



Enforcement History as Opportunity for Feedback and Improvement

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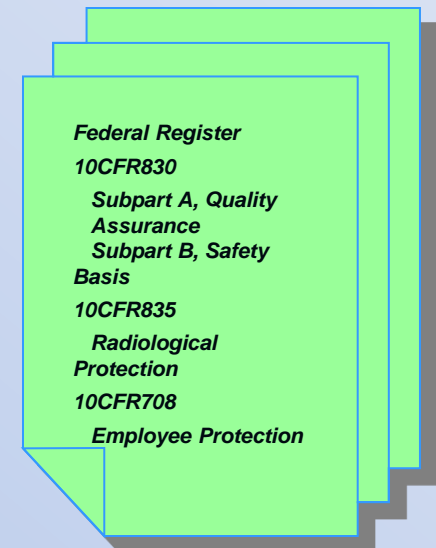
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Enforcement History as Opportunity for Feedback and Improvement

Worker Safety and Health Rule Background

- Since 1988, the DOE Office of Enforcement has enforced violations of the Nuclear Safety Rules through the Price-Anderson Amendments Act:
 - 10CFR820, Procedure Rules for DOE Nuclear Activities
 - 10CFR830, Nuclear Safety Management
 - Quality Assurance
 - Safety Basis
 - 10CFR835, Occupational Radiation Protection
 - 10CFR708, DOE Contractor Employee Protection Program
- No Federal Regulations existed over Industrial Safety and Health





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Worker Safety and Health Rule Background

- **10CFR851 issued in *Federal Register* (February 9, 2006)**
 - **Required establishment of Worker Safety and Health Program by May 25, 2007**
 - **Submission and approval requirements**
 - **Worker Rights**
 - **Codes and Standards**
 - **Program Requirements**
 - **Enforcement Protocols**
 - **Reporting of Noncompliances to Rule using DOE Noncompliance Tracking System (NTS) already established for PAAA reporting**
 - **Contained provisions for enforcement with civil penalties or CPOF**

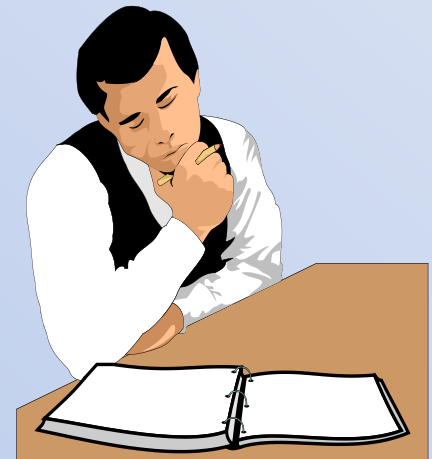




Enforcement History as Opportunity for Feedback and Improvement

What can we learn from the history of WSH enforcement?

