

U.S. Department of Energy

Oak Ridge Operations

ORO O 250 Rev. 2 Chapter V

DATE: 03-27-98

SUBJECT: DEVELOPMENT, APPROVAL, & MAINTENANCE OF WORK SMART STANDARDS

1. PURPOSE. This Chapter correlates to DOE P 450.3, AUTHORIZING USE OF THE NECESSARY AND SUFFICIENT PROCESS FOR STANDARDS-BASED ENVIRONMENT, SAFETY AND HEALTH MANAGEMENT; DOE N 450.3, USE OF THE NECESSARY AND SUFFICIENT PROCESS; and DOE M 450.3-1, THE DEPARTMENT OF ENERGY CLOSURE PROCESS FOR NECESSARY AND SUFFICIENT SETS OF STANDARDS, dated January 25, 1996. It assigns responsibility and accountability and provides administrative and/or contractual guidance to Oak Ridge Operations (ORO) and its prime contractors that choose to develop Work Smart Standards (WSS) sets. Nothing in this issuance changes any requirements contained in any DOE Order.
2. CANCELLATION. This Chapter cancels and replaces ORO O 250, Chapter V, dated August 13, 1996.
3. APPLICABILITY. The provisions of this Chapter apply to ORO Principal Staff and to prime contractors as provided by contract. Contractors that choose to develop WSS sets must adhere to the process described in DOE M-450.3-1, as supplemented by the requirements and procedures in this Chapter.
4. RESPONSIBILITIES.
 - a. Manager. If requested by the Convened Group (CG), approves WSS sets for initial applications and revisions.
 - b. Principal Staff participate in development, confirmation, maintenance, and, when appropriate, approval activities for contractor WSS sets.
 - c. Leader, Directives Management Group (DMG).
 - (1) Provides advice and assistance to ORO staff and contractors on subjects covered in this Chapter.
 - (2) Works with the contractor to coordinate development, confirmation (if needed), and approval of initial WSS sets and revisions to WSS sets.
 - (3) Coordinates with contractor and Principal Staff to determine the composition of an appropriate CG for an initial WSS effort or revision to a WSS set.
 - (4) Ensures that approved WSS sets and revisions thereto are incorporated into the contract.
 - (5) Maintains the official ORO library of approved WSS sets and revisions thereto.

5. REQUIREMENTS AND PROCEDURES.

- a. Introduction. Identification of appropriate standards is an essential part of the standards management program. Contractors may elect to (1) comply directly with DOE environmental, safety, and health (ES&H) directives by having them included in an appendix to the contract, (2) maintain an approved Standards/Requirements Identification Document (S/RID), or (3) develop and maintain WSS sets (formerly referred to as the Necessary and Sufficient Process). The exceptions to these options are the Emergency Management and Occurrence Reporting Programs. The contractor must comply with directives requirements for these two programs as listed in the approved S/RID or list the directives on the contract appendix.

A WSS set contains the standards that are necessary and sufficient to provide an adequate level of protection to workers, the public, and the environment. WSS sets include all applicable Federal, state, and local laws and regulations from which DOE is not exempt, as well as other standards selected to ensure that adequate ES&H protection is provided. These standards may be chosen from a variety of sources, including national consensus standards, DOE directives, and Headquarters program direction documents.

The standards in WSS sets are selected to be appropriate to the identified scope of work and the hazards associated with that work, given the physical environment in which the work will take place. WSS sets may need to be revised because of the following:

- Changes in the work, hazards, physical environment, or the laws;
- Availability of new or revised ES&H standards that offer a measurable benefit in terms of safety or efficiency;
- Perceived inadequacy or unfeasibility of the current set; or
- Changes in management expectations.

The WSS process described below is not strictly a linear process. It may be appropriate to move between steps several times or to conduct several steps in parallel. The important point is that all steps must be performed with integrity to ensure adequacy of the WSS set.

b. WSS Development.

- (1) Scope of the WSS Program. WSS sets are developed at the contract level, which means that the sets have the degree of specificity that is appropriate at the contract level, rather than at the level of the procedures that the contractor must develop in order to carry out the contract. WSS sets contain the standards and portions of standards with which the contractor is contractually obligated to comply. WSS sets include implementation assumptions and other information as necessary to understand the applicability of the set as a whole or specific standards within the set. Contractors implement WSS sets, including tailoring standards for implementation at specific facilities, through various work controls/documents (e.g., policies, programs, procedures, etc.) which must be consistent with the WSS sets.

