



# **10 CFR Part 851**

## **Worker Safety and Health Program Technical Amendment FTCP Meeting July 2018**


Patricia Worthington, Ph.D.  
Director  
Office of Health and Safety




# **10 CFR Part 851 Technical Amendment**



- **Federal Register – December 18, 2017**
- **Purpose:**
  - Update safety and health standards
  - Delete obsolete DOE Directives
- **Effective Date: January 17, 2018**
- **Compliance Date: January 17, 2019**




## 10 CFR Part 851 Technical Amendment




- **Amended sections of 10 CFR Part 851:**
  - § 851.23 Safety and health standards
    - 851.23(a)(9) thru (15) – Updated standards
  - § 851.26 Recordkeeping and Reporting
    - 851.26(a)(2) and (a)(3) & 851.26(b)(2)
      - Deleted obsolete DOE Directives
        - » DOE Manual 231.1-1A, *Environment, Safety and Health Reporting Manual*, September 9, 2004; DOE Order 225.1A, *Accident Investigation*, November 26, 1997
      - Added: “DOE reporting directives” and “by DOE”

3



## 10 CFR Part 851 Technical Amendment



- **Amended sections continued**
  - § 851.27 Materials incorporated by reference - Updated
    - **Required by the Director of the Federal Register**
      - **Highlights for the public:**
        - » What materials the Director approved for the incorporation
        - » Where to physically find the materials incorporated
        - » Where the material is incorporated in the rule
        - » What DOE must do to revised/amend the incorporated material

4



## 10 CFR Part 851 Technical Amendment



- Amended sections continued:
  - Appendix A-Worker Safety and Health Functional Areas
    - Section 3, Explosives Safety
      - Deleted DOE Explosives Safety Manual Added: “the appropriate explosives safety technical standard” [paragraph b]
        - » DOE STD 1212-2012, *Explosives Safety*

5



- Amended sections continued:
  - Section 4, Pressure Safety
    - Updated - American Society of Mechanical Engineers (ASME) - Boilers and Pressure Vessel Code [Section 4, b(1)(i)-(xxxii)]
    - Updated - ASME B31 Codes [Section 4, b(2)(i)-(viii)]
  - Section 8, Industrial Hygiene [paragraph f]
    - Deleted: “in accordance with Presidential Decision Directive 39, U.S. POLICY ON COUNTER TERRORISM”

6



## 10 CFR Part 851 Technical Amendment



- **Implementation**
  - **DOE Contractors:**
  - **Written Worker Safety and Health Program - Update**
    - **Written Abatement Plan**
      - » **If can't abate hazards before January 2019**
  - **Submit to the Head of DOE Field Element**
    - **Review and approval**
      - **At least 90 days prior to the January 17, 2019**

7



## 10 CFR Part 851 Technical Amendment



- **Implementation continued:**
- **Head of DOE Field Element**
  - **Review and Approve**
    - **Written Worker Safety and Health Program**
      - **Written Abatement Plan**
        - » **If can't abate hazards before January 2019**

8



## 10 CFR Part 851 Technical Amendment



- **AU Implementation Assistance**
- **In order to effectively implement the requirements in the applicable consensus standards by the January 17, 2019, compliance date**
  - **AU Memorandum, March 13, 2018**
    - **EHSS Webpage:**  
<https://www.energy.gov/ehss/downloads/memorandum-10-cfr-851-worker-safety-and-health-program-incorporation-reference>
      - **DOE Contractors**
      - **Head of DOE Field Elements**

9



## 10 CFR Part 851 Technical Amendment



- **AU implementation assistance continued:**
- **Worker Safety and Health Response Line**
  - **Questions & Answers - posted at EHSS Worker Safety and Health website at:**
    - <https://www.energy.gov/ehss/worker-safety-and-health>
      - **The first bullet under: IMPLEMENTATION ASSISTANCE AND TOOLS**
  - **Also posted at:**
    - <https://orau.org/ihos/doe-worker-safety-health/10-cfr-851.html>
    - **Under 10 CFR 851 Technical Amendment: Standards Incorporated by Reference, January 10, 2018 (Federal Register Publication)**

10



## 10 CFR Part 851 Technical Amendment



- **AU implementation assistance continued:**
  - **Conduct WebExs as needed to communicate the responses or clarifications**
    - June 20,2018: Discuss the Questions and Answers
    - Encourage your participation
  - **Develop clarification letters/notices as needed**
    - Ensure consistent implementation
  - **Collaborate with the Office of the General Counsel**
    - Ensure clarification letters/ notices conform to the requirements in the regulations

11



## 10 CFR Part 851 Technical Amendment



- **AU implementation assistance continued:**
  - **Provide guidance in developing, managing, and implementing a worker safety and health program**
    - Implementation guide (DOE G 440.1B, Change 1) located at: <https://www.directives.doe.gov/directives-documents/400-series/0440.1-EGuide-1B-admchg1>
  - **Develop responses to questions submitted on the Safety and Health Response Line**
    - Responses on the Worker Safety and Health Program (10 CFR 851/DOE O 440.1B) Website located at: <https://www.energy.gov/ehss/worker-safety-and-health-program-10-cfr-851doe-o-4401b>.

12



## **10 CFR Part 851 Technical Amendment**



- **AU implementation assistance continued:**
  - **Work with the Programs' subject matter experts**
    - **Determine other methods or procedures needed in assisting the Field offices, laboratories, and contractors**



## **10 CFR Part 851 Technical Amendment**



# **Questions?**



## 10 CFR Part 851 Technical Amendment



- **Contacts:**
- ***Patricia Worthington, Ph.D., Director***
  - **Office of Health and Safety**
    - 301-903-5926; [Patricia.worthington@hq.doe.gov](mailto:Patricia.worthington@hq.doe.gov)
  - ***David Weitzman, Acting Director***
    - **Office of Worker Safety and Health Policy**
      - 301-903-5401; [David.weitzman@hq.doe.gov](mailto:David.weitzman@hq.doe.gov)
    - ***Robin Keeler, Industrial Hygienist***
      - » 301-903-9981; [robin.keeler@hq.doe.gov](mailto:robin.keeler@hq.doe.gov)
    - ***Jacqueline Rogers (Contractor), Industrial Hygienist***
      - » 202-586-4714; [Jackie.rogers@hq.doe.gov](mailto:Jackie.rogers@hq.doe.gov)