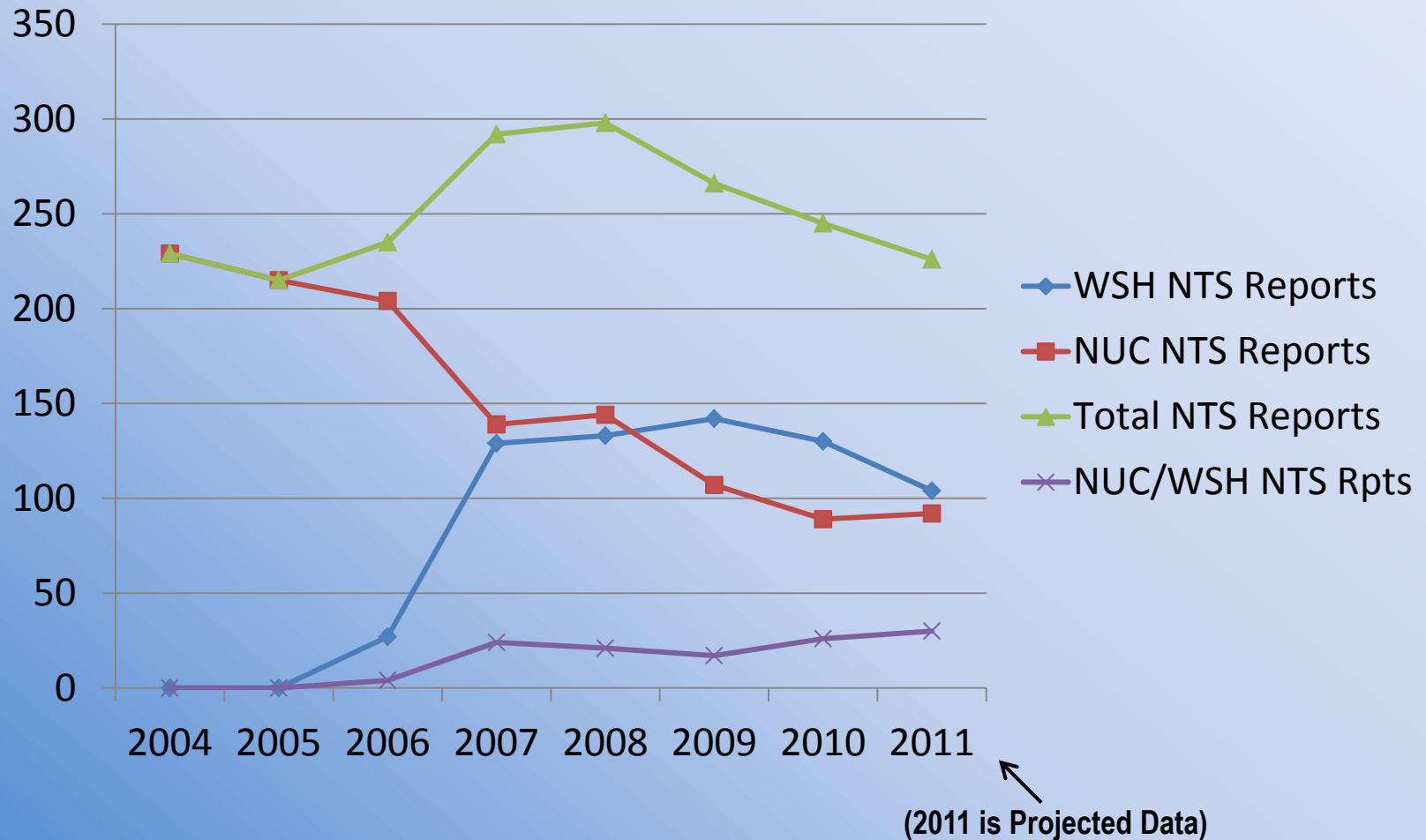
- Purposes of this presentation are to provide:
 - Information on the types of issues that are being reported in NTS
 - Feedback on issues that have caused enforcement
 - Information to predict where you might be enforced
 - Data on the trends of penalties/fee reductions
- Hopefully, learn from others' issues and improve your Safety and Health program





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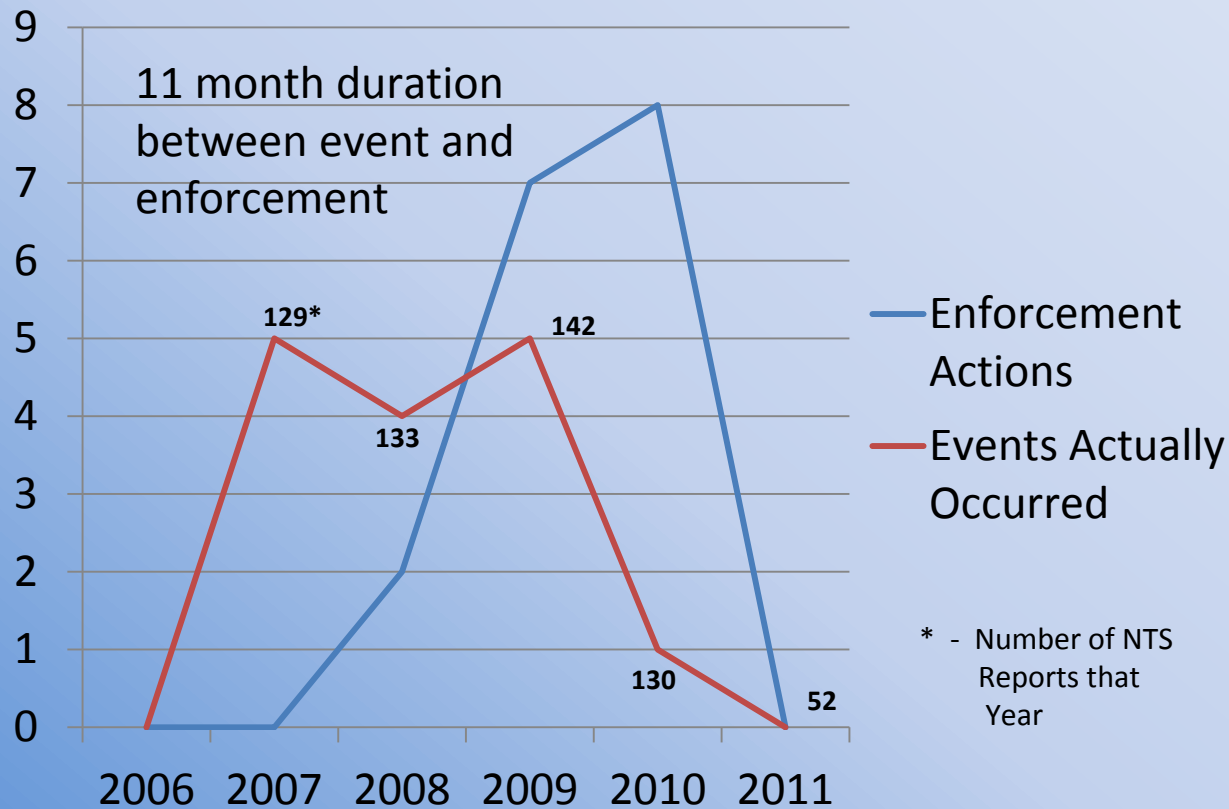
Nuclear NTS Reporting declined while WSH compensated





