impacts, including loss of control or release of radioactive materials from cognizant LPSs or their activities, NEST must be notified. This notification requirement can be accomplished through engagement with the affected Radiological Assistance Program Region. NEST will ensure coordinated interagency activities and conduct radiological monitoring and analysis actions to support the event, as required.

14. 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 or Temporary Sensitive Compartmented Information Facility within an established National Security Area or National Defense Area to safeguard classified information (to include restricted data), equipment, and material.
15. Each LPS must participate in lessons learned development following training or response events to ensure lessons learned from training, drills, exercises, and actual responses are incorporated into the federally managed training programs and NEST asset plans and procedures.
16. DOE has provided guidance in the form of Acquisition Guide, Chapter 50.101.2, “Extraordinary Contractual Action” (April 2016), which explicitly describes the “preparation, coordination and approval” process by which contractors can request indemnification for deployments involving “unusually hazardous or nuclear risks.”
17. Contractors with NEST assets are required to participate in NEST training and response operations and staff participating should be acknowledged for their participation and for the importance of these contributions during annual performance evaluations.
18. Contractors must comply with the NEST Director, delegate, or approved training safety plan at any NEST training events deemed moderate to high risk, where safety and security risks can be mitigated with direct federal oversight.
19. Contractors will actively engage in supporting NEST training, exercises, and response operations. This includes requirements for NEST qualification, for retaining qualifications, and for participating as qualified NEST personnel.

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 § 300-374, including Title III, *The Emergency Planning and Community Right-to-Know Act*, embodied in 40 CFR § 350–374.
4. *Homeland Security Act* of 2002, Public Law 107-296, as amended.
5. *National Nuclear Security Administration Act*, Public Law 106-65, *National Defense Authorization Act for Fiscal Year 2000*, 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. 10 CFR § 830, *Nuclear Safety Management*.
15. 29 CFR § 1960, *Federal Employee Occupational Safety and Health*.
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