

# DIRECTIVES CONTROL FORM - ORO O FINAL DIRECTIVE

**PART A** (To be completed by the Division of Primary Interest (DPI))

1. **NUMBER AND TITLE OF DIRECTIVE:** **ORO O 250, Chapter V, Chg. 1, DEVELOPMENT, APPROVAL, & MAINTENANCE OF WORK SMART STANDARDS**
2. **PURPOSE OF TRANSMITTAL:**  New Directive  Revised Directive  Page Change
3. **THIS DOCUMENT MAY AFFECT THE WORK PERFORMED BY THE FOLLOWING CONTRACTORS:** (Check appropriate boxes)  
 No (all contractors)  
 Yes If yes, whom?  LMES  LMER  ORAU  SURA  
 Bechtel Jacobs Company  
 Other contractors (list by type)

*Many ORO contractors have approved S/RIDs or WSS sets that may affect applicability of contractor requirements from this directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.*

4. **SIGNIFICANT PROVISIONS:** Are there any significant changes or impact?  
 No  Yes If yes, describe: This ORO Order has been revised to reflect current policy. Subparagraph 4c has been added, and subsequent paragraphs renumbered. Subparagraphs 4d(2)-(4), 5a, and 5b(3)(a)-(c) have been revised. The previous subparagraph 5b(4) is now subparagraph 5b(3)(d) and the subsequent subparagraphs in 5b have been renumbered. Subparagraphs 5b(8), 5b(10)(b), 5b(12)(a) and (12)(i), and 5b(13) have been revised. Subparagraph 5c(4) has been added and subparagraph 5d has been extensively reorganized and revised. Subparagraphs 5e(1)-(3) have been revised and subparagraphs 6a and b have been added. A new paragraph 5 has been added to Attachment 1, and paragraph 5 on Attachment 2 has been revised. A new Attachment 3 has been added.
5. **CONTACT POINT:** Wayne Albaugh Directives Management Group, AD-440 576-0974  
Name Organization Telephone

**PART B** (To be completed by the Directives Management Group (DMG)):

6. **FILING INSTRUCTIONS:**
- | <u>Remove</u>   | <u>Dated</u> | <u>Insert</u>   | <u>Dated</u>             |
|---|--------------|---|--------------------------|
| ORO O 250, Rev. 2, Chapter V,<br>Pages V-1 through V-19 | 03/27/1998   | ORO O Control Form<br>ORO O 250, Chapter V,<br>Chg. 1, Pages V-1 through V-25 | 12/13/1999<br>12/13/1999 |

*ORO Orders are available on the ORO Directives Management Home Page at [http://www.ornl.gov/doe\\_oro\\_dmg/orchklst.htm](http://www.ornl.gov/doe_oro_dmg/orchklst.htm). The ORO Orders will no longer be mailed in printed copy unless you do not have Internet capabilities.*

7. **APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH THE OFFICIAL DIRECTIVES DISTRIBUTION LIST:**

Original signed by  
Jennifer Hamilton Cusick, AD-440 12/13/1999  
Signature Management Analyst, AD-440 Date

**INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED**  
Rev. 11/30/1999

# U.S. Department of Energy

Oak Ridge Operations

ORO O 250 Chapter V Chg. 1
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**DATE: 12/13/1999**

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

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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, 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, DEVELOPMENT, APPROVAL, & MAINTENANCE OF WORK SMART STANDARDS, dated March 27, 1998.
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, 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. Contracting Officer's Representative (COR).
    - (1) If the COR decides not to request participation from the Directives Management Group (DMG) in the planning, development, or contract revision stages of the WSS process, the COR is responsible for ensuring that all requirements in this Chapter are met and that a copy of the approved WSS set or revision thereto is provided to the DMG along with all appropriate background material and contract modification correspondence.
    - (2) If the COR decides to authorize deviations from the requirements in paragraph 5 of this Chapter, the COR must authorize the deviation(s) in writing and provide copies of the authorization and the ORO and contractor procedures used to implement the WSS process (as performed at his/her direction) to the DMG.

d. Team Leader, Directives Management Group.

