



# U.S. Department of Energy

Oak Ridge Office

ORO O 250 Chapter VI Change 5
-------------------------------------

DATE: 04/18/2006

---

## SUBJECT: IMPLEMENTATION PLANS AND EXEMPTION REQUESTS

---

1. PURPOSE. This Chapter correlates to DOE O 251.1A, DIRECTIVES SYSTEM, dated January 30, 1998; and DOE M 251.1-1A, DIRECTIVES SYSTEM MANUAL, dated January 30, 1998. This Chapter assigns responsibility and accountability and provides administrative and/or contractual guidance to Oak Ridge Office (ORO) and its contractors on the preparation, review, approval, and maintenance of implementation plans (IPs) and exemption requests for new and revised standards/requirements placed in List B requirements (List B) (i.e., Work Smart Standards [WSS] Set, Standards/Requirements Identification Document [S/RID], and Administrative Directives). Nothing in this issuance changes any requirements contained in any Department of Energy (DOE) Directive.
2. CANCELLATION. This Chapter cancels and replaces ORO O 250, Chapter VI, Change 4, IMPLEMENTATION PLANS AND EXEMPTION REQUESTS, dated December 3, 2003.
3. APPLICABILITY. The provisions of this Chapter apply to the Federal and site/facility management contractor staffs who perform work related to the ORO contracts with List B administered by the Directives Management Group (DMG). This Chapter applies to IPs and exemption requests for DOE or ORO Directives only and does not apply to IPs or exemption requests for DOE Rules.
4. RESPONSIBILITIES.
  - a. Manager approves or disapproves DOE or ORO Directives exemption requests within managerial authority, and concurs in requests that must be approved by DOE Headquarters (HQ).
  - b. Division of Primary Interest (DPI) provides assistance, as requested by the Contracting Officer's Representatives (CORs).
  - c. Principal Staff. If requested by the COR(s), reviews and provides comments on IPs and exemption requests.
  - d. Contracting Officer's Representatives.
    - (1) Approves contractor IPs for new/revised standards placed in the contract (i.e., WSS Set, S/RID, or list of Administrative Directives).
    - (2) Approves closure of IPs.

- (3) Provides technical expertise in processing exemption requests.
- (4) Provides a copy of the IP and any related documentation to the DMG.

e. Team Leader, Directives Management Group.

- (1) Provides advice and assistance on the requirements of this Chapter.
- (2) Serves as the formal point of receipt for and coordinates review and approval of IPs for new or revised standards/requirements in List B (i.e., list of Administrative Directives, WSS Set, or S/RID) and exemption requests prepared under this Chapter.
- (3) Coordinates, as requested, with COR organizations regarding review, approval, closure, and tracking of contractor IPs.
- (4) Notifies the contractor of approvals or closures for IPs.
- (5) Maintains the official IP files, if provided by the CORs or their staff.
- (6) Provides a courtesy copy of the IP, approval form, and closure form to the DPI.

5. REQUIREMENTS AND PROCEDURES.

a. Exemption Requests.

- (1) When Required. Requests must be prepared for an exemption from any requirement in DOE Directives applicable to Federal activities or included in a List B.
- (2) Exemption Request Contents. DOE M 251.1-1A, DIRECTIVES SYSTEM MANUAL, contains information on content, approval levels, and mandatory notification requirements for exemption requests.

**NOTE:** Exemption requests are not customarily prepared for DOE Directive requirements contained in an S/RID or WSS Set. Requirements in those documents are expected to contain DOE-approved implementation assumptions to explain any deviation from the expected application or implementation of the requirement.

- (3) Review and Approval of Exemption Requests. Exemption requests are processed as described below for IPs, except there are no automatic approvals. After concurrence by the appropriate organizations, if requested, DMG forwards the request to the proper approval authorities for action.

b. Transition Guidance for WSS Sets. After a new or revised WSS Set is placed in the contract, the contractor must review open affected IPs. This review determines if any planned corrective actions should be revised or dropped because the requirement(s) is no longer in the WSS Set or has been rewritten in such a way as to change the corrective action needed to bring the contractor into compliance. Within 60 calendar days of approval of the WSS Set, the

contractor must notify the COR in writing, with a copy to DMG, which items remain open and which are requested to be closed or revised.

c. Compliance-Driven Implementation Plans for DOE or ORO Contractors' List B Requirements.

