



# **Nuclear Safety and Worker Safety and Health Noncompliance Reporting Criteria**

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# Overview



- What's Changed
- Reporting Expectations
- Noncompliance Tracking System (NTS)  
Reporting Criteria
- Specific Criteria Changes
- Common Noncompliance Screening  
Weaknesses



# What's Changed



- DOE Order 232.2, *Occurrence Reporting and Processing of Operations Information*
- Forthcoming Enforcement Coordinator Handbook (ECH) to address reporting expectations and criteria



# Noncompliance Reporting Expectations



- All noncompliances expected to be recorded and corrected
- Noncompliances meeting reporting criteria – report to NTS
- Updated reporting criteria available on the Enforcement Program web page  
[http://www.hss.doe.gov/enforce/reporting\\_criteria.html](http://www.hss.doe.gov/enforce/reporting_criteria.html)



# Noncompliance Tracking System Reporting



- Is there a regulatory noncompliance?
- Does the event or condition meet a reporting criterion?
- If both conditions are met, the noncompliance should be reported into the NTS



## Other Noncompliances



- Noncompliances not meeting criteria:
  - “Report” to internal tracking system (or centralized tracking system)
  - System expected to provide indication of regulatory noncompliances
  - Track / trend to identify repetitive and programmatic issues
  - Internal noncompliance identification and tracking reviewed during Regulatory Assistance Reviews



# NTS Reporting Criteria



- Noncompliances Associated with Reportable Occurrences
- Management Issue Noncompliances and Other Significant Conditions
- Separate tables for Worker Safety and Health and Nuclear Safety criteria



# Management Issue Noncompliances (worker and nuclear safety)



- Programmatic Issues
- Repetitive Issues
- Intentional Violation or Misrepresentation
- Retaliation / Reprisals
- Other Significant Conditions (WSH)
  - Severity Level I noncompliance(s) with Part 850 or 851



# Reporting Expectations

(worker and nuclear safety)



- Programmatic

Occurrence of related (but not identical) noncompliance in a program area. Generally involves some weakness in administrative or management controls. Requires evaluation of deficiencies on a site wide basis.

- Repetitive Issues

Same or closely similar noncompliance continues to occur, indicating corrective actions have not been effective.



# ORPS-Based Nuclear Safety NTS Criteria Changes



- Group 1: Operational Emergencies
  - ✓ All Occurrences
- Group 2: Personnel Safety and Health
  - ✓ Subgroup C – (1) Unplanned fire in containment and (2.d.) Self-extinguishing in containment
  - ✓ Subgroup D – (1) Unplanned explosion in primary containment
- Group 3: Nuclear Safety Basis
  - ✓ Subgroup A – (1), (2), and (3)
  - ✓ Subgroup B – (1)
  - ✓ Subgroup C – (1) **Criticality accident** and (2) Loss of controls
- Group 4: Facility Status
  - ✓ Subgroup A – (1)
  - ✓ Subgroup B – (1) **Stop Work Order from DOE**, (2) and (4)



# ORPS-Based Nuclear Safety NTS Criteria Changes (continued)



- Group 5: Environmental
  - ✓ Subgroup A – Releases (1)
- Group 6: Contamination / Radiation Control
  - ✓ Subgroup A – Loss of Material Control (1) and (2)
  - ✓ Subgroup B – Contamination Spread (1)
  - ✓ Subgroup C – Radiation Exposure (1), (2) and (3)
  - ✓ Subgroup D – Personnel Contamination (1), (2) and (3)
- Group 7: Nuclear Explosive Safety
  - ✓ Criteria (1) and (2a) through (2d); training unit criterion deleted from ORPS
- Group 10: Management Concerns and Issues
  - ✓ Criteria (1) Federal Accident Investigation Board and (3) Near miss



# ORPS-Based Worker Safety and Health NTS Criteria Changes



- Group 1: Operational Emergencies
  - ✓ All Occurrences
- Group 2: Personnel Safety and Health
  - ✓ Subgroup A – Injuries
  - ✓ Subgroup B – Illnesses
  - ✓ Subgroup C – Fires (1), (2) and (3)
  - ✓ Subgroup D – Explosions (1), (2) and (3)
  - ✓ Subgroup E – Hazardous Electrical Energy Control (1) and (2)
  - ✓ Subgroup F – Hazardous Energy Control (1) and (2)
- Group 4: Facility Status
  - ✓ Subgroup B – (1) Stop Work Order from DOE
- Group 10: Facility Status
  - ✓ Criteria (1) Federal Accident Investigation Board and (3) Near miss



## Common Noncompliance Screening Weaknesses



- Failure to evaluate all sources of potential noncompliances (e.g., assessments, CAIRS reports, employee concerns, subcontractors)
- Inappropriate determination that a problem is not a regulatory noncompliance due to:
  - Low safety significance
  - Isolated event/condition (“but our program is compliant”)
  - Immediate corrective actions



# Locating the Reporting Criteria



- The nuclear safety, worker safety and health, and security reporting criteria are accessible at:  
[http://www.hss.doe.gov/enforce/reporting\\_criteria.html](http://www.hss.doe.gov/enforce/reporting_criteria.html)
- Or click on Noncompliance Reporting Thresholds from the Safety and Security Enforcement Program home page
- Handouts for the breakout sessions include the reporting criteria
- Will be in the Enforcement Coordinator Handbook when published