

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, REV. 2, CHAPTER VI, IMPLEMENTATION AND CORRECTIVE ACTION PLANS**

2. **PURPOSE OF TRANSMITTAL:** New Directive Revised Directive Page Change

3. **CONTRACTOR REQUIREMENTS:** Does directive contain requirements applicable to contractor(s)?
Check appropriate boxes:

No (all contractors)

Yes If yes, whom? LMES LMER ORAU 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. **SUMMARY OF SIGNIFICANT PROVISIONS OR CHANGES:** Implementation plans are required when the contractor cannot implement *new/revised* requirements within six months and/or within existing funds. This applies to requirements in the contract appendix, WSS set, and S/RID. Corrective Action Plans are required when the contractor cannot correct a noncompliance identified with an *existing* requirement during an assessment within six months and/or within existing funds. This applies to requirements in the contract appendix, WSS set, and S/RID.

5. **CONTACT POINT:** Dawn Rosenstrom, Acting Group Leader, DMG, AD-440 576-4045
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, Chapter VI	09-30-96	ORO O Control Form	03-27-98
		ORO O 250, Rev. 2, Chapter VI	03-27-98

ORO Orders are now available on the ORO Directives Management Home Page on the Internet. These Orders will be online at http://www.ornl.gov/doe_oro_dmg/orchklst.htm within 5-10 working days after you receive this Control Form. This address will allow you to directly enter the ORO Directives Checklist. 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 H. Cusick

03/26/98

Signature Management Analyst, AD-440

Date

U.S. Department of Energy

Oak Ridge Operations

ORO O 250 Rev. 2 Chapter VI

DATE: 03-27-98

SUBJECT: IMPLEMENTATION AND CORRECTIVE ACTION 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, Work Smart Standards (WSS) set, or Standards/Requirements Identification Document (S/RID).
 - Corrective Action Plan (CAP), which is used to correct noncompliances with existing contract requirements (i.e., located in the contract appendix, WSS, or S/RID) identified during assessments. The CAP format is also used as a guide to the content/format of exemption requests for DOE Order requirements found in the contract appendix.

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

2. CANCELLATION. This Chapter cancels and replaces ORO O 250, Chapter VI, dated September 30, 1996.
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 cognizant Secretarial Officer (CSO), and concurs in other Rule program and implementation plans.
 - (2) Provides a recommendation to 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 Headquarters.
 - (3) Approves or disapproves DOE Order exemption requests within his authority, and concurs in requests that must be approved by Headquarters.

b. Principal Staff.

- (1) Review and concur in or provide recommendations, as requested, for all implementation plans, corrective plans, and exemption requests for functional areas and contractors under their authority.
- (2) On request from the Directives Management Group (DMG), provide review team leaders for PAAA review teams.

c. Enforcement Group within the Nuclear Safety Division participates 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 CAPs covering noncompliances identified with existing contract requirements during assessments. If a CAP is applicable across program lines, all affected CORs must sign off on the CAP.
- (2) Approves CAP closures.
- (3) Concurs on implementation plans for new and revised standards/requirements placed in the contract appendix, WSS set, or S/RID.

e. Leader, Directives Management Group.

- (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, WSS, or S/RID;
 - Rule or Order exemption requests prepared under this Chapter; and
 - Proposed revisions to S/RIDs and WSS sets.
- (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 CAPs.

- (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 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 asking 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 Division of Primary Interest (DPI). The review team leaders request team members from the COR(s) and 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 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, training, reproduction, etc. When the review team report is complete, the team leader shall 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 CSO (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. Exemption requests must be prepared for 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, 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(2) 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 shall be sent to the DMG for the files.

d. Implementation Plans for New and Revised Standards/Requirements in the Contract Appendix, WSS, or S/RID.

- (1) Introduction. This section applies to both “List A” and “List B” in the contract. These are the standards/requirements that are included in the contract in accordance with DEAR 970.5204-78, subparagraphs a and c. List A is found in Appendix E of the contracts for Lockheed Martin Energy Research Corporation (LMER) and Lockheed Martin Energy Systems (LMES) and in Appendix C for Oak Ridge Associated Universities (ORAU). List B is the WSS set or S/RID that contains the ES&H requirements. Bechtel Jacobs Company’s Appendix E contains both List A and List B.
- (2) When Required. When required by the contract, contractors prepare implementation plans when the contractor cannot fully implement new or revised requirements within existing funds and/or within six months from the date the standards/requirement was placed in the contract appendix, WSS set, or S/RID. LMES, LMER, and ORAU are examples of contractors that must develop implementation plans, when needed, for new/revised requirements.
- (3) Implementation Plan Contents. Contractor implementation plans must contain the information listed below. Descriptions of each element are provided in subparagraph 5e(3) below. The content requirements for an implementation plan and a CAP are identical. The approval processes differ, and a CAP is generally shorter and covers fewer requirements than an implementation plan.

