

DEPARTMENT OF ENERGY CITES THE UNIVERSITY OF CALIFORNIA AND PACIFIC DATA ELECTRIC, INC., FOR WORKER SAFETY AND HEALTH PROGRAM VIOLATIONS

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Department of Energy Cites the University of California and Pacific Data Electric, Inc., for Worker Safety and Health Program Violations

WASHINGTON – The U.S. Department of Energy (DOE) has issued a Preliminary Notice of Violation (PNOV) to the University of California (UC) and Pacific Data Electric, Inc. (PDE) for violations of DOE worker safety and health requirements. Worker safety is a priority for the Department, and DOE's enforcement program supports this priority by holding contractors accountable for meeting regulatory requirements and maintaining a safe and healthy workplace.

The violations are associated with a 277-volt electrical shock received by a PDE apprentice electrician at the Lawrence Berkeley National Laboratory on November 19, 2013. The PNOV issued to UC cites one Severity Level I violation of requirements enforceable under Title 10 C.F.R. Part 851, *Worker Safety and Health Program*. UC is cited for violations in the area of hazard identification, assessment, prevention, and abatement.

DOE administered a contract fee reduction in the amount of \$56,910 for fiscal year 2014 pursuant to the Conditional Payment of Fee clause under contract number DE-AC02-05CH11231 between DOE and UC for continuing LBNL program deficiencies in electrical safety program and in the management and oversight of subcontractors. Therefore, in accordance with 10 C.F.R. § 851.5(c), DOE proposes no civil penalty for the cited violation.

The PNOV issued to PDE cites one Severity Level I violation of Part 851 requirements in the area of electrical hazard identification, assessment, prevention, and abatement. DOE proposes a civil penalty of \$7,500 based on the safety significance of the violation, PDE's timely implementation of comprehensive corrective actions to prevent recurrence, and the employer size.

Section 234C of the Atomic Energy Act of 1954, as amended, authorizes the Energy Department to pursue regulatory enforcement under 10 C.F.R. Part 851, against DOE contractors for violations of worker safety and health requirements. DOE's enforcement program encourages contractors to identify and correct worker safety and health program deficiencies at an early stage, before they contribute to or result in more serious safety and health events.

Additional details on this PNOV and other enforcement actions are available on the DOE website at <http://www.energy.gov/ea/services/enforcement>.