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Contents: Requesting SBMS Variances

Effective Date: **April 2003**

Point of Contact: [SBMS Requirements Management](#)

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Introduction	
1. Establishing Equivalency with a Laboratory-Wide Required Procedure	<ul style="list-style-type: none"> Determine and obtain approval for equivalent means.
2. Identifying and Documenting a Variance Approach	<ul style="list-style-type: none"> Select variance approach. Document variance.
3. Obtaining Review and Approval of Variance Documentation	<ul style="list-style-type: none"> Obtain approvals. Submit approved variance forms.
4. Implementing a Variance	<ul style="list-style-type: none"> Revise affected documents. Notify staff. Implement variance. Maintain record copy of variance.

[Definitions](#)

Exhibits

[Preparation of Exemption Request for External Requirement Document](#)

Forms

[Internal Variance Request and Approval Form](#)

Training Requirements and Reporting Obligations

This subject area does not contain training requirements.

This subject area contains the following reporting obligation:

- The Management System Steward submits requests for variances to any external regulation (by letter) to the appropriate regulatory agency (e.g., DOE, EPA, NYSDEC).

See the section [Identifying and Documenting a Variance Approach](#) for more information.

References

[Laboratory-Wide Procedures and Guidelines](#) Subject Area

Standards of Performance

All staff and guests shall comply with applicable Laboratory policies, standards, and procedures, unless a formal variance is obtained.

Management System

This subject area belongs to the **Standards-Based Management System** management system.

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The Laboratory complies with all applicable required procedures, either directly or through equivalent means of achieving the intent of the required procedure. When conformance with a required procedure or its intent is not possible, either through direct compliance or an equivalent means of complying, activities do not proceed until a variance from the required procedure is approved.

Variances are not pursued for convenience. Requests for variances may be appropriate if

- the required procedure does not reflect the nature or uniqueness of work;
- it conflicts with another required procedure;
- it is not necessary to achieve its underlying purpose;
- it is not cost-effective relative to the benefits gained from its application;
- applying it would derive results that are significantly different than originally intended;
- the benefits of exemption outweigh any potential detriment caused by not granting the exemption;
- circumstances could justify a variance, as long as good faith action is taken to comply with its intent; and
- circumstances that arise were not initially addressed by the required procedure for which it would be in the customer's best interest to grant an exemption.

This subject area identifies the process for how staff request variances from any Laboratory-wide required procedure set forth in the Standards-Based Management System (SBMS). The information applies to any deviation from these Laboratory-wide required procedures, whether they are driven by internal or external requirements. The Laboratory may interpret external codes and standards for making internal judgments on compliance. The external regulatory agencies make the final judgments on compliance with external requirements. Some external regulations and established site permits do not allow for any variances.

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1. Establishing Equivalency with a Laboratory-Wide Required Procedure

Effective Date: **April 2003**

Point of Contact: [SBMS Requirements Management](#)

Applicability

This information applies to staff who identify a potential conflict when complying with a Laboratory-wide required procedure.

Required Procedure

Potential conflicts with implementing Laboratory-wide requirements must be evaluated to determine if an equivalent means of compliance is achievable, or if a variance is required.

Work can proceed more efficiently and effectively if staff establish an equivalent means for meeting a requirement (rather than requesting a variance from a requirement), as follows:

Step 1	<p>Work with the Subject Matter Expert (SME), as needed, to determine if an equivalent means for complying with the required procedure can be established.</p> <ul style="list-style-type: none"> • If it is feasible to meet the required procedure with equivalent means, obtain approval from the SME, implement the equivalent method, and proceed with the work. • If equivalency with a required procedure cannot be established, go to the section Identifying and Documenting a Variance Approach for more information.
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Guidelines

Staff should consider documenting the equivalency logic and retaining it on file as evidence of its underlying rationale and approval.

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Subject Area: **Requesting SBMS Variances**

2. Identifying and Documenting a Variance Approach

Effective Date: **April 2003**

Point of Contact: [SBMS Requirements Management](#)

Applicability

This information applies to staff who confirm the need for a variance from a Laboratory-wide required procedure.

Required Procedure

Any deviation from compliance with a Laboratory-wide required procedure must be identified and documented.

The staff member requesting the variance takes the following steps.

Step 1	<p>Identify and evaluate options for complying with the required procedure.</p> <p>Note: Obtain technical input and assistance from the Subject Matter Experts (SME) and Management System Steward, as needed.</p>
Step 2	<p>Contact the SME to</p> <ul style="list-style-type: none"> • determine whether a variance is an option; • select the variance approach; • determine whether the required procedure is based on an internal requirement or an external requirement; • determine if the SME can verbally approve the proposed change (e.g., one-time variation in accomplishing the work), or if it requires preparing the variance documentation (e.g., a permanent, alternate method for satisfying the Laboratory-wide requirement).
Step 3	<p>Document the variance.</p> <ul style="list-style-type: none"> • Verbal approvals are not required to be documented. • When documenting a variance from an internal requirement, staff complete an Internal Variance Request and Approval Form or equivalent documentation. • When documenting a variance from an external regulatory requirement, staff contact the SME or Management System Steward for guidance in addressing the required procedure.
Step 4	<p>After completing the variance documentation, go to the section Obtaining Review and Approval of the Variance Documentation.</p>

Guidelines

Although neither the requesting staff member nor the SME are required to document verbal approvals of variances, the approval should be noted (e.g., in a log book, journal, and filed with records generated as a result of performing the procedure).

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3. Obtaining Review and Approval of Variance Documentation

Effective Date: **April 2003**

Point of Contact: [SBMS Requirements Management](#)

Applicability

This information applies to staff who prepare a variance request.

