

December 13, 2011

EA-01-082
EA-04-172

Mr. Kenneth W. Robuck, President
Williams Industrial Services Group, LLC
100 Crescent Centre Parkway, Suite 1240
Tucker, GA 30084

SUBJECT: VERIFICATION OF ACTIONS TAKEN IN RESPONSE TO CONFIRMATORY
ORDER DATED NOVEMBER 14, 2005

Dear Mr. Robuck:

On November 14, 2005, the U.S. Nuclear Regulatory Commission (NRC) issued a Confirmatory Order (EA-04-127 and EA-01-082) to Williams Industrial Services Group, LLC's, (Williams or WISG). The Confirmatory Order actions were agreed upon by WISG and the NRC during an alternative dispute resolution session held on July 26, 2005, to resolve NRC concerns regarding whether violations of employee protection and completeness and accuracy of information requirements occurred at the Perry and Davis-Besse Nuclear Power Plants. The actions focused on three major areas; ensuring that WISG's safety conscious work environment (SCWE) program incorporates industry SCWE best practices, that audits are performed of WISG's SCWE to ensure/verify its effectiveness, and that the WISG's Ethics Policy includes a reference to the necessity for complete and candid communications with government agencies.

In letters dated July 14, 2006, January 5, 2007, January 28, 2008, and January 22, 2009, WISG notified the NRC of the actions your company has taken as required by the Confirmatory Order. Members of my staff reviewed the actions outlined in the letters and during the period of October 25-27, 2011, conducted a review at the WISG facility in Tucker, Georgia. The purpose of the review was to verify the implementation of the remaining actions to satisfy the conditions set forth in the Confirmatory Order.

During the site visit, my staff interviewed several WISG employees, reviewed audits of your SCWE program, and reviewed your training and other SCWE related documents. The review concludes that the conditions specified in the Confirmatory Order are properly being implemented. Details of the review are contained in the enclosed report.

Sincerely,

/RA/

Roy P. Zimmerman, Director
Office of Enforcement

Enclosure: As stated

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Review of Conditions Specified in Confirmatory Order to
Williams Industrial Services Group (WISG)

The purpose of the NRC review was to verify implementation of the conditions specified in a Confirmatory Order (CO) issued to WISG on November 14, 2005.

The details of the review, organized by the 11 requirements specified in the Order, are provided below.

Number	Commitment, Review and Assessment
CO #1	<p><u>Commitment:</u> Broadly communicate throughout Williams Group the false statement issue and its consequences, including the consequences to the involved WPC Site Supervisor.</p> <p><u>Review Summary:</u> Reviewed the January 20, 2006, memorandum issued from the WISG president to all employees. Memorandum entitled "Lesson Learned – Honesty With Government Agencies."</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> Memorandum is becoming dated and is not available to more recent employees. Current WISG president indicated he is considering issuing a new memorandum to all employees and/or incorporating the message into worker and staff/management SCWE training.</p>
CO #2	<p><u>Commitment:</u> Modify existing "Ethics Policy" to include an explicit reference to the necessity for complete and candid communications with government agencies.</p> <p><u>Review Summary:</u> Reviewed the applicable WISG policies. Originally contained in WISG Policy 7.2.12. Now incorporated into Policy 7.2.1 and worker and staff/management SCWE training.</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> None.</p>
CO #3	<p><u>Commitment:</u> Incorporate the revised Ethics Policy into all future SCWE training by Williams Group.</p> <p><u>Review Summary:</u> Verified that revised Ethics Policy has been incorporated into current worker and staff/management SCWE training.</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> None.</p>