- (1) Introduction. This section applies to new or revised standards/requirements added to List B in accordance with Department of Energy Acquisition Regulation (DEAR) 970.5204-2, *Laws, Regulations, and DOE Directives*, such as additions/revisions/deletions to a WSS Set or S/RID and new/revised Administrative Directives.
- (2) When Required by Non-compliance. Contractors prepare IPs as follows:
  - When the contractor cannot fully implement new or revised requirements of Administrative Directives within existing funds and/or within 120 calendar days from the date of the COR's letter requesting an impact assessment or
  - When the contractor cannot fully implement new or revised WSS Set or S/RID requirements within existing funds and/or within 120 calendar days from the date the standard/requirement is formally approved for inclusion in the WSS Set or S/RID via COR letter.
- (3) Implementation Plan Content Description. An IP must contain the following information described in (a) through (n) below. Contractors may submit printouts from internal tracking/trending systems in lieu of a standard IP if all the required elements are included in the system printout. If a particular heading is not applicable to a specific situation, enter "Not Applicable" or "None."

An IP must also include a statement that all other applicable requirements in the new Directive/standard are fully implemented. If the entire Directive/standard was placed in the contract, the IP must include a brief justification for any requirements considered to be not applicable.

- (a) Date of Submission. Self-explanatory.
- (b) Applicability. The plan must clearly identify which site, organization, activities, or facility(ies) are covered.
- (c) Identify Requirements Not Fully Implemented. Identify the requirement(s) that is not fully implemented by source document number, title, paragraph, section number, etc.
- (d) Description of the Noncompliance(s). Discuss the nature and degree of the noncompliance. For example, if the standard/requirement is partially implemented, discuss what is in place and what is not. Identify the major systems or activities affected. The discussion must be sufficient to enable reviewers to draw conclusions on the degree of risk resulting from non-implementation, the appropriateness of the action steps, and the reasonableness of the resource estimates.

- (e) Implementation Assumptions. Describe basic implementation assumptions, such as clarification regarding methods for determining applicability, interpretations used in determining compliance status and implementation planning, etc. If this information is contained in the assumptions field of an approved S/RID or WSS Set, repeat the text of the approved implementation assumption here. If there are conflicting requirements, identify which of the conflicting requirements will be implemented and explain reasons for the selection.
- (f) Exemptions. List any exemption requests (both submitted and under review or approved) that are related to the requirements covered by the plan and include a copy of them as an attachment. Exemption requests are not customarily submitted for WSS Sets or S/RIDs.
- (g) Compensatory Measures. If compensatory measures are deemed necessary to offset increased environment, safety, and health (ES&H) risks associated with the noncompliance, include a description of those measures and a schedule for implementing them. Summarize the compensatory measures in the first paragraph, followed by a more detailed description and explanation in subsequent paragraphs. Clearly indicate what measures are in place, which will be implemented before DOE approval, and which will be implemented only after DOE approval. Distinguish between measures that were in place before discovery of the noncompliance and measures put into place because of the noncompliance. Provide a schedule with dates for initiation, duration, and completion of measures that are not fully in place.

If compensatory measures are not required, so state. Provide an explanation for this conclusion that is related to the discussion of increased risk under the next heading. Some examples of situations where compensatory measures may not be needed are:

- The noncompliance has no direct or immediate impact on worker or public health or safety or protection of the environment.
  - The probability or the consequences of an accident that would be prevented by compliance with the requirement are negligible during the time the corrective actions are being implemented (e.g., operations are shut down).
- (h) Risk of Not Implementing Immediately. Discuss any ES&H, security, quality assurance, or other concern created by the delay in implementation of the requirement. Provide a full description of how the existing or planned compensatory measures reduce the risk. If there is little or no risk associated with the noncompliance, provide a sound, reasoned justification for that statement.
- (i) Actions Needed to Implement. Identify the specific actions needed to fully implement the requirement. Include the submission of budget requests as an action where appropriate. Identify the organization responsible for implementing each action and provide milestones and schedules. If implementation is expected to take many months and multiple years, provide interim as well as ending milestones. The interim milestones give the contractor and ORO a basis for assessing performance in complying with the longer term requirements.

