

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 VI, Chg. 1, IMPLEMENTATION PLANS

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. Changes to this Chapter include the deletion of the previous subparagraphs 5e and 6c. A new subparagraph 5d has been added and subsequent subparagraphs renumbered as needed. Paragraph 1 and current subparagraphs 4a(1), 4b(1), 4d(1)-(3), 4e(2) and 5e(1)-(7) have been revised. On Attachment 1, a new paragraph 2 has been added and subsequent paragraphs renumbered as necessary, the current paragraph 3 has been revised, and the previous paragraph 3 has been deleted. New Attachments 2 and 3 have 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,	03/27/1998	ORO O Control Form	01/06/2000
Chapter VI, Pages VI-1 through VI-17		ORO O 250, Chapter VI,	01/06/2000
		Chg. 1, Pages VI-1 through VI-14	

ORO Orders are available on the ORO Directives Management Home Page at 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
Signature Management Analyst, AD-440

01/06/2000
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 VI Chg. 1

DATE: 01/06/2000

SUBJECT: IMPLEMENTATION PLANS

1. PURPOSE. This Chapter assigns responsibility and accountability and provides administrative and/or contractual guidance to Oak Ridge Operations (ORO) and its contractors on the preparation, review, approval, and maintenance of the following types of documents:
 - DOE Nuclear Safety Rule (Rule) program documents and implementation plans required by the Price-Anderson Amendments Act (PAAA) Rules.
 - Implementation plans for new and revised standards/requirements placed in the contract baseline appendix (i.e., Work Smart Standards [WSS] set, Standards/Requirements Identification Document [S/RID], and administrative directives).

Nothing in this issuance changes any requirements contained in any DOE Order.

2. CANCELLATION. This Chapter cancels and replaces ORO O 250, Chapter VI, IMPLEMENTATION AND CORRECTIVE ACTION PLANS, dated March 27, 1998.
3. APPLICABILITY. The provisions of this Chapter apply to ORO Principal Staff and to contractors required to prepare such planning documents either by contract or by Rule.
4. RESPONSIBILITIES.
 - a. Manager.
 - (1) Approves Rule program and/or implementation plans for which he has been delegated approval authority by the Program Secretarial Officer (PSO) and/or Lead PSO, and concurs in other Rule program and implementation plans.
 - (2) Provides a recommendation to DOE Headquarters for approval, approval with limiting conditions, or disapproval of contractor Rule exemption requests within the time frame established when the exemption request was forwarded to DOE Headquarters.
 - (3) Approves or disapproves DOE Order exemption requests within his authority, and concurs in requests that must be approved by DOE Headquarters.
 - b. Principal Staff.
 - (1) If requested by the Contracting Officer's Representative (COR), review and provide comments on implementation plans and exemption requests.

- (2) On request from the Directives Management Group (DMG), provide review team leaders and team members for PAAA review teams.
- c. Enforcement Group within the Nuclear Safety Division provides personnel to participate in review teams established to review contractor Rule program documents and implementation plans, revisions thereto, and exemption requests from an enforceability standpoint.
- d. Contracting Officer's Representative (COR).
 - (1) Approves contractor implementation plans for new/revised standards placed in the contract (i.e., WSS set, S/RID, or list of administrative directives).
 - (2) Approves closure of implementation plans.
- e. Team Leader, Directives Management Group (DMG).
 - (1) Provides advice and assistance on the requirements of this Chapter.
 - (2) Serves as the formal point of receipt for the following contractor documents, and coordinates review and approval:
 - Rule program documents and implementation plans and revisions thereto;
 - Implementation plans for new or revised standards/requirements in the contract appendix (i.e., list of administrative directives, WSS set, or S/RID); and
 - Rule or DOE directive exemption requests prepared under this Chapter.
 - (3) Prepares forwarding memoranda, as appropriate, for the Manager's signature for Rule program documents and plans, Order implementation plans, and exemption requests.
 - (4) Coordinates, as requested, with COR organizations regarding review, approval, closure, and tracking of contractor implementation plans.
 - (5) Notifies the originator of approvals.

5. REQUIREMENTS AND PROCEDURES.

- a. Rule Program Documents, Implementation Plans, and Exemption Requests.
 - (1) Points of Contact. The DMG is the overall PAAA Coordinator for ORO implementation planning activities and serves as the central point of contact to DOE Headquarters for each Rule program document, implementation plan, revisions to these, and exemption requests. The DMG is the primary interface with contractors for all activities associated with the

development, submittal, review, and approval process for Rule implementation plans, program documents, and exemption requests. There is also an ORO technical point of contact who is the review team leader.