ENCLOSURE

Number	Commitment, Review and Assessment
CO #4	<p><u>Commitment:</u> Require the Williams General Counsel to conduct a comprehensive review of industry SCWE “best practices” and compare these practices with the existing Williams Group program in order to ensure that the Williams Group program incorporates industry trends and developments.</p> <p><u>Review Summary:</u> Reviewed documentation related to the best practices review. WISG policies, training for workers and staff/managers, and applicable programs, such as the Employee Concerns Program Committee (ECP) and supervisory performance appraisals generally incorporate current trends in SCWE practices and is considered adequate. In addition, the WISG Director of Quality routinely attends the National Association of Employee Concerns Professionals meetings to stay abreast of current industry trends and practices.</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> None.</p>
CO #5	<p><u>Commitment:</u> Continue existing SCWE training program and train all Williams Group supervisory and management level employees involved in nuclear work. The training program will incorporate both 10 CFR 50.5 and 10 CFR 50.7 awareness. Additionally, Williams will ensure that on-site employees are provided SCWE training either from the licensee or from the Williams Group site project manager upon badging at a licensed facility.</p> <p><u>Review Summary:</u> Reviewed current WISG worker and staff/management SCWE training, including instructor notes and verified training included SCWE 10 CFR 50.5 and 10 CFR 50.7. Each site safety manager is now the “primary” provider of SCWE training for the workforce. Interviewed two WISG site managers to determine, among other things, their depth of understanding of SCWE, 10 CFR 50.5 and 10 CFR 50.7.</p> <p><u>Assessment:</u> Requirements of the Order have been met. Interviews with the two site managers indicated a good knowledge of SCWE, but a minimal working knowledge of 10 CFR 50.5 and 10 CFR 50.7.</p> <p><u>Comments:</u> Discussed with WISG personnel the appropriateness of taking measures to assure WISG workers receive some manner of refresher training in the case of where they are present at a site (i.e., under a long-term maintenance contract) for an extended period of time. In addition discussed with WISG personnel the appropriateness of incorporating specific examples related to SCWE in general, protected activity, safety concerns, 10 CFR 50.5 and 10 CFR 50.7 as a means of more completely exploring these topics and increasing working knowledge of the material. WISG management indicated they would consider assessing potential changes to the worker and staff/management training to add specific examples as a means of increasing training effectiveness.</p>

Number	Commitment, Review and Assessment
CO #6	<p><u>Commitment:</u> Engage an independent auditor to perform an audit of Williams Group's SCWE training, within 12 months of issuance of the Confirmatory Order (CO) and every year thereafter for a total of three years, in order to ensure the effectiveness of the SCWE program. At the conclusion of the three years independent audit cycle, Williams Group will institute internal audits – see CO #7</p> <p><u>Review Summary:</u> Reviewed independent audit reports from 2006, 2007 and 2008. Audits included interviews with site personnel to determine depth of understanding of subject matter. Audits disclosed on-going issues with achieving/assuring 100% training compliance. See discussion under CO #7.</p> <p><u>Assessment:</u> Requirements of the Order have been met. See discussion under CO #7.</p> <p><u>Comments:</u> See discussion under CO #7.</p>
CO #7	<p><u>Commitment:</u> Require that Williams internal auditing function conduct annual audits of the SCWE training program in order to ensure and verify that all Williams Group managers, supervisors and contractor employees receive and acknowledge SCWE, 10 CFR 50.5, and 10 CFR 50.7 training.</p> <p><u>Review Summary:</u> Reviewed WISG audit reports from 2009 and 2010. WISG audits verified employees received training on SCWE, 10 CFR 50.5, 10 CFR 50.7 and included interviews with site personnel to determine depth of understanding of subject matter. Audits disclosed on-going issues with achieving/assuring 100% training compliance. Audits check focused on knowledge of SCWE but not on proper understanding of regulations (e.g., 10 CFR 50.5 and 10 CFR 50.7).</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> Discussed with WISG personnel the appropriateness of taking measures to assure 100% of WISG workers receive required training. The requirement to have the training completed has been added to the WISG site pre-badging checklist as a means to help assure it is accomplished prior to an individual being badged. Discussed with WISG personnel the need to ensure workers, staff and management have a good working knowledge of SCWE, 10 CFR 50.5 and 10 CFR 50.7.</p>
CO #8	<p><u>Commitment:</u> Ensure that the results of each audit are provided to senior Williams Group management for appropriate action, and that the results of the independent audit and subsequent Williams' analysis and/or actions are made available to the Commission for review upon request. Towards this end, Williams will notify the Commission when the audits and management responses are complete and documented.</p> <p><u>Review Summary:</u> Reviewed internal WISG documentation and letters regarding completed audits to the Commission.</p>

