

10 CFR 851 PROGRAM REQUIREMENTS MATRIX	Identifier: PRD-851
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Companywide	Program Requirements Document	For Additional Info: http://EDMS	Effective Date: 11/18/13
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Manual: 14A - Safety & Health - Occupational Safety & Fire Protection

Change Number: 340421

*The current revision can be verified on EDMS.

1. PURPOSE

This program requirements document (PRD) establishes the requirements for the CH2M-WG Idaho, LLC (CWI) 10 CFR 851 Worker Safety and Health Program (WSHP). CWI is committed to provide a safe workplace and ensure compliance to applicable safety and health requirements.

2. APPLICABILITY

The WSHP is applicable to CWI employees and subcontractors at a Department of Energy (DOE) owned, leased, or controlled facility where work is controlled by CWI. Details of how the WSHP requirements are implemented for CWI subcontractors are described in program description document (PDD-851), “10 CFR 851 Worker Safety and Health Program.”

This program plan does not apply to vendors, delivery subcontractors, and others whose work does not further the DOE mission. In addition, the program plan does not apply to radiological hazards to the extent they are regulated by 10 CFR Parts 830, “Nuclear Safety Management,” and 835, “Occupational Radiation Protection.”

3. REQUIREMENTS

The WSHP as described in PDD-851 is the program whereby CWI meets the requirements of 10 CFR 851, “Worker Safety and Health Program.”

The specific requirements in 10 CFR 851 are delineated in the following table and are organized the same as 10 CFR 851 and are linked to implementing documents.

NOTE: *CWI adheres to the requirements of the most current revision in the Electronic Document Management System (EDMS) of the CWI documents identified in PRD-851.*

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
Subpart B -- Program Requirements	
851.10 General requirements.	
(a) With respect to a covered workplace for which a contractor is responsible, the contractor must: <ul style="list-style-type: none"> (1) Provide a place of employment that is free from recognized hazards that are causing or have the potential to cause death or serious physical harm to workers; and (2) Ensure that work is performed in accordance with: <ul style="list-style-type: none"> (i) All applicable requirements of this part; and (ii) With the worker safety and health program for that workplace. 	-PDD-1001, "Subcontractor Requirements Program Description" -PDD-1005, "ICP Management and Operations Manual" -POL-112, "ICP Injury-Free Workplace Policy" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -MCP-1186, "Service Acquisitions" -Manual 14a Companywide – <i>Safety & Health – Occupational Safety & Fire Protection</i> -Manual 14b Companywide – <i>Safety & Health Occupational Medical & Industrial Hygiene</i>
(b) The written worker safety and health program must describe how the contractor complies with the: <ul style="list-style-type: none"> (1) Requirements set forth in Subpart C of this part that are applicable to the hazards associated with the contractor's scope of work; and (2) Any compliance order issued by the Secretary pursuant to § 851.4. 	-PDD-851, "10 CFR 851 Worker Safety and Health Program" -MCP-1186, "Service Acquisitions"
851.11 Development and approval of the worker safety and health program.	
(a) Preparation and submission of worker safety and health program. By February 26, 2007, contractors must submit to the appropriate Head of DOE Field Element for approval a written worker safety and health program that provides the methods for implementing the requirements of Subpart C of this part. <ul style="list-style-type: none"> (1) If a contractor is responsible for more than one covered workplace at a DOE site, the contractor must establish and maintain a single worker safety and health program for the covered workplaces for which the contractor is responsible. (2) If more than one contractor is responsible for covered workplaces, each contractor must: <ul style="list-style-type: none"> (i) Establish and maintain a worker safety and health program for the workplaces for which the contractor is responsible; and (ii) Coordinate with the other contractors responsible for work at the covered workplaces to ensure that there are clear roles, responsibilities and procedures to ensure the safety and health of workers at multi-contractor workplaces. 	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
(3) The worker safety and health program must describe how the contractor will: <ul style="list-style-type: none"> (i) Comply with the requirements set forth in Subpart C of this part that are applicable to the covered workplace, including the methods for implementing those requirements; and (ii) Integrate the requirements set forth in Subpart C of this part that are applicable to a covered workplace with other related site-specific worker protection activities and with the integrated safety management system. 	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
(b) DOE evaluation and approval. The Head of DOE Field Element must complete a review and provide written approval of the contractor's worker safety and health program, within 90 days of receiving the document. The worker safety and health program and any updates are deemed approved 90 days after submission if they are not specifically approved or rejected by DOE earlier. <ul style="list-style-type: none"> (1) Beginning May 25, 2007, no work may be performed at a covered workplace unless an approved worker safety and health program is in place for the workplace. (2) Contractors must send a copy of the approved program to the Assistant Secretary for Environment, Safety and Health. 	-PDD-851, "10 CFR 851 Worker Safety and Health Program"

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(3) Contractors must furnish a copy of the approved worker safety and health program, upon written request, to the affected workers or their designated representatives.	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
(c) Updates. (1) Contractors must submit an update of the worker safety and health program to the appropriate Head of DOE Field Element, for review and approval whenever a significant change or addition to the program is made, or a change in contractors occurs. (2) Contractors must submit annually to DOE either an updated worker safety and health program for approval or a letter stating that no changes are necessary in the currently approved worker safety and health program. (3) Contractors must incorporate in the worker safety and health program any changes, conditions, or workplace safety and health standards directed by DOE consistent with the requirements of this part and DEAR 970.5204-2, Laws, Regulations and DOE Directives (December, 2000) and associated contract clauses.	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
(d) Labor Organizations. If a contractor employs or supervises workers who are represented for collective bargaining by a labor organization, the contractor must: (1) Give the labor organization timely notice of the development and implementation of the worker safety and health program and any updates thereto; and (2) Upon timely request, bargain concerning implementation of this part, consistent with the Federal labor laws.	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
851.12 Implementation	
(a) Contractors must implement the requirements of this part. (b) Nothing in this part precludes a contractor from taking any additional protective action that is determined to be necessary to protect the safety and health of workers.	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
851.13 Compliance	
(a) Contractors must achieve compliance with all the requirements of Subpart C of this part, and their approved worker safety and health program no later than May 25, 2007. Contractors may be required to comply contractually with the requirements of this rule before February 9, 2007.	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
(b) In the event a contractor has established a written safety and health program, an Integrated Safety Management System (ISMS) description pursuant to the DEAR Clause, or an approved Work Smart Standards (WSS) process before the date of issuance of the final rule, the Contractor may use that program, description, or process as the worker safety and health program required by this part if the appropriate Head of the DOE Field Element approves such use on the basis of written documentation provided by the contractor that identifies the specific portions of the program, description, or process, including any additional requirements or implementation methods to be added to the existing program, description, or process, that satisfy the requirements of this part and that provide a workplace as safe and healthful as would be provided by the requirements of this part.	N/A
(c) Nothing in this part shall be construed to limit or otherwise affect contractual obligations of a contractor to comply with contractual requirements that are not inconsistent with the requirements of this part.	N/A
Subpart C, Specific Program Requirements	
851.20 Management responsibilities and worker rights and responsibilities	
(a) Contractors are responsible for the safety and health of their workforce and must ensure that contractor management at a covered workplace:	

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(1) Establish written policy, goals, and objectives for the worker safety and health program;	-CTR-26, "Charter for the Company Employee Safety Team" -GDE-416, "ICP Safety Toolbox" -MCP-1269, "Establishing, Monitoring, and Reporting ESH&QA Performance Objectives, Goals, and Measures" -PDD-16, "Occupational Safety & Health Program Overview" -PDD-1001, "Subcontractor Requirements Program Description" -PDD-1004, "Integrated Safety Management System" -PDD-1005, "ICP Management and Operations Manual" -POL-112, "ICP Injury-Free Workplace Policy" -PRD-186, "Occupational Safety and Health Program" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -SPOMC, Safety Performance Objectives, Measures, and Commitments -TOC-59, "Subcontractor Requirements Manual"
(2) Use qualified worker safety and health staff (e.g., a certified industrial hygienist, or safety professional) to direct and manage the program;	-PDD-16, "Occupational Safety & Health Program Overview" -PRD-186, "Occupational Safety and Health Program" -PRD-5060, "Occupational Safety and Health Functions, Roles, Responsibilities and Interfaces" -STD-1103, "Industrial Hygiene Qualification" -STD-1105, "Fire Protection Qualification" -STD-1106, "Industrial Safety Qualification"
(3) Assign worker safety and health program responsibilities, evaluate personnel performance, and hold personnel accountable for worker safety and health performance;	-GDE-10, "Employee Handbook" -GDE 411, "ICP Management Workplace Visit Program" -GDE-416, "ICP Safety Toolbox" -PDD-16, "Occupational Safety & Health Program Overview" -PDD-1001, "Subcontractor Requirements Program Description" -PDD-1004, "Integrated Safety Management System" -POL-101, "Management Resource Manual" -POL-112, "ICP Injury-Free Workplace Policy" -PRD-5060, "Occupational Safety and Health Functions, Roles, Responsibilities and Interfaces" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -VPP Website -- http://icportal/Home/VPP/tabid/402/Default.aspx
(4) Provide mechanisms to involve workers and their elected representatives in the development of the worker safety and health program goals, objectives, and performance measures and in the identification and control of hazards in the workplace;	-CTR-26, "Charter for the Company Employee Safety Team" -MCP-101, "ICP Integrated Work Control Process" -MCP-3450, "Developing and Using Job Safety Analysis" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -PDD-1004, "Integrated Safety Management System" -PRD-186, "Occupational Safety and Health Program" -PRD-1501, "Work Control" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -USW Agreement Article 19.1 -VPP Bill of Rights