- (2) Development and Submission. Many of the Rules require the development of program plans by contractors. The following process is applicable for all contractors covered by the individual Rules. Submission dates are generally specified in the individual Rule and must be met unless an exemption request is submitted and approved for additional time. All plans and exemption requests must be submitted to the COR unless otherwise specified, with a copy to the DMG for processing.
- (3) Content and Format of Rule Implementation Plans. DOE-STD-1082-94, PREPARATION, REVIEW, AND APPROVAL OF IMPLEMENTATION PLANS FOR NUCLEAR SAFETY REQUIREMENTS, contains nonmandatory guidance on the content and format of implementation plans, when such plans are permitted by the Rule. It is vital for ORO and the contractor to work together on the implementation plans to help avoid rejection or significant changes during the review and approval cycle. New ORO contractors must have DOE-approved program documents and be in compliance with them for 10 CFR 830.120, QUALITY ASSURANCE REQUIREMENTS, and 10 CFR 835, OCCUPATIONAL RADIATION PROTECTION, before starting work.
- (4) Content and Format of Rule Exemption Requests. Title 10 CFR 820 contains requirements for Rule exemptions. In addition, DOE-STD-1083-95, REQUESTING AND GRANTING EXEMPTIONS TO NUCLEAR SAFETY RULES, contains nonmandatory guidance on content and format of exemption requests.
- (5) Review and Approval Protocol. DOE-STD-1082-94 and DOE-STD-1083-95 contain guidance on review and approval of program documents, implementation plans, and exemptions requests. Additional information on the process followed in Oak Ridge is given below and on the DMG Home Page (http://www.ornl.gov/doe_oro_dmg/index.htm).
 - (a) Review Teams. The DMG requests the assignment of review team leaders from the appropriate Division of Primary Interest (DPI). The review team leaders request team members from the COR(s) and DOE Headquarters program offices. The review team leader is responsible for coordinating the review team's activities, planning the review, and ensuring that the review team's report is completed in time for the document to be approved within the time frame specified in the Rule. A member of ORO's Enforcement Group participates as a review team member.
 - (b) Review Team Support. The DMG provides administrative support to the review team as requested by the team leader. This support may include correspondence preparation, reproduction, etc. When the review team report is complete, the team leader must provide it to the DMG for coordination through the approval process.

- (c) Distribution of Copies of Final Program Documents, Implementation Plans, and Approved Exemption Requests. The DMG distributes approval memoranda, copies of the review team reports, approved programs/implementation plans, and exemption requests to the contractor, the DOE Docketing Clerk, and the appropriate PSO (if ORO has approval authority). In addition, the DMG retains official file copies of program documents, implementation plans, and exemption requests for ORO.

b. DOE Order Exemption Requests.

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

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

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

c. ORO Implementation Plans.

ORO may be required by a directive to prepare an implementation plan. Typically the DPI has primary responsibility for preparing the plan and for coordinating the plan with all involved ORO organizations. The plan must conform to the minimum content requirements described in subparagraph 5e(4) below, as well as any specific requirements in the directive for which the plan is being prepared. DOE-STD-1082-94, PREPARATION, REVIEW, AND APPROVAL OF IMPLEMENTATION PLANS FOR NUCLEAR SAFETY REQUIREMENTS, may also be used as guidance. Copies of the final plans must be sent to the DMG for the files.

- d. Transition Guidance for WSS Sets. After a WSS set is placed in the contract, the contractor must review all open DOE Order implementation plans and Requests for [DOE] Approval. This review determines if any planned corrective actions should be revised or dropped because the requirement(s) is no longer in the WSS set or has been rewritten in such a way as to change the corrective action needed to bring the contractor into compliance. Within three months (90 days)

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

e. Implementation Plans for New and Revised Standards/Requirements in the Contract Appendix, Including WSS Sets or S/RIDs.

- (1) Introduction. This section applies to new standards/requirements added to the contract appendix in accordance with DEAR 970-5204-78, such as additions/revisions to a WSS set or S/RID and new/revised administrative directives.
- (2) When Required. When required by the contract, contractors prepare implementation plans as follows:
 - When the contractor cannot fully implement new or revised requirements within existing funds and/or within 180 days from the date of the COR's letter requesting an impact assessment. This requirement also applies to environmental, safety, and health (ES&H) directives for contractors that do not have an S/RID or WSS set.
 - When the contractor cannot fully implement new or revised WSS or S/RID requirements within existing funds and/or within 180 days from the date the standard/requirement is formally approved for inclusion in the contract via COR letter.

Lockheed Martin Energy Systems, Inc.; Lockheed Martin Energy Research Corporation; Oak Ridge Associated Universities; UT-Battelle, LLC; and Bechtel Jacobs Company LLC are examples of contractors that must develop implementation plans, when needed, for new/revised requirements.