Duration schedules rather than fixed dates may be provided for items that need additional resources or that are dependent on completion of other actions (e.g., six months from receipt of funding or two months from completion of Phase II of the Safety Analysis Report). Fixed date schedules must be provided for actions with sufficient resources that are not dependent on other actions. A sample format is provided below.

<u>Activity</u>	<u>Responsibility</u>	<u>Start/End</u>
Revise SPP-XXX to include inspection of fire dampers	Fire Protection Division	Start 01/15/2003 End 01/01/2004

When appropriate, provide attachments containing drawings, plans, calculations, procedures, test results, relevant history of the system, and any other supporting information.

- (j) Additional Resources Needed. If no additional resources are needed, the IP must so state. The resource impacts of the corrective actions must be broken out by:
- Organization or Business Unit, if applicable;
  - What is funded and what is not (by program/funding source);
  - Whether or not the resources are included in the ES&H Management Plan; and
  - Whether any of the needed funds are included in an approved budget request.

Budget requests must be submitted for all unfunded actions included in an approved IP. If the budget request is denied and the IP relates to implementation of an S/RID or WSS Set standard/requirement, the contractor must revise the IP to so state and describe whether funding will be requested the following year or if an alternate corrective action is planned. If corrective actions are to be completed by reallocating amounts already funded, describe what other scheduled activities will not be completed because of the reallocation. The COR must approve any reallocation of existing funds. If the actions in another IP are or will be affected, identify the IP and attach a copy.

- (k) Justification for Approval or Continued Operation. Referring to specific activities, explain why it is acceptable to continue operating while in noncompliance with the requirement(s). If appropriate, discuss how the existing or planned compensatory measures contribute to this conclusion. Describe the nature and results of any tests or analyses conducted to support these conclusions.

The justification for approval may refer to any type of net benefit arising from the approval, including avoidance of costs, reduction in risk to workers and the public, improved operational efficiency, etc. Discuss other factors or risks associated with approval or disapproval, such as exposure to possible legal action during the period of noncompliance.

- (l) List of Attachments. Self-explanatory.
  - (m) Contractor Approvals. Provide the internal contractor approval sheet that shows that the IP has received internal review and approval before submission to ORO.
  - (n) Technical Point of Contact. Include a contact name and telephone number for a person or persons who can answer detailed technical questions about the IP.
- (4) Implementation Plan Review and Approval. The contractor should not wait for formal DOE approval and should begin working the funded portions of an IP as soon as it is submitted. If questions arise or if there is a need for direction on specific implementation actions before DOE approval is granted, the contractor submits the issues to the COR. ORO uses the following review and approval process:
- (a) The contractor submits the IP to the COR, **with a copy to DMG**.
  - (b) DMG sends a courtesy copy of the IP to the DPI. If DPI involvement is required, the COR will directly request the assistance from the DPI. Although the DPI's formal concurrence in IPs is no longer a requirement, the DPI may elect to review the IP and provide any comments to the COR within 15 working days, with a copy to DMG.
  - (c) If a Comment/Concurrence Form is utilized, DMG formally transmits the form to the COR (See Attachment 2, Comment/Concurrence Form for Implementation Plan Approval, of this Chapter). The COR must provide the completed Comment/Concurrence Form to DMG within 30 calendar days or by the requested target date. If the COR does not use the Comment/Concurrence Form, the COR provides copies of the approval or rejection correspondence to DMG.
  - (d) After receipt and tracking of the completed Comment/Concurrence Form from the COR, DMG forwards the Comment/Concurrence Form (i.e., approval or rejection) to the contractor and, if necessary, provides instructions for submitting a revised IP. DMG sends a courtesy copy of the form to the DPI.
- NOTE:** The COR must approve or reject the contractor IP within 30 calendar days from the date the IP is received by the COR. Unless the IP is rejected, approved, or placed in abeyance by formal notification from the COR, the IP is automatically approved.
- (e) DMG tracks the status of the IPs and posts the tracking data on the DMG Home Page.
- (5) Implementation Plan Revisions. Contractor IP preparers must make requested changes and submit revised plans within 30 calendar days of receipt of the ORO change request or as directed in the COR's letter. Contractors submit revised IPs to the COR, with a copy to DMG. Revised plans are reviewed and approved in the same manner as the original plan. (See Attachment 3, Comment/Concurrence Form for Revised Implementation Plan Approval, of this Chapter.)