- (1) Provides advice and assistance to ORO staff and contractors on subjects covered in this Chapter.
- (2) On request from the COR or the contractor, coordinates with the contractor and Principal Staff to determine the composition of an appropriate Convened Group for an initial WSS development effort or revision to a WSS set.
- (3) On request from the COR or the contractor, works with the contractor to coordinate development, confirmation (if needed), and approval of initial WSS sets and revisions thereto.
- (4) Ensures that approved WSS sets and revisions thereto provided by the CORs for the DMG's library have been 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. For environment, safety, and health (ES&H) standards/requirements, the following options are available:

- Comply with all applicable DOE and ORO ES&H directives listed in the contract appendix,
- Maintain a DOE-approved Standards/Requirements Identification Document (S/RID), and/or
- Develop and maintain one or more DOE-approved WSS sets (formerly referred to as the Necessary and Sufficient Process).

The WSS process may not be applied to Emergency Management or Occurrence Reporting. The contractor must comply with the requirements for these two programs as listed in the approved S/RID, or the directives and standards must be listed on the contract appendix.

A WSS set contains the ES&H standards that are necessary and sufficient to provide an adequate level of protection to workers, the public, and the environment for the identified scope of work. WSS sets automatically include all applicable Federal, state, and local laws and regulations from which DOE is not exempt. In addition, the set includes other standards (or portions thereof) 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 DOE Headquarters program direction documents. The Department Standard

Committee's home page contains a page with links to sources of standards within DOE [<http://tis.eh.doe.gov/dsc/index.html>].

WSS sets are nontransferable. WSS sets are developed and approved for a specific scope of work that is clearly identified in the Final Report for the set. While it is acceptable for an Identification (ID) team to use an existing WSS set as the starting point for its analyses and deliberations, a WSS set approved for one scope of work must not be blindly copied for another scope of work, even if the second scope of work looks rather similar to the first. The full WSS process must be applied to developing the WSS set for the second scope of work.

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 might need to be revised because of the following:

- Changes in the work, hazards, or physical environment;
- New/revised regulations;
- Availability of new or revised ES&H consensus standards that offer a measurable benefit in terms of safety or efficiency;
- Availability of new or revised ES&H DOE directives 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 (e.g., new activity, change in work scope or hazards, belief that a WSS set would 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 Convened Group.

(3) WSS Teams - Makeup and Identification.

(a) Convened Group. The Convened Group (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 Convened Group acts as the “agreement parties” for the initial WSS development process. The Convened Group for a new WSS set development effort is determined by the COR, the DMG, and a senior member of the Office of Assistant Manager for Environment, Safety & Quality (Division Director or above). The Convened Group must perform the following:

- 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 system areas such as quality assurance, illness and injury reporting, employee concerns, 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 ID Team. Multiple ID teams may be appointed 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 before being raised to the Convened Group. 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 Convened Group 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 DOE Headquarters personnel.

- (b) Process Leader. Once the Convened Group determines that a WSS set is needed and further actions are necessary, the process leader must 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 management to ensure the appropriate level of worker involvement, either as ID Team members or subject matter experts brought in to advise the team. For the purposes of the WSS process, "workers" may include, for example, craft personnel, engineers, designers, researchers, ES&H professionals, and others.
  - 4 Coordinate with contractor and/or ORO management to ensure that any ID Team members who have to leave the team are replaced with personnel who are equally knowledgeable and experienced.
  - 5 Document recommendations made by subject matter experts called in by the ID Team.
  - 6 Document the ID Team's decisions regarding identification of hazards and selection of standards.
  - 7 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.
  - 8 If appropriate and with assistance from the ID Team, schedule and facilitate open discussion and comment sessions for the proposed WSS set.

