



Assessment and Causal Analysis: Enforcement Lessons-Learned

Waste Management 2008

Office of Enforcement



Overview



- Enforcement Program
- Performance Issue
- Assessment Program - strengths and weaknesses
- Causal Analysis - strengths and weaknesses
- Enforcement response and path forward



Enforcement Program



- HQ office
- Network of coordinators
- Authority to issue civil penalties
- Issue average of 10 nuclear safety actions/year



Program Changes



- New Office and Staff
- Expanded scope
 - 10 CFR 851
 - 10 CFR 824



Enforcement Approach

- Contractors best positioned to recognize and correct noncompliances
- Incentives
 - Discretion
 - Mitigation (self-reporting and corrective actions)
- Formal reporting to NTS or ITAC
- Enforcement actions pursued for significant and egregious noncompliances



Performance Issue



How does Enforcement evaluate contractor performance?

- Monitors events, NTS, assessments, etc.
- Investigations
- Program Reviews

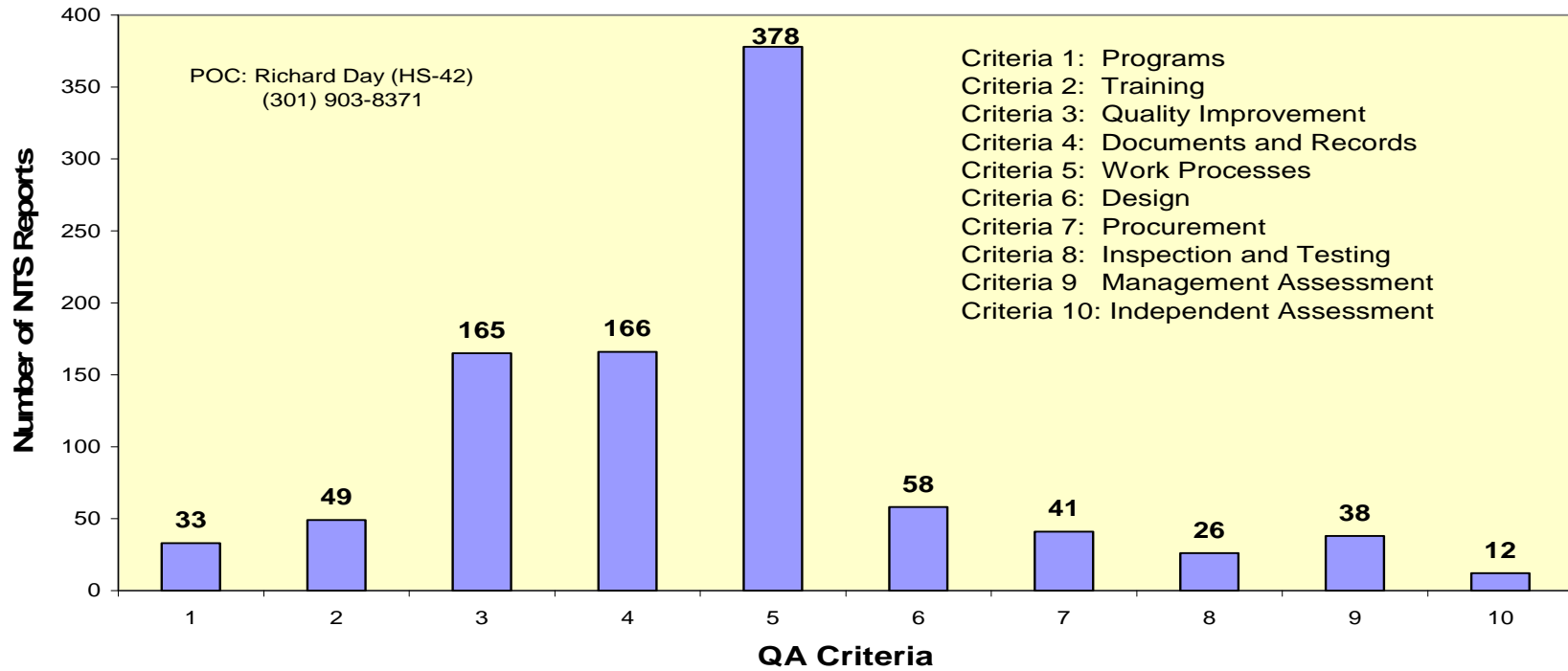


Performance (cont.)



- Significant percentage of serious nuclear safety violations are not self-identified
- Majority of enforcement cases involve recurrent events or issues
- Conclusion – need to improve the identification and correction of nuclear safety problems

**Noncompliance Tracking System (NTS) Report Distribution by 10 CFR
830 QA Criteria Violated
(2005 - Present)**





Assessment Program General



- Management and independent assessment (830.122(i) and (j))
- See more issues with management assessment
- Evaluate (from a high level) as part of the Program Review process
- Investigations – event follow-up presents opportunity to evaluate assessment program



Assessment Program Strengths



- Peer Reviews
- Effectiveness Reviews
- Focus on fewer, more significant assessments
- Increased use of site tracking systems – better trending of issues
- SMEs used to critique management assessments



Assessment Program Weaknesses



- Perfunctory, checklist approach
- Unqualified assessors – functional area and process
- Too much information – can be misleading
- Human resources
- Inconsistent terminology
- No formal tracking or disposition of issues
- Lack of critical self-evaluation of program
- Lack of perceived value by management



Causal Analysis General



- 10 CFR 830.122(c)(3) – Quality Improvement
- Graded approach
- Multiple methods in use



Causal Analysis Strengths



- Formalization of instances when root cause analysis is required
- Extent of condition (and cause)
- Incorporation of Human Performance Improvement
- Use of causal analysts in reviewing corrective actions
- Effectiveness reviews



Causal Analysis Weaknesses



- Truncate before getting to underlying issues
- Cause terminology more conducive to trending than developing corrective actions
- Focusing on part of the problem
- Extent of condition/cause not evaluated



Weaknesses (cont.)



- Precursors not evaluated
- Tendency to avoid cultural issues
- Poor linkage between causes and corrective actions
- Corrective actions not completed or timely



Enforcement Response



- Increased emphasis
- Escalation of penalties
- EGS 05-01 (since incorporated into Enforcement Process Overview)



EGS 05-01

Enforcement evaluation includes looking for:

- Extent of condition review
- Precursor review
- Evaluation of assessment effectiveness



Path Forward



- Continue emphasis/escalation
- Support peer review process
- Continuing dialogue
 - HS-40 sponsors EFCOG Safety and Security Regulatory and Contractor Assurance Working Groups
- Expediting enforcement process
- Integrating VPP

Background

NTS Reports by Mode of Identification