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(5) Provide workers with access to information relevant to the worker safety and health program;	-CTR-26, "Charter for the Company Employee Safety Team" -Electronic Document Management System, (EDMS) -GDE-416, "ICP Safety Toolbox" -MCP-2715, "Hazard Communication" -PDD-851, "10 CFR 851 Worker Safety and Health Program" -PDD-1001, "Subcontractor Requirements Program Description" -PDD-1004, "Integrated Safety Management System" -PRD-186, "Occupational Safety and Health Program" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -USW Agreement Article 19.1 -VPP Bill of Rights
(6) Establish procedures for workers to report without reprisal job-related fatalities, injuries, illnesses, incidents, and hazards and make recommendations about appropriate ways to control those hazards;	-GDE-416, "ICP Safety Toolbox" -MCP-49, "Occupational Injury/Illness Reporting and Follow-up" -MCP-1541, "Employee Concerns Program" -PDD-1001, "Subcontractor Requirements Program Description" -POL-112, "ICP Injury-Free Workplace Policy" -PRD-186, "Occupational Safety and Health Program" -VPP Website -- http://icportal/Home/VPP/tabid/402/Default.aspx
(7) Provide for prompt response to such reports and recommendations;	-MCP-49, "Occupational Injury/Illness Reporting and Follow-up" -MCP-1541, "Employee Concerns Program"
(8) Provide for regular communication with workers about workplace safety and health matters;	-CTR-26, "Charter for the Company Employee Safety Team" -Employee Safety Teams (EST) -GDE-411, "ICP Management Workplace Visit Program" -GDE-416, "ICP Safety Toolbox" -MCP-2715, "Hazard Communication" -PDD-1001, "Subcontractor Requirements Program Description" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -VPP Website -- http://icportal/Home/VPP/tabid/402/Default.aspx -Executive Management Directive -Flash -ICP Bulletin -IClPs -Inside the ICP -Lessons Learned -ICP Intranet
(9) Establish procedures to permit workers to stop work or decline to perform an assigned task because of a reasonable belief that the task poses an imminent risk of death, serious physical harm, or other serious hazard to workers, in circumstances where the workers believe there is insufficient time to utilize normal hazard reporting and abatement procedures; and	-GDE-416, "ICP Safety Toolbox" -MCP-553, "Step Back and Stop Work Authority" -PDD-1001, "Subcontractor Requirements Program Description" -PDD-1004, "Integrated Safety Management System" -PRD-186, "Occupational Safety and Health Program" -PRD-1004, "Step Back and Stop Work Authority" -USW Agreement Article 19.4.4 -VPP Bill of Rights

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(10) Inform workers of their rights and responsibility by appropriate means, including posting the DOE-designated Worker Protection Poster in the workplace where it is accessible to all workers.	-CTR-26, "Charter for the Company Employee Safety Team" -GDE-416, "ICP Safety Toolbox" -PDD-1001, "Subcontractor Requirements Program Description" -PRD-186, "Occupational Safety and Health Program" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -VPP Bill of Rights -VPP Website -- http://icportal/Home/VPP/tabid/402/Default.aspx -Initial and Refresher ESH Awareness Training -IClIPs
(b) Workers must comply with the requirements of this part, including the worker safety and health program, which are applicable to their own actions and conduct. Workers at a covered workplace have the right, without reprisal, to:	-GDE-10, "Employee Handbook" -GDE-416, "ICP Safety Toolbox" -PDD-851, "10 CFR 851 Worker Safety and Health Program" -PRD-5076, "Instructions, Procedures, and Drawings"
(1) Participate in activities described in this section on official time;	-CTR-26, "Charter for the Company Employee Safety Team" -PDD-851, "10 CFR 851 Worker Safety and Health Program" -PRD-186, "Occupational Safety and Health Program" -PRD-5119, "Program Requirements for the Voluntary Protection Star Process at the ICP" -USW Agreement Article 19.1 -VPP Website -- http://icportal/Home/VPP/tabid/402/Default.aspx
(2) Have access to: (i) DOE safety and health publications; (ii) The worker safety and health program for the covered workplace; (iii) The standards, controls, and procedures applicable to the covered workplace; (iv) The safety and health poster that informs the worker of relevant rights and responsibilities; (v) Limited information on any recordkeeping log (OSHA Form 300). Access is subject to Freedom of Information Act requirements and restrictions; and (vi) The DOE Form 5484.3 (the DOE equivalent to OSHA Form 301) that contains the employee's name as the injured or ill worker;	-Electronic Document Management System (EDMS) -GDE-416, "ICP Safety Toolbox" -ICP Intranet -MCP-49, "Occupational Injury/Illness Reporting and Follow-up" -PDD-1001, "Subcontractor Requirements Program Description" -PRD-186, "Occupational Safety and Health Program" -Technical Library
(3) Be notified when monitoring results indicate the worker was overexposed to hazardous materials;	-MCP-153, "Industrial Hygiene Exposure Assessments" -PRD-186, "Occupational Safety and Health Program" -PRD-2111, "Exposure Assessments"
(4) Observe monitoring or measuring of hazardous agents and have the results of their own exposure monitoring;	-MCP-153, "Industrial Hygiene Exposure Assessments" -PRD-186, "Occupational Safety and Health Program"
(5) Have a representative authorized by employees accompany the Director or his authorized personnel during the physical inspection of the workplace for the purpose of aiding the inspection. When no authorized employee representative is available, the Director or his authorized representative must consult, as appropriate, with employees on matters of worker safety and health;	-IBT Agreement Article 17.8 -PRD-186, "Occupational Safety and Health Program" -USW Agreement Article 19.4
(6) Request and receive results of inspections and accident investigations;	-IBT Agreement Article 17.8 -CTR-26, "Charter for the Company Employee Safety Team" -PRD-186, "Occupational Safety and Health Program" -USW Agreement Article 19.4.3 -VPP Bill of Rights

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(4) Analyze designs of new facilities and modifications to existing facilities and equipment for potential workplace hazards;	-MCP-1176, "Safety Analysis Process" -MCP-1308, "Field Design Change" -MCP-1450, "Conduct of Engineering" -MCP-2377, "Development, Assessment, and Maintenance of Drawings" -MCP-2811, "Nuclear Facility Change" -MCP-9185, "Technical and Functional Requirements" -PDD-1027, "Conduct of Engineering" -PRD-186, "Occupational Safety and Health Program"
(5) Evaluate operations, procedures, and facilities to identify workplace hazards;	-CTR-163, "Idaho Cleanup Project Hazard Review Board Charter" -MCP-101, "ICP Integrated Work Control Process" -MCP-583, "Performing Fire Hazards Analysis (FHA), Fire Safety Assessments (FSA), and Abbreviated Fire Assessments (AFA)" -MCP-1176, "Safety Analysis Process" -MCP-2863, "ICP Construction" -MCP-3447, "Developing and Using Safe Work Permits" -MCP-3449, "Safety and Health Inspections" -MCP-3450, "Developing and Using Job Safety Analysis" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -MCP-6204, "Control of Subcontractor Work" -MCP-6206, "Maintenance and Use of the Facilities Hazards List" -MCP-9106, "Management of Construction Projects" -PRD-25, "Activity Level Hazard Identification Analysis and Control" -PRD-600, "Maintenance Management Requirements" -PRD-1501, "Work Control"
(6) Perform routine job activity-level hazard analyses;	-CTR-163, "Idaho Cleanup Project Hazard Review Board Charter" -MCP-101, "ICP Integrated Work Control Process" -MCP-583, "Performing Fire Hazards Analysis (FHA), Fire Safety Assessments (FSA), and Abbreviated Fire Assessments (AFA)" -MCP-3447, "Developing and Using Safe Work Permits" -MCP-3450, "Developing and Using Job Safety Analysis" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -PRD-25, "Activity Level Hazard Identification Analysis and Control" -PRD-1501, "Work Control"
(7) Review site safety and health experience information; and	-CTR-159, "Charter for the Safety Assessment Center (SAC)" -CTR-163, "Idaho Cleanup Project Hazard Review Board Charter" -MCP-49, "Occupational Injury/Illness Reporting and Follow-up" -MCP-190, "Event Investigation and Occurrence Reporting" -MCP-192, "Processing Lessons Learned and Operating Experience Information" -MCP-598, "Corrective Action System" -MCP-1270, "Annual Effectiveness Review of the Integrated Safety Management System and the Contractor Assurance System"

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(8) Consider interaction between workplace hazards and other hazards such as radiological hazards.	-MCP-101, "ICP Integrated Work Control Process" -MCP-1176, "Safety Analysis Process" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -MCP-6206, "Maintenance and Use of the Facility Hazards List" -PRD-25, "Activity Level Hazard Identification Analysis and Control" -PRD-1501, "Work Control"
(b) Contractors must submit to the Head of DOE Field Element a list of closure facility hazards and the established controls within 90 days after identifying such hazards. The Head of DOE Field Element, with concurrence by the Cognizant Secretarial Officer, has 90 days to accept the closure facility hazard controls or direct additional actions to either: (1) Achieve technical compliance; or (2) Provide additional controls to protect the workers.	-PDD-851, "10 CFR 851 Worker Safety and Health Program"
(c) Contractors must perform the activities identified in paragraph (a) of this section, initially to obtain baseline information and as often thereafter as necessary to ensure compliance with the requirements in this Subpart.	-MCP-153, "Industrial Hygiene Exposure Assessment" -PRD-2111, "Exposure Assessments" -PRD-5042, "Facility Hazard Identification"
851.22 Hazard prevention and abatement	
(a) Contractors must establish and implement a hazard prevention and abatement process to ensure that all identified and potential hazards are prevented or abated in a timely manner.	-CTR-163, "Idaho Cleanup Project Hazard Review Board Charter" -Form 430.10, "Hazard Profile Screening Checklist" -MCP-101, "ICP Integrated Work Control Process" -MCP-583, "Performing Fire Hazards Analysis (FHA), Fire Safety Assessments (FSA), and Abbreviated Fire Assessments (AFA)" -MCP-1308, "Field Design Change" -MCP-1450, "Conduct of Engineering" -MCP-2811, "Nuclear Facility Change" -MCP-3447, "Developing and Using Safe Work Permits" -MCP-3450, "Developing and Using Job Safety Analysis" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -MCP-6206, "Maintenance and Use of the Facility Hazards List" -MCP-9185, "Technical and Functional Requirements" -PDD-1001, "Subcontractor Requirements Program Description" -PDD-1027, "Conduct of Engineering" -PRD-25, "Activity Level Hazard Identification, Analysis, and Control" -PRD-1501, "Work Control"
(1) For hazards identified either in the facility design or during the development of procedures, controls must be incorporated in the appropriate facility design or procedure.	-MCP-101, "ICP Integrated Work Control Process" -MCP-135, "Document Management" -MCP-1308, "Field Design Change" -MCP-1450, "Conduct of Engineering" -MCP-540, "Assigning Quality Levels" -MCP-2377, "Development, Assessment, and Maintenance of Drawings" -MCP-2811, "Nuclear Facility Change" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -MCP-3572, "System Design Descriptions" -MCP-9185, "Technical and Functional Requirements" -PDD-1027, "Conduct of Engineering" -PRD-1501, "Work Control"

