



Department of Energy

Office of Science
Brookhaven Site Office
P.O. Box 5000
Upton, New York 11973

March 3, 2022

Dr. Doon Gibbs, Director
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Upton, New York 11973

Dear Dr. Gibbs:

SUBJECT: ASSIGNMENT OF AUTHORITY HAVING JURISDICTION (AHJ) FOR ELECTRICAL SAFETY AT BROOKHAVEN NATIONAL LABORATORY (BNL)

- References:**
- 1) Letter from R. Gordon, SC-BHSO, to D. Gibbs, BSA, Subject: Assignment of Authority Having Jurisdiction (AHJ) for Electrical Safety at Brookhaven National Laboratory (BNL), dated July 17, 2020
 - 2) 2020 National Electrical Code, NFPA-70
(2A) Article 80.13, Informative Annex H
(2B) Article 90.4
 - 3) Standard for Electrical Safety in the Workplace (NFPA-70E)
 - 4) 10 CFR 851 (including the Technical Amendment)

10 CFR 851 and the subsequent Technical Amendment requires the laboratory contractor to implement a comprehensive electrical safety program, which complies with the National Electric Code (NFPA-70) and the Standard for Electrical Safety in the Workplace (NFPA-70E).

As Head of the Field Element and Electrical Authority Having Jurisdiction (AHJ), I am assigning the 16 AHJ related operational responsibilities described in Article 80.13 of the 2017 National Electrical Code, Informative Annex H, to the Chief Electrical Inspector. The assigned AHJ functions are applicable only to facilities operated by Brookhaven Science Associated (BSA) for the Department of Energy (DOE) under the Prime Contract unless otherwise modified by the Brookhaven Site Office (BHSO).

Article 90.4 of the National Electric Code further defines the AHJ function for implementation, including the responsibility for making interpretations of the rules provided alternative methods are deemed equivalent to maintain effective safety.

The AHJ for electrical safety is responsible for assuring proper execution of the requirements of electrical codes and standards by operating departments, and for recommending equivalencies work practices, or procedures. A process for developing and requesting AHJ approval of equivalencies and/or exemptions to DOE Orders, DOE Technical Standards, National Consensus Codes and Standards must be established and implemented. As required by NFPA 70 Annex H Article 80.13 (16) all electrical equivalences, and exemptions; "shall be

accompanied by such evidence, letters, statements, results of tests, or other supporting information as required to justify the request". Equivalencies and exemptions shall be

developed and submitted in accordance with Reference 1. It is recommended that these actions be coordinated with the site office and their Electrical SME support staff prior to submittal for approval. Authority to grant electrical safety or code compliance equivalencies and exemptions is retained by DOE.

DOE/BHSO retains the right and ultimate authority in fire protection, life safety, electrical safety, and building code matters to override decisions by the contractor, including the interpretation and application of DOE orders, guides, standards, and national consensus codes and standards. All AHJ interpretations and supporting analyses must be documented and made available to BHSO. Although BHSO has assigned the AHJ function for electrical safety to the Chief Electrical Inspector, if deemed necessary reserves the right to recall this assignment.

The following expectations further support this AHJ for electrical safety assignment:

- The AHJ for electrical safety will maintain the appropriate level of training and possess the qualifications to execute their respective assigned role. If the AHJ cannot adequately fulfill their role, the Laboratory shall promptly inform BHSO;
- The AHJ for electrical safety must remain independent in its decision-making process and shall not have a relationship to organizations responsible for creating designs or activities related to electrical code equivalency;
- The AHJ for electrical safety may further assign qualified personnel for routine activities, such as those related to electrical installation, electrical distribution, laboratory equipment inspections, revisions to work practices and personal protective equipment requirements. The AHJ remains accountable for the appropriateness of such actions undertaken on their behest;
- Appropriate documentation and supporting determinations made by the AHJ for electrical safety will be generated and retained for all AHJ activities. On request, such documentation will be made available to BHSO for information and review. Records of technical justifications must be maintained and re-evaluated for appropriateness as activities or operations evolve; and
- The process for developing and requesting formal BHSO AHJ approval of electrical safety equivalencies to National Electrical Code requirements must be in place and implemented. A full summary of AHJ decisions regarding the National Electrical Code will be submitted on an annual basis to BHSO for review.

To support transparency in this assignment, the Laboratory Electrical Safety Advisory Committee will include an ex officio member from BHSO.

This assignment supersedes the electrical safety section of referenced letter 1 and will be superseded in writing. Questions related to this AHJ assignment may be directed to Chris Seniuk, of my staff, at extension 2034.

Sincerely,

Robert P. Gordon
Site Manager

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