- 9 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.
  - 10 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.
  - 11 Assemble the Final Report, which includes the WSS set, the Confirmation Team report and recommendations, the adequacy report, and other material as discussed in subparagraph 5b(12) and (13) below, and forward it to the Approval Authorities or the COR or as directed by the Convened Group.
  - 12 Forward the approved WSS set, the Final Report, and backup documentation to the DMG. Backup documentation includes items 5 and 6, issue identification documents, meeting notes, relevant e-mail messages, resolved Minority Reports that were not forwarded to the Confirmation Team, etc. Documentation that reflects some synthesis or summary (e.g., issues raised, major discussion points, resolution) is generally more useful than a mass of raw data.
- (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 must include an appropriate mix of experienced personnel who are team players and knowledgeable in the subject matter, site, facility, or activity. 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., DOE Headquarters program office personnel). 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 must be 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.

- (d) Confirmation Team. 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. 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. A representative from each appropriate Division of Primary Interest (DPI) should be included on the Confirmation Team. The Confirmation Team may include hired outside experts or others as appropriate.

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

- (4) 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 Convened Group 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.
- (5) 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.
- (6) 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.

(7) 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 must initiate actions with ORO to resolve the conflict with the appropriate regulatory authorities.

- (8) 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:

- International and national consensus standards.
- Federal, state, or local laws or regulations from which DOE is exempt (e.g., Nuclear Regulatory Commission regulations). The contractor can impose these regulations (or portions thereof) upon itself contractually even though DOE is exempt from them.
- DOE directives (e.g., Policies, Orders, Notices, Manuals, and Guides) and Technical Standards.
- 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.

Work control topics that are *uniquely* addressed by DOE directives must be addressed in the WSS set. Direct incorporation of DOE directives or portions thereof into the WSS set is one, but not the only means, of addressing these topics.

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.

- (9) 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 WSS set.
- (10) 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 it follows the protocol for issue resolution that was established by the Convened Group.

- (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 Convened Group 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 copied to his or her management chain at the same time that it is submitted to the process leader.
- (11) 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.
- (12) 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 WSS set. The process leader is responsible for developing this report, although sections of it may be prepared by the Convened Group, 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 list of any pertinent “out of scope” safety management system areas, hazards, or activities that are not included in the set, such as occurrence reporting, emergency management, fire protection operations, etc. Address the relationship and interfaces between the WSS set and other standards sets that may have an impact on the site, such as a the DOE directives listed on the contract appendix or the requirements contained in an S/RID. (See Chapters IV and VII 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 Convened Group, 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 Convened Group, ID Team, and Confirmation Team. One method that has been successfully used to meet this requirement is to provide separate tables for the Convened Group and each team. Each table would list the team member's name, affiliation (contractor or DOE), title, subject area for input to the WSS process, and a short professional biographical sketch.
  - (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.
- (13) Content of the WSS Set. The WSS set must be included within or be accompanied by the Final Report. The WSS set must 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 must be provided (e.g., number, title, section, paragraph, or text).

NOTE: A useful technique that increases the usability of the WSS set has been to include a table with the standards sorted by/matched to the hazards and a list of standards according to type (e.g., Federal regulations, state regulations, DOE directives, and consensus standards).

- (b) A clear statement of whether or not the most current versions of consensus standards listed in the WSS set are to be used (versus the versions identified when the set was approved).
  - (c) A clear statement of whether or not standards incorporated by reference in consensus standards or DOE directives listed in the WSS are to be performed to the referenced version or to the most current version.
  - (d) A clear statement of whether or not the most current versions of DOE and ORO directives listed in the WSS are to be used (versus the versions identified when the set was approved).
  - (e) Applicability information. For each standard, define applicability within the contractor's organization to the extent practicable.
  - (f) Implementation assumptions, where used.
  - (g) 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.
- (14) Confirmation Process - General. The Convened Group 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 and Contract Revision Process.

- (1) General. The Convened Group determines the Approval Authorities for initial WSS sets. Thus far, senior contract management and the ORO Manager have approved initial WSS sets and some revisions. 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 DOE 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 Convened Group 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.

