Department of Energy

Washington, DC 20585

May 23, 2002

Mr. Alan Parker
[ ]
Kaiser-Hill Company, L.L.C.
Rocky Flats Environmental Technology Site
10808 Highway 93, Unit B
Golden, CO 80403-8200

Subject: Price-Anderson Amendment Act (PAAA) Program Review

Dear Mr. Parker:

During the period April 23 – 25, 2002, the Office of PAAA Enforcement (OE) conducted a review of the Rocky Flats Environmental Technology Site (RFETS) PAAA Program. Our review included an evaluation of site processes to screen noncompliances for applicability under the PAAA, reporting and tracking in the Noncompliance Tracking System (NTS) and internal tracking systems, and correcting deficiencies in a timely manner.

Overall, we found your program to be generally effective, with necessary program elements in place. Our review identified several program strengths, including the following:

- The Safety Assessment Center (SAC) function provides for effective trending of issues on a site wide basis.

- The PAAA Coordinator is knowledgeable and experienced.

- The site PAAA web page and weekly PAAA tracking reports appear to be effective management tools for promoting communication and timely closure of actions.

- "Endpoint effectiveness reviews" are routinely performed to evaluate the effectiveness of NTS corrective actions prior to closure. The PAAA Points of Contact (POCs) are also closely involved in monitoring and in-field verification of corrective action closure.

Our review did identify several areas for improvement, including:

- Radiological Improvement Reports (RIRs) and assessments are not effectively integrated into the PAAA screening program. OE staff identified multiple instances where RIRs and assessments were not effectively screened for potential noncompliances. Examples were also identified where assessment findings were not entered into a formal system for tracking and resolution.

- Kaiser-Hill Company, L.L.C. (KHLL) has not performed a recent self-assessment of their PAAA program.

- The KHLL PAAA procedure contains evaluation and screening criteria that potentially limit the scope of 10 CFR 830 or OE guidance during the PAAA screening function. Specific instances were noted in which site events meeting OE reporting thresholds were not reported, due to the imposition of additional "significance" screening criteria.

- Inconsistencies were noted among PAAA screening decisions made by the POCs.

A specific concern was also identified associated with KHLL NTS reporting. Historically, KHLL has been a strong performer in this area, reporting both a large number of NTS reports and a high percentage of programmatic or roll-up reports. We feel this has reflected an "openness" in reporting and a relative maturity of the program, i.e. reporting more programmatic issues versus event-related noncompliances. Beginning with CY 2001, however, OE has noted a significant reduction in both the number of KHLL NTS reports entered on the system, and the percentage of reports dealing with "programmatic/roll-up" issues. This downward trend appears particularly incongruous in light of the significant amount of issue trending being performed by the SAC. Our office will continue to monitor your performance in this area.

Failure to correct the improvement items noted above may result in a potential reduction or loss of mitigation as described in the DOE Enforcement Policy (10 CFR 820 Appendix A) for any future RFETS enforcement actions. Details of the OE review are provided in the enclosure. No reply to this letter is required. If you have any questions, please contact Tony Weadock of my staff at (301) 903-4283.

Sincerely,

Richard E. Day for

R. Keith Christopher
Director
Office of PAAA Enforcement

Enclosure: PAAA Program Review Assessment

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ENCLOSURE

PRICE-ANDERSON AMENDMENTS ACT PROGRAM REVIEW OF THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

I. Introduction

During the period April 23-25, 2002, the Office of Price-Anderson Enforcement (OE) performed a review of the Rocky Flats Environmental Technology Site (RFETS) Price-Anderson Amendments Act (PAAA) Program. This review included an evaluation of site processes for identification and screening of potential noncompliances, reporting and tracking noncompliances in the Noncompliance Tracking System (NTS) and internal tracking systems, and the formal tracking and resolution of quality issues.

Overall, the RFETS PAAA Program was viewed as generally effective, with necessary program elements in place and several notable program strengths. OE's review did identify several areas for improvement, which should be addressed to ensure appropriate mitigation consideration during possible future enforcement actions. The results of the review are summarized below.