- (3) Implementation Plan Content List. Contractor implementation plans must contain the information listed below. An implementation plan must also include a statement that all other applicable requirements in the new directive/standard are fully implemented. If the entire directive/standard was placed in the contract, the plan must include a brief justification for any requirements considered to be nonapplicable. If an implementation plan is required by a particular directive, that directive may require other information and may specify a prescribed format.
 - Date of Submission
 - Applicability
 - Identify Requirements Not Fully Implemented
 - Description of the Noncompliance(s)
 - Implementation Assumptions
 - Exemptions
 - Compensatory Measures
 - Risk of Not Implementing Immediately

- Actions Needed to Implement
 - Additional Resources Needed
 - Justification for Approval or Continued Operation
 - List of Attachments
 - Contractor Approvals
 - Technical Point of Contact
- (4) Implementation Plan Content Description. An implementation plan must contain the following information. Contractors may submit printouts from internal tracking/trending systems (e.g., ESAMS, LIDS) in lieu of a standard implementation plan if all the required elements are included in the system printout. If a particular heading is not applicable to a specific situation, enter "Not Applicable" or "None."
- (a) Date of Submission. Self-explanatory.
 - (b) Applicability. The plan must clearly identify which site, organization, activities, or facility(ies) are covered.
 - (c) Identify Requirements Not Fully Implemented. Identify the requirement(s) that is not fully implemented by source document number, title, paragraph, section number, etc.
 - (d) Description of the Noncompliance(s). Discuss the nature and degree of the noncompliance. For example, if the standard/requirement is partially implemented, discuss what is in place and what is not. Identify the major systems or activities affected. The discussion must be sufficient to enable reviewers to draw conclusions on the degree of risk resulting from nonimplementation, the appropriateness of the action steps, and the reasonableness of the resource estimates.
 - (e) Implementation Assumptions. Describe basic implementation assumptions, such as clarification regarding methods for determining applicability, interpretations used in determining compliance status and implementation planning, etc. If this information is contained in the Assumptions field of an approved S/RID or WSS set, repeat the text of the approved implementation assumption here. If there are conflicting requirements, identify which of the conflicting requirements will be implemented and explain reasons for the selection.
 - (f) Exemptions – List any exemption requests (both submitted and under review or approved) that are related to the requirements covered by the plan and include a copy of them as an attachment. Exemption requests are not customarily submitted for WSS set or S/RIDs.
 - (g) Compensatory Measures. If compensatory measures are deemed necessary to offset increased ES&H risks associated with the noncompliance, include a description of

those measures and a schedule for implementing them. Summarize the compensatory measures in the first paragraph, followed by a more detailed description and explanation in subsequent paragraphs. Clearly indicate what measures are in place, which will be implemented before DOE approval, and which will be implemented only after DOE approval. Distinguish between measures that were in place before discovery of the noncompliance and measures put into place because of the noncompliance. Provide a schedule with dates for initiation, duration, and completion of measures that are not fully in place.

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

- The noncompliance has no direct or immediate impact on worker or public health or safety or protection of the environment.
 - The probability or the consequences of an accident that would be prevented by compliance with the requirement are negligible during the time the corrective actions are being implemented (e.g., operations are shut down).
- (h) Risk of Not Implementing Immediately. Discuss any ES&H, security, quality assurance, or other concerns created by the delay in implementation of the requirement. Provide a full description of how the existing or planned compensatory measures reduce the risk. If there is little or no risk associated with the noncompliance, provide a sound, reasoned justification for that statement.

NOTE: Do not skimp on this section. Failure to fully discuss the risks is the most common cause for rejection of an implementation plan.

- (i) Actions Needed to Implement. Identify the specific actions needed to fully implement the requirement. Include the submission of budget requests as an action where appropriate. Identify the organization responsible for implementing each action and provide milestones and schedules. If implementation is expected to take many months and multiple years, provide interim as well as ending milestones. The interim milestones give the contractor and ORO a basis for assessing performance in complying with the longer term requirements.

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

<u>Activity</u>	<u>Responsibility</u>	<u>Start/End</u>
Revise SPP-XXX to include inspection of fire dampers	Fire Protection Div.	Start 1/15/98 End 3/30/99

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

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

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

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

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

- (l) List of Attachments. Self-explanatory.
 - (m) Approvals. Provide the internal contractor approval sheet that shows that the implementation plan has received internal review and approval before submission to ORO.
 - (n) Contact. Include a contact name and telephone number for a person or persons who can answer detailed technical questions about the implementation plan.
- (5) Implementation Plan Review and Approval Cycle. The contractor need not wait for formal DOE approval and should begin working the funded portions of an implementation plan as soon as it is submitted. If questions arise or if there is a need for direction on specific implementation actions before DOE approval is granted, submit these issues to the COR. ORO uses the following review and approval process:

- (a) The contractor submits the implementation plan to the COR, with a copy to the DMG.
- (b) The DMG formally transmits the plan and a Comment/Concurrence Form to the COR. The transmittal memo to the COR will note if the implementation plan does not contain all of the required elements. The DMG also sends a courtesy copy of the plan to the DPI. (See Attachment 2, Comment/ Concurrence Form – Implementation Plan).
- (c) The DPI may elect to review the implementation plan and provide any comments to the COR, with a copy to the DMG.