- (4) Contract Revision. After a WSS set or revision thereto is approved, it must be formally placed in the contract. Notification that the contract change will be made is included in the WSS set approval letter, after which the WSS set or revision is listed on the contract appendix at the next scheduled revision to the Requirements Change Notice (usually quarterly) or other formal contract modification.

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 ES&H and related standards. Without formal referral by DOE, 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. Additional details are included in Attachment 1, Contractor Requirements Document.
- Operating experience, related experience from other DOE and commercial facilities, relevant research, and lessons learned;
- Changes in mission, activities, or configuration;
- Changes in contractor responsibility for a particular facility (i.e., transfer of a facility from one contractor to another);
- Perceived inadequacy or unfeasibility of the current set; or
- Changing DOE or contractor management 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) Submission of Updates.
  - (a) WSS revisions may be proposed at any time.
  - (b) Contractors that post controlled copies of their WSS sets on their Internet home page must maintain those electronic sets in up-to-date condition and provide access to DOE.
  - (c) Contractors must provide up-to-date hard copies of WSS sets in a timely manner on request from ORO or DOE Headquarters.
- (3) Change Categories and Processes. 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 change categories are provided.

(4) Type 1.

(a) Type 1 Description. This type of change includes basic maintenance changes that do not impact the interpretation of requirements and standards. This type of change includes the following activities:

- Correcting typographical errors;
- Adding existing applicable laws and regulations that were inadvertently omitted from the original set;
- Adding new/revised laws and regulations that are automatically applicable;
- Moving to a newly released revision to a consensus standard (or portion thereof) listed in the WSS set, when the set specifies that the most current version applies;
- Moving to a newly released revision of a DOE or ORO directive (or portion thereof) listed in the WSS set, when the set specifies that the most current version applies; and
- Updating references to standards when the requirements contained in the standards themselves have not changed in any material manner.

Type 1 changes **do not include** addition of new, non-regulatory standards or parts of standards; deletion of standards or parts of standards; or deletion, revision, or addition of implementation assumptions. (If it is a new or revised law, it can be added as a Type 1 change. If it is a new consensus standard, it must be processed as a Type 2 change.)

(b) Processing Type 1 Changes. While ORO may identify needed Type 1 changes, it is the contractor's responsibility to make the changes. Type 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 (hard copy or e-mail) to affected contractor organizations, the appropriate COR, and the DMG. No change notice is required for correction of typographical errors.

(5) Type 2.

(a) Type 2 Description. This type of change 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. Type 2 changes include the following activities:

- 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 a particular facility from the scope of work due to transfer of that facility to another contractor;
- 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.

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

1 Notice of Intent. The contractor organization responsible for maintaining the contractual laws and directives clause notifies the COR in writing, with a copy to the DMG, of its intent at least 30 days before the proposed effective date of the change. If ORO does not respond to the contractor within the 30-day clock and does not officially stop the “clock,” then the proposed change package is automatically approved. The contractor’s written notice must include the following:

- Proposed effective date of the intended change,
- Complete details of the intended change,
- An explanation of why it will have no significant impact on the adequacy of the WSS set, and
- A list of the contractor and ORO personnel who participated in the identification process for the proposed change.

NOTE: It is *strongly encouraged*, although not required, for contractors to have appropriate ORO line and staff personnel involved during the development process for Type 2 revisions. Failure to have this involvement up front can cause significant delays in ORO approval of the proposed changes.