An implementation plan must 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
- Contact

- (4) 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 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 process for review and approval:
- (a) The contractor submits the implementation plan to the DMG with a copy to the appropriate COR(s).
 - (b) The DMG refers the plan to the appropriate DPI(s) and COR(s) (and others as appropriate) for review and comment.
 - (c) Commenters review the implementation plan and respond by the target date requested by the DMG. Commenters are encouraged to work with the contractor to resolve issues, but all formal requests for changes to the implementation plan must go through the DMG.
 - (d) The DMG compiles all comments into a draft rejection or approval letter, as appropriate. If necessary, the DMG obtains clarification on comments from the originator. If the reviewers' comments were not crystal clear, the DMG may transmit the draft letter to the commenters for concurrence. If changes are requested by any party, the draft letter stage is repeated until all parties concur with the letter.
 - (e) If ORO has approval authority, the DMG transmits a formal letter of rejection or approval signed by the COR for Directives to the appropriate contractor management. (For most contracts, the COR for Directives is the DMG.) If the plan is rejected, the letter indicates the reasons for rejection and includes a date for receipt of the revised plan. A revised plan is put through the same review and approval steps as the original plan.
- 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 DMG. In addition, if a COR or DPI fails to respond to the DMG within this six-month time frame, the DMG proceeds with ORO's response to the contractor without that organization's input.
- (f) If the plan requires Headquarters approval, the DMG prepares the transmittal letter to Headquarters and obtains appropriate concurrences.
 - (g) The DMG tracks the approval status of the implementation plans and informs the contractor when plans are approved or rejected.
- (5) Revising Implementation Plans. Implementation plans should be revised as necessary to address new significant noncompliances identified during assessments. If the

implementation plan has been completed and formally closed, prepare a CAP in accordance with subparagraph 5e below.

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. Contractor implementation plan revisions directed by DOE must be submitted by the date specified in ORO's letter to the contractor, or the contractor must formally request an extension from the DMG.

- (6) Closing Implementation Plans. Contractors send a letter to the DMG requesting closure and stating that the corrective actions in the implementation plan have been completed. Note any ongoing activities in the letter. The DMG coordinates approval of the closure with the appropriate DPI(s) and COR(s) and provides an approval or rejection letter back to the contractor.
- e. Corrective Action Plans.
- (1) When Required.
 - (a) Federal. ORO prepares a CAP for Federal ES&H and related noncompliances that cannot be corrected within six months (180 days) and if the risk is judged to be significant. The 180-day period is measured from the time management acknowledges the noncompliance. See ORO O 220, Chapter VIII, ENVIRONMENT, SAFETY, HEALTH, AND QUALITY ASSESSMENT PROGRAM, for further information on when a CAP is required.
 - (b) Contractors. Contractors prepare CAPs when the contractor cannot correct a noncompliance with an existing requirement identified during an assessment within existing funds and/or within six months (180 days). The contractor is expected to track CAPs to completion. Access to and reports from the tracking system must be available to DOE upon request.
 - 1 If the contractor and COR agree upon different criteria for CAP submission (e.g., a "significance rating"), the new criteria must be documented, approved by the COR, and a copy provided to the DMG.
 - 2 If the 180 days runs out and the contractor has not fixed the noncompliance as it initially thought it would be able to do, it must submit a CAP with 30 days.
 - 3 Transition Guidance -- After a WSS set is placed in the contract, the contractor must review all open DOE Order implementation plans, Requests for [DOE] Approval, and ICAPs (which are now called CAPs) with uncompleted action items. 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. It is not necessary to rewrite the information in CAP format.

(2) ORO Process for Preparing CAP Covering Federal Noncompliances.

- (a) CAP Analysis Process. After a noncompliance is identified and acknowledged by management, the COR assessor, in conjunction with the DPI assessor, makes an initial determination of whether a CAP should be prepared. In making this determination, the timing for corrective actions, the reasons behind the noncompliance, and the associated risk must be considered. At the conclusion of this analysis, the assessors contact the DMG for a CAP control number for each expected CAP.
- (b) Preparer of the Request. The organization with the greatest responsibility for correcting the noncompliance should prepare the CAP. Generally, this is the organization assigned responsibility for a particular action.
- (c) Preparation of the CAP. The preparer obtains input from affected functional and programmatic groups and organizations to ensure that the analysis, corrective actions, and compensatory measures, if necessary, are coordinated and represent the most effective solution.
- (d) Security Considerations. Before processing any CAP (draft or otherwise) that may contain classified information, Unclassified Controlled Nuclear Information (UCNI), or Export Controlled Information (ECI), the preparer forwards the CAP to an authorized derivative classifier, an UCNI Reviewing Official, or local authority on ECI, as appropriate, for review and marking.
- (e) Signatures. ORO CAP signatures should include the following:
 - Preparer
 - Derivative classifier reviewer, UCNI reviewer, or local ECI authority if the CAP might contain classified or controlled information
 - DPI Director
 - Appropriate COR(s) with responsibility for the CAP
 - Concurrences from other organizations if so requested

