



Memorandum from the Office of the Inspector General

January 5, 2024

Matthew R. Lovitt

REQUEST FOR FINAL ACTION – EVALUATION 2023-17410 – HEALTH AND SAFETY COMMITTEES

Attached is the subject final report for your review and final action. Your written comments, which addressed your management decision and actions planned or taken, have been included in the report. Please notify us when final action is complete. In accordance with the Inspector General Act of 1978, as amended, the Office of the Inspector General is required to report to Congress semiannually regarding evaluations that remain unresolved after 6 months from the date of report issuance.

If you have any questions or wish to discuss our findings, please contact Christopher E. Sheets, Senior Auditor, at (865) 633-7362 or Lindsay J. Denny, Director, Evaluations, at (865) 633-7349. We appreciate the courtesy and cooperation received from your staff during the evaluation.

A handwritten signature in black ink that reads "David P. Wheeler". The signature is written in a cursive style.

David P. Wheeler
Assistant Inspector General
(Audits and Evaluations)

CES:KDS

Attachment

cc (Attachment):

TVA Board of Directors
Megan Andersen
Susan E. Collins
Buddy Eller
Megan T. Flynn
David B. Fountain
Jayme K. Hobson
Jeffrey J. Lyash
Jill M. Matthews
Ben R. Wagner
OIG File No. 2023-17410



Office of the Inspector General

Evaluation Report

To the Director,
Safety

HEALTH AND SAFETY COMMITTEES

Evaluation Team
Christopher E. Sheets
Kenneth H. Sims

Evaluation 2023-17410
January 5, 2024

ABBREVIATIONS

Agency	National Level
CFR	Code of Federal Regulations
HSC	Health and Safety Committee
Local	Lowest Practicable Local Level
TSP	Technical Safety Procedure
TVA	Tennessee Valley Authority

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MEMORANDUM DATED DECEMBER 20, 2023, FROM MATT LOVITT TO
DAVID P. WHEELER



Evaluation 2023-17410 – Health and Safety Committees

EXECUTIVE SUMMARY

Why the OIG Did This Evaluation

The Occupational Safety and Health Administration establishes duties and requirements for federal agencies that elect to establish health and safety committees (HSC) in Title 29, Code of Federal Regulations (CFR), Section 1960, Subpart F, *Occupational Safety and Health Committees*, (29 CFR § 1960 Subpart F). 29 CFR § 1960 Subpart F generally indicates agencies that elect to utilize the committee concept shall form committees at both the national level (Agency) and, for agencies with field or regional offices, at the lowest practicable local level (Local) within the agency. The Agency HSC's function is to monitor the performance of the agency-wide safety program, whereas Local HSCs monitor and assist in executing the agency's safety and health policies within their jurisdiction. The Tennessee Valley Authority (TVA) Technical Safety Procedure 18.007, *Operate Health and Safety Committees*, defines how TVA operates the Agency HSC as well as the requirements for Local HSCs that operate under the Agency HSC.

Due to the importance of monitoring the performance of TVA's Safety Program, we performed an evaluation of TVA's HSCs. The objective of this evaluation was to determine if HSCs were effectively monitoring the remediation of identified safety concerns.

What the OIG Found

We determined TVA HSCs are generally effective at monitoring the remediation of identified safety concerns. However, there were limited instances when safety concerns were not monitored or remediation plans were not established. In addition, we found some HSCs were not following requirements to meet at least quarterly and maintain meeting minutes.

What the OIG Recommends

We recommend the Director, Safety, take steps to (1) coordinate the resolution of identified safety issues and (2) reiterate HSC requirements.

TVA Management's Comments

In response to our draft report, TVA management agreed with the findings and recommendations and provided actions taken or planned to address the recommendations. See the Appendix for TVA management's complete response.



Evaluation 2023-17410 – Health and Safety Committees

EXECUTIVE SUMMARY

Auditor's Response

We concur with the actions planned or taken to address the recommendations.

BACKGROUND

The Occupational Safety and Health Administration establishes duties and requirements for federal agencies that elect to establish health and safety committees (HSC) in Title 29, Code of Federal Regulations (CFR), Section 1960, Subpart F, *Occupational Safety and Health Committees*, (29 CFR § 1960 Subpart F). According to the CFR, HSCs “. . . assist agencies to maintain an open channel of communication between employees and management concerning safety and health matters in agency workplaces. The committees provide a method by which employees can utilize their knowledge of workplace operations to assist agency management to improve policies, conditions, and practices.” Further, the CFR generally indicates agencies that elect to utilize the committee concept shall form committees at both the national level (Agency) and, for agencies with field or regional offices, at the lowest practicable local level (Local) within the agency. The Agency HSC’s function is to monitor the performance of the agency-wide safety program, whereas Local HSCs monitor and assist in executing the agency’s safety and health policies within their jurisdiction.

