10 CFR 851 Technical Amendment: Standards Incorporated by Reference

Robin Keeler
David Weitzman

AU-11, Office of Worker Safety and Health Policy

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Audio Considerations

• WebEx Only, no VTC
• Always Mute WebEx Phone When Not Speaking
• May Have to Mute All if Getting Interference
Participate

• Please Ask Questions or Give Comments
• Dialog is Better for Communication
Any Problems

• Speak Up Now
• Will Try to Fix
• Call Carol’s Mobile: 301-518-2857
Archive

• Slides will be posted:
    – < DOE Worker Safety and Health >
    – < VTC/WebEx Meeting Materials >

• Not Recording
Contacts

10 CFR 851 Policy

robin.keeler@hq.doe.gov, 301-903-9981
david.weitzman@hq.doe.gov, 301 903-5401
carol.sikora@hq.doe.gov, 301-518-2857
Introductions

HQ Participants:
Agenda

• Background
• Overview of Updates in the Technical Amendment
• Questions
Background

• The Office of the Federal Register recommends that Federal Agencies periodically review and update standards incorporated by reference*.

• The Technical Amendment replaces the references to industry safety and health standards with newer versions.

* Vol 77, No. 10/Tuesday, January 17, 2012/Office of Federal Register Notices
Overview of Updates

1. The **2016 ACGIH TLVs and BEIs** published by the ACGIH (Beryllium will be covered in a later slide)

2. **ANSI standards**
   - ANSI Z49.1-2012 Safety In Welding
   - ANSI Z88.2-2015 Respiratory Protection
   - ANSI Z136.1-2014 Safe Use of Lasers
Overview of Updates

3. **ASME standards** - boilers and pressure piping codes
   (see the technical amendment for complete list)

   - **ASME B31.2 – 1968 – Fuel Gas Piping**
     - Withdrawn by ASME
     - Removed from 10 CFR 851
     - B31.2 is still available; a good reference for the design of gas piping systems
Overview of Updates

4. **NFPA**
   - **NFPA 70** National Electric Code (updated to **2017**)
   - **NFPA 70E** Standard for Electrical Safety in the Workplace (updated to **2015**)

Office of Environment, Health, Safety and Security
Overview of Updates

   - Removed from 851.26 & 851.27.
   - The updated language states “DOE Reporting Directives.”
   - The current successor document is O 231.1B, Environment, Safety and Health Reporting, 2011.
Overview of Updates

   - Removed from 851.27, Standards IBR (b)(10).
   - **Updated language** (Functional Area 3.): “contractors must comply with the policy and requirements specified in the appropriate explosives safety technical standard.”
   - The current successor document is **DOE STD 1212-2012**.
Overview of Updates


- 851.26(b)(2), Recordkeeping and Reporting
- “Analyze related data for trends and lessons learned.”
- Successor document is *DOE O 225.1B, Accident Investigations, 2011.*
Overview of Updates


   - This is the current document
Submitted Questions

Do we have to comply with the updated standards in the technical amendment?

The effective date is January 17, 2018.
The implementation date is January 17, 2019.
Submitted Questions

Do we have to comply with the ACGIH TLV for beryllium (0.05 µg/m³ - inhalable)?

No.
The ACGIH 2016 TLV for beryllium does not apply to DOE.

10 CFR 850 remains DOE's beryllium control regulation; it adopts the OSHA PEL of 0.2 µg/m³.

The Office of Worker Safety and Health Policy will clarify.
May a contractor adopt an updated standard that is not incorporated by reference in 10 CFR 851? (e.g., NFPA 70E 2018)?

- A contractor may use a newer revised standard, which is not incorporated by reference in 10 CFR 851.
- It should be in the contractor’s approved Worker Safety and Health Program.
- Would not need to apply for a variance.
- Each site is different, no single “Approved Process;” submit questions to Response Line
What about updated standards that may appear to reduce or remove barriers?

- Examples exist of specific requirements contained in updated versions of a standard that reduced or removed barriers (e.g., ACGIH Static Magnetic Fields, NFPA 70E Energized Systems).

- Implementing the updated versions of these standards would provide an appropriate level of worker protection.

(See Response Line D16-05-002 “…adopt the 2014 version of the ANSI Z136, Safe Use of Lasers”)

- Contact us
Questions and Answers

What about the cost?

– We understand there will be costs
– We are working with the DOE complex to help with implementation
How is this Technical Amendment going to make DOE safer?

Directly incorporating the latest industry standards will allow DOE to adopt current best practices and procedures in safety and health.
Other Questions?