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(2) For existing hazards identified in the workplace, contractors must: (i) Prioritize and implement abatement actions according to the risk to workers; (ii) Implement interim protective measures pending final abatement; and (iii) Protect workers from dangerous safety and health conditions;	-CTR-163, "Idaho Cleanup Project Hazard Review Board Charter" -Form 430.10, "Hazard Profile Screening Checklist" -MCP-101, "ICP Integrated Work Control Process" -MCP-2873, "Chemical Services Processes" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -MCP-6206, "Maintenance and Use of the Facility Hazards List" -PRD-1501, "Work Control"
(b) Contractors must select hazard controls based on the following hierarchy: (1) Elimination or substitution of the hazards where feasible and appropriate; (2) Engineering controls where feasible and appropriate; (3) Work practices and administrative controls that limit worker exposures; and (4) Personal protective equipment.	-CTR-163, "Idaho Cleanup Project Hazard Review Board Charter" -Form 430.10, "Hazard Profile Screening Checklist" -MCP-101, "ICP Integrated Work Control Process" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -PDD-1001, "Subcontractor Requirements Program Description" -PDD-1004, "Integrated Safety Management System" -PRD-1501, "Work Control" -TOC-59, "Subcontractor Requirements Manual"
(c) Contractors must address hazards when selecting or purchasing equipment, products, and services.	-CTR-163, "Idaho Cleanup Project Hazard Review Board Charter" -MCP-540, "Assigning Quality Levels" -MCP-1450, "Conduct of Engineering" -MCP-2726, "Respiratory Protection" -MCP-2873, "Chemical Services Processes" -MCP-6204, "Control of Subcontractor Work" -MCP-6301, "Maintenance Material, Equipment and Tool Use" -TOC-59, "Subcontractor Requirements Manual"
851.23 Safety and health standards	
(a) Contractors must comply with the following safety and health standards that are applicable to the hazards at their covered workplace:	
(1) Title 10 Code of Federal Regulations (CFR) 850, "Chronic Beryllium Disease Prevention Program."	-MCP-50, "Chronic Beryllium Disease Prevention"
(2) Title 29 CFR, Parts 1904.4 through 1904.11, 1904.29 through 1904.33; 1904.44, and 1904.46, "Recording and Reporting Occupational Injuries and Illnesses."	-MCP-49, "Occupational Injury/Illness Reporting and Follow-up"
(3) Title 29 CFR, Part 1910, "Occupational Safety and Health Standards," excluding 29 CFR 1910.1096, "Ionizing Radiation."	-Manual 14a Companywide - <i>Safety & Health - Occupational Safety & Fire Protection</i> -Manual 14b Companywide - <i>Safety & Health Occupational Medical & Industrial Hygiene</i> -PRD-186, "Occupational Safety and Health Program" -STD-173, "ICP Architectural Engineering Standards"
(4) Title 29 CFR, Part 1915, "Shipyard Employment."	N/A
(5) Title 29 CFR, Part 1917, "Marine Terminals."	N/A
(6) Title 29 CFR, Part 1918, "Safety and Health Regulations for Longshoring."	N/A
(7) Title 29 CFR, Part 1926, "Safety and Health Regulations for Construction."	-Manual 14a Companywide - <i>Safety & Health - Occupational Safety & Fire Protection</i> -Manual 14b Companywide - <i>Safety & Health Occupational Medical & Industrial Hygiene</i> -PRD-186, "Occupational Safety and Health Program" -STD-173, "ICP Architectural Engineering Standards"
(8) Title 29 CFR, Part 1928, "Occupational Safety and Health Standards for Agriculture."	N/A

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851.25 Training and information	
(a) Contractors must develop and implement a worker safety and health training and information program to ensure that all workers exposed or potentially exposed to hazards are provided with the training and information on that hazard in order to perform their duties in a safe and healthful manner.	-Manual 14a Companywide - <i>Safety & Health - Occupational Safety & Fire Protection</i> -Manual 14b Companywide - <i>Safety & Health Occupational Medical & Industrial Hygiene</i> -MCP-27, "Preparation and Administration of Individual Training Plans" -MCP-33, "Personnel Qualification and Certification" -MCP-52, "On-The-Job Training Materials Development" -MCP-61, "Conduct and Evaluation Of On-The-Job Training" -MCP-101, "ICP Integrated Work Control Process" -MCP-3003, "Performing Pre-Job Briefings and Documenting Feedback" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -PDD-13, "Conduct of Training" -PDD-150, "ICP D&D/ER Training Plan for LTHC3 Facilities" -PRD-1501, "Work Control"
(b) The contractor must provide: (1) Training and information for new workers, before or at the time of initial assignment to a job involving exposure to a hazard;	-MCP-27, "Preparation and Administration of Individual Training Plans" -MCP-33, "Personnel Qualification and Certification" -MCP-52, "On-The-Job Training Materials Development" -MCP-61, "Conduct and Evaluation Of On-The-Job Training" -MCP-101, "ICP Integrated Work Control Process" -MCP-2715, "Hazard Communication" -MCP-3003, "Performing Pre-Job Briefings and Documenting Feedback" -PDD-13, "Conduct of Training" -PDD-1004, "Integrated Safety Management System" -PRD-1501, "Work Control"
(2) Periodic training as often as necessary to ensure that workers are adequately trained and informed; and	-Manual 14a Companywide - <i>Safety & Health - Occupational Safety & Fire Protection</i> -Manual 14b Companywide - <i>Safety & Health Occupational Medical & Industrial Hygiene</i> -MCP-27, "Preparation and Administration of Individual Training Plans" -MCP-33, "Personnel Qualification and Certification" -MCP-48, "Training Analysis, Design, Development, and Release" -MCP-52, "On-The-Job Training Materials Development" -MCP-61, "Conduct and Evaluation Of On-The-Job Training" -MCP-101, "ICP Integrated Work Control Process" -MCP-192, "Processing Lessons Learned and Operating Experience Information" -MCP-3003, "Performing Pre-Job Briefings and Documenting Feedback" -PDD-13, "Conduct of Training" -PDD-1004, "Integrated Safety Management System" -PRD-1501, "Work Control"

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(3) Additional training when safety and health information or a change in workplace conditions indicates that a new or increased hazard exists.	-Manual 14a Companywide - <i>Safety & Health - Occupational Safety & Fire Protection</i> -Manual 14b Companywide - <i>Safety & Health Occupational Medical & Industrial Hygiene</i> -MCP-33, "Personnel Qualification and Certification" -MCP-52, "On-The-Job Training Materials Development" -MCP-61, "Conduct and Evaluation Of On-The-Job Training" MCP-48, "Training Analysis, Design, Development, and Release" -MCP-101, "ICP Integrated Work Control Process" -MCP-192, "Processing Lessons Learned and Operating Experience Information" -MCP-3003, "Performing Pre-Job Briefings and Documenting Feedback" -MCP-3562, "Hazard Identification, Analysis, and Control of Operational Activities" -PDD-13, "Conduct of Training" -PRD-1501, "Work Control"
(c) Contractors must provide training and information to workers who have worker safety and health program responsibilities that is necessary for them to carry out those responsibilities.	-PDD-13, "Conduct of Training" -MCP-27, "Preparation and Administration of Individual Training Plans" -STD-1103, "Industrial Hygiene Qualification" -STD-1105, "Fire Protection Qualification" -STD-1106, "Industrial Safety Qualification"
851.26 Recordkeeping and reporting	
(a) Recordkeeping. Contractors must: (1) Establish and maintain complete and accurate records of all hazard inventory information, hazard assessments, exposure measurements, and exposure controls.	-MCP-49, "Occupational Injury/Illness Reporting and Follow-up" -MCP-153, "Industrial Hygiene Exposure Assessment" -MCP-557, "Records Management" -MCP-6206, "Maintenance and Use of the Facility Hazards List" -PRD-111, "Records Management" -PRD-2111, "Exposure Assessments" -PRD-5088, "Quality Assurance Records"
(2) Ensure that the work-related injuries and illnesses of its workers and subcontractor workers are recorded and reported accurately and consistent with DOE Manual 231.1-1A, Environment, Safety and Health Reporting Manual, September 9, 2004 (incorporated by reference, see § 851.27).	-MCP-49, "Occupational Injury/Illness Reporting and Follow-up" -MCP-1498, "Submitting Occupational Exposure Data to the Radiation Exposure Management System"
(3) Comply with the applicable occupational injury and illness recordkeeping and reporting workplace safety and health standards in § 851.23 at their site, unless otherwise directed in DOE Manual 231.1-1A.	-MCP-49, "Occupational Injury/Illness Reporting and Follow-up"
(4) Not conceal nor destroy any information concerning non-compliance or potential noncompliance with the requirements of this part.	-MCP-49, "Occupational Injury/Illness Reporting and Follow-up"
(b) Reporting and investigation. Contractors must: (1) Report and investigate accidents, injuries and illness; and	-MCP-49, "Occupational Injury/Illness Reporting and Follow-up" -MCP-190, "Event Investigation and Occurrence Reporting"
(2) Analyze related data for trends and lessons learned (reference DOE Order 225.1A, Accident Investigations, November 26, 1997).	-MCP-165, "Initial Fact Finding to Support Event Investigation" -MCP-190, "Event Investigation and Occurrence Reporting" -MCP-192, "Processing Lessons Learned and Operating Experience Information" -MCP-1269, "Establishing, Monitoring, and Reporting ESH&QA Performance Objectives, Goals, and Measures"

