

**ISMS Training Document**  
**Track 2, Activity 13 – September 2011**  
**Integrated Safety Management System (ISMS)**

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**Activity**

Describe how the DOE nuclear safety, classified information security, and worker safety and health enforcement program activities are carried out at the Oak Ridge Office (ORO).

At the completion of this activity, fill out the Self-Certification Form certifying that you have read this activity sheet.

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**Key Documents**

- [10 CFR 708, DOE Contractor Employee Protection Program](#)
  - [10 CFR 820, Procedural Rules for DOE Nuclear Activities](#)
  - [10 CFR 824, Procedural Rules for the Assessment of Civil Penalties for Classified Information Security Violations](#)
  - [10 CFR 830, Nuclear Safety Management](#)
  - [10 CFR 835, Occupational Radiation Protection](#)
  - [10 CFR 851, Worker Safety and Health Program](#)
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**What's In It For Me**

The enforcement program is not simply a DOE Headquarters (HQ) program. The program can assist ORO in ensuring that the contractor's activities conform to DOE requirements and thus plays an important role in managing the contractor.

If you observe a situation or activity that may be in conflict with the rules listed above, it should be reported to your supervisor and to your line organization's ORO Enforcement Coordinator.

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**Background Information**

The Price Anderson Amendments Act (PAAA) provides indemnification to contractors, who manage and conduct nuclear activities for DOE, from financial liability associated with a nuclear incident. In a general sense, the government acts as an insurer to these contractors for nuclear activities they perform within the scope of their contracts.

PAAA applies to indemnified contractors, subcontractors, and suppliers conducting nuclear activities for DOE. To ensure that the government's interests are protected, PAAA gives DOE authority to take enforcement actions against indemnified contractors for violations of these nuclear safety rules.

Likewise the National Defense Authorization Act (NDAA) of 2000 and 2003 amended the Atomic Energy Act to give DOE authority to take enforcement actions against indemnified and non-indemnified contractors for violations of the classified information security and worker safety and health rules.

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**Enforcement Expectations**

DOE expects contractors to implement appropriate steps to ensure their activities comply with nuclear safety, classified information security, and worker safety and health rules. DOE expects contractors to self-identify and report noncompliances. Although voluntary, DOE expects that noncompliances above the thresholds, established by the HQ Office of Enforcement (HS-40), to be reported in the DOE Noncompliance Tracking System (NTS) and Safeguard and

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Security Information Management System (SSIMS). This voluntary reporting process is in addition to the mandatory security incident reporting requirements contained in DOE Manual 470.4-1, Section N, *Incidents of Security Concern*.

More information on the NTS and SSIMS is located at

<http://hss.energy.gov/Enforce>

Less significant noncompliances may be tracked and closed using the contactor's internal tracking systems. These less significant noncompliances are trended for recurring or programmatic issues that may indicate a more significant noncompliance.

DOE expects the contractors to develop effective corrective actions for identified noncompliances and to complete the actions in a timely manner. The DOE enforcement policy, delineated in 10 CFR 820, 824, and 851, provides positive incentives for contractors that meet these expectations (up to 100 percent mitigation of civil penalties and fee reduction).

The Enforcement Program is part of ORO's overall Management System and involves the collaboration between the ORO, Office of Enforcement (HS-40), and contractor management and staffs. The ORO Enforcement Coordinators are the primary individuals responsible for interaction with HS-40, their line organization's management and staff, and the contractor Enforcement Coordinator on enforcement matters.

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**To Learn More**

Click on the document for more information about the enforcement program.

- [http://www.hss.doe.gov/enforce/docs/overview/Final\\_EPO\\_June\\_2009\\_v4.pdf](http://www.hss.doe.gov/enforce/docs/overview/Final_EPO_June_2009_v4.pdf)
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