II. General Implementation

The RFETS PAAA Program is established in site procedure 1-MAN-022-PAAA PROG, Rev. 1, *Price-Anderson Amendments Act Program Manual*. The RFETS PAAA organization reflects a decentralized approach, in which PAAA Points of Contact (POCs) have been designated for the various site projects and Safety Management Programs (SMPs). The POCs screen and trend information coming into their projects and/or programs for potential noncompliances, make recommendations regarding reportability, and track completion of corrective actions. A central KHLL site PAAA Coordinator acts as mentor and coach to the POCs, assists in identification and screening of site wide issues, and follows NTS corrective action closure.

A. The following program strengths were noted:

- The Kaiser-Hill Company, L.L.C. (KHLL) PAAA Coordinator is knowledgeable and experienced. The RFETS PAAA Program is established by mature procedure and interviewed personnel were familiar with their roles and responsibilities under the program.

- The current decentralized organizational approach has acted to increase line management ownership of the PAAA Program. Discussion with selected POCs

indicated that communication among POCs is frequent and generally effective. Some implementation inconsistencies were noted, however, and are described in Section III.

- KHLL has established a site PAAA web page that provides PAAA general information, status of site NTS reports and corrective actions, and links to relevant external sites.

- The KHLL PAAA Coordinator issues weekly reports to site management detailing status of NTS actions and highlighting overdue or near-term actions. The Coordinator indicated the reports have been effective in improving timely closure of actions.

- KHLL has established additional procedural guidance to aid POCs in evaluating "repetitiveness" of events for potential NTS reportability.

B. The following areas for improvement were noted:

- KHLL has not performed a recent assessment of their PAAA Program. In response to a CY 2000 assessment finding by DOE-RFFO, KHLL indicated they would add the PAAA Program to their 2001 assessment schedule. To date, this assessment has not been performed.

- The KHLL PAAA Procedure contains evaluation and screening criteria that potentially limit the scope of the rule or OE guidance during the PAAA screening function. Specifically, an additional "significance" screen has been added for evaluating NTS reportability of potential noncompliances already meeting OE defined ORPS category criteria for NTS reporting. This was noted to affect reporting of several events involving Technical Safety Requirement (TSR) violations (see Section IV).

  OE staff also noted that Questions 9 and 10 of the PAAA Procedure Appendix C screening checklist potentially limit evaluations of potential 10 CFR 830 procurement and inspection/test requirements to those involving equipment and hardware; rather than the intended more general applicability to items, services and processes.

III. Identification and Screening

OE evaluated KHLL processes for identification and screening of potential PAAA noncompliances by interview of personnel (including three POCs) and review of selected screening documentation.

Site POCs were noted to screen a large volume of information for potential noncompliances. The POCs use an online screening database (the Price-Anderson

Screening System, or PASS) to perform screens; consequently completed screens are available to all users and the database provides for trending.

The following areas for improvement were noted in association with the identification and screening process:

- Review of summary screening information for the past year indicated the majority of information being screened by the POCs for PAAA noncompliances was event-related, rather than assessment findings, noncompliance reports, etc.

- Inconsistencies were noted among screening decisions made by the small sample of interviewed POCs.

- Deficiencies identified as part of the Radiological Improvement Report (RIR) process were not well integrated into the PAAA screening process. Of eight RIRs selected by OE staff, no documentation was available to demonstrate that five had been screened as required by the RIR and PAAA procedures. Of the remaining three that had been screened, two had been screened inappropriately (i.e., determined to be non-PAAA when in fact a potential PAAA noncompliance had occurred). Discussion with site Radiological Safety personnel indicated there was confusion regarding the relationship between the RIR and PAAA screening processes. Review of the RIR procedure (PRO-998-RSP-13.01, rev. 1) identified inconsistencies in terminology and assignment of PAAA responsibilities.

- Assessment results were not well integrated into the PAAA screening process. OE staff selected four assessments dealing with nuclear operations and/or quality assurance issues to evaluate whether screens had been performed and whether the identified deficiencies had been entered into the Plant Action Tracking System (PATS) as required by site procedure. Of the four selected, none had received a PAAA screen prior to the OE request and only one had identified deficiencies formally entered into PATS. Failure to enter identified deficiencies (quality problems) into a formal issue resolution process represents a potential noncompliance with DOE Quality Improvement requirements.

