

EPWOG Fire Protection Subgroup
Telecon Meeting Minutes, March 8, 2006

A telephone conference call was conducted on March 8, 2006 from 1100 until approximately 1300 Mountain Time with fire protection personnel from Department of Energy (DOE) sites across the country. The purpose of the call was to discuss implementation of 10 CFR 851, “Worker Safety and Health Program”; share information regarding contractor planning activities; and identify an initial set of interpretation questions for consideration. Because of the crosscutting functional nature of the Rule, additional non-subgroup personnel from several sites also participated. There was a wide range of representation and a significant amount of information exchanged during the conference call. Participants are listed at the end of these minutes.

The following Action Items were identified in the course of teleconference business:

- A. Distribute preliminary information copy of implementation guide for 10 CFR 851 and associated model written Safety and Health Program: **(Gosswiller)**
- B. Distribute preliminary information copy of fire protection and emergency services implementation guide for DOE O 420.1B. **(Gosswiller)**
- C. Complete review of fire protection and emergency services implementation guide for DOE O 420.1B and prepare initial comments and recommendations prior to next scheduled telephone conference **(All)**
- D. Prepare initial three fire protection subgroup interpretation questions for transmittal to DOE Fire Council. **(Gosswiller, Bitter)**
- E. Schedule and prepare agenda for teleconference call on April 12, 2006 **(Gosswiller)**

AGENDA COVERED

Time (PM MST)	Activity
11:00	Assemble
11:00-11:10	Welcome/Introductions
11:10 -11:30	Round table summary of implementation planning activities and written program format
11:30-12:30	Open discussion of interpretation issues, associated impacts, and estimates of required resources
12:30-12:40	Identification of initial set of fire protection subgroup interpretation questions for submittal to DOE Fire Council
12:40-12:50	New Business: schedule and agenda for next conference call/meeting
12:50-12:55	Summary of Action Items
12:55	Close

MINUTES

The following minutes recap the agenda items covered:

1. Welcome/Introductions

Everyone was announced and welcomed as they entered the conference call. Eric Gosswiller reviewed the list of participants prior to starting the conference. There was a large participation in this call, including non-principal fire protection personnel, which complicated the roll call. Eric Gosswiller requested that attendance be confirmed through the review of the draft meeting minutes. The agenda was then reviewed.

2. Round Table Summary of Implementation Planning Activities and Written Program Format

The conference participants were encouraged to discuss their implementation planning activities. The following sites provided a brief discussion of their planning activities:

Idaho National Laboratory
Kansas City Plant
Hanford
ORNL
Y-12
WTTP
SANDIA

Based on the above area reports, there appeared to be a wide range in the level of effort planned. The scope and level of effort that the various sites are planning can be summarized as follows:

- a. Some sites are planning on less effort, with activities modeled after those associated with Quality and Radcon Rule implementation, most notably (1) the review of the state of existing fire protection program documents, (2) the preparation of the written program document required by the rule, and (3) modification of implementing procedures to address weaknesses identified in the review described above.
- b. In addition to item (a) above, several of the site reports indicated the need to perform a comprehensive gap analysis or due diligence review of the rule and implementation guidance against existing facilities and programs. Specific areas of potential vulnerability included but were not limited to (1) inspection, testing and maintenance programs, (2) emergency services, and (3) the identification and disposition of known deficiencies (e.g. barriers, life safety code means of egress provisions, automatic sprinkler systems). This activity was generally viewed as positive and necessary, though opinions on the required level of effort were varied (See Section 3, for further discussion).
- c. Several sites stated that they would be preparing new, higher level written program documents in lieu of submitting the collective body of the program documents to the heads of field offices for review and approval. This strategy was generally viewed as positive and necessary to enable change approval authority of the detailed implementing procedures/requirement documents to the contractor to the extent possible.
- d. One site discussed the pros and cons of maintaining best management practices in the enforceable program documentation. This site has concluded that the BMPs contribute significantly to the comprehensive program, that the continued implementation of BMPs should result in a reduction vs. increase in potential enforcement actions, and will be maintained.
- e. Several sites indicated that their planning efforts include assigning project management resources to oversee and monitor implementation activities.
- f. Coordination/communication with the local fire protection AHJs will be critical for success.
- g. It was agreed that much of the details, level of effort associated with implementation, and impacts can't be determined until specific implementation guidance is provided.
- h. Eric Gosswiller informed the participants of the schedule for review of the fire protection and emergency services implementation guide for DOE O 420.1B. The document is being prepared by recently formed DOE Fire Council and will be submitted to the DOE Fire Safety Committee for review and comment no later than next week. A review meeting is planned at the Augusta, GA workshop in April. (Action: Eric Gosswiller to distribute to subgroup for review upon receipt)

- i. Steve Foster identified that he has a draft of higher tier implementation guide for Rule 851 and the associated model written program. Steve will forward the document to Eric Gosswiller for information distribution to the group. (Action: Eric Gosswiller to distribute to subgroup for information upon receipt)

