



Department of Energy

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

May 5, 2022

Dr. Doon Gibbs, Director
Brookhaven Science Associates, LLC
Brookhaven National Laboratory
Upton, New York 11973

Dear Dr. Gibbs:

SUBJECT: APPROVAL OF THE REVISED WORKER SAFETY AND HEALTH (WS&H) PROGRAM DESCRIPTION (PD)

- References:
1. Letter from D. Gibbs, BSA, to R. Gordon, SC-BHSO, Subject: Approval of The Revised Worker Safety and Health (WS&H) Program Description (PD), dated April 20, 2022
 2. 042022 Worker Safety and Health Program Summary of Changes
 3. 042022 WSHPD FY 2022 Rev 1 RedLine

The Brookhaven Site Office (BHSO) has reviewed Brookhaven Science Associates, LLC's (BSA's) request for approval of the revised WS&H PD (Reference 1), the Worker Safety and Health Program Summary of Changes (Reference 2), and the Redline version of the FY 2022 Worker Safety and Health Program Description Rev 1 (Reference 3), as required under 10 CFR 851.11(c). Significant changes or additions to the program require review and approval by the Head of the Department of Energy (DOE) Field Element.

As part of this request, BSA is seeking approval from BHSO to adopt an alternative standard than what is required by 10 CFR 851. The request is for approval to use the National Electrical Code (NEC) NFPA-70 (2020) and later editions for the design of new facilities and equipment and the purchase of new electrical equipment. The current Brookhaven National Laboratory (BNL) WS&H PD and 10 CFR 851 require compliance with the 2017 edition of NFPA 70.

As required by the *Process to Request Use of a Standard Different from One Required by 10 CFR 851* (Attachment G of the BNL WS&H PD), the request adequately addresses the following:

- Organizations/areas at BNL that will be impacted;
- Benefits of the updated code, standard, or interpretation; and
- How the new measure provides equivalent or increased safety.

Per 10 CFR 851.11(c)(1), BHSO has reviewed and approves BSA's request to use NFPA-70 (2020) and later editions solely for the design of new facilities and equipment and the purchase of new electrical equipment. BSA will continue to use the 2017 edition of NFPA 70 for all other

purposes. Legacy structures will still comply with the Code of Record at the time the facility was designed and/or constructed unless prohibited by statute, DOE Order, referenced DOE standard in the contract, or the facility is undergoing a major renovation.

Additionally, BSA's WS&H PD, dated April 2022, meets the 10 CFR 851 requirements and is, therefore, approved.

Please ensure all changes and updates are adequately incorporated into the BSA Standards-Based Management System through your requirements management process.

If you have any questions regarding this approval, please contact Jenifer Brock, of my staff, at extension 3194.

Sincerely,

Robert P. Gordon
Site Manager

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