  It should be noted OE also selected four radiological assessments for similar review; in this case, PAAA screens and PATS entries had been made for all four radiological assessments.

IV. Evaluation of NTS Reportability

OE has generally considered KHLL to be a strong performer in the area of NTS reporting, based on their open reporting (i.e., large number of reports) and their relatively high proportion of reports dealing with assessment or roll-up/precursor issues. OE evaluated KHLL performance during the current review by interview of selected personnel, evaluation of issue trending practices, and evaluation of recent reporting history.

A significant strength was noted in association with KHLL processes for trending potential noncompliances for repetitive or programmatic issues. Trending is essentially done at two levels. Each POC has responsibility for trending issues, and utilizes various deficiency tracking systems (ORPS, PATS, RIR, and PASS) to aid in the trending.

Additionally, the site has established a Safety Assessment Center (SAC), which provides for the regular review of site event and assessment type information. In the SAC, senior site DOE and contractor management meet each morning (in person or via phone) to discuss significant events occurring over the prior 24 hours. Events are binned as to project, type, cause, and significance level; trends are evaluated for the identification of potential "collective significance" issues. OE staff attended two separate SAC meetings and noted they provide an effective mechanism for identifying site wide trends. Since its inception in 2001, the SAC has identified a number of site "collective significance events" for which corrective actions were subsequently instituted. Assessment results are also fed into the SAC review process; however site management acknowledges that additional progress is needed in this area.

Despite the obvious level of effort put into trending and evaluation for repetitive or programmatic issues, the RFETS NTS reporting history reflects a significant decreasing trend in reporting. During CY 1999 and 2000, the site averaged approximately 25 NTS reports a year; approximately 50% of the reports filed in 2000 were driven by assessment findings or roll-up issues. During 2001, however, the site reported only 11 NTS reports; approximately 30% were either assessment or roll-up (based on OE categorization of the reports). Although the SAC had identified numerous "collective significance" events, based on recurring or repetitive issues, KHLL management indicated none of the events had resulted in NTS reporting.

OE also identified several events involving Operational Safety Requirement (OSR) or Technical Safety Requirement (TSR) violations that met OE occurrence category guidelines for NTS reporting but were not reported by KHLL into the NTS. As noted in Section II, an additional "significance" screen was being used for OSR/TSR violations, although use of such a significance threshold was contrary to OE guidance. Review of the PAAA procedure identified that although the use of a significance threshold was advocated, no specific criteria were established. As a result, inconsistent significance criteria were used by the POCs in the specific screens reviewed. OE does not consider the use of this significance threshold for the occurrence category event reporting as accounting for the downward trend in reporting noted above, since RFETS has been applying this significance threshold since the program inception.

V. Corrective Action Tracking and Closure

OE evaluated KHLL performance with respect to the tracking, closure, and validation of corrective actions associated with PAAA noncompliances. OE spot check of closure packages associated with several NTS reports identified no inconsistencies or deficiencies. The following program strengths were identified:

- Discussion with two project POCs identified they closely monitored corrective action due dates and routinely performed in-field validation of corrective action implementation and closure.

- As part of their NTS closure process, KHLL routinely performs "endpoint effectiveness reviews" for the majority of their NTS reports several months after the completion of all associated corrective actions. The reviews are intended to assess effectiveness of the actions in resolving the noncompliance. Discussion with the PAAA Coordinator identified that, based on the results of the review, additional corrective actions have been added to NTS reports or, as in one recent instance, a new NTS report was generated. OE views the performance of such endpoint reviews as a positive initiative, and does not consider them as inappropriately extending or delaying the closure of NTS report corrective actions.

VII. Conclusion

The above summarizes OE's review of the KHLL PAAA program at the RFETS site during the period of April 23-25, 2002. Improvement items identified during the subject review should be addressed to receive mitigation consideration in any future enforcement deliberation and to ensure nuclear safety problems receive appropriate recognition and action. Any actions taken to address these items should be appropriately coordinated with the responsible DOE Field and Program Office management.