

January 15, 1993

**ASSISTANT SECRETARY FOR DEFENSE PROGRAMS (ASDP) NOTICE**

**ASDP NOTICE # 29**

**TO:** E. Beckner, Principal Deputy Assistant Secretary for Defense Programs, DP-2  
G. Rudy, Executive Director, DP-3  
W. Chernock, Deputy Science and Technology Advisor (Defense), DP-4  
V. Alessi, Director, Office of Arms Control, DP-5  
V. Stello, Principal Deputy Assistant Secretary for Facilities, DP-6  
D. Knuth, Deputy Assistant Secretary for Facilities, DP-60  
C. Gilbert, Office of Self-Assessment, DP-9  
J. Ellis, Deputy Assistant Secretary for Military Application, DP-20  
H. Canter, Deputy Assistant Secretary for Reconfiguration, DP-40  
D. Leclaire, Deputy Assistant Secretary for Resource Management, DP-50  
Manager, DOE Albuquerque Field Office  
Manager, DOE Nevada Field Office  
Manager, DOE San Francisco Field Office  
Manager, DOE Savannah River Field Office

**SUBJECT:** Non-Department of Energy Funded Work for Others Involving Aviation Operations

Several aviation accidents, some very recent, have prompted the need to develop this Notice covering non-Department of Energy (DOE) funded work for others involving aviation operations. This Notice is intended to be interim guidance until a policy, guidance, etc., are published in the Defense Programs Operations Manual or appropriate DOE Orders.

- 1.0 **PURPOSE.** To establish a Defense Programs (DP) policy that ensures the identification of Work For Others (WFO) involving aviation operations; and, that the associated risk of such aviation operations is identified, defined, evaluated, and accepted.
- 2.0 **SCOPE.** This Notice applies to all WFO projects involving aviation operations. The principal application is to Management and Operating (M&O) contractors under which most of the non-DOE funded work is performed. This Notice also applies to non-DOE funded work at other DOE facilities or Laboratories operated pursuant to onsite service or other forms of non-M&O contracts.
- 3.0 **REFERENCES.**
  - 3.1 DOE 4300.2B, NON-DEPARTMENT OF ENERGY FUNDED WORK, of February 7, 1992, which establishes DOE policy, procedures, and responsibilities for authorizing and administering non-DOE funded work.

- 3.2 DOE 5480.13, AVIATION SAFETY, which establishes aviation policy to ensure that DOE and DOE contractor aviation operations maintain an operating standard at least equivalent to that maintained by United States air carriers operating under Title 14 Code of Federal Regulations (CFR) Part 135 or 14 CFR Part 121.

#### 4.0 DEFINITIONS.

Aircraft. A device that is used or intended to be used for flight in the air. This includes manned or unmanned vehicles operating in the airspace such as fixed-wing aircraft, helicopters, drones, balloons, etc., but does not include missiles, rockets, or artillery projectiles.

Aviation Operations. Any operations of aircraft, airports, or heliports or any services that support aviation activities.

DOE Facilities. Any of the DOE-owned research, development, testing, and production facilities.

Management and Operating Contractors. Those designated by the Secretary of Energy in accordance with DOE policies.

#### 5.0 POLICY.

It is Departmental policy that WFO involving aviation operations shall comply with DOE Order 5480.13, "Aviation Safety."

#### 6.0 RESPONSIBILITIES AND AUTHORITIES.

The responsibilities and authorities shall be in accordance with DOE Orders 4300.2B and 5480.13.

#### 7.0 ACTION STEPS.

Prior to the conduct of aviation operations in any WFO Project, the following action steps shall be completed:

7.1 The DOE contractors must determine if aviation operations will be involved in non-DOE funded work. The DOE contractor then must notify the Field Office which approves the proposed program, if aviation operations are involved.