(3) Implementation Plan/CAP Requirements. Since the content requirements of an implementation plan and a CAP are identical, CAP is the generic term used to refer to both of them in this section for the sake of brevity.

A CAP must contain the following information. Contractors may submit printouts from internal tracking/trending systems (e.g., ESAMS) in lieu of a standard CAP if all the

required elements of the CAP are included in the system printout. If a particular heading is not applicable to a specific situation, enter "Not Applicable" or "None."

- (a) General. Limit a CAP to requirements that can be fixed by the same corrective action(s) or when the corrective actions are closely related and should not be performed independently.
- (b) Date of Submission. Self-explanatory.
- (c) CAP Identifier. Request number that contains a site identifier, an identifier for the source document for the requirement, and a sequential number for the number of CAP submitted (e.g., Y-12-DOE-420.1-CAP-120). Revisions to an CAP are identified with a revision letter or number (e.g., Y-12-DOE-420.1-CAP-120A). If the contractor's database (e.g., ESAMS) assigns a unique number to corrective action plans, that number may be included on the CAP in addition to the CAP identifier.
- (d) Applicability. The CAP must clearly identify which site, organization, activities, or facility(ies) are covered.
- (e) Identify Requirements Not Fully Implemented. Identify the requirement(s) that is not fully implemented by source document number, title, paragraph, section number, etc.
- (f) 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.
- (g) 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.

- (h) Exemptions – List any exemption requests (both submitted and under review and approved) that are related to the requirements covered by the CAP and include a copy of them as an attachment. CAP format can be used as a guide for the content/format of an exemption request, but exemption requests are submitted separately.

- (i) 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).
- (j) 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 a CAP.

- (k) 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 4/30/99

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

(l) Additional Resources Needed. If no additional resources are needed, the CAP 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 CAP. If the budget request is denied and the CAP relates to implementation of an S/RID or WSS standard/requirement, revise the CAP 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 CAP are or will be affected, identify the CAP and attach a copy.

- (m) 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.

- (n) List of Attachments. Self-explanatory.
- (o) Approvals. Provide the internal contractor approval sheet that shows that the CAP has received internal review and approval before submission to ORO.
- (p) Contact. Include a contact name and telephone number for a person or persons who can answer detailed technical questions about the CAP.

(4) CAP Review and Approval Cycle.

- (a) Contractor CAP. The contractor need not wait for DOE approval and should begin working the funded portions of a CAP as soon as it is submitted. If questions arise or if there is a need for direction on specific actions before DOE approval is granted, the contractor submits these issues to the COR. Following is the review and approval process.

- 1 The contractor obtains internal review and approval through the process defined in its procedures, then submits the CAP to the appropriate COR with a copy to the DMG.
- 2 The DMG reviews the CAP for completeness and consistency with requirements. The DMG logs the CAP in the CAP tracking system and notifies the COR and contractor if the CAP is incomplete. The DMG forwards a courtesy copy of the CAP to the DPI, who may elect to review it and provide comments to the COR.
- 3 The COR performs its own internal review, which may include securing facility representative signatures and performing verification of compensatory measures. If signatures in addition to the COR are required by internal review procedures, they should be included on an internally generated signature form. This review should be complete within 90 days from receipt of the CAP.
- 4 When compensatory measures are identified in a CAP, the COR assessor shall pay particular attention to adequacy. The COR may elect to verify that the

compensatory measures are in place. If so, the COR, with the DPI's assistance if requested, plans and conducts verification actions, documents the review, and provides a copy to the DMG.

5 After approving the CAP, the COR forwards a copy of the signed approval sheet to the DMG. The COR may request review and concurrence from other organizations (such as the DPI or Office of Chief Counsel).

6 The DMG forwards the CAP through any remaining approval levels.

NOTE: The COR may elect to route the CAP through the remaining approval levels. If so, the COR must notify the DMG of this procedural change and ensure that the DMG receives a copy of the approved CAP and associated signature form(s).

7 If a reviewer other than the COR or DPI requests revisions, the DMG forwards comments and requested revisions back to the COR for coordination with the contractor. (The COR requests revisions directly from the contractor, and the DPI coordinates requests for revisions with the COR.)