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Probability of Enforcement Low and Duration between Event and Enforcement not timely

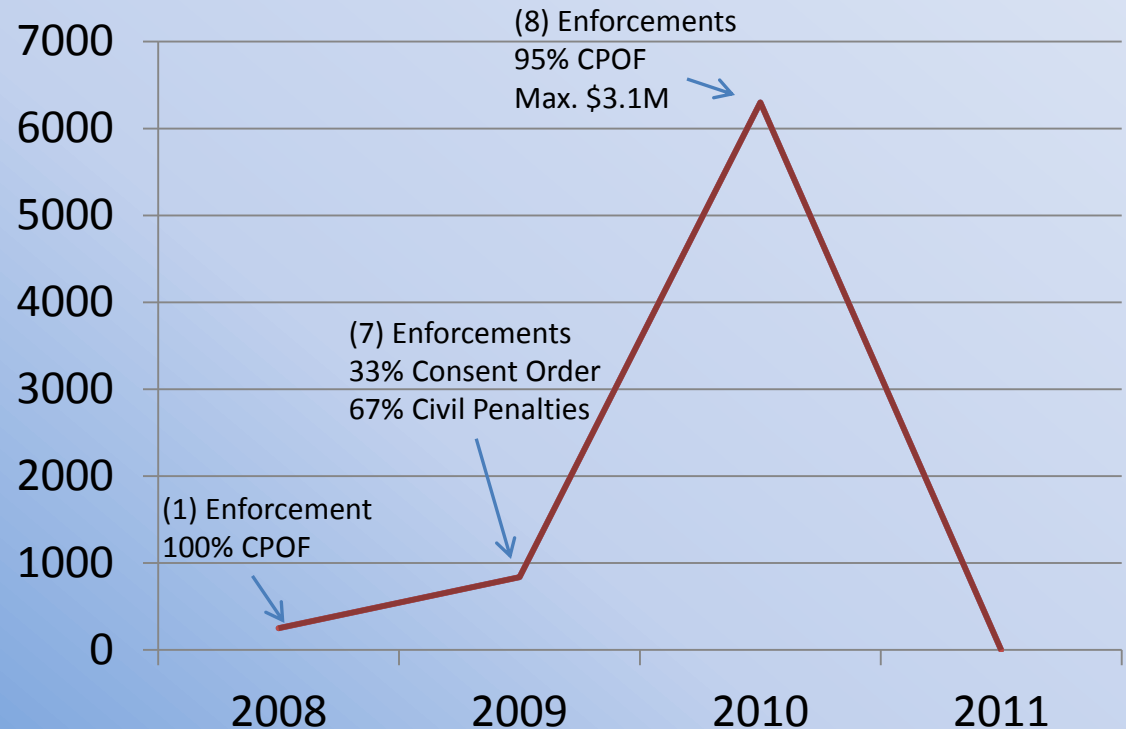




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Why is it important to consider the impact of WSH enforcement?