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851.27 Reference sources	
(a) Materials incorporated by reference. (1) General. The following standards which are not otherwise set forth in Part 851 are incorporated by reference and made a part of Part 851. The standards listed in this section have been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51.	
(2) Availability of standards. The standards incorporated by reference are available for inspection at.....	
(b) List of standards incorporated by reference.	
(1) American National Standards Institute (ANSI) Z88.2, "American National Standard for Respiratory Protection," (1992).	SEE 851.23 (a) (10)
(2) ANSI Z136.1, "Safe Use of Lasers," (2000).	SEE 851.23 (a) (11)
(3) ANSI Z49.1, "Safety in Welding, Cutting and Allied Processes," Sections 4.3 and E4.3, (1999).	SEE 851.23 (a) (12)
(4) National Fire Protection Association (NFPA) 70, "National Electrical Code," (2005).	SEE 851.23 (a) (13)
(5) NFPA 70E, "Standard for Electrical Safety in the Workplace," (2004).	SEE 851.23 (a) (14)
NOTE: Pursuant to direction from the DOE-ID Contracting Officer by letter dated February 3, 2010, CCN 309814, CWI has been directed to adopt certain portions of the 2009 edition of NFPA 70E, "Standard for Electrical Safety in the Workplace", namely NFPA 70E 2009 Article 130.7.	
(6) American Conference of Governmental Industrial Hygienists, "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices" (2005).	SEE 851.23 (a) (9)
(7) American Society of Mechanical Engineers (ASME) Boilers and Pressure Vessel Code, Sections I through XII including applicable Code Cases, (2004). Section I – Power Boilers Section II – Materials Section III – Rules for Construction of Nuclear Power Plant Components Section IV – Rules for Construction of Heating Boilers Section V – Nondestructive Examination Section VI – Recommended Rules for the Care and Operation of Heating Boilers Section VII – Recommended Guidelines for the Care of Power Boilers Section VIII – Rules for Construction of Pressure Vessels Section IX – Welding and Brazing Qualifications Section X – Fiber-Reinforced Plastic Pressure Vessels Section XI – Rules for In-service Inspection of Nuclear Power Plant Components Section XII – Rules for Construction and Continued Service of Transport Tanks	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -LST-95, "Reference Design Codes and Standards" -MCP-1450, "Conduct of Engineering" -PRD-5, "Boilers and Unfired Pressure Vessels" -STD-173-013141, "Mechanical Design" -STD-173-110510, "Engineered Components"
(8) ASME B31 (ASME Code for Pressure Piping) as follows: (i) B31.1—2001—Power Piping, and B31.1a—2002—Addenda to ASME B31.1—2001;	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -LST-95, "Reference Design Codes and Standards" -PRD-5, "Boilers and Unfired Press Vessels" -STD-173-400515, "Piping General Requirements"
(ii) B31.2—1968—Fuel Gas Piping;	-LST-95, "Reference Design Codes and Standards" -STD-173, "ICP Architectural Engineering Standards"
(iii) B31.3—2002—Process Piping;	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -LST-95, "Reference Design Codes and Standards" -STD-173-400515, "Piping General Requirements" -STD-173-402400, "Chemical Process Piping"

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(iv) B31.4—2002—Pipeline Transportation Systems for Liquid Hydrocarbons and Other Liquids;	N/A
(v) B31.5—2001—Refrigeration Piping and Heat Transfer Components, and B31.5a—2004, Addenda to ASME B31.5—2001;	-GDE-200, “Engineering Design Guide for Pressurized Gas Systems” -STD-173-400515, “Piping General Requirements”
(vi) B31.8—2003—Gas Transmission and Distribution Piping Systems;	N/A
(vii) B31.8S—2001—Managing System Integrity of Gas Pipelines;	N/A
(viii) B31.9—1996—Building Services Piping;	-GDE-200, “Engineering Design Guide for Pressurized Gas Systems” -PRD-5099, “Electrical Safety” -STD-173-400515, “Piping General Requirements”
(ix) B31.11—2002—Slurry Transportation Piping Systems;	N/A
(x) B31G—1991—Manual for Determining Remaining Strength of Corroded Pipelines.	N/A
(9) DOE Manual 231.1–1A, <i>Environment, Safety and Health Reporting Manual</i> , September 9, 2004.	-See List Below
<i>Section 1. Environmental Protection Program Reporting</i>	-DOE/ID-10333, <i>INL Site Pollution Prevention Plan</i>
<i>Section 2. Annual Site Environmental Report</i>	-MCP-9109, “Preparation, Certification And Transmittal of Environmental Deliverables”
<i>Section 3. Injury & Illness Recordkeeping & Reporting</i>	-MCP-49, “Occupational Injury/Illness Reporting and Follow-up”
<i>Section 4. Annual Fire Protection Summary</i>	-PRD-199, “Idaho Cleanup Project Fire Protection Program”
<i>Section 5. Epidemiologic Analyses--Excess Injuries & Illnesses</i>	N/A
<i>Section 6. Epidemiologic Analyses--OSH Studies</i>	N/A
<i>Section 7. Radiation Exposure Reports to the Radiation Exposure Monitoring System (REMS) Repository</i>	-MCP-1498, “Submitting Occupational Exposure Data to the Radiation Exposure Management System”
(10) DOE Manual 440.1–1A, DOE Explosives Safety Manual, Contractor Requirements Document (Attachment 2), January 9, 2006.	Refer to Appendix A, Functional Area 3, Explosives Safety
Subpart D -- Variances	
851.30 Consideration of variances.	
(a) Variances shall be granted by the Under Secretary after considering the recommendation of the Assistant Secretary for Environment, Safety and Health. The authority to grant a variance cannot be delegated. (b) The application must satisfy the requirements for applications specified in § 851.31.	
851.31 Variance process.	
(a) Application. Contractors desiring a variance from a safety and health standard, or portion thereof, may submit a written application containing the information in paragraphs (c) and (d) of this section to the appropriate CSO. (1) The CSO may forward the application to the Assistant Secretary for Environment, Safety and Health. (2) If the CSO does not forward the application to the Assistant Secretary for Environment, Safety and Health, the CSO must return the application to the contractor with a written statement explaining why the application was not forwarded. (3) Upon receipt of an application from a CSO, the Assistant Secretary for Environment, Safety and Health must review the application for a variance and make a written recommendation to: (i) Approve the application; (ii) Approve the application with conditions; or (iii) Deny the application.	-MCP-1547, “10 CFR 851 Worker Safety & Health Program Variances”

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(b) Defective applications. If an application submitted pursuant to § 851.31(a) is determined by the Assistant Secretary for Environment, Safety and Health to be incomplete, the Assistant Secretary may: <ol style="list-style-type: none"> (1) Return the application to the contractor with a written explanation of what information is needed to permit consideration of the application; or (2) Request the contractor to provide necessary information. 	N/A
(c) Content. All variance applications submitted pursuant to paragraph (a) of this section must include: <ol style="list-style-type: none"> (1) The name and address of the contractor; (2) The address of the DOE site or sites involved; (3) A specification of the standard, or portion thereof, from which the contractor seeks a variance; (4) A description of the steps that the contractor has taken to inform the affected workers of the application, which must include giving a copy thereof to their authorized representative, posting a statement, giving a summary of the application and specifying where a copy may be examined at the place or places where notices to workers are normally posted; and (5) A description of how affected workers have been informed of their right to petition the Assistant Secretary for Environment, Safety and Health or designee for a conference; and (6) Any requests for a conference, as provided in § 851.34. 	-MCP-1547, "10 CFR 851 Worker Safety & Health Program Variances"
(d) Types of variances. Contractors may apply for the following types of variances:	[Hatched Area]
(1) Temporary variance. Applications for a temporary variance pursuant to paragraph (a) of this section must be submitted at least 30 days before the effective date of a new safety and health standard and, in addition to the content required by paragraph (c) of this section, must include: <ol style="list-style-type: none"> (i) A statement by the contractor explaining the contractor is unable to comply with the standard or portion thereof by its effective date and a detailed statement of the factual basis and representations of qualified persons that support the contractor's statement; (ii) A statement of the steps the contractor has taken and plans to take, with specific dates if appropriate, to protect workers against the hazard covered by the standard; 	-MCP-1547, "10 CFR 851 Worker Safety & Health Program Variances"
(iii) A statement of when the contractor expects to be able to comply with the standard and of what steps the contractor has taken and plans to take, with specific dates if appropriate, to come into compliance with the standard; <ol style="list-style-type: none"> (iv) A statement of the facts the contractor would show to establish that: <ol style="list-style-type: none"> (A) The contractor is unable to comply with the standard by its effective date because of unavailability of professional or technical personnel or materials and equipment needed to come into compliance with the standard or because necessary construction or alteration of facilities cannot be completed by the effective date; (B) The contractor is taking all available steps to safeguard the workers against the hazards covered by the standard; and (C) The contractor has an effective program for coming into compliance with the standard as quickly as practicable. 	-MCP-1547, "10 CFR 851 Worker Safety & Health Program Variances"

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<p>(2) Permanent variance. An application submitted for a permanent variance pursuant to paragraph (a) of this section must, in addition to the content required in paragraph (c) of this section, include:</p> <p>(i) A description of the conditions, practices, means, methods, operations, or processes used or proposed to be used by the contractor; and</p> <p>(ii) A statement showing how the conditions, practices, means, methods, operations, or processes used or proposed to be used would provide workers a place of employment which is as safe and healthful as would result from compliance with the standard from which a variance is sought.</p>	-MCP-1547, "10 CFR 851 Worker Safety & Health Program Variances"
<p>(3) National defense variance.</p> <p>(i) An application submitted for a national defense variance pursuant to paragraph (a) of this section must, in addition to the content required in paragraph (c) of this section, include:</p> <p>(A) A statement by the contractor showing that the variance sought is necessary to avoid serious impairment of national defense; and</p> <p>(B) A statement showing how the conditions, practices, means, methods, operations, or processes used or proposed to be used would provide workers a safe and healthful place of employment in a manner that, to the extent practical taking into account the national defense mission, is consistent with the standard from which a variance is sought.</p> <p>(ii) A national defense variance may be granted for a maximum of six months, unless there is a showing that a longer period is essential to carrying out a national defense mission.</p>	-MCP-1547, "10 CFR 851 Worker Safety & Health Program Variances"
851.32 Action on variance requests.	
<p>(a) Procedures for an approval recommendation.</p> <p>(1) If the Assistant Secretary for Environment, Safety and Health recommends approval of a variance application, the Assistant Secretary must forward to the Under Secretary the variance application and the approval recommendation including a discussion of the basis for the recommendation and any terms and conditions proposed for inclusion as part of the approval.</p> <p>(2) If the Under Secretary approves a variance, the Under Secretary must notify the Assistant Secretary for Environment, Safety and Health who must notify the Office of Price-Anderson Enforcement and the CSO who must promptly notify the contractor.</p> <p>(3) The notification must include a reference to the safety and health standard or portion thereof that is the subject of the application, a detailed description of the variance, the basis for the approval and any terms and conditions of the approval.</p> <p>(4) If the Under Secretary denies a variance, the Under Secretary must notify the Assistant Secretary for Environment, Safety and Health who must notify the appropriate CSO who must notify the contractor.</p> <p>(5) The notification must include the grounds for denial.</p>	N/A
<p>(b) Approval criteria. A variance may be granted if the variance:</p> <p>(1) Is consistent with Section 3173 of the NDAA;</p> <p>(2) Does not present an undue risk to worker safety and health;</p> <p>(3) Is warranted under the circumstances;</p> <p>(4) Satisfies the requirements of § 851.31 of this part for the type of variance requested.</p>	N/A

