

ISM Workshop
Albuquerque, New Mexico, April 25-26, 2006

Close-out Summary and Action Item Review (4:30 pm – 5:00 pm, 4/26/06)

(These actions were presented at the end of the day and were based on the working sessions—working session notes are then included below these actions. Working Session Notes include cross-cutting issues and any commitments identified/made during the sessions--see end of that section's notes.)

Measures & Monitoring ISM Effectiveness:

- Still in data gathering phase using EFCOG, Corporate, and Sites.
- Will put together a strawman plan of action and associated milestones for routing through ISM Champions this month (May).
- Will review with 7th floor to obtain feedback for path forward partnering with EH (May/June).
- Will put measuring and monitoring and PSO summaries info on website (May).

DOE O 226.1

- Will recommend that the Oversight Manual either be withdrawn from RevCom or extended until at least 2 weeks after the Deputy Secretary takes action based upon the input required from the Undersecretaries by June 1, 2006, allowing more opportunity for input based on concerns in this session.
- Will take the issues/concerns that have been raised to the ISM Champions to decide if the team for the Oversight Manual integrates and includes all appropriate functional areas, with input from the right folks, and reevaluate the membership on that team, and change team makeup, as appropriate.
- 226.1 Writing Team will be tasked to make changes to the Manual:
 - Pursue changing from Manual to Guidance.
 - Develop input on using risk to tailor oversight.
 - Decide (with NNSA input) if distinction between nuclear/non-nuclear is needed.
 - CRADs need to assign OPI/designated organizational owners, probably in DOE/EH, to maintain latest directive status.
 - SMEs with experience on the CRADs should be posted to the ISM website, along with EH/OPI owner.
 - Assessment Corrective Action Plans should be required, incorporating all levels of management and independent (HQ Program/CDNS/CNS), FEM/Site, and SSA) oversight (except for cause oversight, IG, etc.) in making DOE/NNSA limited resource use more effective, and providing concentrated oversight and mission focus.
- Will determine the path forward for DOE O 226.1 functional areas beyond ES&H (Emergency Management, Cyber Security, Safeguard and Security, and Business Processes) by June 30, 2006.

- Should know by June 1 the recommendations from the 2004-1 IP Review Team and will incorporate as appropriate.

Feedback & Improvement:

- Concept of feedback at activity level needs to be formalized and overseen.
- Will provide input accordingly to 226.1 and in the contractor oversight systems.
- Lessons Learned data is gathered and implemented at too high a level—will team with Idaho, etc. on determining a path forward to ensure lessons learned at the line management level.

Work Planning & Control:

- Will scrub the Commitment 23 site action plans against common issues or identify where additional actions are needed.
- Will schedule conference calls for determination of next steps.

10 CFR 851 Worker Health & Safety Rule:

- Meeting planned for mid-May (NNSA on May 3-4, 2006 at NSO).
- Workshop identified top 10 key cross-cutting PSO and contractor issues
 - Issues to be consolidated by Rule Subpart and Appendix
- PSOs and Contractors encouraged to use existing channels of communications to address future issues and concerns.
- Integrated DOE/EFCOG Project Team (IPT) meeting to be scheduled to address Issues and Concerns
 - IPT to address Implementation Workshop Schedule
- Information to be posted on DOE HQ 851 Website with Links to/from DOE ISM Website.

Panel Session Notes

Working Session #1 – Implementing DOE O 226.1 Issues Identified Per EFCOG and PSO

Contractors (EFCOG)

- Expanded Scope not clearly defined (example Business)
- Need definition of what's acceptable/expectations for independent reviewers
- Redundancy with other directives (QA,PAAA)
- Need uniform approach for Significance Categorization
 - Consider adopting ORPS significant category approach
 - Resolve concern with under assignment of significance to issues
- Need consistent tailored approach to causal analysis—recommend ORPS approach
- Need clear set of CRADs for oversight, to prevent lack of consistency between different DOE elements
- CRD includes hidden issues like differing opinions program
- To implement will need a holistic, tied together CAS

National Nuclear Security Administration (NNSA)

- Complete list of criteria
- Risk models variability is concern-needs consistency for CAS
- Federal oversight overlaps too much
- Need more detail in FRAMS to help overlaps & oversight planning
- Lack of cross-cutting looks between sites to pick strengths/weaknesses
- Understanding Big Scope—such as business, etc.
- Risk informed portions not there yet
- Timeline is a concern
- Need HQ procedure for flow-down
- Sense not getting feedback after assessments/weakens oversight back to the field
- Should the manual clarify those roles?
- Effects of NA-10 new reporting alignment
- Consider Mil Standard 82 for hazard/risk determination levels
- Chuck Spencer had a good risk management program

Office of Science (SC)

- Manual contains too many hows & uses different terminology than the order
- CRADS should be guidance
- How do the expectations of the contract & oversight activities mesh into concerted effort, overlap with 10 CFR 851, significance levels for oversight concern

Office of Nuclear Energy, Science & Technology (NE)

- How is this integrated with HQ & Field & Contractors
- Issues related to risk basis
- Expanding beyond ES&H concerns to business

Office of Environmental Management (EM)

- Business/project management definition
- Manual needs to be guidance not requirements
- Observations shouldn't require a corrective action plan
- Existing resources stretched too thin

Commitment Made

- **Question: What are you going to do with all this?**
Answer: Request everyone to put comments in RevCom now, then will present to the 226 team, recognizing decisions are needed – will have them by September 2006.