2 ORO Review and Response. The ORO process is managed as follows:

- The DMG transmits a copy of the WSS change package and a Comment/Concurrence Form to the COR and appropriate DPI(s) for review. Additional ORO reviewers may be added if requested by the DPI or COR. (See Attachment 3, Comment/Concurrence Form.)
- If the COR determines (or the DPI requests) that additional time is needed to ensure a complete understanding of the impact of the proposed changes, the COR notifies the contractor in writing that the 30-day clock has been stopped. The COR provides a copy of the letter to the DMG.
- The COR and DPI return their completed, signed Comment/Concurrence Forms to the DMG by the date requested. If the COR and DPI cannot agree on ORO's response to the contractor, either party can ask the DMG to facilitate a meeting to work out their differences.
- If the reviewers agree that the intended changes are acceptable and do not raise questions concerning the adequacy of the WSS set, the DMG develops a response letter for the COR's signature to notify the contractor.
- If the reviewers disagree with some or all of the proposed changes, the COR's response letter will notify the contractor which portions of the proposal are accepted and which portions are rejected. The contractor may then elect to prepare a Type 3 request as outlined below for the rejected portions of the proposal.

3 Making the Change. The contractor makes the change by updating the master WSS set and issuing a change notice (hard copy or e-mail) to affected contractor organizations, the COR, and the DMG. The change notice must include the date of the Type 2 notice of intent, the date of ORO's response, if any, and the expected date of the next contract change when the WSS set change will become effective. The contractor may elect to wait until the contract revision is made (i.e., via a Requirements Change Notice) and the change is effective before sending out the notification.

(6) Type 3.

- (a) Type 3 Description. This type of change 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. Type 3 changes include the following activities:
- 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 Type 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.
- (b) Processing Type 3 Changes. Due to the safety significance of Type 3 changes, contractors are expected to submit the Type 3 change request within 30 days of determining the need for the change. However, either ORO or a contractor may request a Type 3 change to an approved WSS set at any time. For readability, this section is written as if the contractor were requesting the change. There is no “clock” on a Type 3 change.

Type 3 changes require either a Convened Group (or equivalent) to direct the change process or a Confirmation Team to ensure that the appropriate process was followed and that appropriate DOE expertise was applied to the process. However, a Convened Group may also elect to have a Confirmation Team as part of the process. In either case, the Convened Group and/or Confirmation Team must contain appropriate DOE line and DPI members selected by the COR. If a Confirmation Team is used, the approval authority is determined by the COR. Two process descriptions are provided here, one for use of a Convened Group and one for use of a Confirmation Team. Select the process that best suits the needs of the COR and the contractor.

#### **Convened Group**

- 1 The contractor organization responsible for maintaining the contractual laws and directives clause submits a written request to the COR with a copy to the DMG.
- 2 The request should summarize the nature and anticipated extent of the proposed changes, the reason for requesting initiation of a WSS process, and proposed Convened Group membership. Depending on the nature and extent of the proposed

changes, the Convened Group 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.

- 3 Upon receipt of a request for a Type 3 WSS change, the DMG will consult with the appropriate line and staff organizations to discuss the proposal and the composition of the Convened Group and then arrange a meeting of the Convened Group members.
- 4 The Convened Group must discuss the need for the proposed change and plan the details of the process to be used. The Convened Group 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 Convened Group, the ID Team, and the Confirmation Team (if any);
  - If a Confirmation Team is used, the Convened Group must 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.
- 5 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.
- 6 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.
- 7 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 Type 3 change request is 90 days.

**Confirmation Team**

- 1 The contractor organization responsible for maintaining the contractual laws and directives clause submits a written request to the COR with a copy to the DMG.
- 2 The contractor's request should summarize the nature and anticipated extent of the proposed changes, the reason for requesting initiation of a WSS process, and proposed ID Team and Confirmation Team membership. The request may also propose an individual to serve as the process leader.
- 3 Upon receipt of a request for a Type 3 WSS change, the COR performs the following:
  - Confirms the proposed ID Team and Confirmation Team membership or specifies any additional ORO personnel to be added to either team.
  - Determines the Confirmation Team protocol.
  - Confirms or appoints the process leader.
  - Determines the approval authorities for the change request. The DOE approval authority will either be the COR or the ORO Manager.
  - Sets performance expectations for teams, including schedules and documentation requirements.
  - Determines the need for stakeholder involvement.
  - Specifies the level of worker involvement (either on one of the teams or as input to the ID Team).
- 4 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.
- 5 The Confirmation Team determines the adequacy of the proposed WSS revision, whether appropriate DOE expertise was applied, and whether the ID Team satisfactorily completed the WSS process. If the revision and the process are satisfactory, signs its recommendation for approval by the Approval Authorities.