- (2) Initiating the WSS Process. The impetus for developing an initial WSS set might come from a number of things (new activity, change in work scope or hazards, belief that WSS may improve safety and efficiency by clarifying applicable requirements, etc.). The organization desiring to develop a WSS set should contact the responsible internal organization (e.g., Management Systems, Compliance Management, etc., for contractors; or the DMG for ORO) for assistance in identifying the appropriate personnel to be involved in a preliminary discussion of the proposed WSS set. In addition, the contractor should select a process leader to propose to the CG.
- (3) WSS Team Makeup and Identification.
- (a) CG. The CG (or equivalent) is composed of appropriate line, ES&H, and senior management personnel from the contractor and ORO, plus others determined by this group to be appropriate. The CG acts as the “agreement parties” for the initial WSS development process. The CG shall:
- 1 Confirm the appointment of the process leader proposed by the contractor.
 - 2 Identify any technical and management expectations, including any private industry benchmarks for the proposed WSS document.
 - 3 Determine the scope and coverage of the WSS sets, including whether all hazards or an identified subset of hazards will be covered and which facilities, issues, or subject matter areas will be included. Particular attention should be paid to whether safety management areas such as quality assurance, reporting, and assessment programs will be included.
 - 4 Ensure adequate coverage of interfaces with such areas as management systems that may not be included in the set or which may not be directly linked to a particular hazard.
 - 5 Appoint the members of the Identification (ID) Team or teams, if appropriate.
 - 6 Determine if confirmation will be done by the ID Team or a separate team and appoint members of the Confirmation Team if needed.
 - 7 Ensure appropriate stakeholder representation or involvement in the process.
 - 8 Develop additional protocols, if needed.
 - 9 Ensure that differences of opinion (stakeholders and commenters) and ID Team minority opinions have been fully discussed. Mediate as necessary to secure consensus where possible.

If the scope of the WSS set warrants it (e.g., a site-wide WSS set with multiple work scopes and hazards), the CG may choose to split itself into an Executive Convened Group (ECG) and one or more lower-level Technical Convened Groups (TCG) to whom it delegates certain of its responsibilities. If this occurs, the TCG must meet with the ECG on a regular basis to report progress, obtain agreement on proposed actions, etc. The ECG normally consists of senior-level ORO and contractor management and Headquarters personnel.

- (b) Process Leader. Once the CG determines that a WSS set is needed and further actions are necessary, the process leader shall be responsible for coordinating WSS set development. The process leader's activities include the following:
- 1 Schedule and facilitate ID Team meetings and enforce the meeting protocol decided upon by the team.
 - 2 Work with contractor and ORO management to ensure that requested subject matter experts are available to make recommendations to the ID Team with regard to selection of standards in their area of expertise.
 - 3 Coordinate with contractor and/or ORO management to ensure that any ID Team members who have to leave the team are replaced with someone who is equally knowledgeable and experienced.
 - 4 Document recommendations made by subject matter experts called in by the ID Team.
 - 5 Document the ID Team's decisions regarding identification of hazards and selection of standards.
 - 6 Ensure that the viewpoints of all team members and subject matter experts are heard and fully discussed; strive to lead the team to consensus; and if consensus is not reached, manage the ID Team minority report process.
 - 7 If appropriate and with assistance from the ID Team, schedule and facilitate open discussion and comment sessions for the proposed WSS set.
 - 8 Develop the justification of adequacy report (i.e., the Final Report), including any unresolved Minority Reports, and ensure that all ID Team members sign the report before sending it to the Confirmation Team.
 - 9 If appropriate and with the support of the ID Team, brief the Confirmation Team on the WSS development process as it was followed by the ID Team.

- 10 Assemble the Final Report, which includes the WSS set, the confirmation report and recommendations, the adequacy report, and other material as discussed in subparagraph 5b(13) below, and forward it to the Approval Authorities.
- 11 Forward the approved WSS set, the Final Report, and backup documentation to the DMG. Backup documentation includes items 4 and 5 plus resolved Minority Reports that were not forwarded to the Confirmation Team.
- (c) ID Team. The quality of a WSS document depends on the quality of the team responsible for its development and maintenance. The ID Team shall include an appropriate mix of experienced personnel who are team players and knowledgeable in the subject matter, site, or facility. The ID Team should include (a) contractor line managers, subject matter experts, and workers; and (b) ORO line managers and subject matter experts. The ID Team may include other DOE personnel (e.g., Headquarters program officials). Contractor management may also decide to hire outside experts, personnel from other contractor organizations, etc., to serve on the ID Team. If confirmation is to be handled by the ID Team, the team must include subject matter and operational experts independent from the organization doing the work.