(b) Federally Prepared CAP.

1 The preparer signs the CAP, obtains initial concurrence from the Division Director or the COR if the COR's organization developed it, and forwards the CAP to the DMG.

2 The DMG reviews the CAP for completeness and consistency with requirements. The DMG logs the CAP in the tracking system and forwards it to the appropriate organizations for review, concurrence, and approval. As a minimum, a CAP must be coordinated with appropriate COR and the DPI.

3 When compensatory measures are identified, reviewers shall pay particular attention to adequacy. If a CAP contains compensatory measures, the DMG provides a copy to the appropriate division of the office of Assistant Manager for Environment, Safety, and Quality (AMESQ), who determines the need for verification and, if necessary, plans and conducts verification activities. The AMESQ documents the results and provides them to the DMG, who forwards a copy to the preparer.

4 If revisions are required, the DMG forwards comments and requested revisions back to the preparer. The preparer promptly makes changes to the CAP. If desired, either the persons who made the comments or the CAP preparer may request a meeting to discuss the issues. Revised CAP are coordinated through the same review process and with the same organizations as the original CAP.

(5) CAP Revisions (Contractor).

- (a) Notification of change is required when substantive changes to a CAP are made, either as a result of review comments or because of changing conditions within ORO or the contractor. The preparer revises the CAP, indicates changes with bars, letters, etc., and updates the CAP identifier to include a revision letter (e.g., Y-12-DOE-420.1-CAP-112A). The preparer submits the revised CAP through the concurrence and approval process outlined in subparagraph 5e(4) above. The letter or memorandum transmitting the revised CAP shall briefly explain the reason for the revision.

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.

- (b) If the contractors projected date for achieving compliance is no longer valid, the preparer shall notify the COR by letter with a copy to the DMG as soon as possible before the existing commitment date. For Federal CAP, the preparer shall notify the DMG.
- (c) Contractor and Federal CAP preparers shall make requested changes and submit revised CAPs within 30 days of receipt of the change request. Contractors submit revised CAPs to the COR with a copy to the DMG. Federal preparers submit revised CAPs to the DMG.
- (6) CAP Approvals. COR approve CAPs and their closure. The COR is generally expected to approve or disapprove a CAP within 90 days of receipt.
- (7) CAP Closure and Verification.

- (a) General. To close out a CAP, all actions listed in the CAP must be completed. For an action to be considered complete, an evidence package is required to show that the noncompliance has been addressed.

(b) Closure Process.

- 1 Upon completing the actions in a CAP, the organization that submitted the CAP shall prepare and submit a request for closure that lists the CAP identifier and states that corrective actions are complete and compliance has been achieved. The closure statement must describe substantive differences in the corrective actions taken, if any, from the actions described in the CAP. An evidence package must be submitted as part of the closure package to the COR.
- 2 If compliance is achieved prior to submission of the CAP, the closure statement shall describe the noncompliance, list the corrective actions, and state that compliance has been achieved. Updated assessment data must also be submitted.

The closure statement shall be submitted in place of the CAP. The closure statement, in the form of a letter or memorandum, shall be signed by the highest level of management required to sign and submit the CAP.

- 3 Contractors submit CAP closure packages to the COR with a copy to the DMG.
- 4 Federal personnel submit closure packages to the DMG.
- 5 After the COR approves the contractor's closure package, either the DMG or COR notifies the contractor (depending upon the agreed upon procedure).

(c) Verification and Tracking.

- 1 The COR approves contractor closure statements and shall pay particular attention to a CAP with compensatory measures. The COR may elect to verify the contents of the contractor's closure statement and updated assessment data.
- 2 The DMG updates the CAP tracking database and retains copies of all CAPs, approvals, and closures. In addition, the DMG maintains copies of all Order implementation plans and associated correspondence.

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.
- c. ORO O 220, Chapter VIII, ENVIRONMENT, SAFETY, HEALTH, AND QUALITY ASSESSMENT PROGRAM, dated May 31, 1996, which contains information on when CAPs addressing identified noncompliances are required.

7. DEFINITIONS. None.

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

9. ATTACHMENTS.

Attachment 1 - Contractor Requirements Document.

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. ORO M&O/M&I contractors are required to prepare implementation plans for new/revised standards/requirements placed in their contract appendix, WSS set, or S/RID if they cannot come into compliance within six months (180 days) and/or within existing funding. These plans must meet the requirements of paragraph 5 of this Chapter.
3. ORO M&O/M&I contractors are required to prepare and maintain CAPs in accordance with subparagraph 5 of this Chapter. The CAPs must meet the requirements of paragraph 5 of this Chapter.