TVA Technical Safety Procedure (TSP) 18.007, *Operate Health and Safety Committees*, defines how TVA operates the Agency HSC as well as the requirements for Local HSCs that operate under the Agency HSC. Operational duties and requirements are described in the TSP for meetings, monitoring, membership, and training, among others. The TSP requires TVA’s Local HSCs to meet at least quarterly to review site safety performance and observation data, review observation data and implement actions to address trends, solve issues at the lowest level possible, and monitor findings of inspections, assessments, and walkdowns to confirm adequate corrective actions were taken.

TVA Standard Programs and Processes 18.013, *Safety Event Reporting and Investigations*, established a system of recordkeeping that includes work-related injuries and illnesses, property/equipment damage, and leading indicators such as near misses, good catches, and safety suggestions. These records help TVA prevent future workplace injuries and illnesses, monitor safety statistics and identify and correct negative safety trends, target opportunities for improvement, and identify at-risk areas.

Due to the importance of monitoring the performance of TVA’s Safety Program, we performed an evaluation of TVA HSCs.

OBJECTIVE, SCOPE, AND METHODOLOGY

The objective of this evaluation was to determine if HSCs were effectively monitoring the remediation of identified safety concerns. The scope of the evaluation was safety indicators and concerns identified in calendar year 2022. To achieve our objective, we:

- Interviewed TVA Safety personnel who sit in an advisory role on the Agency HSC to gain an understanding of HSC procedures and processes.
- Reviewed 29 CFR § 1960 Subpart F to gain an understanding of regulatory requirements.
- Reviewed relevant TVA documentation to gain an understanding of HSC roles and responsibilities at both the Agency and Local levels.
 - TVA-TSP-18.007, *Operate Health and Safety Committees*
 - TVA Standard Programs and Processes 18.013, *Safety Event Reporting and Investigations*
- Reviewed Agency HSC meeting minutes and documented 8 safety-related Agency-level action items.¹ For each action item, we requested resolution status and reviewed supporting documentation to determine if the item was remediated or plans were in place to remediate the concern.
- Judgmentally selected the Watts Bar Nuclear Local HSC due to a concern and, as listed in the table below, randomly selected 9 of the remaining 32 Local HSCs² to interview associated personnel and analyze applicable data.

Randomly Selected Local HSC
Central Labs
Equipment Support Services – Muscle Shoals
External Relations
Gallatin Fossil
Northern Hydro
Shawnee Fossil
South Region Gas
Transmission Lines
West Region Transmission

¹ Action items are entries in Agency HSC meeting minutes that document the status and responsible party for actions.

² HSCs were grouped into the following categories in TVA-TSP-18.007: Coal, Gas Operations, Generation Projects and Fleet Services, Hydro, Nuclear Power Group, Transmission, and Other. We randomly selected 2 HSCs from the 3 categories with the most HSCs and 1 HSC from the remaining 3 categories. We did not select another Nuclear HSC due to the judgmental selection of Watts Bar Nuclear HSC.

- For the 10 selected Local HSCs, we:
- Interviewed HSC co-chairs and/or safety professionals who held these roles in 2022 to obtain an understanding of the operations of the Local HSC for which the individual was affiliated.
 - Reviewed meeting minutes, safety performance and observation data, Corrective Action Program data,³ Occupational Safety and Health Administration inspections, and Regulatory Compliance Inspections⁴ to identify potential safety concerns.
 - Judgmentally selected 5 safety concerns for each of the 10 selected Local HSCs out of 1,068 total safety concerns based on (1) level of risk associated with the concern, (2) repeat concerns, and/or (3) likelihood the concern was unresolved. For each safety concern, we reviewed supporting documentation and/or discussed the issue with TVA personnel to determine if the safety concern was remediated or plans were in place to remediate the concern.

This evaluation was conducted in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*.

FINDINGS

We determined TVA HSCs were generally effective at monitoring the remediation of identified safety concerns. However, there were limited instances when safety concerns were not monitored or remediation plans were not established. In addition, we found some HSCs were not following requirements to meet at least quarterly and maintain meeting minutes.

HSCs WERE GENERALLY EFFECTIVE AT MONITORING SAFETY CONCERNS

TVA HSCs were generally effective at monitoring the remediation of identified safety concerns. We found the Agency HSC monitored the remediation, or planned remediation, of the 8 safety-related Agency-level action items. We also determined 42 of 46 sampled safety concerns⁵ from selected Local HSCs were remediated or in the process of being remediated. TVA personnel corrected 35 safety concerns and developed or are developing actions to remediate 7 safety concerns. However, we did identify 4 safety concerns that had not been corrected and did not have a plan for remediation.

³ The Corrective Action Program is a process to find, analyze, and fix issues to ensure problems are acted upon and corrected.

⁴ Regulatory Compliance Inspections are internal inspections conducted at least annually to identify unsafe and unhealthy working conditions and comply with Title 29 CFR Section 1960.

⁵ We initially sampled 50 potential safety concerns but determined 4 items were not safety concerns.

The 4 unresolved safety concerns included:

- One instance of missing emergency signage.
- Two instances of falling or tripping hazards.
- Degraded life-preserver enclosures.⁶

Safety concerns that are not remediated timely can result in employee injuries.