The ID Team may call on subject matter experts from within the contractor's organization, DOE, outside experts, and stakeholders to obtain recommendations on selection of standards in those persons' areas of expertise. Although ID Team members are empowered by their management to make decisions for the organization(s) that they represent, they are expected to maintain a constant flow of information back to the members of their organization regarding the team's progress, decisions made, standards selected, etc., and to take feedback from their organization into account when making decisions.

- (4) Confirmation Team. The Confirmation Team consists of subject matter and operational experts that are independent from the organization performing the work, as well as middle/senior management representatives from ORO and the contractor. The Confirmation Team may include hired outside experts or others as appropriate. The Confirmation Team is responsible for verifying that the ID Team followed the WSS process and for confirming the adequacy of the proposed WSS set.

If the CG determined that a separate Confirmation Team was unnecessary, the ID Team is solely responsible for ensuring the adequacy and feasibility of the set.

(5) Stakeholder Participation.

- (a) Stakeholder participation is an essential part of the WSS process. Stakeholders may include regulators from DOE, state, local, and other Federal agencies; unions representing workers; other organizations that rely on the work products or services; and the public, including individuals and elected and appointed public representatives.
- (b) The CG determines the appropriate stakeholders for each application and the appropriate degree of stakeholder involvement. The degree of participation may include (a) notification and opportunity to comment on the proposed WSS set, (b) observation of the process as carried out by the ID Team, or (c) recommendations made directly to one or more of the various teams. Individuals who are not Federal, contractor, or subcontractor employees or who are not under contract to DOE or a DOE contractor may not serve on the teams unless the provisions of the Federal Advisory Committee Act are invoked.

(6) Definition of the Work and Hazards. The first step in the process of identifying standards is to ensure adequate definition and understanding of the work and the associated hazards. The process leader ensures adequate understanding by all ID Team members of the scope of work and associated hazards. Several methods have been used to define the scope of work. In one case, a WSS set was bounded by all work done in a particular facility (e.g., a specific radiochemical engineering facility). In another case, a site-wide scope of work was bounded by the identified types of work done at the site (e.g., environmental management, waste management, landlord projects, etc.). Past Oak Ridge experience has shown that developing a hazards checklist and having it reviewed by the organizations doing the work is a useful tool both for ensuring that no hazards are missed and for developing the WSS set.

(7) Development of Structure to Address Adequacy and Define Interfaces. The second step in the process of standards identification is the development of a structure that defines the elements necessary to ensure adequate control of the identified hazards and how these different elements interface with each other and with other external programs affecting safety. This structure must be tailored to the work and hazards covered by the WSS set, as the adequacy determination process relies heavily on its use to ensure that all necessary elements have been addressed. This structure may be based on subject matter areas, such as fire protection and radiation protection; on hazard groupings; on activities and stages in the work process; or on another system that will serve as a tie between the work, the identified hazards, and the standards selected.

The ID Team must verify the adequacy of the selected structure during WSS development and must provide a narrative description of the structure and its interfaces in the adequacy report.

(8) Identifying Standards.

- (a) First the ID Team identifies applicable Federal, state, and local laws and regulations, including DOE Rules. All applicable laws and regulations must be included in the set, including those for which exemptions are being sought. Once an exemption is approved, the law or regulation can be removed from the set or an implementation assumption added to explain the scope of the exemption.

Failure to include applicable laws and regulations in the WSS set does not constitute an exemption. Further, implementation assumptions can in no way modify legal/regulatory requirements; they can only document the information in an exemption that was approved by the agency that owns the law or regulation.