A revised IP is also required when the contractor makes substantive changes to an IP because of changing conditions or because of inability to meet deadlines established in the IP. The letter transmitting the revised IP must briefly explain the reason for the revision. If the revision is due to inability to meet an established deadline, the revised IP must be submitted before the existing commitment date is missed.

Contractors must not delete uncompleted actions from an IP between one revision and the next. If multiple revisions of a plan are involved, completed items must be noted as such in at least one revision before being deleted.

(6) Implementation Plan Closure.

- (a) Contractors send a letter to the COR, with a copy to DMG, requesting closure and stating that the corrective actions in the IP have been completed. Any ongoing activities are noted in the letter.
- (b) DMG forwards a courtesy copy of the request for closure to the DPI.
- (c) If a Comment/Concurrence Form is utilized, DMG forwards the form to the COR (See Attachment 4, Comment/Concurrence Form for Implementation Plan Closure).
- (d) The COR should approve or reject the IP closure request within 45 calendar days after receipt. The COR provides the completed Comment/Concurrence Form to DMG. If the COR does not use the Comment/Concurrence Form, the COR provides copies of the approval or rejection correspondence to DMG.
- (e) After receipt and tracking of the completed Comment/Concurrence Form, DMG forwards the Comment/Concurrence Form (i.e., approval or rejection) to the contractor. DMG sends a courtesy copy of the form to the DPI.
- (f) When a closure request is rejected by the COR, the contractor must respond in 15 calendar days with a schedule for a revised closure request to be submitted. This schedule must be agreed upon by the COR. The 15 calendar day requirement is for resubmitting a schedule only.

The revised closure request follows the same ORO review and approval for closure process as stated in Paragraph 5c(6).

- (g) DMG tracks the status of closure requests and posts the tracking data on the DMG Home Page.

6. REFERENCES.

- a. DEAR 970.5204-2, LAWS, REGULATIONS, AND DOE DIRECTIVES (DEC 2000).
- b. ORO O 250, Revision 8, STANDARDS MANAGEMENT PROGRAM, dated April 18, 2006, ALL CHAPTERS, and any subsequent revisions.

7. DEFINITIONS. See Attachment 2 of ORO O 250, Chapter I, ORO STANDARDS MANAGEMENT PROGRAM OVERVIEW of this Directive, for a glossary of terms used in the ORO Standards Management Program.
8. CONTRACTOR REQUIREMENTS DOCUMENT. See Attachment 1, Contractor Requirements Document.
9. ATTACHMENTS.
  - a. Attachment 1 - Contractor Requirements Document.
  - b. Attachment 2 - Comment/Concurrence Form – Implementation Plan Approval.
  - c. Attachment 3 – Comment/Concurrence Form – Revised Implementation Plan Approval.
  - d. Attachment 4 - Comment/Concurrence Form - Implementation Plan Closure.

### **CONTRACTOR REQUIREMENTS DOCUMENT**

Types of contractors identified in Paragraph 3 of this Chapter must comply with Paragraph 5 of this Chapter and the following:

1. As required by their contract, Oak Ridge Office (ORO contractors are required to prepare implementation plan (IPs) for new and revised standards/requirements placed in their contract (i.e., list of Administrative Directives in List B Requirements [List B], Work Smart Standards [WSS] Set, or Standard/Requirements Identification Document [S/RID] if they cannot come into compliance within existing funding and/or within 120 calendar days. These plans must meet the requirements of Paragraph 5 of this Chapter. The 120-day due date for the IP is calculated as follows:
  - When the contractor cannot fully implement new or revised Administrative requirements within existing funds and/or within 120 calendar days from the date of the Contracting Officer's Representatives (COR's) letter requesting an impact assessment.
  - When the contractor cannot fully implement new or revised S/RID or WSS Set requirements within existing funds and/or within 120 calendar days from the date the standard/requirement is formally approved for inclusion in the S/RID or WSS Set via COR letter. If the IP is not addressed in the new/revised WSS Set or S/RID change, the contractor must notify the COR and DMG if an IP is needed within 30 calendar days after COR's approval letter for S/RID change or WSS Set revision/change.

Contractors submit IPs and closure requests to the COR, with a copy to Directives Management Group (DMG).