- 6 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 Type 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 revision and associated documentation to the DMG. This includes the Final Report, any Differences of Opinion considered by the Confirmation Team or Approval Authorities, meeting notes, written or e-mail input from subject matter experts, qualification data for the ID Team (and Confirmation Team, if used), etc.
- (2) The DMG ensures that the approved WSS set or revision and its scope of applicability are formally approved for incorporation into the contract via a letter signed by the appropriate COR.
- (3) After a WSS set or revision is placed in the contract via a Requirements Change Notice or other formal modification, it is the list of contractually enforceable ES&H standards/ requirements. 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 from the COR approving placement of the WSS set into the contract.

Planning for implementation of new or revised standards/ requirements are handled in accordance with Chapter VI of this Order.

- f. 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 as follows:  
[http://www.ornl.gov/doe\\_oro\\_dmg/index.htm](http://www.ornl.gov/doe_oro_dmg/index.htm).

6. REFERENCES.

- a. DOE P 450.3, AUTHORIZING USE OF THE NECESSARY AND SUFFICIENT PROCESS FOR STANDARDS-BASED ENVIRONMENT, SAFETY AND HEALTH MANAGEMENT, dated January 25, 1996.
- b. DOE M 450.3-1, THE DEPARTMENT OF ENERGY CLOSURE PROCESS FOR NECESSARY AND SUFFICIENT SETS OF STANDARDS, dated January 25, 1996.

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 Type 2 and 3 WSS Changes.

Attachment 3 - Comment/Concurrence Form.

### **CONTRACTOR REQUIREMENTS DOCUMENT**

Contractors that develop and maintain WSS sets must 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 Explorer [<http://www.explorer.doe.gov/>] and the DMG Home Page [[http://www.ornl.gov/doe\\_oro\\_dmg/index.htm](http://www.ornl.gov/doe_oro_dmg/index.htm)] to receive notification of new and revised DOE and ORO Orders.
5. Perform impact assessments of new/revised DOE and ORO ES&H directives as requested by the COR per Chapter IV of this Order. The impact assessment process includes determining whether a WSS revision effort will be needed. If the contractor's impact assessment states that a WSS revision effort is needed, the WSS change package is due to the COR, with a copy to the DMG, within 90 days from the date the impact assessment is submitted. If the WSS revision will take longer than 90 days to develop and submit, the COR must approve the schedule in advance.

**GUIDANCE FOR TAILORING TYPE 2 AND 3 WSS CHANGES**

The following are items to consider when tailoring a Type 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 LMER structure:

<u>Change Impact</u>	<u>ORO</u>	<u>Contractor</u>
Site-Wide	Manager or COR	LMER Deputy Director for Operations and Administration
Division wide	COR	LMER Division Manager
Program/experiment	COR	LMER 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.

**CONTRACTOR NAME**  
**WORK SMART STANDARDS REVISION**  
**COMMENT/CONCURRENCE FORM**

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

TO:            [COR]  
                  [DPI]

The attached proposed WSS set revision is forwarded for review. Complete Part B and fax this form to Wayne Albaugh, AD-440, by [date] at 576-4046.

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**PART B** (To be completed by the addressee [DPI or COR]): **NOTE:** Review of the proposed WSS revision should be made by people most familiar with the contractor's programs in the subject matter area.

**CONCURRENCE:** (Check One).

Yes \_\_\_ = Concurrence with the proposed WSS set revision in its entirety

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

**IDENTIFY CONTACT POINT:**

\_\_\_\_\_

\_\_\_\_\_

**SIGNED:**

\_\_\_\_\_

\_\_\_\_\_