- (b) After laws and regulations are organized into the chosen program structure, the ID Team screens them to identify overlaps and conflicts.
 - 1 Overlaps. When two or more standards from law or regulation are identical, the ID Team selects one to be the primary standard and lists the other(s) as secondary standards. In most cases, the higher standard would be listed as the primary standard (i.e., Federal law as the primary, with the state regulation as the secondary). If the ID Team chooses to list the lower-level standard as the primary standard, the WSS backup documentation should note the reasons for this decision. If the requirement text of the two standards is not absolutely identical, both must be listed as primary standards.
 - 2 Conflicts. If conflicts are identified between laws, regulations, or Rules, the contractor shall initiate actions with ORO to resolve the conflict with the appropriate regulatory authorities.
- (9) Ensuring Adequacy. By comparing the laws and regulations against the defined structure and any management and technical expectations such as the established benchmark for adequacy, the ID Team identifies where there are no standards that address a particular activity or hazard or where the standards are not sufficient to provide adequate protection from the hazard. The ID Team then selects standards that will fill such gaps by drawing requirements from any of the following:
 - (a) Federal, state, or local laws or regulations from which DOE is exempt (e.g., Nuclear Regulatory Commission [NRC] regulations). The contractor can impose these regulations (or portions thereof) upon itself contractually even though DOE is exempt from them.

NOTE: The ORO Office of Chief Counsel is currently reviewing the appropriateness of including NRC regulations or portions thereof as part of a WSS set.

- (b) International and national consensus standards.

- (c) DOE directives (e.g, Policies, Orders, Notices, Manuals, and Guides) and Technical Standards.
- (d) Other documents, as appropriate, such as documents issued by various Headquarters program offices, DOE implementation plans in response to Defense Nuclear Facilities Safety Board Recommendations, etc.

Requirements drawn from contractor work control documents are not normally included in the WSS set. Work control documents are considered to be implementing documents for higher-level standards/requirements. They are included only when needed for sufficiency and when no other standard is available that meets the need.

- (10) Implementation Assumptions. ID Teams develop implementation assumptions when necessary to provide a "bridge" between the standard/requirement and the manner in which it will be implemented. These implementation assumptions may further define applicability within the contractor's organization; identify tailoring decisions and key decision criteria; clarify the intent of the standard or requirement; provide cross-references; or provide other explanatory material that may help in understanding how the requirement will be implemented. Approved implementation assumptions are part of the contractual WSS set and are subject to the same change control process as the set.
- (11) Minority Reports and Differences of Opinion.
 - (a) Team Members. ID and Confirmation Teams are expected to engage in full and frank discussion of differences of opinion and strive to reach consensus on all issues. However, if a team is unable to reach consensus even after lengthy discussion, then majority rule or another decision-making process may be used instead. In this case, individual team members may submit a Minority Report if they believe the team's recommendation does not provide adequate ES&H protection or imposes standards that are disproportionate to the known hazards. The team forwards unresolved Minority Reports and accompanying team recommendations to the next level (e.g., Confirmation Team or Approval Authorities), or follows protocols for issue resolution established by the CG.
 - (b) Other Reviewers. During the WSS development process, stakeholders, subject matter experts, and other interested parties who are not members of the ID Team, Confirmation Team, or CG may review the proposed WSS set and have concerns and issues. If one of these reviewers believes that the proposed WSS set or revision thereto would not provide adequate ES&H protection, that person may write up his issue as a "Difference of Opinion" and take it to the process leader for referral to the Confirmation Team or Approval Authorities. If the person is a DOE or contractor employee, the difference of opinion should be submitted through his or her management chain.