Required Procedure

Variance requests must be reviewed and approved following the procedure described below.

Step 1	<p>The staff member initiating the request (requestor), the supervisor, and/or the Building Manager (if building equipment or systems are affected) review and concur on the variances to internal requirements.</p> <p>Note: Contact the Subject Matter Expert (SME) or Management System Steward, as needed, to identify appropriate reviewers.</p>
Step 2	The requestor transmits the reviewed variance request to the Management System Steward.
Step 3	<p>The affected Management System Steward ensures the appropriate SME reviews and concurs with the variance request. The Management System Steward then gives final approval of the variance.</p> <p>For external variances only, the SME and the Management System Steward review and approve (internally) variances from external requirements. The Management System Steward submits requests for variances to any external regulation (by letter) to the appropriate regulatory agency (e.g., DOE, EPA, NYSDEC). When an exemption is requested from a directives-based contract requirement, see exhibit Preparation of Exemption Request for External Requirement Document for guidance on preparing an exemption request, unless there is an exemption process specified in the directive.</p>
Step 4	The Management System Steward submits the signed original of the approved variance request to SBMS Requirements Management , who assigns the variance number.
Step 5	The SME informs the requestor and the supervisor that approval has been granted, and gives a copy of the approved variance to the requestor.
Step 6	The requestor provides copies of the approved variance to the project manager and the supervisor.
Step 7	When a completed variance request is approved, implement the variance. See the section Implementing a Variance for more information.

Guidelines

Each management system should have internal procedures for obtaining variances from the specific regulatory agencies with whom it directly interfaces. This helps streamline the request/approval process for variances and ensures that the correct levels of approval are obtained.

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4. Implementing a Variance

Effective Date: **April 2003**

Point of Contact: [SBMS Requirements Management](#)

Applicability

This information applies to staff and Management System Stewards who receive an approved variance.

Required Procedure

Variances must be implemented as approved, and records of the approved variance must be maintained, as described in the procedure below.

Step 1	<p>If the variance affects only a specific activity, the staff member who requested the variance</p> <ul style="list-style-type: none"> • ensures that the affected technical or operating procedure and/or any other affected documentation are revised; • ensures that the affected staff are notified and trained, as appropriate; and • implements the variance and proceeds with the work. <p>Note: The Management System Steward needs to ensure that the variance does not adversely affect other Laboratory operations.</p> <p>If the variance affects the entire Laboratory, the Management System Steward initiates the revision of any effected procedures, as described in the Laboratory-Wide Procedures and Guidelines Subject Area.</p>
Step 2	<p>SBMS Requirements Management maintains a record copy of all approved variances.</p>

Guidelines

Staff should retain the variance documentation on file, by project or activity, as evidence of the rationale for the approved variance approach.

References

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Preparation of Exemption Request for External Requirement Document

Requests for exemptions should address the following information, as appropriate:

1. Site or facility for which an exemption is being requested.
2. Reference to the requirements for which exemption is sought.
3. Identification and justification of the acceptance of any additional risks that will be incurred if the exemption is granted.
4. Benefits to be realized by providing the exemption.
5. Indication of whether the exemption being requested is temporary or permanent, and for temporary exemptions, indication of when compliance will be achieved.
6. Identification of other pertinent data or information used as a basis for obtaining an exemption.
7. Requests for exemptions to environment, safety, and health requirements must also address the following:
 - a. A description of any special circumstances that warrant the granting of an exemption, including whether
 - i. application of the requirement in the particular circumstances would conflict with another requirement;
 - ii. application of the requirement in the particular circumstances would not achieve, or is not necessary to achieve, the underlying purpose of the requirement;
 - iii. application of the requirement in the particular circumstances would not be justified by any safety and health benefit;
 - iv. the exemption would result in a health and safety benefit that compensates for any detriment that would result from granting the exemption, or
 - v. there exists any other material circumstances not considered when the requirement was adopted for which it is in the public interest to grant an exemption.
 - b. Steps to be taken to provide adequate protection of health, safety, and the environment, and a statement that adequate protection will be provided.
 - c. A description of any alternative or mitigating actions that have or will be taken to ensure adequate safety and health and protection of the public, the workers, and the environment for the period the exemption will be effective.

Internal Variance Request and Approval

Variance #: _____ Page 1 of ____

Initiating Organization: _____

Management System Steward: _____

Variance Type: Permanent Temporary Start Date: _____ End Date: _____

1. Identify the Relevant Requirement:

2. Describe Subject/Operation Affected by the Required Procedure: *(Provide background for variance request; describe project operation, activity, group, how they are affected by the required procedure, and why the required procedure cannot be met.)*

3. Describe the Variance Approach: *(Analyze the approach and describe how it will satisfy the required procedure.)*

4. List Required Actions: *(List actions to be taken based on the analysis of the approach in step 3.)*

Staff Member: _____ Phone #: _____ Building: _____
(variance requestor)

Approvals:

Requesting Staff Member: _____ Date: _____

Subject Matter Expert: _____ Date: _____

Supervisor: _____ Date: _____
and/or

ES&H Coordinator: _____ Date: _____

Management System Steward _____ Date: _____



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There are no definitions for this subject area.

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Revision History: Requesting SBMS Variances

Point of Contact: [SBMS Requirements Management](#)

Revision History of this Subject Area

Date	Description	Management System
April 2003	This subject area was revised to add guidelines for preparing an exemption request from a directives-based contract requirement. The exhibit Preparation of Exemption Request for External Requirement Document was added to use in preparing such a request.	Standards-Based Management System
March 1999	This subject area was developed to provide a process for line managers to request a variance to established BNL Laboratory-level procedures.	Standards-Based Management System

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