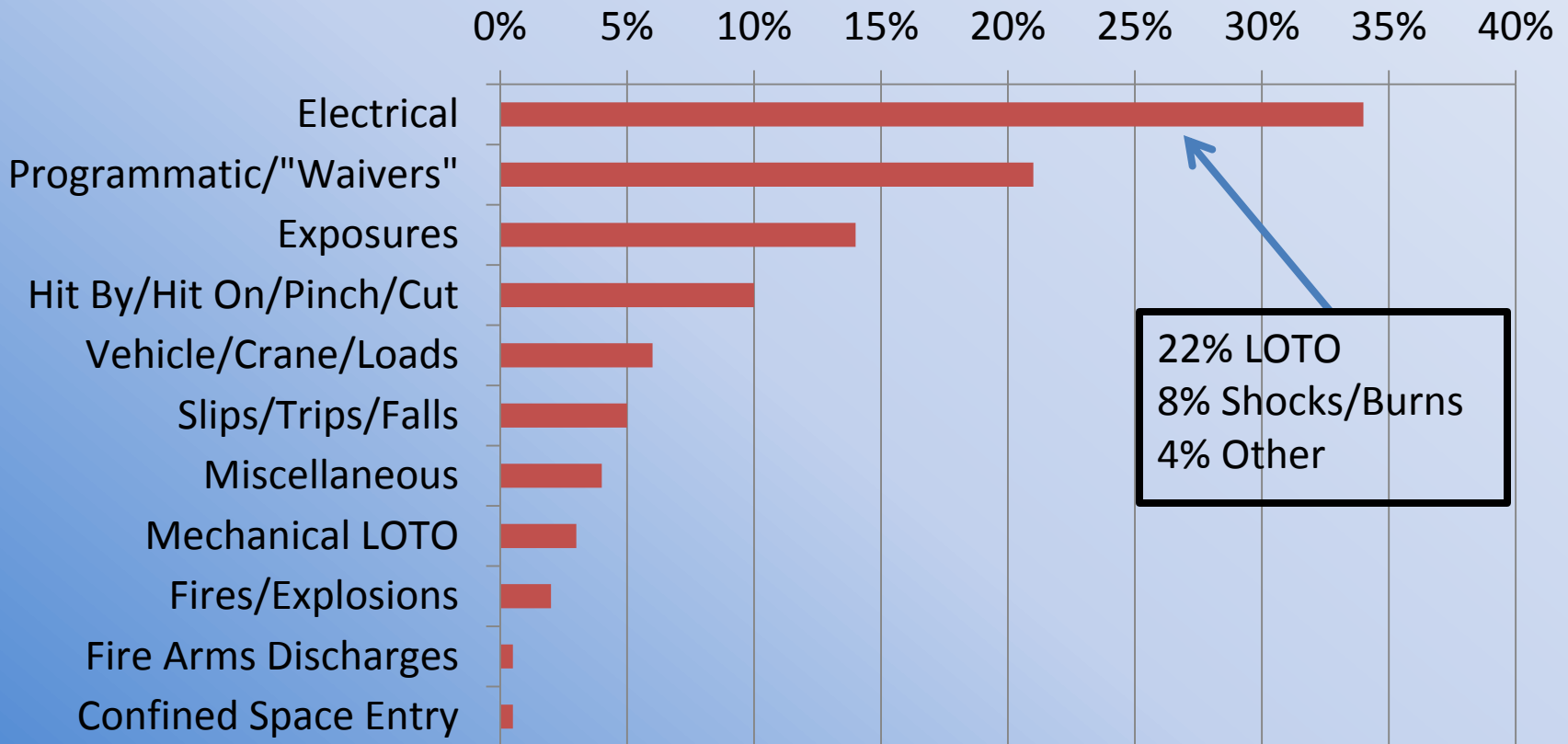
Enforcement Fines and Fee Reductions in Thousands of Dollars (\$K), All Non-reimbursable