- (12) Opportunity to Comment. The process leader may elect to conduct one or more open forums that provide opportunity to solicit input from the other affected personnel in the contractor's organization and ORO on the content of the proposed WSS set. The process leader schedules the comment session and reserves an appropriate meeting space. When possible, the process leader, ID Team members, and DMG coordinate distribution of the proposed set to the appropriate attendees a week in advance of the scheduled comment session. The process leader and ID Team attend the comment session to respond to questions from the attendees. The ID Team documents and resolves issues raised at the comment session, and the process leader distributes the resolution to everyone who signed in at the comment session.
- (13) Final Report. Each WSS set referred for approval must be part of or accompanied by a Final Report that documents the process used and justifies the adequacy of the set itself. The process leader is responsible for pulling together this report, although sections of it may be prepared by the CG, the ID team, or the Confirmation Team, as described below. The report should be as concise as possible, and no format is prescribed. Copies of Final Reports for approved WSS sets are available from the DMG. These may be of use as examples for new ID Teams to follow when writing their Final Report. As a minimum, the Final Report must include the following information:
- (a) A description of the scope and coverage of the WSS set, including a description of the organization, site, and facilities covered and the scope of the hazards or program areas addressed by the set. Include a listing of any pertinent safety management or hazard areas not included in the set, such as occurrence reporting, emergency management, and fire protection operations. Address the relationship and interfaces between the WSS set and other standards sets that may have an impact on the site, such as a contract directives appendix. (See Chapter IV of this Order).
 - (b) A summary description of the work and the hazards, including appropriate references to existing documents where more complete information may be found. Include a description of the process used for determining the work and hazards.
 - (c) Instructions from the CG, including any technical and management expectations and private industry benchmarks.
 - (d) A description of the structure of the WSS set, including information on what the various elements are and how they interface with each other and with other areas related to integrated safety management .
 - (e) A statement that the most current versions of compliance agreements, regulatory enforcement actions, Safety Analysis Reports, Bases for Interim Operations, technical safety requirements, authorization agreements, permits, and procedures will be reviewed for consistency with the standards contained in the set, and these will control in the event of conflict until such time as any necessary modifications have been made through appropriate channels.

- (f) A description of the degree and extent of stakeholder involvement, and reports of any public meetings or other stakeholder meetings held during the project.
 - (g) A description of the degree and extent of worker involvement.
 - (h) Reasons why the ID Team believes the set to be adequate and feasible to implement, including a discussion of the process used and how any established expectations and benchmarks are met.
 - (i) The identity and qualifications of the CG, ID Team, and Confirmation Team.
 - (j) The Confirmation Team report and recommendations, if a separate Confirmation Team is used.
 - (k) Unresolved Minority Reports from ID Team and Confirmation Team members.
- (14) Content of the WSS Set. The WSS set shall be included within or be accompanied by the Final Report. The WSS set shall include the following information in addition to the material required in the Final Report:
- (a) Standards sorted by the chosen structure (see subparagraph 5b(7) above) and clearly identified by the full number, title, and, where appropriate, version. If individual sections or requirements from a standard are included rather than the whole standard, complete references to sources shall be provided (e.g., number, title, section, paragraph, or text).
 - (b) Applicability information. For each standard, define applicability within the contractor's organization to the extent practicable.
 - (c) Implementation assumptions, where used.
 - (d) A statement that applicable Federal, state, and local laws are considered to be part of the WSS set even if inadvertently omitted from the WSS list.
- (15) Confirmation Process - General. The CG appoints the Confirmation Team, if a separate team is to be used, or instructs the ID Team to confirm the set. The team reviews the WSS set, the justification of adequacy, and other material provided about the process. Each member of the Team signs an approval sheet (provided by the process leader) which (a) confirms that the ID Team followed the process, (b) confirms that the proposed WSS set and its implementation assumptions are adequate, and (c) recommends approval by the Approval Authorities or (if a separate Confirmation Team was used) recommends approval if identified changes are made.

If a separate Confirmation Team is used, the Confirmation Team forwards its report to the process leader within 60 days from the date confirmation was initiated. If the Confirmation Team has recommended changes, the process leaders forward these to the ID Team for action. After the ID Team appropriately revises the WSS set or comes to agreement with the Confirmation Team on another course of action, the Confirmation Team members revise their report as appropriate and forward it to the process leader for inclusion in the Final Report.

c. Approval Process.

- (1) General. The CG determines the Approval Authorities for initial WSS sets. Thus far, senior contract management and the ORO Manager have approved initial WSS sets. However, the Approval Authorities should be scaled up or down as warranted by the scope and complexity of the proposed WSS set and the desires of the Headquarters program offices and/or the ORO Manager.

Based on the recommendation of the ID Team or, if used, the Confirmation Team, the approval authorities:

- Approve the WSS set as proposed;
 - Disapprove the WSS set and direct the ID Team to make identified changes before the set can be approved.
- (2) Contractor Approval. Contractor approval is a sign of endorsement of the content of the WSS set and commitment to implement the standards contained therein. If a confirmation review was performed, contractor senior management approves the WSS set after the Confirmation Team's review and recommendation for approval.
 - (3) DOE Approval. The ORO Approval Authority designated by the CG approves initial WSS documents. DOE approval is a sign of endorsement of the content of the WSS set and commitment to evaluate contractor performance against that set.