7.2 The contractor shall provide documentation required by DOE Order 5480.13 to the Field Office. The Field Office shall determine and certify that the aviation safety documentation complies with DOE Order 5480.13 and that the associated risk of the proposed aviation operations have been identified, defined, evaluated, and are acceptable. This documentation and risk

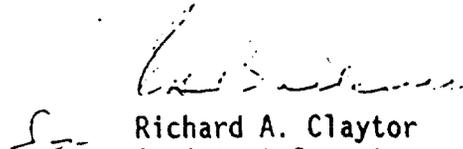
assessment are not required prior to the acceptance of work, but are required prior to the conduct of aviation operations. Any time the aviation operations change relative to the aviation safety documentation, the Field Office shall be notified prior to continuation of the operation.

7.3 Work For Others aviation operations considered to be a high risk by the Field Office shall require approval of the ASDP prior to the initiation of aviation operations.

7.4 The ASDP shall ensure that periodic appraisals of WFO aviation operations are accomplished.

#### 8.0 IMPLEMENTATION.

All WFO projects involving aviation operations ongoing as of the issuance date shall be brought into compliance by October 1, 1993.

  
Richard A. Claytor  
Assistant Secretary  
for Defense Programs

Attachment

United States Government

Department of Energy

**memorandum**

Albuquerque Field Office

MAR 3, 1993

DATE: AL/RETD/HTD

REPLY TO ATTN OF:

SUBJECT: ASDP Notice No. 29, Non-Department of Energy Funded Work for Others (WFO) Involving Aviation Operations, Dated January 15, 1993

TO: Gerold Yonas, Vice President, Org. 9000, SNL  
Robert W. Seldon, ADLD/A113, LANL

The attached subject notice from Richard A. Claytor, Assistant Secretary for Defense Programs, requires your immediate action for all WFO work involving aviation operations. This notice will serve as interim guidance until an appropriate DOE Order can be published.

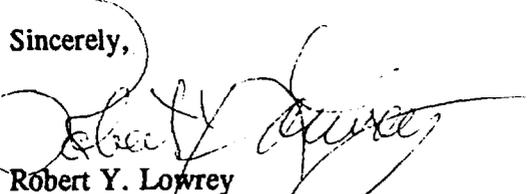
The Definitions, Paragraph 4.0, on page 2, for Aviation Operations, requires additional clarification. The reference to operating airports or heliports, does not apply to WFO work. This definition of aviation operations was quoted directly out of DOE Order 5480.13 which applies to all operations involving aviation safety. The definition also fails to identify the different types of aviation operations where DOD (all military operated aircraft) or DOE (all DOE M&O operated aircraft such as Ross Aviation) is operating the aircraft. DOD or other Government (non-DOE) operated aircraft are excluded. This notice applies only to DOE operated aircraft and private contractors who provide aircraft and operators for aviation services in direct support of WFO work.

The Action Steps, Paragraph 7.0, page 2, also requires clarification for Step 7.1. DOE contractors must notify the Field Office immediately for all planned WFO work involving aviation operations or any change in previous DOE endorsed work or for any added work involving aviation operations. The DOE/AL Field Office contact will be the DOE Aviation Coordinator, Rick Arkin, who can be reached at 505-845-6665 for notification, consultation, information, documentation guidance and approval.

All ongoing WFO projects involving aviation operations must be in compliance with this notice no later than October 1, 1993. All new work requires immediate compliance with no grace period.

Members of your staff have already coordinated new aviation requirements in the WFO proposal process with our office. Should you need any further information on this notice, please call H. Tom Davidson at 505-845-5644.

Sincerely,



Robert Y. Lowrey  
Director, Reimbursable and  
Energy Technologies Division

Attachment

MAR 3 1993

cc w/attachment:

K. A. Carlson, KAO

J. L. Bellows, LAAO

S. G. Varnado, Org. 9900, SNL

W. L. Kircher, LD-PD/F613, LANL

R. E. Sabre, TSD, AL

R. Arkin, TSD, AL

C. K. Kenagy, WPD, AL

All WFO Projects Managers, RETD, AL