



# **Worker Safety and Health Enforcement Program Update and Case Review**

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



## Overview



- Enforcement Activities
- Lessons Learned
- Regulatory Compliance Challenges
- Miscellaneous Items
- Assistance Activities
- HSS Focus Group
- HS-41 Site Assignments



## Worker Safety and Health Enforcement Activities



- Shield door hoisting incident at Idaho National Laboratory
  - URS Notice of Violation (PNOV)
  - CWI Consent Order
- Tree-trimming event at Brookhaven National Laboratory
  - Enforcement Letter – Brookhaven Science Associates
- Occupational exposure events at Sandia
- Six 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)





# Sandia Corporation

## *Occupational Exposure Events at SNL*



- Five exposure events - June 2010 through July 2011
  - Lead, styrene, beryllium
- Part 851 noncompliances
  - Assessment and control of exposure hazards – initial and with work scope change
  - Industrial hygiene sampling
  - Subject matter expert involvement
- Exposure assessment program
- Enforcement Letter (March 5, 2012)



# Part 851 Enforcement 2007-2012



- Safety significance of violations:
  - Permanent, disabling worker injury or illness
  - Near misses to fatality or serious physical harm
  - Shocks and burns
- Regulatory requirements:
  - Part 851
  - Part 1910/1926
  - National Fire Protection Association standards
  - ACGIH standards
- 12 NOV's, 3 Consent Orders, 7 Enforcement Letters
- The next five years....



## Lessons Learned from Enforcement Activities



- Ensure work is performed within the defined scope
- Clarify to workers the hazards and controls associated with their assigned tasks – don't rely exclusively on skill-of-the-craft
- Engage Subject Matter Experts in work planning and control
- Consider NFPA 70E when evaluating electrical safety deficiencies
- Communicate DOE regulatory expectations to subcontractors



## Lessons Learned from Enforcement Activities (Continued)



- Use assessments to identify noncompliances before they result in events and worker injury/illness
- Perform self-critical evaluations of events and noncompliant conditions
- Determine the extent of noncompliant condition(s)
- Effectively address causal factors and extent of condition(s) to prevent recurrence



# Regulatory Compliance Challenges



- Procedures incorporated into WSHP (851.10(a)(2)(ii))
- Hierarchy of controls (851.22(b))
- Fall protection (1910 and 1926)
- Thermal stress (ACGIH)
- Exposure assessments and industrial hygiene programs (851 Appendix A.6)
- Occupational medicine programs (851 Appendix A.8)



## Miscellaneous Items



- DOE directives 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))
- NTS Reporting tips
- Communications with HS-41



## 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?



## HSS Focus Group



- Forum for communications with those who manage, train, and represent workers
- Participants:
  - HSS
  - 14 DOE unions
  - DOE stakeholders
  - EFCOG
- Workgroups:
  - 851 Implementation
  - Strategic Initiatives
  - Training
  - Workforce Skills Retention



## 851 Work Group Objectives



- Identify and communicate expectations for the implementation, oversight, and development of effective Worker Safety and Health Programs
- Improve worker awareness and familiarity with 851 requirements and their integration with other management systems (e.g., ISM, QA)
- Identify and share effective approaches to involve contractor workers and their representatives in the development and implementation of worker safety and health programs



## 851 Work Group Members



- Leads:
  - Pat Worthington (HSS), Doug Stephens (United Steel Workers), Richard DeBusk (EFCOG)
- Work Group Co-Leads:
  - Bill McArthur (HSS) and Barb McCabe (International Union of Operating Engineers)
- Work Group Members:
  - HSS: Kevin Dressman, Steve Simonson, and Tom Staker
  - Union/Stakeholder: Diane Whiten (Hanford Atomic Metal Trades Council) and Stan Scott (HAMMER)

More information: <http://www.hssoutreach.doe.gov>



# HS-41 Site Assignments



Sites	Enforcement Officer
<b>Office of Environmental Management</b>	
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
<b>National Nuclear Security Administration</b>	
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
<b>Office of Science</b>	
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
<b>Other Program Offices</b>	
EE - National Renewable Energy Laboratory	Cindy Saban
NE - Idaho National Laboratory	Les Bermudez
LM - Legacy Management	Les Bermudez
MA - DOE Headquarters	Les Bermudez



# *Questions?*