Approval of a WSS set or changes thereto does not mean an associated exemption request from a Federal, state, or local law or regulation is approved. Approval processes for exemptions to laws and regulations are defined in the individual law or regulation. Furthermore, approval of a WSS set and placement of the set in the contract does not constitute implementation. Refer to subparagraph 5e for more information on WSS set implementation.

d. WSS Set Maintenance: Development and Approval of Revisions.

- (1) General. WSS sets are living documents and must be kept up-to-date to reflect current scope of work, hazards, missions, and expectations. Once an initial WSS set is approved, it may need revision in response to a number of conditions, such as the following:

- Work that may involve hazards not covered by the WSS set;
- Evaluation of new or revised standards. The contractor is responsible for keeping abreast with additions, deletions, or changes to laws, regulations, and other standards (e.g., DOE and ORO directives, voluntary consensus standards) included in the approved WSS sets without formal referral by DOE;
- Operating experience, related experience from other DOE and commercial facilities, relevant research, and lessons learned;
- Changes in mission, activities, or configuration;
- Perceived inadequacy or unfeasibility of the current set; or
- Changing expectations.

Some of the changes will be significant and extensive; and others will be minor and narrowly focused. The change process defined below is designed to provide positive document control and graduated review of changes depending on their complexity.

Either ORO or a contractor may identify the need for a change to a WSS set. The person desiring a change should contact the appropriate compliance or management systems organization (for the contractor) or the DMG (for ORO) for assistance in identifying the appropriate personnel to be involved in a preliminary discussion of whether the change is necessary.

(2) Schedule for Submission of Updates.

- (a) WSS revisions may be proposed at any time.
- (b) Contractors shall formally submit an up-to-date hard copy version and a list of all changes made during the year to the DMG. The update is due 30 days after the end of the fiscal year. If no changes have been made, a letter to this effect satisfies this requirement.

(3) Change Categories. The change process for WSS sets is designed to permit a streamlined process with limited evaluation for simple changes, while using an evaluation similar to that used to establish the original WSS set for more complex changes. For ease in determining the appropriate level of process formality, three categories are described below:

- (a) **Category 1** includes basic maintenance changes that do not impact the level of commitment or the scope, coverage, or interpretation of requirements and standards. This category includes:

- Correction of typographical errors;
- Addition of existing applicable laws and regulations that were inadvertently omitted from the original set, and
- Updating references to standards when the requirements contained in the standards themselves have not changed in any material manner.

Category 1 **does not include** addition of new or materially changed standards or parts of standards; deletion of standards or parts of standards; or revisions, additions, or deletions of implementation assumptions.

- (b) **Category 2** includes changes that do not have significant impact on the adequacy of the set or reflect the addition of new work or hazards that are not substantially the same as that already covered by the set. This category includes:
- Updates to reflect issuance of new or revised laws or regulations that do not have a material impact on the way work will be done;
 - Revisions to standards other than laws or regulations that cause only minor changes to the way work is being done;
 - Addition of new work scopes with hazards that are essentially similar to those already covered by the set;
 - Deletion of standards that are no longer applicable due to changes in work scope; and
 - Addition or deletion of implementation assumptions where the change does not have a significant impact on the interpretation or coverage of the standard or requirement.
- (c) **Category 3** includes changes that call into question the continued adequacy of the WSS set as a result of changes to the work, the standards, or other circumstances. This includes:
- Updates, additions, or deletions of standards that might have a significant impact on the way work will be accomplished;
 - Addition of a new activity, scope of work, or hazard not already covered by the approved set;
 - Feedback that the set is no longer adequate or that it includes unnecessary and excessive standards;

- Feedback that the set includes standards that are not feasible to implement;
- Requests for an exemption from a Rule or law requirement (processing exemption requests as a Category 3 change ensures that ORO is aware that it will probably be asked for its recommendation by the regulatory/legal authority and provides time for ORO to develop its response);
- A change that will involve a significant request for additional funding beyond the current budget, or one that impacts negatively on currently approved funding or schedules in other areas; or
- Any other change where DOE or the contractor wishes to conduct a formal review.

(4) Processing Category 1 Changes.

