



Worker Safety and Health Enforcement Program Update and Case Review

Kevin Dressman

Director, Office of Worker Safety and Health Enforcement
Office of Enforcement and Oversight

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<http://www.hss.doe.gov/enforce/index.html>



Overview



- Enforcement Activities
- Assistance Activities
- WSH NTS Reporting Criteria
- Miscellaneous Items
- HS-41 Site Assignments



Worker Safety and Health Enforcement Activities

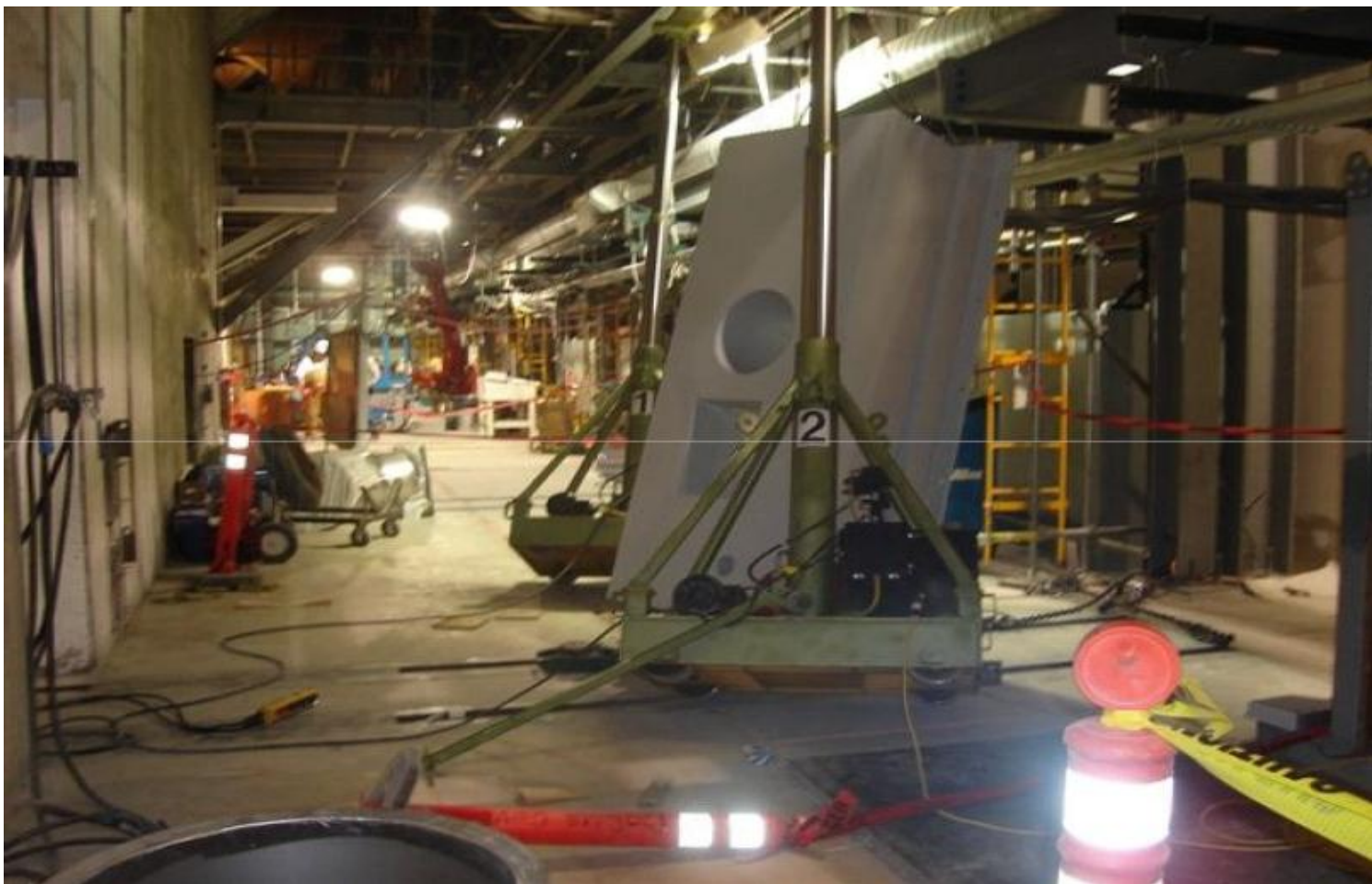


- Shield door hoisting incident at INL
 - URS PNOV
 - CWI Consent Order
- Tree-trimming event at BNL
 - Enforcement Letter – Brookhaven Science Associates
- Four investigations in process



INL Sodium Bearing Waste Treatment Plant Project

Shield Door Hoisting Incident





INL Sodium Bearing Waste Treatment Plant Project

Shield Door Hoisting Incident



- Prime/subcontractor relationship
- URS PNOV
 - Safety significance and regulatory considerations
 - Part 851 violations
 - Mitigation considerations
- CWI Consent Order
 - Safety significance and regulatory considerations
 - Settlement
- Lessons learned



Brookhaven Science Associates

Tree-trimming Event at BNL



- Safety significance
- Prior similar events
- Part 851 noncompliances
- BSA's response
- Enforcement Letter (October 24, 2011)





Worker Safety and Health Assistance Activities



- Y-12 National Security Complex (B&W Y-12)
- Waste Isolation Pilot Plant (Washington TRU Solutions)
- FY2012 Plans:
 - Assistance Reviews
 - Follow-up Reviews
 - Part 851 Training
 - Injury and Illness Recordkeeping
- Other suggestions for enhancing this compliance assistance service?