NOTE: The DPI's formal concurrence in implementation plans is no longer a requirement.

- (d) The COR provides the completed Comment/Concurrence Form to the DMG by the requested target date.
- (e) After receipt of the Comment/Concurrence Form from the COR the DMG develops the ORO approval or rejection letter for the COR's signature.

NOTE: If ORO is the approval authority for the implementation plan, the plan is automatically approved if ORO does not respond to the contractor within six months from the date the plan is received by the COR and the DMG.

- (f) If the plan requires DOE Headquarters approval, the DMG prepares the transmittal letter to DOE Headquarters and obtains appropriate concurrences.
- (g) The DMG tracks the approval status of the implementation plans and posts the tracking data on the DMG Home Page.

- (6) Revising Implementation Plans. Contractor implementation plan preparers must make requested changes and submit revised plans within 30 days of receipt of the ORO change request or as directed in the COR's letter. Contractors submit revised implementation plans to the COR, with a copy to the DMG. Revised plans are reviewed and approved in the same manner as the original plan.

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

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

NOTE: If the contractor and COR agree on a different method for making revisions (e.g., change page), then the method must be documented, approved by the COR, and a copy provided to the DMG.

- (7) Closing Implementation Plans.

- (a) Contractors send a letter to the COR, with a copy to the DMG, requesting closure and stating that the corrective actions in the implementation plan have been completed. Any ongoing activities are noted in the letter.
- (b) The DMG formally transmits the closure request to the COR with a copy of the implementation plan and a Comment/Concurrence Form. The DMG provides a courtesy copy to the DPI. (See Attachment 3, Comment/Concurrence Form – Implementation Plan Closure.)
- (c) On receipt of the completed Comment/Concurrence Form, the DMG prepares the rejection or approval letter for the COR's signature.
- (d) The DMG tracks the approval status of closure requests and posts the tracking data on the DMG Home Page.

6. REFERENCES.

- a. DOE-STD-1082-94, PREPARATION, REVIEW, AND APPROVAL OF IMPLEMENTATION PLANS FOR NUCLEAR SAFETY REQUIREMENTS, dated October 1994, which contains nonmandatory guidance on the content and format of Rule implementation plans.

b. DOE-STD-1083-95, REQUESTING AND GRANTING EXEMPTIONS TO NUCLEAR SAFETY RULES, dated February 1995, which contains nonmandatory guidance on requesting exemptions from Rule requirements.

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 - Comment/Concurrence Form – Implementation Plan

Attachment 3 - Comment/Concurrence Form - Implementation Plan Closure

CONTRACTOR REQUIREMENTS DOCUMENT

1. Contractors that are covered by DOE Rules must prepare and maintain DOE-approved program documents and, when permitted by the individual Rules, implementation plans that meet the requirements of subparagraph 5a of this Chapter.
2. Contractors must submit PAAA documents to the COR, with a copy to the DMG. The “clock” for PAAA documents starts when the document is logged in as received by the DMG.
3. As required by their contract, ORO contractors are required to prepare implementation plans for new and revised standards/requirements placed in their contract (i.e., list of administrative directives in the appendix, WSS set, or S/RID) if they cannot come into compliance within existing funding and/or within 180 days. These plans must meet the requirements of paragraph 5 of this Chapter. The 180-day due date for the implementation plan is calculated as follows:
 - When the contractor cannot fully implement new or revised administrative requirements within existing funds and/or within 180 days from the date of the COR’s letter requesting an impact assessment. This requirement also applies to ES&H directives for contractors that do not have an S/RID or WSS set.
 - When the contractor cannot fully implement new or revised S/RID or WSS requirements within existing funds and/or within 180 days from the date the standard/requirement is formally approved for inclusion in the contract via COR letter.

Contractors submit implementation plans and closure requests to the COR, with a copy to the DMG.

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

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

TO: [COR]

SUBJECT ORDER: [Directive Number and Title]

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

PART B (To be completed by the COR) **NOTE:** Review of implementation plans should be made by people most familiar with the contractor's programs in the subject matter area. Complete "walkdowns" of assessment information to assure agreement with the contractor's conclusions is not expected.

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

Yes ___ = Concurrence with the implementation plan in its entirety

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

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

SIGNED: _____
Signature of COR Date