OPPORTUNITY FOR IMPROVEMENT

During the course of our evaluation, we noted instances in which HSC requirements were not being followed. TVA established a checklist to guide its Local HSCs on how to operate. Among other things, the checklist required meetings be held at least quarterly and minutes be recorded and maintained. Two of 10 Local HSCs did not meet quarterly,⁷ and 4 of 10 Local HSCs did not record or maintain all meeting minutes as required by TVA's established procedure.

RECOMMENDATIONS

We recommend the Director, Safety:

- Coordinate the resolution of unresolved safety issues with Local HSCs.

TVA Management's Comments – TVA management agreed with the recommendation and provided actions planned or completed including:

- Missing emergency signage – TVA Fire Protection Engineering personnel performed a walkdown of the area of concern and determined the building meets the exceptions for emergency signage requirements. TVA provided feedback to the initiator of the concern.
- Falling or tripping hazards – A wire leading to a network jack has been removed. To address the second hazard identified, TVA painted a yellow strip to mark an elevation change at a hydro plant, plans to install a handrail system, and will use a fall restraint device for work near the elevation change until the handrail installation is completed.

See the Appendix for TVA management's complete response.

Auditor's Response – We agree with TVA management's actions planned and taken.

⁶ This condition was subsequently corrected.

⁷ When meeting minutes could not be located, we relied on other information such as meeting slideshows, Outlook calendar reservations, and assertions by personnel affiliated with HSCs to demonstrate that meetings took place.

- Communicate and emphasize the expectation of Local HSCs to meet at least quarterly and maintain meeting minutes.

TVA Management's Comments – TVA management agreed with the recommendation. The expectation of Local HSCs to meet at least quarterly and maintain meeting minutes will be communicated and emphasized to Local HSC leaders via email and at the next scheduled Safety Peer Team and Agency HSC meetings. See the Appendix for TVA management's complete response.

Auditor's Response – We agree with TVA management's planned actions.

12/20/2023

David P. Wheeler, WT 2C-K
RESPONSE TO REQUEST FOR COMMENTS – DRAFT EVALUATION 2023-17410 – HEALTH AND SAFETY
COMMITTEES

The Tennessee Valley Authority (TVA) appreciates the TVA Office of the Inspector General's (OIG) evaluation of TVA's Health and Safety Committees. We value the OIG team's insight as it provides TVA an opportunity to further strengthen and improve our safety performance – specifically, the Health and Safety Committees effectiveness at monitoring the remediation of identified safety concerns.

Recommendations:

1. We recommend the Director, Safety:
 - a. Coordinate the resolution of unresolved safety issues with Local HSCs.
 - b. Communicate and emphasize the expectation of Local HSCs to meet at least quarterly and maintain meeting minutes.

Response:

TVA agrees with the facts and the recommendation. The unresolved safety issues included:

- One instance of missing emergency signage.
- Two instances of falling or tripping hazards.
- Degraded life preserver enclosures.

Status of issues:

- One instance of missing emergency signage – issue closed. A Central Labs Employee located at Norris Building G requested illuminating emergency exit signage. On 12/14/2023, TVA Fire Protection Engineering performed a Life Safety walkdown of the area of concern and determined per International Building Code (IBC) 1013.1 that building G meets the exceptions:
 1. Exit signs are not required in rooms or areas that require only one exit or exit access.
 2. Main exterior exit doors or gates that are obviously and clearly identifiable as exits need not have exit signs where approved by the building official.The area is also classified as "S" occupancy (Storage) under code 1006.2.2 and is smaller than the size that requires signage (14500 sqft). This feedback was provided to the initiator after the walkdown.
- Two instances of falling or tripping hazards. The first was a wire leading to a network jack during a meeting. The wire has been removed. This issue is closed. The second was a concern regarding a change in elevation that had no handrail at Northern Hydro – Boone Hydro. A yellow strip has been painted to mark the elevation change and a handrail system is planned for installation. A fall restraint device will be used for any work performed near the elevation change between now and handrail installation. Issue remains open, but has been mitigated.
- Degraded life preserver enclosures – issue closed. Per the draft report dated November 30, 2023, the degraded life preserver enclosures have been corrected.

I will communicate and emphasize the expectation of Local HSCs to meet at least quarterly and maintain meeting minutes using three methods:

1. I (or a delegate in my absence) will communicate this at the next Agency Health and Safety Committee meeting, currently scheduled for March 20, 2024.
2. I (or a delegate in my absence) will communicate this at the next Safety Peer Team Meeting, currently scheduled for January 11, 2024.
3. I will communicate via email to the leaders of all Local Health and Safety Committees the contents of this report as well as these expectations.

Thank you for allowing us to provide this response.



Digitally signed by Lovitt, Matthew Robert
DN: cn=Matt, o=USF, ou=SCS, email=matlovitt@usf.edu
Reason: I am the author of this document
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Matt Lovitt
Director, Safety
Safety and Workforce Development