2. A compliance line is included in List B with the Directive for which an IP is required stating the date the IP is due, updated when the IP is submitted and approved, and deleted when the IP is closed.
3. After a new or revised WSS Set is placed in the contract, the contractor must review open affected IPs. This review determines if any planned corrective actions should be revised or dropped because the requirement(s) are no longer in the WSS Set or has been rewritten in such a way as to change the corrective action needed to bring the contractor into compliance. Within 60 calendar days of approval of the WSS Set, the contractor must notify the COR in writing, with a copy to DMG, which items remain open and which are requested to be closed or revised.
4. If the contractor begins work on funded portions of an IP and if questions arise or if there is a need for direction on specific implementation actions before DOE approval is granted, the contractor submits these issues to the COR, with a copy to DMG.

**CONTRACTOR NAME  
COMMENT/CONCURRENCE FORM  
IMPLEMENTATION PLAN  
APPROVAL**

---

**PART A** (To be completed by the Directives Management Group, AD-440)

**TO:** [COR]

**SUBJECT DIRECTIVE:** [Document Number and Title]

The attached Implementation Plan is forwarded for review. Complete Part B and fax this form to Team Leader, DMG, AD-440, by **[due date]** at 576-4046.

---

**PART B** (To be completed by the COR) **NOTE:** Review of IPs should be made by Subject Matter Experts familiar with the contractor's programs. Complete "walkdowns" of assessment information to ensure agreement with the contractor's conclusions is not expected.

**CONCURRENCE:** (Check One). **NOTE:** Concurrence signifies agreement with the assumptions provided and the approach proposed for reaching compliance. Concurrence does **not** indicate a funding commitment.

Yes \_\_\_ = Concurrence with the implementation plan in its entirety

No \_\_\_ = Nonconcurrency. Identify specific revisions desired. Attach extra sheets if necessary.

**IDENTIFY CONTACT POINT:** [COR's staff person]  
Name Telephone

**COR'S SIGNATURE:** \_\_\_\_\_  
Signature of COR Date

**CONTRACTOR NAME  
COMMENT/CONCURRENCE FORM  
REVISED IMPLEMENTATION PLAN  
APPROVAL**

---

**PART A** (To be completed by the Directives Management Group, AD-440)

**TO COR:** George J. Malosh, Contracting Officer's Representative, LM-10

**SUBJECT ORDER:** Directive Number, Title, and Date

The attached Revised Implementation Plan is forwarded for review. Complete Part B and fax this form to Team Leader, DMG, AD-440, by **due date (30 calendar days)** at (865) 576-4046.

---

**PART B** (To be completed by the COR) **NOTE:** Review of IPs should be made by Subject Matter Experts familiar with the contractor's programs. Complete "walkdowns" of assessment information to ensure agreement with the contractor's conclusions is not expected.

**CONCURRENCE:** (Check One). **NOTE:** Concurrence signifies agreement with the assumptions provided and the approach proposed for reaching compliance. Concurrence does **not** indicate a funding commitment.

Yes \_\_\_ = Concurrence with the Revised Implementation Plan in its entirety.

No \_\_\_ = Nonconcurrence. Identify specific revisions desired. Attach extra sheets if necessary.

**IDENTIFY CONTACT POINT:** \_\_\_\_\_  
Name Telephone

**SIGNED:** \_\_\_\_\_  
Signature of COR Date

**CONTRACTOR NAME  
COMMENT/CONCURRENCE FORM  
IMPLEMENTATION PLAN  
CLOSURE**

---

**PART A** (To be completed by the Directives Management Group, AD-440)

**TO:** [COR]

**SUBJECT DIRECTIVE:** [Directive Number and Title]

The attached closure request for the implementation plan is forwarded for review. Complete Part B and fax this form to Team Leader, DMG, AD-440, by **[due date]** at 576-4046.

---

**PART B** (To be completed by the COR): **NOTE:** Review of completed IPs should be made by Subject Matter Experts familiar with the contractor's programs.

**CONCURRENCE** (Check One):

Yes \_\_\_ = Concurrence with closing the plan.

No \_\_\_ = Nonconcurrence. Identify specific objections. Attach extra sheets if necessary.

**IDENTIFY CONTACT POINT:** [COR's staff person]  
Name Telephone

**COR'S SIGNATURE:** \_\_\_\_\_  
Signature of COR Date