While ORO may identify needed Category 1 changes, it is the contractor's responsibility to make the changes. Category 1 changes identified by the contractor may be made without formal advance notification to ORO. Changes are made by incorporating the change into the master WSS set and issuing a change notice to affected contractor organizations, the appropriate Contracting Officer's Representative(s) (COR), and the DMG.

(5) Processing Category 2 Changes. Although either party can initiate a Category 2 change, for readability this section is written as if the contractor were requesting the change.

- (a) Notice of Intent. The contractor organization responsible for maintaining the contractual laws and directives clause notifies the DMG (or the program COR, for contracts where the DMG is not designated as the COR for Directives) of its intent at least 30 days before the proposed effective date of the change. The written notice must include the proposed effective date of the intended change, complete details of the intended change, and an explanation of why it will have no significant impact on the adequacy of the WSS set. If the DMG is not the COR for directives for that particular contract, a copy of the notice must be provided to the DMG.
- (b) Review and Response. The DMG will provide a copy to appropriate internal organizations for review and will reconcile differences of opinion among line management and subject matter expert reviewers. If the reviewers agree that the intended change raises no questions concerning the adequacy of the WSS set, the DMG will notify the contractor in writing, and the contractor will make the proposed change. If the reviewers disagree, the DMG will so notify the contractor, which may then elect to prepare a Category 3 change request as outlined below. If no response to a contractor notice of intent is received by the proposed effective date, the contractor may make the change.

- (c) Making the Change. The contractor makes the change by updating the master WSS set and issuing a change notice to affected contractor organizations, CORs, and the DMG. The change notice must include the date of the Category 2 notice of intent and the date of response, if any.
- (6) Processing Category 3 Changes. Due to the safety significance of Category 3 changes, contractors are expected to submit the Category 3 change request within 30 days of determining the need for the change. However, either ORO or a contractor may request a Category 3 change to an approved WSS set at any time. For readability, this section is written as if the contractor were requesting the change.
- (a) The contractor organization responsible for maintaining the contractual laws and directives clause submits a written request to the DMG (or the program COR, for contracts where the DMG is not designated as the COR for Directives). If the DMG is not the COR for directives for that particular contract, a copy of the request must be provided to the DMG.
- (b) The request should summarize the nature and anticipated extent of the proposed changes, the reason for requesting initiation of a WSS process, and proposed CG membership. Depending on the nature and extent of the proposed changes, the CG could be as small as one person from the contractor and one person from ORO. The request may also propose an individual to serve as the process leader.
- (c) Upon receipt of a request for a Category 3 WSS change, the DMG will consult with the appropriate line and staff organizations to discuss the proposal and the composition of the CG, and will then arrange a meeting of the CG members.
- (d) The CG shall discuss the need for the proposed change and plan the details of the process to be used. The CG is responsible for developing a charter for the change process that identifies the following:
- The problem to be solved by the change;
 - Personnel assignments, including the process leader, the CG, the ID Team, and the Confirmation Team (if any);
 - If a Confirmation Team is used, the CG shall determine the confirmation protocol and who will be responsible for confirmation.
 - Approval Authorities for ORO and the contractor;
 - Performance expectations for the teams, including schedule;

- Process and documentation requirements for the teams, as appropriate (documentation for a WSS revision may be abbreviated and may be structured as amendments to the existing Final Report); and
 - Need for stakeholder involvement and responsibility for obtaining it.
- (e) By following the specified process, the ID Team identifies the specific changes that need to be made to the approved set to ensure continued adequacy, and develops the appropriate documentation. The process leader forwards the recommendation to the Confirmation Team, if any, or to the Approval Authorities.
- (f) The Confirmation Team, if any, determines the adequacy of the proposed WSS revision and of the ID Team's completion of the WSS process and if the revision and the process are satisfactory, signs its recommendation for approval by the Approval Authorities.
- (g) The Approval Authorities determine whether the WSS process was adequately followed and, if so, sign approval of the WSS revision for incorporation into the contract and use by the contractor. The target time frame for DOE approval of a Category 3 change request is 90 days.

e. Implementation of the WSS Set.