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(c) Procedures for a denial recommendation. (1) If the Assistant Secretary for Environment, Safety and Health recommends denial of a variance application, the Assistant Secretary must notify the CSO of the denial recommendation and the grounds for the denial recommendation. (2) Upon receipt of a denial recommendation, the CSO may: (i) Notify the contractor that the variance application is denied on the grounds cited by the Assistant Secretary; or (ii) Forward to the Under Secretary the variance application, the denial recommendation, the grounds for the denial recommendation, and any information that supports an action different than that recommended by the Assistant Secretary. (3) If the CSO forwards the application to the Under Secretary, the procedures in paragraphs (a)(2), (3), (4) and (5) of this section apply. (4) A denial of an application pursuant to this section shall be without prejudice to submitting of another application	N/A
(d) Grounds for denial of a variance. A variance may be denied if: (1) Enforcement of the violation would be handled as a de minimis violation (defined as a deviation from the requirement of a standard that has no direct or immediate relationship to safety or health, and no enforcement action will be taken); (2) When a variance is not necessary for the conditions, practice, means, methods, operations, or processes used or proposed to be used by contractor; (3) Contractor does not demonstrate that the approval criteria are met.	N/A
851.33 Terms and conditions. A variance may contain appropriate terms and conditions including, but not limited to, provisions that: (a) Limit its duration; (b) Require alternative action; (c) Require partial compliance; and (d) Establish a schedule for full or partial compliance.	-MCP-1547, "10 CFR 851 Worker Safety & Health Program Variances"
851.34 Requests for conferences. (a) Within the time allotted by a notice of the filling of an application, any affected contractor or worker may file with the Assistant Secretary for Environment, Safety and Health a request for a conference on the application for a variance. (b) A request for a conference filed pursuant to paragraph (a) of this section must include: (1) A concise statement explaining how the contractor or worker would be affected by the variance applied for, including relevant facts; (2) A specification of any statement or representation in the application which is denied, and a concise summary of the evidence that would be adduced in support of each denial; and (3) Any other views or arguments on any issue of fact or law presented. (c) The Assistant Secretary for Environment, Safety and Health, or designee, must respond to a request within fifteen days and, if the request is granted, indicate the time and place of the conference and the DOE participants in the conference.	-MCP-1547, "10 CFR 851 Worker Safety & Health Program Variances"

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Appendix A to Part 851— Worker Safety and Health Functional Areas	
This appendix establishes the mandatory requirements for implementing the applicable functional areas required by § 851.24.	
1. Construction Safety	-General Provisions -GDE-165, “Subcontract Technical Representative (STR) Handbook” -MCP-101, “ICP Integrated Work Control Process” -MCP-553, “Step Back and Stop Work Authority” -MCP-1186, “Service Acquisitions” -MCP-1388, “Subsurface Investigations, Excavations, and Surface Penetrations” -MCP-2863, “ICP Construction” -MCP-3003, “Performing Pre-Job Briefings and Documenting Feedback” -MCP-3450, “Developing and using Job Safety Analysis” -MCP-6204, “Control of Subcontractor Work” -MCP-9106, “Management of Construction Projects” -PDD-1004, “Integrated Safety Management System” -PRD-186, “Occupational Safety and Health Program” -PDD-1001, “Subcontractor Requirements Program Description” -PRD-1004, “Step Back and Stop Work Authority” -PRD-1501, “Work Control” -PRD-2014, “Excavations & Surface Penetrations” -PRD-5060, “Occupational Safety & Health Functions, Roles, Responsibilities, and Interfaces” -TOC-6, “Construction Project Management” -TOC-59, “Subcontractor Requirements Manual”
(a) For each separately definable construction activity (e.g., excavations, foundations, structural steel, roofing) the construction contractor must:	See entries under - 1. Construction Safety
(1) Prepare and have approved by the construction manager an activity hazard analysis prior to commencement of affected work. Such analyses must:	See entries under - 1. Construction Safety
(i) Identify foreseeable hazards and planned protective measures;	See entries under - 1. Construction Safety
(ii) Address further hazards revealed by supplemental site information (e.g., site characterization data, as-built drawings) provided by the construction manager;	See entries under - 1. Construction Safety
(iii) Provide drawings and/or other documentation of protective measures for which applicable Occupational Safety and Health Administration (OSHA) standards require preparation by a Professional Engineer or other qualified professional, and	See entries under - 1. Construction Safety
(iv) Identify competent persons required for workplace inspections of the construction activity, where required by OSHA standards.	See entries under - 1. Construction Safety
(2) Ensure workers are aware of foreseeable hazards and the protective measures described within the activity analysis prior to beginning work on the affected activity.	See entries under - 1. Construction Safety
(3) Require that workers acknowledge being informed of the hazards and protective measures associated with assigned work activities. Those workers failing to utilize appropriate protective measures must be subject to the construction contractor’s disciplinary process.	See entries under - 1. Construction Safety
(b) During periods of active construction (i.e., excluding weekends, weather delays, or other periods of work inactivity), the construction contractor must have a designated representative on the construction worksite who is knowledgeable of the project’s hazards and has full authority to act on behalf of the construction contractor. The contractor’s designated representative must make frequent and regular inspections of the construction worksite to identify and correct any instances of noncompliance with project safety and health requirements.	See entries under - 1. Construction Safety

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(c) Workers must be instructed to report to the construction contractor’s designated representative, hazards not previously identified or evaluated. If immediate corrective action is not possible or the hazard falls outside of project scope, the construction contractor must immediately notify affected workers, post appropriate warning signs, implement needed interim control measures, and notify the construction manager of the action taken. The contractor or the designated representative must stop work in the affected area until appropriate protective measures are established.	See entries under - 1. Construction Safety
(d) The construction contractor must prepare a written construction project safety and health plan to implement the requirements of this section and obtain approval of the plan by the construction manager prior to commencement of any work covered by the plan. In the plan, the contractor must designate the individual(s) responsible for on-site implementation of the plan, specify qualifications for those individuals, and provide a list of those project activities for which subsequent hazard analyses are to be performed. The level of detail within the construction project safety and health plan should be commensurate with the size, complexity and risk level of the construction project. The content of this plan need not duplicate those provisions that were previously submitted and approved as required by § 851.11.	See entries under - 1. Construction Safety
2. Fire Protection	
(a) Contractors must implement a comprehensive fire safety and emergency response program to protect workers commensurate with the nature of the work that is performed. This includes appropriate facility and site-wide fire protection, fire alarm notification and egress features, and access to a fully staffed, trained, and equipped emergency response organization that is capable of responding in a timely and effective manner to site emergencies.	-MCP-583, “Performing Fire Hazards Analysis (FHA), Fire Safety Assessments (FSA), & Abbreviated Fire Assessments (AFA)” -PRD-158, “Inspection, Testing, and Maintenance of Fire Protection Systems and Equipment” -PRD-199, “Idaho Cleanup Project Fire Protection Program” -PRD-2202, “Fire Protection” -SOW-3682, “Statement of Work for INL Fire Department” -SOW-3683, “Statement of Work for Emergency Management Services”
(b) An acceptable fire protection program must include those fire protection criteria and procedures, analyses, hardware and systems, apparatus and equipment, and personnel that would comprehensively ensure that the objective in Paragraph 2(a) of this section is met. This includes meeting applicable building codes and National Fire Protection Association codes and standards.	-MCP-581, “Fire Protection Authority Having Jurisdiction (AHJ) Records, Equivalencies, and Exemptions” -MCP-583, “Performing Fire Hazard Analysis (FHA), Fire Safety Assessments (FSA), and Abbreviated Fire Assessments (AFA)” -PRD-158, “Inspection, Testing, and Maintenance of Fire Protection Systems and Equipment” -PRD-199, “Idaho Cleanup Project Fire Protection Program” -PRD-2202, “Fire Protection” -SOW-3682, “Statement of Work for INL Fire Department” -STD-173, “ICP Architectural Engineering Standards”
3. Explosives Safety	
(a) Contractors responsible for the use of explosive materials must establish and implement a comprehensive explosives safety program.	-MCP-2734, “Explosives Safety” -PRD-2025, “Explosives Safety” -PRD-80, “Explosives Safety”
(b) Contractors must comply with the policy and requirements specified in the DOE Manual 440.1–1A, DOE Explosives Safety Manual, Contractor Requirements Document (Attachment 2), January 9, 2006 (incorporated by reference, see § 851.27). A Contractor may choose a successor version, if approved by DOE.	-MCP-2734, “Explosives Safety” -PLN-4402, “Mass Detonation Area Explosives Safety Site Plan” -PRD-2025, “Explosives Safety” -PRD-80, “Explosives Safety”
(c) Contractors must determine the applicability of the explosives safety directive requirements to research and development laboratory type operations consistent with the DOE level of protection criteria described in the explosives safety directive.	-PDD-851, “10 CFR 851 Worker Safety and Health Program”