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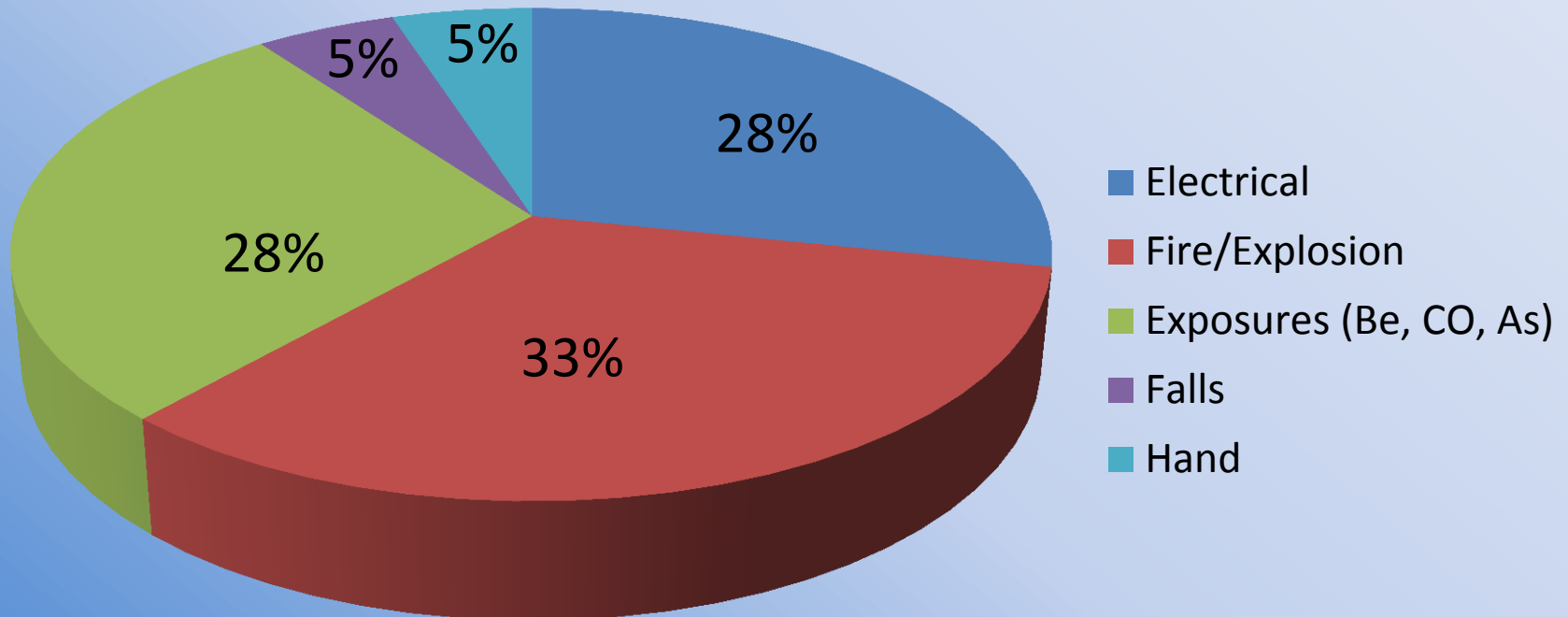
Fraction of NTSs Filed (2006 – 2011)





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Where is Enforcement* Occurring?