Working Session #2 – Measuring & Monitoring ISM Effectiveness Issues Identified Per EFCOG and PSO

EFCOG

- Need standard minimum set of indicators
- Address level of specificity of measures
- Evaluate Science Approach
- Focus on Safety Performance Measures
- Metrics promote error prevention in precursor form
- Ensure approach to metrics support is open reporting, avoid metrics becoming tool for negative reinforcement

NNSA

- Clarifications needed on standards for measuring
- Discussion on leading & lagging indicators
- Corporate metric to include integration of security, safety, & mission completion

SC

- Common set not always useful
- Data analysis – figure out what questions to ask first
- Philosophy discussion ensued

NE

- Improved mission accomplishments
- Measure workforce utilization
- Do we have a corporate set of metrics the PSOs currently look at

EM

- The EM Group performed a brainstorming exercise and collected potential measures and normalizing techniques but more importantly, issues and considerations for creating corporate measures for measuring ISM system effectiveness. (see attached for listings).
- EM HQ provided an example of an “Effectiveness for Safety” formula that they are trying out on field data (attached).
- EM felt time in the field overseeing activities by DOE staff and managers is critical to safety systems effectiveness.
- EM also continues to work on the human performance improvement initiative (adopted from INPO) and feels the need for continued reporting to achieve this improvement needs to be taken into account when reporting requirements and measures are developed.
- See attached background and workshop objectives for additional information.

Working Session #3 – Feedback & Improvement Issues Identified Per EFCOG and PSO

EFCOG

- Need to address “under” significance category of issues—look at ORPS, need an enterprise solution.
- Better define where F&I problems exist (corporate, project, or activity level)
- Identify where current best practices are for CAS
- Need “Miracle Grow” approach to improving the current F&I culture.

EM

Operating Experience

- Positive lessons learned
- Just-In-Time Lessons Learned incorporated into pre-job briefs, work planning, etc.
- Data analysis – user friendly

Event Reports

- Use Q-Dawg
- SubORPS data, ISM, Design issues captured

Issues Management

- Need periodic DOE-Contractor Interface
- Not just focused on compliance issues

NNSA

(from weaknesses identified in site action plans)

- HQ training on assessments
- Complex wide issues management roll-up
- Develop ES&H metrics
- Site & Contractor Management Reports need to include accomplishments, issues, & challenges
- Propagate the positive by benchmarking sharing, expanding EFCOG ISM & establish accountability for implementation of lessons learned

NE

- Mechanism to capture good practices identified by workers
- Activity level feedback-discuss work at conclusion, informal stop work-discuss when (not sure if problems or patterns)

- Issues Management & Lessons Learned
- Site specific F&I expectations
- Roll-up issues to institutional level
- Reluctance to report
- Improve migration of LL
- Additional emphasis needed on validating effectiveness of corrective actions.
- Prioritization of issues & corrective actions important, bringing recognition that some things not significant enough to get done.
- Manager walk-throughs.

Working Session #4 – Work Planning & Control Issues Identified Per EFCOG and PSO

EFCOG

- Scope creep
- Reinforce behavior-Time Out
- Risk adverse approach by DOE is unrealistic
- Current focus on # of events vs. significance is misleading
- Need to address work control vs. control of work
- Complexity of work packages increasing in order to cover all hazards
- Decreasing tolerance for error by DOE at field element level

EM

- No DOE standard for work control
- Controlling scope creep
- Flow down of requirements to subcontractors
- Work planner experience, training, qualification, & availability
- Overly complex work packages
- Demonstrated chart depicting that initially when quality is low, as you focus more on procedures the quality improves, however, as procedures continue increasing in complexity, quality starts dropping.
- Work Planning & Control needs an SME/SMP owner
- Weak in Performing within controls
- Integration of controls (such as RWP, JHA, IH, Work Release, Pre-job briefings, Engineering Controls)
- Multiple work activities or contractors in the same location or with multiple work processes.
- Adequate definition of hazards

SC

- Formal work planning vs. skill of the craft
- Application of work planning & control to all levels of work
- All work is planned regardless of whether it is skill of craft or not
- Routine work needs included in planning
- Need to default to work planning not to skill of craft
- Balance between control & accountability
- Change control in work planning & control including work package
 - Expect the unexpected
 - Changes in work scope
 - Effectiveness of change control
- Work within controls
- Subcontract issues
- Management needs to be in the field