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4. Pressure Safety	
(a) Contractors must establish safety policies and procedures to ensure that pressure systems are designed, fabricated, tested, inspected, maintained, repaired, and operated by trained and qualified personnel in accordance with applicable and sound engineering principles.	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -MCP-101, "ICP Integrated Work Control Process" -MCP-1274, "Selection/Use of Chemical, Steam, Air, and Water Hoses" -PLN-62, "National Board Inspection Code R-Stamp Program" -PLN-191, "Owner/User Pressure Vessel Inspection Program" -PRD-5, "Boilers and Unfired Pressure Vessels" -PRD-320, "Pressure System Safety"
(b) Contractors must ensure that all pressure vessels, boilers, air receivers, and supporting piping systems conform to:	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems"
(1) The applicable American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (2004); Sections I through XII including applicable Code Cases (incorporated by reference, see § 851.27)	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -LST-95, "Reference Design Codes and Standards" -PRD-5, "Boilers and Unfired Pressure Vessels"
(2) The applicable ASME B31 (Code for Pressure Piping) standards as indicated below; and or as indicated in Paragraph (b)(3) of this section:	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -LST-95, "Reference Design Codes and Standards" -MCP-1450, "Conduct of Engineering" -PRD-320, "Pressure System Safety"
(i) B31.1—2001—Power Piping, and B31.1a—2002—Addenda to ASME B31.1— 2001 (incorporated by reference, see § 851.27);	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -LST-95, "Reference Design Codes and Standards" -MCP-1450, "Conduct of Engineering"
(ii) B31.2—1968—Fuel Gas Piping (incorporated by reference, see § 851.27);	-STD-173-400515, "Piping General Requirements"
(iii) B31.3—2002—Process Piping (incorporated by reference, see § 851.27);	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -LST-95, "Reference Design Codes and Standards" -MCP-1450, "Conduct of Engineering"
(iv) B31.4—2002—Pipeline Transportation Systems for Liquid Hydrocarbons and Other Liquids (incorporated by reference, see § 851.27);	N/A
(v) B31.5—2001—Refrigeration Piping and Heat Transfer Components, and B31.5a— 2004, Addenda to ASME B31.5—2001 (incorporated by reference, see § 851.27);	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -MCP-1450, "Conduct of Engineering"
(vi) B31.8—2003—Gas Transmission and Distribution Piping Systems (incorporated by reference, see § 851.27);	N/A
(vii) B31.8S—2001—Managing System Integrity of Gas Pipelines (incorporated by reference, see § 851.27);	N/A
(viii) B31.9—1996—Building Services Piping (incorporated by reference, see § 851.27);	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -MCP-1450, "Conduct of Engineering" -PDD-1027, "Conduct of Engineering"
(ix) B31.11—2002—Slurry Transportation Piping Systems (incorporated by reference, see § 851.27); and	N/A
(x) B31G—1991—Manual for Determining Remaining Strength of Corroded Pipelines (incorporated by reference, see § 851.27).	N/A
(3) The strictest applicable state and local codes.	-STD-173-400515, "Piping General Requirements"
(c) When national consensus codes are not applicable (because of pressure range, vessel geometry, use of special materials, etc.), contractors must implement measures to provide equivalent protection and ensure a level of safety greater than or equal to the level of protection afforded by the ASME or applicable state or local code. Measures must include the following:	-Manual 10a Companywide - <i>Engineering</i>

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(1) Design drawings, sketches, and calculations must be reviewed and approved by a qualified independent design professional (i.e., professional engineer). Documented organizational peer review is acceptable.	-MCP-2374, "Formal Analyses and Calculations" -MCP-2377, "Development, Assessment, and Maintenance of Drawings" -MCP-3534, "Use of Registered Professional Engineers" -MCP-9217, "Design Verification" -PDD-1027, "Conduct of Engineering"
(2) Qualified personnel must be used to perform examinations and inspections of materials, in-process fabrications, nondestructive tests, and acceptance test.	-MCP-535, "NDE Personnel Certification" -MCP-1309, "Inspection Personnel Certification" -MCP-1462, "Quality Engineer Qualification" -MCP-3056, "Test Control" -PLN-62, "National Board Inspection Code R-Stamp Program" -PLN-191, "Owner/User Pressure Vessel Inspection Program"
(3) Documentation, traceability, and accountability must be maintained for each unique pressure vessel or system, including descriptions of design, pressure conditions, testing, inspection, operation, repair, and maintenance.	-GDE-200, "Engineering Design Guide for Pressurized Gas Systems" -GDE-7077, "Guidelines for the Application of Systems Engineering" -MCP-101, "ICP Integrated Work Control Process" -MCP-1450, "Conduct of Engineering" -MCP-2811, "Nuclear Facility Change" -MCP-3056, "Test Control" -MCP-3572, "System Design Descriptions" -PDD-1027, "Conduct of Engineering" -PLN-62, "Quality Inspection Plan for the National Board Inspector Code R-Stamp Program" -PLN-191, "Owner/User Pressure Vessel Inspection Program" -PRD-115, "Configuration Management" -STD-7006, "Marking Methods for Equipment, Components, and Materials"
5. Firearms Safety	
(a) A contractor engaged in DOE activities involving the use of firearms must establish firearms safety policies and procedures for security operations, and training to ensure proper accident prevention controls are in place.	
(1) Written procedures must address firearms safety, engineering and administrative controls, as well as personal protective equipment requirements.	
(2) As a minimum, procedures must be established for:	
(i) Storage, handling, cleaning, inventory, and maintenance of firearms and associated ammunition;	
(ii) Activities such as loading, unloading, and exchanging firearms. These procedures must address use of bullet containment devices and those techniques to be used when no bullet containment device is available;	
(iii) Use and storage of pyrotechnics, explosives, and/or explosive projectiles;	
(iv) Handling misfires, duds, and unauthorized discharges;	
(v) Live fire training, qualification, and evaluation activities;	
(vi) Training and exercises using engagement simulation systems;	
(vii) Medical response at firearms training facilities; and	
(viii) Use of firing ranges by personnel other than DOE or DOE contractor protective forces personnel.	
(b) Contractors must ensure that personnel responsible for the direction and operation of the firearms safety program are professionally qualified and have sufficient time and authority to implement the procedures under this section.	

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(c) Contractors must ensure that firearms instructors and armorers have been certified by the Safeguards and Security National Training Center to conduct the level of activity provided. Personnel must not be allowed to conduct activities for which they have not been certified.	
(d) Contractors must conduct formal appraisals assessing implementation of procedures, personnel responsibilities, and duty assignments to ensure overall policy objectives and performance criteria are being met by qualified personnel.	
(e) Contractors must implement procedures related to firearms training, live fire range safety, qualification, and evaluation activities, including procedures requiring that:	
(1) Personnel must successfully complete initial firearms safety training before being issued any firearms. Authorization to remain in armed status will continue only if the employee demonstrates the technical and practical knowledge of firearms safety semiannually;	
(2) Authorized armed personnel must demonstrate through documented limited scope performance tests both technical and practical knowledge of firearms handling and safety on a semi-annual basis;	
(3) All firearms training lesson plans must incorporate safety for all aspects of firearms training task performance standards. The lesson plans must follow the standards set forth by the Safeguards and Security Central Training Academy’s standard training programs;	
(4) Firearms safety briefings must immediately precede training, qualifications, and evaluation activities involving live fire and/or engagement simulation systems;	
(5) A safety analysis approved by the Head of DOE Field Element must be developed for the facilities and operation of each live fire range prior to implementation of any new training, qualification, or evaluation activity. Results of these analyses must be incorporated into procedures, lesson plans, exercise plans, and limited scope performance tests;	
(6) Firing range safety procedures must be conspicuously posted at all range facilities; and	
(7) Live fire ranges, approved by the Head of DOE Field Element, must be properly sited to protect personnel on the range, as well as personnel and property not associated with the range.	
(f) Contractors must ensure that the transportation, handling, placarding, and storage of munitions conform to the applicable DOE requirements.	
6. Industrial Hygiene	
Contractors must implement a comprehensive industrial hygiene program that includes at least the following elements: (a) Initial or baseline surveys and periodic resurveys and/or exposure monitoring as appropriate of all work areas or operations to identify and evaluate potential worker health risks;	-GDE-196, “Industrial Hygiene Sampling Guide” -MCP-101, “ICP Integrated Work Control Process” -MCP-153, “Industrial Hygiene Exposure Assessment” -MCP-3562, “Hazard Identification, Analysis, and Control of Operational Activities” -PRD-2111, “Exposure Assessments”
(b) Coordination with planning and design personnel to anticipate and control health hazards that proposed facilities and operations would introduce;	-Form 430.10, “Hazard Profile Screening Checklist” -MCP-153, “Industrial Hygiene Exposure Assessment” -MCP-9185, “Technical and Functional Requirements” -MCP-9217, “Design Verification”
(c) Coordination with cognizant occupational medical, environmental, health physics, and work planning professionals;	-Form 430.10, “Hazard Profile Screening Checklist” -MCP-101, “ICP Integrated Work Control Process” -MCP-153, “Industrial Hygiene Exposure Assessment” -MCP-2692, “Ergonomics Program” -MCP-2726, “Respiratory Protection” -MCP-3562, “Hazard Identification, Analysis, and Control of Operational Activities”
(d) Policies and procedures to mitigate the risk from identified and potential occupational carcinogens;	-MCP-2703, “Carcinogens” -MCP-2715, “Hazard Communication” -MCP-2873, “Chemical Services Processes”
(e) Professionally and technically qualified industrial hygienists to manage and implement the industrial hygiene program; and	See 851.20 (a) (2)

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(f) Use of respiratory protection equipment tested under the DOE Respirator Acceptance Program for Supplied-air Suits (DOE Technical Standard-1167–2003) when National Institute for Occupational Safety and Health-approved respiratory protection does not exist for DOE tasks that require such equipment. For security operations conducted in accordance with Presidential Decision Directive 39, U.S. POLICY ON COUNTER TERRORISM, use of Department of Defense military type masks for respiratory protection by security personnel is acceptable.	-MCP-153, “Industrial Hygiene Exposure Assessments” -MCP-2726, “Respiratory Protection”
7. Biological Safety	N/A
(a) Contractors must establish and implement a biological safety program that:	
(1) Establishes an Institutional Biosafety Committee (IBC) or equivalent. The IBC must:	
(i) Review any work with biological etiologic agents for compliance with applicable Centers for Disease Control and Prevention (CDC), National Institutes of Health (NIH), World Health Organization (WHO), and other international, Federal, State, and local guidelines and assess the containment level, facilities, procedures, practices, and training and expertise of personnel; and	
(ii) Review the site’s security, safeguards, and emergency management plans and procedures to ensure they adequately consider work involving biological etiologic agents.	
(2) Maintains an inventory and status of biological etiologic agents, and provide to the responsible field and area office, through the laboratory IBC (or its equivalent), an annual status report describing the status and inventory of biological etiologic agents and the biological safety program.	
(3) Provides for submission to the appropriate Head of DOE Field Element, for review and concurrence before transmittal to the Centers for Disease Control and Prevention (CDC), each Laboratory Registration/Select Agent Program registration application package requesting registration of a laboratory facility for the purpose of transferring, receiving, or handling biological select agents.	
(4) Provides for submission to the appropriate Head of DOE Field Element, a copy of each CDC Form EA–101, Transfer of Select Agents, upon initial submission of the Form EA–101 to a vendor or other supplier requesting or ordering a biological select agent for transfer, receipt, and handling in the registered facility. Submit to the appropriate Head of DOE Field Element the completed copy of the Form EA–101, documenting final disposition and/or destruction of the select agent, within 10 days of completion of the Form EA–101.	
(5) Confirms that the site safeguards and security plans and emergency management programs address biological etiologic agents, with particular emphasis on biological select agents.	
(6) Establishes an immunization policy for personnel working with biological etiologic agents based on the evaluation of risk and benefit of immunization.	
8. Occupational Medicine	
(a) Contractors must establish and provide comprehensive occupational medicine services to workers employed at a covered work place who:	-PDD-851, “10 CFR 851 Worker Safety and Health Program” -SOW-3692, “Statement of Work for Occupational Medicine Program”
(1) Work on a DOE site for more than 30 days in a 12-month period; or	-Form 340.02, “Employee Job Function Evaluation” -POL-101, “Management Resource Manual,” Part 201 and Part 307 -PRD-2030, “Occupational Medicine,” -SOW-3692, “Statement of Work for Occupational Medicine Program”