3. Discussion: Interpretation Issues, Associated Impacts, and Resource Estimates

Approximately one hour was allotted for open discussion on interpretation, perceived issues, applicability, site specific impacts, and related Rule 851 concerns. The following summarizes the principal discussions:

- a. It is expected that the implementation guide for DOE O 420.1B will continue to permit the code of record concept for the retroactive application of those NFPA codes and standards incorporated into the written fire protection program. Many sites expressed frustration with the lack of a similar allowance for the mandatory codes and standards cited in Subpart C, most significantly, the NEC-2005. If made mandatory for existing facilities and those in the design or construction phase, it will require a very large assessment effort to identify non-compliances and would be expected to result in a large number of requested variances. If not approved, these conditions would be extremely expensive to correct. This issue needs to be addressed to prevent large and unnecessary planning efforts and modifications to existing capital investments.
- b. It is unclear as to the intended scope of the fire protection functional area relative to the worker safety and health rule. The rule was essentially intended to incorporate and make enforceable the programs specified in DOE O 440.1A. This order only addressed worker safety related fire protection elements (which can be interpreted many ways). The rule now mandates a comprehensive fire protection and emergency service program which is interpreted by many to mean the historical provisions of DOE O 420.1A are also now enforceable. A clarification along these regards is needed in the Rule or associated implementation guide to fully assess impacts. If it requires a comprehensive program, will it only enforce non-conformances that have a direct impact on worker safety and health?
- c. There was a general consensus that better definition of the non-conformance categorizations and associated enforcement thresholds as they pertain to fire protection is required. As stated in item (b), will property/mission protection related non-conformances (e.g. Building Code or improved risk derived suppression systems and barriers be enforceable or will enforcement be focused on life safety related issues (e.g. LSC required protection systems, barriers, means of egress components, hot work activities)? Similarly, at what thresholds do fire protection related non-conformances become enforcement conditions?
- d. There was discussion on the historical differences between the various contracts across the complex and the related impacts on compliance with new rule. The graded approach has been applied differently and contracts have not consistently identified mandatory fire protection related design standards. This impacts how facilities were built, are being built, and results in varying levels of compliance to the new rule. The code of record provisions discussed above as well as the requirements that are ultimately contained in the approved, site specific fire protection programs should address this concern to a large degree (varying group opinions).
- e. There was consensus that the process for approving historical exemptions (now variances) and equivalencies needs to be detailed in the implementation guide. Will they be (1) automatically carried over or (2) require re-submittal for approval as many have heard. If (2), what will be the documentation requirements, approval process, and expected processing period? The group feels

that existing authorizations need to be maintained and only modified where it is established that a compelling risk to worker safety and health exists.

- f. Given the many remaining concerns, it was not possible to establish a consistent estimate of required resources for Rule 851 implementation. If these issues aren't resolved, implementation costs could vastly exceed the published estimates.

4. Identification of Initial Interpretation Questions

The group came to general consensus that informal requests for interpretation (to the DOE Fire Council) will be prepared for the following:

- a. Approval process for historical exemptions and equivalencies (**Action: Gosswiller**)
- b. Code of Record/Grandfathering clarification for the mandatory codes and standards cited in Subpart C (**Action: Gosswiller**)
- c. Definition of enforcement categories and associated thresholds (**Action: Bitter**)

5. New Business: Schedule and Agenda for Next Conference Call

The group discussed the tentative plans for a Fire Protection Subgroup meeting at the April, 2006 DOE Fire Protection and Emergency Services Workshop in Augusta. It was concluded that EFCOG would be best served by supporting the DOE O 420.1B Implementation Guide Review Meeting verses conducting a breakout meeting. Eric Gosswiller will advise Dennis Kubicki of this decision to support workshop planning activities.

The Fire Protection Subgroup will conduct a telephone conference call on April 12 with a draft agenda of producing a consolidated set of DOE O 420.1B Implementation Guide review comments in advance of the Workshop (**Action: Gosswiller**)

Telecon Participants

From Subgroup Member Directory

Robert Bitter	KCP
Bill Brown	BWXT Y-12
Howard Brown	WIPP
Bruce Campbell	Hughes Associates, Inc.
Doug Clark	ICP INL
Perry D'Antonio	Sandia National Laboratory
Doug Freels	ORNL
Eric Gosswiller	INL
Rick Hartzell	Sandia National Laboratory
Rick Huckfeldt	CH2 Hanford
Rex Jordan	Fluor Hanford
Chuck McKnight	BNI, WTTP, Hanford
Gary Piermattei	LBNL
Roy Nelson	INL
Junie Weeks	ORNL
Additional Participants	
Steve Foster	Hanford
Bob Litchfield	Hanford
Bill Hayes	Hanford
Peter Feng	Sandia
Clay Davis	
Richard Salizzoni	WSRC
Roger Rudy	ORNL
David Mowrer	Y-12
John Mikal	
Bill Emanuel	
Harry Gallette	Sandia