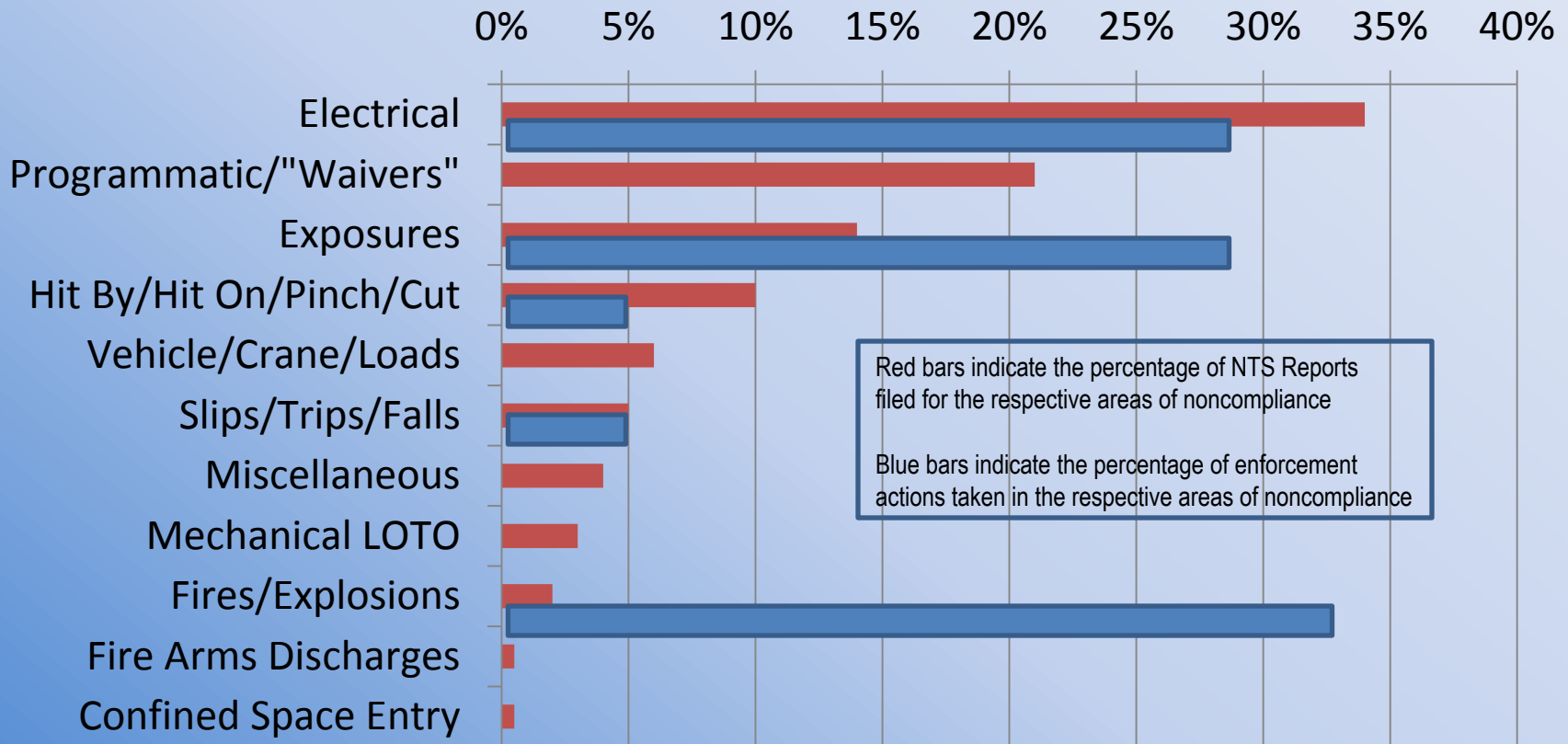


* Does not include (2) Enforcement Letters with no associated fines or fee reductions.



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Where Enforcement* has Occurred



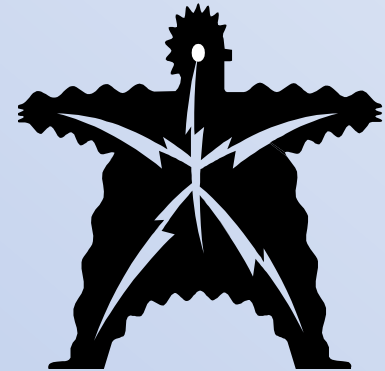
* Does not include two Enforcement Letters with no associated fines or fee reductions.



Enforcement History as Opportunity for Feedback and Improvement

Electrical Events and Enforcement

- Events were preventable shocks, burns and arc flashes
- Underscored by failure to implement LOTO
- One case of workers fighting range fire under distribution lines and shocked when smoke became conductor
- Serious consequences or potentially serious consequences
- Points out need to reduce LOTO noncompliances because they lead to events



Overexposure Events and Enforcement

- Events were preventable overexposures to carbon monoxide, arsenic, and beryllium
- Failure to establish or follow prescribed hazard controls or have controls in place
- Serious exposure with potential for serious injuries
- Pointed out need for sound hazard analysis and procedure compliance





Enforcement History as Opportunity for Feedback and Improvement

Fires and Explosions

- Events were preventable propane fires or PVC solvent/primer combustion by welding
- One case of a rocket sled inadvertently starting while workers working on it
- Failure to recognize hazard, or establish or follow prescribed hazard controls
- Pointed out need for sound hazard analysis and procedure compliance





Enforcement History as Opportunity for Feedback and Improvement

Summary

- **Programmatic issues should be reported in NTS as DOE is crediting reporting without CP/CPOF implications**
- **Extra effort should be placed on electrical LOTO reduction to prevent arc flashes, burns and electrocutions**
- **Higher probability of enforcement with fires and explosions**
- **Overexposures are correctly treated as very serious**
- **Events are preventable with increased importance placed on hazard identification, analysis and control**



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QUESTIONS?