NNSA

- Independent assessments necessary for credible oversight
- Applying work standards to subcontractor, small business & DOE direct subcontracts
- Inclusion of Human Performance Initiative
- Training/qualification of work planners

NE

- Higher level of involvement (contractor & DOE) in planning stages
- Activity specific Hazard Identification
- Continue development & implementation of system engineering
- Balance between training and qualification of planners
- Improve the image of work planners so more desire to enter the role.
- Consistency in work packages
- Post-job reviews, including quality and content
- Work Control focus on maintenance vs. all scope

Cross-Cutting Issues

- **Flow-down of requirements**
- **Work planner experience/training**
- **Scope creep**
- **Consistency/quality in work packages**
- **Work Planning & Control (in maintenance focus) vs. applicability to all work.**

**Working Session #5 – 10 CFR 851 Worker Safety Rule
Issues Identified Per EFCOG and PSO**

EFCOG

- Scope of requirement flow-down to subcontractors
 - Geographic responsibilities of contractors on multi-contractor sites
 - Relationships with site primes and DOE IDIQ contractors
- Need guidance on Interpretive Ruling Request Process & Anticipated Timing of Responses
- Need definition of process for adding to "exclusions list"
- Need definition of "Significant Change" will require re-submittal of WHS Plan/Document
- Need Consistency in Guidance for reporting "near misses" --- ORPS Approach or ???
- Need to address codes/standards incorporated by reference (851.23)
 - Concern with expansion of Standards
- Need Ability to directly use OSHA interpretations without Going to OGC for Ruling
- Need DOE Guidance on use of "Risk Based" Approach for NTS Reporting
- Need Process to recognize Code of Record Decision for Legacy Facilities
 - Need Way to address lack of Grandfathering in the Rule

EM

- No "grandfathering" to recover code of records
- No workshops until September 2006 (back loaded to fourth quarter)
- Contractors not subject to double jeopardy (cannot fine under PAAA and make fee adjustment)
- Thresholds for reporting incidents not finalized
- Requirement for Re-submittal of existing standards/requirement exemptions as variances
- Inclusion of DOE O 440.1A in contracts (existing, new IDIQ)
- Process for approval of submitted implementation plans

NE

- Codes & Standards Referenced in the Rule
 - Need a Clear DOE Policy on Grandfathering of Existing facilities/systems not meeting New Codes & Standards
- Thresholds for WHS PAAA NTS Reporting
 - Will the Process be the Same as the current PAAA process for other Rules?
- Will OSHA interpretations on de minimus violations be utilized?
- Will Enforcement Inspection relief be given for DOE VPP "STAR" Sites?
- Need a Consistent and Objective Approach on dealing with Equivalencies to Avoid Differences in PSO Reviews/Opinions

SC

- How handle subcontractor's written worker safety & health program? Place within the prime contractor's program? Flow-down through field elements or through prime contractor?
- How about smaller contractors direct to DOE?
- New contractor responsibilities to pre-existing violations.
- Approval processes
- Non-NTS reportable-reporting/tracking
- Grandfathering
- Gap-Analysis
- Slow timing for legal interpretations related to the rule
- Thresholds
- ISM System Descriptions are too broad for a written worker safety & health program
- Workshops are too late to help with the written program.
- Resource concerns with back-fitting, manpower draws and management focus

NNSA

- Need Standard Review Plan Approach for all 851 Submittals to Ensure Consistency across DOE
- Need to Address Exemption Process versus proposed Rule Variance Submittal & Processing
- Need Clear Milestones for forecasted EH Deliverables & Contractor Submittals
- Need NTS Threshold Reporting Levels and HQ Level Reporting Procedures
 - Delays will significantly impact NNSA Contractors
 - Some DOE Locations/Contractors Currently not under PAAA Reporting Structure

Cross-Cutting Issues on 10 CFR 851

- **Lack of grandfathering**
- **Flow-down process of requirements (e.g., for subcontractors)**
- **Diversion of resources to WHS oversight vs. mission activities**
- **Lack of Guidance on NTS Reporting Thresholds**
- **Scope of Reporting/Tracking system for non-NTS reportable noncompliances-potential for significant cost impact**
- **Lack of Guidance to site offices from HQ on approval processes**
- **Lack of Guidance on Interpretative Ruling Request Process and Anticipated Timing of Responses from OGC**
 - **Need Ability to use OSHA Interpretations without Going to OGC for Ruling**
- **Process needs to recognize existing exemptions without re-submittal as new variances**
- **Implementation Workshops--"Too few --Too Late"**

Recommended Path Forward

- **Consolidate and Process all of Workshop 851 Issues and Concerns by Rule Subpart/Appendixes**
- **Use PSO and Field Communication Channels to Address Future Issues and Concerns**
- **Set up Joint DOE & EFCOG Project Team Meeting to Address Issues and Concerns**
- **Communicate Outcomes via DOE ISM Web Site**
 - **Establish 851 Implementation Specific Web Site**

Bottom Line

We Need to Implement the Rule but in a Cost Effective and Efficient Manner