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(2) Are enrolled for any length of time in a medical or exposure monitoring program required by this rule and/or any other applicable Federal, State or local regulation, or other obligation.	-Form 340.02, "Employee Job Function Evaluation" -POL-101, "Management Resource Manual," Part 201 and Part 307 -PRD-2030, "Occupational Medicine" -SOW-3692, "Statement of Work for Occupational Medicine Program"
(b) The occupational medicine services must be under the direction of a graduate of a school of medicine or osteopathy who is licensed for the practice of medicine in the state in which the site is located.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(c) Occupational medical physicians, occupational health nurses, physician's assistants, nurse practitioners, psychologists, employee assistance counselors, and other occupational health personnel providing occupational medicine services must be licensed, registered, or certified as required by Federal or State law where employed.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(d) Contractors must provide the occupational medicine providers access to hazard information by promoting its communication, coordination, and sharing among operating and environment, safety, and health protection organizations.	Hazard information: Hazcom/MSDS/ICMS/HASS: -MCP-153, "Industrial Hygiene Exposure Assessment" -MCP-2715, "Hazard Communication" Communication/Coordination/Sharing: -Form 340.02, "Employee Job Function Evaluation" -PRD-2030, "Occupational Medicine" -SOW-3692, "Statement of Work for Occupational Medicine Program" Medical Provider Access: NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(1) Contractors must provide the occupational medicine providers with access to information on the following:	
(i) Current information about actual or potential work-related site hazards (chemical, radiological, physical, biological, or ergonomic);	-Form 340.02, "Employee Job Function Evaluation" -Form 361.57, "Newly Assigned Employee Checklist" -MCP-153, "Industrial Hygiene Exposure Assessment" -MCP-2715, "Hazard Communication" -PRD-2030, "Occupational Medicine" -SOW-3692, "Statement of Work for Occupational Medicine Program"
(ii) Employee job-task and hazard analysis information, including essential job functions;	-Form 340.02, "Employee Job Function Evaluation" -Form 361.57, "Newly Assigned Employee Checklist" -PRD-2030, "Occupational Medicine" -SOW-3692, "Statement of Work for Occupational Medicine Program"
(iii) Actual or potential work-site exposures of each employee; and	-Form 340.02, "Employee Job Function Evaluation" -Form 361.57, "Newly Assigned Employee Checklist" -MCP-153, "Industrial Hygiene Exposure Assessment" -PRD-2030, "Occupational Medicine" -SOW-3692, "Statement of Work for Occupational Medicine Program"

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(iv) Personnel actions resulting in a change of job functions, hazards or exposures.	-Form 340.02, "Employee Job Function Evaluation" -Form 361.57, "Newly Assigned Employee Checklist" -PRD-2030, "Occupational Medicine" -SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(2) Contractors must notify the occupational medicine providers when an employee has been absent because of an injury or illness for more than 5 consecutive workdays (or an equivalent time period for those individuals on an alternative work schedule);	-GDE-10, "Employee Handbook," Sections 1–52, Returning to Work <i>and</i> Sections 1–47, Illness or Accident of the Employee (Note: Notification is made by ensuring employees go to OM) -PRD-2030, "Occupational Medicine" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(3) Contractors must provide the occupational medicine provider information on, and the opportunity to participate in, worker safety and health team meetings and committees;	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(4) Contractors must provide occupational medicine providers access to the workplace for evaluation of job conditions and issues relating to workers' health.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(e) A designated occupational medicine provider must:	
(1) Plan and implement the occupation medicine services; and	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(2) Participate in worker protection teams to build and maintain necessary partnerships among workers, their representatives, managers, and safety and health protection specialists in establishing and maintaining a safe and healthful workplace.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(f) A record, containing any medical, health history, exposure history, and demographic data collected for the occupational medicine purposes, must be developed and maintained for each employee for whom medical services are provided. All occupational medical records must be maintained in accordance with Executive Order 13335, Incentives for the Use of Health Information Technology.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(1) Employee medical, psychological, and employee assistance program (EAP) records must be kept confidential, protected from unauthorized access, and stored under conditions that ensure their long-term preservation. Psychological records must be maintained separately from medical records and in the custody the designated psychologist in accordance with 10 CFR 712.38(b)(2).	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(2) Access to these records must be provided in accordance with DOE regulations implementing the Privacy Act and the Energy Employees Occupational Illness Compensation Program Act.	-PRD-33, "Access to Employee Exposure and Medical Records" -SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(g) The occupational medicine services provider must determine the content of the worker health evaluations, which must be conducted under the direction of a licensed physician, in accordance with current sound and acceptable medical practices and all pertinent statutory and regulatory requirements, such as the Americans with Disabilities Act.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(1) Workers must be informed of the purpose and nature of the medical evaluations and tests offered by the occupational medicine provider.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(i) The purpose, nature and results of evaluations and tests must be clearly communicated verbally and in writing to each worker provided testing;	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(ii) The communication must be documented in the worker's medical record; and	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(2) The following health evaluations must be conducted when determined necessary by the occupational medicine provider for the purpose of providing initial and continuing assessment of employee fitness for duty.	-Form 340.02, "Employee Job Function Evaluation" -Form 361.57, "Newly Assigned Employee Checklist" -POL-101, "Management Resource Manual," Part 201 -PRD-2030, "Occupational Medicine"

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(i) At the time of employment entrance or transfer to a job with new functions and hazards, a medical placement evaluation of the individual’s general health and physical and psychological capacity to perform work will establish a baseline record of physical condition and assure fitness for duty.	-Form 340.02, “Employee Job Function Evaluation” -Form 361.57, “Newly Assigned Employee Checklist” -POL-101, “Management Resource Manual,” Part 201 -PRD-2030, “Occupational Medicine” -SOW-3692, “Statement of Work for Occupational Medicine Program” NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, “Division of Occupational Medicine (DOM) Program Processes”
(ii) Periodic, hazard-based medical monitoring or qualification-based fitness for duty evaluations required by regulations and standards, or as recommended by the occupational medicine services provider, will be provided on the frequency required.	-Form 340.02, “Employee Job Function Evaluation” -Form 361.57, “Newly Assigned Employee Checklist” -POL-101, “Management Resource Manual,” Part 201 -PRD-2030, “Occupational Medicine” -SOW-3692, “Statement of Work for Occupational Medicine Program” NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, “Division of Occupational Medicine (DOM) Program Processes”
(iii) Diagnostic examinations will evaluate employee’s injuries and illnesses to determine work-relatedness, the applicability of medical restrictions, and referral for definitive care, as appropriate.	-PRD-2030, “Occupational Medicine” -SOW-3692, “Statement of Work for Occupational Medicine Program” NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, “Division of Occupational Medicine (DOM) Program Processes”
(iv) After a work-related injury or illness or an absence due to any injury or illness lasting 5 or more consecutive workdays (or an equivalent time period for those individuals on an alternative work schedule), a return to work evaluation will determine the individual’s physical and psychological capacity to perform work and return to duty.	-GDE-10, “Employee Handbook,” Sections 1–52, <i>Returning to Work</i> , and Sections 1–47, <i>Illness or Accident of the Employee</i> -PRD-2030, “Occupational Medicine” -SOW-3692, “Statement of Work for Occupational Medicine Program” NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, “Division of Occupational Medicine (DOM) Program Processes”
(v) At the time of separation from employment, individuals shall be offered a general health evaluation to establish a record of physical condition.	-Form 353.02, “Separation Checklist” -POL-101, “Management Resource Manual,” Part 1101, Section 1.0 -PRD-2030, “Occupational Medicine” -SOW-3692, “Statement of Work for Occupational Medicine Program” NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, “Division of Occupational Medicine (DOM) Program Processes”

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(h) The occupational medicine provider must monitor ill and injured workers to facilitate their rehabilitation and safe return to work and to minimize lost time and its associated costs.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(1) The occupational medicine provider must place an individual under medical restrictions when health evaluations indicate that the worker should not perform certain job tasks. The occupational medicine provider must notify the worker and contractor management when employee work restrictions are imposed or removed.	-POL-101, "Management Resource Manual," Part 307 -SOW-3692, "Statement of Work for Occupational Medicine Program" -OMP Reports NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(i) Occupational medicine provider physician and medical staff must, on a timely basis, communicate results of health evaluations to management and safety and health protection specialists to facilitate the mitigation of worksite hazards.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(j) The occupational medicine provider must include measures to identify and manage the principal preventable causes of premature morbidity and mortality affecting worker health and productivity.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(1) The contractor must include programs to prevent and manage these causes of morbidity when evaluations demonstrate their cost effectiveness.	-SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>CWI will implement this requirement based on the review by BEA OM in February each year. Until that time, no action is needed.</i>
(2) Contractors must make available to the occupational medicine provider appropriate access to information from health, disability, and other insurance plans (de-identified as necessary) in order to facilitate this process.	-SOW-3692, "Statement of Work for Occupational Medicine Program" (Note: By requiring BEA OM to perform this function, CWI has to provide access to appropriate information.) NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"
(k) The occupational medicine services provider must review and approve the medical and behavioral aspects of employee counseling and health promotional programs, including the following types:	-GDE-10, "Employee Handbook" -SOW-3692, "Statement of Work for Occupational Medicine Program" NOTE: <i>The following BEA procedure is provided as information only and is not controlled by CWI.</i> -LWP-14500, "Division of Occupational Medicine (DOM) Program Processes"