- (1) Following approval by both parties, the process leader provides a copy of the approved WSS set or Category 3 revision and associated documentation to the DMG. This includes the Final Report and any Differences of Opinion considered by the Confirmation Team or Approval Authorities.
- (2) The DMG ensures that the approved WSS set or WSS Category 3 revision and its scope of applicability are formally incorporated into the contract via a letter signed by the appropriate COR for Directives .
- (3) After a WSS set is approved, it is the list of ES&H standards/requirements that are enforceable by contract. WSS standards/requirements must be flowed down into contractor work control documents (e.g., programs, plans, procedures, documented work practices, etc.). Contractors must review their existing work control documents to determine if revisions are needed to comply with the WSS set. Contractors are expected maintain up-to-date information on the flowdown of the standards/requirements contained in the WSS set into the work control documents. Contractors initiate implementation of unimplemented WSS standards or portions thereof after their Contracts organization receives a letter placing the WSS set into the contract.

Noncompliance identified with existing WSS standards/requirements and planning for new or revised standards/ requirements are handled in accordance with Chapter VI of this Order.

e. WSS Sets on the Internet. The DMG home page contains links to WSS sets that are posted on contractors' home pages. The DMG home page address is http://www.ornl.gov/doe_oro_dmg/index.htm

6. REFERENCES. None.

7. DEFINITIONS. None.

8. CONTRACTOR REQUIREMENTS DOCUMENT. See Contractor Requirements Document, Attachment 1 of this Chapter.

9. ATTACHMENTS.

Attachment 1 - Contractor Requirements Document.

Attachment 2 - Guidance for Tailoring Category 2 and 3 WSS Changes.

CONTRACTOR REQUIREMENTS DOCUMENT

Contractors that develop and maintain WSS sets shall comply with the following:

1. Ensure that the WSS sets and their development/maintenance process meet the requirements of paragraph 5 of this Chapter.
2. Appoint a central point of contact for processing WSS set changes and notify the DMG of that person/organization.
3. Maintain up-to-date information on the flowdown of standards/requirements contained in the WSS sets into contractor procedures, plans, programs, and documented practices.
4. Register on DOE's explorer home page [<http://www.explorer.doe.gov/>] and the DMG home page [http://www.ornl.gov/doe_oro_dmg/index.htm] to receive notification of new and revised DOE and ORO Orders. Contractors are expected to review new and revised ES&H directives to determine if they wish to propose a change to their WSS set to address the subject matter contained in the directives.

GUIDANCE FOR TAILORING CATEGORY 2 AND 3 WSS CHANGES

The following are items to consider when tailoring a Category 2 or 3 change process.

1. ID Teams and Confirmation Teams always require input from contractor line, workers, and ES&H professionals and from DOE line and ES&H professionals. If multiple work scopes are impacted, select a mix of representatives rather than having each organization provide a representative of each kind. If the ORO ES&H professionals belong to different organizations (e.g., Site Office and Assistant Manager for Environment, Safety, and Quality), consider having representatives from each.
2. The need for a separate Confirmation Team depends on the complexity or potential controversy surrounding a particular proposed WSS change. Generally, extensive changes and those that involve the likelihood of differences of opinion on the resulting adequacy of the WSS set would benefit from a separate Confirmation Team. If confirmation will be performed by the Identification Team, be sure that the team includes people that do not have direct responsibility for the performance of the work.
3. The membership of the ID Teams and Confirmation Teams and the level of the Approval Authorities must be matched to the scope of work impacted by the potential WSS revision (e.g., project-wide, site-wide, or impacting multiple sites). Give consideration to current organizational structures and matrixed responsibilities within both DOE and the contractor.
4. Coordinate with other contractors when appropriate. For example, changes to the Engineering Design and Construction WSS set would impact both the East Tennessee Technology Park and the Y-12 Plant and may require coordination between the contractors operating those two facilities plus subcontracted construction management responsibilities.
5. Select Approval Authorities at a level appropriate for the scope of the proposed WSS change. It is not necessary for the ORO Manager and the top contractor manager to approve every revision. However, the Approval Authorities must be high enough to ensure proper consideration of cross-cutting impacts. The following example was created using the current Lockheed Martin Energy Research Corporation structure:

<u>Change Impact</u>	<u>ORO</u>	<u>Contractor</u>
Site-Wide	COR/Assistant Manager for ER	Oak Ridge National Lab (ORNL) Site Manager
Division wide	ORO Division Director	ORNL Division Manager
Program/experiment	ORO Program Manager	ORNL Program Manager

NOTE: If the contractor has an approved site-wide or company-wide WSS set, the WSS change effort for a project should focus on developing a project-specific implementation assumption to be added to the WSS set.