Current NTS WSH Reporting Criteria



DOE Enforcement Process Overview

Table A.1 - Noncompliances Associated With Occurrences (DOE Manual 231.1-2)

Reporting Criteria Group	Subgroup	Occurrence Category and Summary Description
1. Operational Emergencies ³	N/A	<ul style="list-style-type: none"> (1) Operational Emergency (2) Alert (3) Site Area Emergency (4) General Emergency
2. Personnel Safety and Health	A. Occupational Illnesses/Injuries	<ul style="list-style-type: none"> (1) Fatality/terminal illness (2) Inpatient hospitalization of ≥ 3 personnel (3) > 3 personnel having DART (days away, restricted, or transferred) cases (4) Personnel exposure $>$ limits requiring medical treatment (5) Personnel exposure $>$ limits (6) Serious occupational injury
	B. Fires/Explosions	<ul style="list-style-type: none"> (1) Unplanned fire/explosion within primary confinement/containment (2) Unplanned fire/explosion in a nuclear facility that activates a fire suppression system (3) Unplanned fire/explosion in a non-nuclear facility
	C. Hazardous Energy Control	<ul style="list-style-type: none"> (1) Process failure resulting in burn, shock (2) Process failure/discovery of uncontrolled energy source
10. Management Concerns/Issues	N/A	<ul style="list-style-type: none"> (3) Near miss (Significance Categories 1 through 3)



Current NTS WSH Reporting Criteria



DOE Enforcement Process Overview

Table A.2 - Other NTS Reportable Conditions

Management Issue Noncompliances⁴
Repetitive Noncompliances
Programmatic Issue
Intentional Violation or Misrepresentation
Substantiated violations of 851.20(a)(6) or (9) - Reprisals
Other Significant Conditions
Conditions meeting the criteria of Severity Level I (serious) violations ⁵



DRAFT Proposed NTS WSH Reporting Criteria



- **Severity Level I noncompliance(s)** with Parts 851 and 850

(Refer to Part 851, Appendix B, Section VI(b)(1))

- **Programmatic** deficiencies with a regulatory nexus
- **Repetitive** noncompliances
- **Intentional violation** or misrepresentation
- Substantiated **reprisal** associated with 851.20(a)(6) or (9)



DRAFT Proposed NTS WSH Reporting Criteria (cont.)



Occurrence Reports:

- Group 1: Operational Emergencies
 - ✓ All Occurrences
- Group 2: Personnel Safety and Health
 - ✓ Subgroup A – Injuries
 - ✓ Subgroup B – Illnesses
 - ✓ Subgroup C – Fires (1) - (3)
 - ✓ Subgroup D – Explosions
 - ✓ Subgroup E – Hazardous Electrical Energy Control (1) and (2)
 - ✓ Subgroup F – Hazardous Energy Control (1) and (2)
- Group 4: Facility Status
 - ✓ **Subgroup B - Operations (1)**
- Group 10: Management Concerns and Issues
 - ✓ **Federal Accident Investigation Board (1)**
 - ✓ Near Misses(3)



Miscellaneous Items



- Orders invoked by Part 851
 - DOE Manual 231.1-1A, Environment, Safety and Health Reporting Manual
 - DOE Manual 440.1-1A, DOE Explosives Safety Manual
- “DOE Site” under Part 851 – DOE “Control”
- Request for Investigation (10 CFR 851.40(c))
- Exposure assessments and industrial hygiene program requirements



HS-41 Site Assignments



Sites	Enforcement Officer
Office of Environmental Management	
East Tennessee Technology Park	Dave Zwolak
Hanford - Richland	Cindy Saban
Hanford - River Protection	Cindy Saban
Idaho Closure Project	Les Bermudez
Paducah/Portsmouth Sites	Dave Zwolak
Savannah River Site (EM and NA)	Dave Zwolak
SPRU Project	Les Bermudez
Waste Isolation Pilot Plant	Cindy Saban
West Valley Demonstration Project	Dave Zwolak
National Nuclear Security Administration	
Kansas City Plant	Les Bermudez
Lawrence Livermore National Laboratory	Dave Zwolak
Los Alamos National Laboratory	Les Bermudez
Nevada National Security Site	Les Bermudez
Pantex Plant	Cindy Saban
Sandia National Laboratories	Dave Zwolak
Y-12 National Security Complex	Cindy Saban



HS-41 Site Assignments



Sites	Enforcement Officer
Office of Science	
Ames Laboratory	Cindy Saban
Argonne National Laboratory	Cindy Saban
Berkeley National Laboratory	Les Bermudez
Brookhaven National Laboratory	Les Bermudez
Fermi Laboratory	Cindy Saban
New Brunswick Laboratory	Les Bermudez
Oak Ridge National Laboratory	Dave Zwolak
Pacific Northwest National Laboratory	Cindy Saban
Princeton Plasma Physics Laboratory	Dave Zwolak
SLAC National Accelerator Laboratory	Dave Zwolak
Other Program Offices	
EE - National Renewable Energy Laboratory	Cindy Saban
NE - Idaho National Laboratory	Les Bermudez
LM - Legacy Management	Les Bermudez
MA - DOE Headquarters	Les Bermudez



Questions?