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(b) The contractor must tailor the motor vehicle safety program to the individual DOE site or facility, based on an analysis of the needs of that particular site or facility.	-MCP-2670, "Motor Carrier Operations" -MCP-2745, "Heavy Industrial Vehicles" -MCP-3374, "Powered Industrial Trucks" -MCP-6501, "Hoisting and Rigging Operations" -PRD-2019, "Motor Vehicle Safety" -PRD-2020, "Heavy Industrial Vehicles" -PRD-5123, "Motor Vehicle Safety" -PRD-5107, "Aerial Lifts and Elevating Work Platforms" -Traffic Safety Committee
(c) The motor vehicle safety program must address, as applicable to the contractor's operations:	
(1) Minimum licensing requirements (including appropriate testing and medical qualification) for personnel operating motor vehicles and powered industrial equipment;	-MCP-2670, "Motor Carrier Operations" -MCP-2745, "Heavy Industrial Vehicles" -MCP-3374, "Powered Industrial Trucks" -MCP-6101, "Training and Qualification of Maintenance Personnel" -MCP-6501, "Hoisting and Rigging Operations" -PRD-2019, "Motor Vehicle Safety" -PRD-2020, "Heavy Industrial Vehicles" -PRD-5107, "Aerial Lifts and Elevating Work Platforms" -PRD-5123, "Motor Vehicle Safety"
(2) Requirements for the use of seat belts and provision of other safety devices;	-PRD-5123, "Motor Vehicle Safety"
(3) Training for specialty vehicle operators;	-MCP-3374, "Powered Industrial Trucks" -MCP-6101, "Training and Qualification of Maintenance Personnel" -MCP-6505, "Hoisting and Rigging Training" -PRD-5107, "Aerial Lifts and Elevating Work Platforms" -PRD-5123, "Motor Vehicle Safety"
(4) Requirements for motor vehicle maintenance and inspection;	-PRD-600, "Maintenance Management Requirements"
(5) Uniform traffic and pedestrian control devices and road signs;	-Traffic Safety Committee -Jobsite Postings and Signs -BEA/CWI Interface see contract DE-AC07-05ID14516 and Blanket Master Agreement #509028
(6) On-site speed limits and other traffic rules;	-Traffic Safety Committee -Jobsite Postings and Signs -BEA/CWI Interface see contract DE-AC07-05ID14516 and Blanket Master Agreement #509028
(7) Awareness campaigns and incentive programs to encourage safe driving; and	-IClPs -Traffic Safety Committee
(8) Enforcement provisions.	-POL-101, "Management Resource Manual" PRD-5123, "Motor Vehicle Safety"
10. Electrical Safety	
Contractors must implement a comprehensive electrical safety program appropriate for the activities at their site. This program must meet the applicable electrical safety codes and standards referenced in § 851.23.	-CTR-171, "CWI Electrical Safety Committee" -Form 442.35, "Energized Electrical Work Permit" -LST-95, "Reference Design Codes and Standards" -MCP-1383, "INTEC Power Operations Clearances" -MCP-1563, "Working On or Near Energized Electrical Parts and Conductors" -PDD-106, "Electrical Safety Program" -POL-121, "ICP Cord-and-Plug Electrical Equipment Power Supply Policy" -PRD-2011, "Electrical Safety" -PRD-5099, "Electrical Safety" -STD-173-013144, "Electrical Design"

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
11. Nanotechnology Safety —Reserved The Department has chosen to reserve this section since policy and procedures for nanotechnology safety are currently being developed. Once these policies and procedures have been approved, the rule will be amended to include them through a rulemaking consistent with the Administrative Procedure Act.	N/A
12. Workplace Violence Prevention — Reserved The Department has chosen to reserve this section since the policy and procedures for workplace violence prevention are currently being developed. Once these policies and procedures have been approved, the rule will be amended to include them through a rulemaking consistent with the Administrative Procedure Act.	N/A
Subpart E – Enforcement Process	
10 CFR 851.40 Investigations and inspections.	
(a) The Director may initiate and conduct investigations and inspections relating to the scope, nature and extent of compliance by a contractor with the requirements of this part and take such action as the Director deems necessary and appropriate to the conduct of the investigation or inspection. DOE Enforcement Officers have the right to enter work areas without delay to the extent practicable, to conduct inspections under this subpart.	-MCP-2547, “Identification, Reporting and Resolution of Price-Anderson and Worker Safety and Health Noncompliances”
(b) Contractors must fully cooperate with the Director during all phases of the enforcement process and provide complete and accurate records and documentation as requested by the Director during investigation or inspection activities.	-MCP-2547, “Identification, Reporting and Resolution of Price-Anderson and Worker Safety and Health Noncompliances”
(c) Any worker or worker representative may request that the Director initiate an investigation or inspection pursuant to paragraph (a) of this section. A request for an investigation or inspection must describe the subject matter or activity to be investigated or inspected as fully as possible and include supporting documentation and information. The worker or worker representative has the right to remain anonymous upon filing a request for an investigation or inspection.	DOE Poster
(d) The Director must inform any contractor that is the subject of an investigation or inspection in writing at the initiation of the investigation or inspection and must inform the contractor of the general purpose of the investigation or inspection.	N/A
(e) DOE shall not disclose information or documents that are obtained during any investigation or inspection unless the Director directs or authorizes the public disclosure of the investigation. Prior to such authorization, DOE must determine that disclosure is not precluded by the Freedom of Information Act, 5 U.S.C. 552 and Part 1004 of this title. Once disclosed pursuant to the Director’s authorization, the information or documents are a matter of public record.	N/A
(f) A request for confidential treatment of information for purposes of the Freedom of Information Act does not prevent disclosure by the Director if the Director determines disclosure to be in the public interest and otherwise permitted or required by law.	N/A
(g) During the course of an investigation or inspection, any contractor may submit any document, statement of facts, or memorandum of law for the purpose of explaining the contractor’s position or furnish information which the contractor considers relevant to a matter or activity under investigation or inspection.	N/A
(h) The Director may convene an informal conference to discuss any situation that might be a violation of a requirement of this part, its significance and cause, any corrective action taken or not taken by the contractor, any mitigating or aggravating circumstances, and any other information. A conference is not normally open to the public and DOE does not make a transcript of the conference. The Director may compel a contractor to attend the conference.	N/A

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(i) If facts disclosed by an investigation or inspection indicate that further action is unnecessary or unwarranted, the Director may close the investigation without prejudice.	N/A
(j) The Director may issue enforcement letters that communicate DOE's expectations with respect to any aspect of the requirements of this part, including identification and reporting of issues, corrective actions, and implementation of the contractor's safety and health program; provided that an enforcement letter may not create the basis for any legally enforceable requirement pursuant to this part.	N/A
(k) The Director may sign, issue and serve subpoenas.	
10 CFR 851.41 Settlement	
(a) DOE encourages settlement of a proceeding under this subpart at any time if the settlement is consistent with this part. The Director and a contractor may confer at any time concerning settlement. A settlement conference is not open to the public and DOE does not make a transcript of the conference. (b) Notwithstanding any other provision of this part, the Director may resolve any issues in an outstanding proceeding under this subpart with a consent order. (1) The Director and the contractor, or a duly authorized representative thereto, must sign the consent order and indicate agreement to the terms contained therein. (2) A contractor is not required to admit in a consent order that a requirement of this part has been violated. (3) DOE is not required to make a finding in a consent order that a contractor has violated a requirement of this part. (4) A consent order must set forth the relevant facts that form the basis for the order and what remedy, if any, is imposed. (5) A consent order shall constitute a final order.	N/A
10 CFR 851.42 Preliminary Notice of Violation	
(a) Based on a determination by the Director that there is a reasonable basis to believe a contractor has violated or is continuing to violate a requirement of this part, the Director may issue a preliminary notice of violation (PNOV) to the contractor. (b) A PNOV must indicate: (1) The date, facts, and nature of each act or omission upon which each alleged violation is based; (2) The particular requirement involved in each alleged violation; (3) The proposed remedy for each alleged violation, including the amount of any civil penalty; and (4) The obligation of the contractor to submit a written reply to the Director within 30 calendar days of receipt of the PNOV.	N/A
(c) A reply to a PNOV must contain a statement of all relevant facts pertaining to an alleged violation. (1) The reply must: (i) State any facts, explanations and arguments that support a denial of the alleged violation; (ii) Demonstrate any extenuating circumstances or other reason why a proposed remedy should not be imposed or should be mitigated; (iii) Discuss the relevant authorities that support the position asserted, including rulings, regulations, interpretations, and previous decisions issued by DOE; and (iv) Furnish full and complete answers to any questions set forth in the preliminary notice. (2) Copies of all relevant documents must be submitted with the reply.	-MCP-2547, "Identification, Reporting, and Resolution of Price-Anderson and Worker Safety and Health Noncompliances"
(d) If a contractor fails to submit a written reply within 30 calendar days of receipt of a PNOV: (1) The contractor relinquishes any right to appeal any matter in the preliminary notice; and (2) The preliminary notice, including any proposed remedies therein, constitutes a final order.	N/A

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10 CFR 851 Requirement Reference and Text	WSHP Implementing Document
(e) A copy of the PNOV must be prominently posted, once final, at or near the location where the violation occurred until the violation is corrected.	-MCP-2547, "Identification, Reporting, and Resolution of Price-Anderson and Worker Safety and Health Noncompliances"
10 CFR 851.43 Final Notice of Violation	
(a) If a contractor submits a written reply within 30 calendar days of receipt of a preliminary notice of violation (PNOV), that presents a disagreement with any aspect of the PNOV and civil penalty, the Director must review the submitted reply and make a final determination whether the contractor violated or is continuing to violate a requirement of this part. (b) Based on a determination by the Director that a contractor has violated or is continuing to violate a requirement of this part, the Director may issue to the contractor a final notice of violation that states concisely the determined violation and any remedy, including the amount of any civil penalty imposed on the contractor. The final notice of violation must state that the contractor may petition the Office of Hearings and Appeals for review of the final notice in accordance with 10 CFR Part 1003, Subpart G. (c) If a contractor fails to submit a petition for review to the Office of Hearings and Appeals within 30 calendar days of receipt of a final notice of violation pursuant to § 851.42: (1) The contractor relinquishes any right to appeal any matter in the final notice; and (2) The final notice, including any remedies therein, constitutes a final order.	N/A
10 CFR 851.44 Administrative Appeal	
(a) Any contractor that receives a final notice of violation may petition the Office of Hearings and Appeals for review of the final notice in accordance with Part 1003, Subpart G of this title, within 30 calendar days from receipt of the final notice. (b) In order to exhaust administrative remedies with respect to a final notice of violation, the contractor must petition the Office of Hearings and Appeals for review in accordance with paragraph (a) of this section.	N/A
10 CFR 851.45 Direction to NNSA Contractors	
(a) Notwithstanding any other provision of this part, the NNSA Administrator, rather than the Director, signs, issues and serves the following actions that direct NNSA contractors: (1) Subpoenas; (2) Orders to compel attendance; (3) Disclosures of information or documents obtained during an investigation or inspection; (4) Preliminary notices of violations; and (5) Final notices of violations. (b) The NNSA Administrator shall act after consideration of the Director's recommendation.	N/A