Number	Commitment, Review and Assessment
	<p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> None.</p>
CO #9	<p><u>Commitment:</u> Designate a manager whose responsibilities include overall administration of the SCWE program. This manager will be responsible for ensuring that:</p> <ul style="list-style-type: none"> • the program is being communicated to all Williams Group site and contract employees • the program is up-to-date and incorporates best practices • the audits described above take place as scheduled, results of audits are communicated to senior management, and appropriate follow-up is performed and corrective actions are taken based upon the audit findings. <p>This manager will report directly to the Williams president for these SCWE activities.</p> <p><u>Review Summary:</u> Verified that WISG appointed a SCWE program manager who reports directly to the president, Williams Industrial Services Group, LLC. His duties include those specified in the Order.</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> None</p>
CO #10	<p><u>Commitment:</u> Require its General Counsel to review employment practices as they relate to SCWE policy, in order to ensure that all Williams Group employment practices are consistent with 10 CFR 50.7.</p> <p><u>Review Summary:</u> Reviewed applicable Williams' documentation. WISG has established an ECP Committee comprised of representatives from Human Resources and Legal, the SCWE program manager and the Director of Quality to review, in advance, significant personnel actions (i.e., greater than a written reprimand) to determine if the individual who is the subject of the proposed action has been involved with the WISG ECP and help assure the proposed action is not in retaliation for raising safety concerns. Personnel action below the threshold for the ECP Committee are handled at the site manager level.</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> Discussions with WISG personnel indicate Policy 7.2.6 covers employee concerns and Policy 7.2.7 covers non-retaliation. Changes to these two policies are planned to assure they coordinate well together and that the ECP Committee is accurately described.</p>

Number	Commitment, Review and Assessment
CO #11	<p><u>Commitment:</u> Modify its performance appraisal system to ensure that performance appraisals for Williams Group site supervisors/project managers at NRC-licensed facilities include a rating factor that addresses implementation of the SCWE program.</p> <p><u>Review Summary:</u> Reviewed past and current supervisor and manager performance appraisal forms to verify SCWE-related rating. Required by Policy 7.3.1.</p> <p><u>Assessment:</u> Requirements of the Order have been met.</p> <p><u>Comments:</u> SCWE requirements are combined with other safety requirements and/or communications.</p>

Personnel Contacted

Doug Cross, Project Manager, Williams
Jon Jimenez, Director of Compliance and SCWE Program Manager, Williams
Mike Richards, Site Manager, Williams
Ken Robuck, President, Williams
Joe Tercey, Director of Quality, Williams

Documents Reviewed

1. Williams' president's letter dated January 20, 2006, addressed to all employees entitled "Lesson Learned – Honesty with Government Agencies"
2. Williams' summary organization chart
3. Williams' Ethics Policy
4. Williams' Policies 7.2.1, 7.3.6, 7.2.7, 7.2.12 and 7.3.1
5. Williams' training slides for the SCWE, 10 CFR 50.5 and 10 CFR 50.7 training given to workers and the same training given to staff/management
6. Various documents related to the Williams review of industry "best practices"
7. Independent (external) audit reports of Williams SCWE training for years 2006, 2007 and 2008
8. Williams internal audit reports of Williams SCWE training for years 2009 and 2010
9. Various documents related to the communication of audit findings to Williams management and the NRC
10. Various completed supervisor and manager performance appraisals