



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

Dr. JoAnne Hewett
Director
Brookhaven Science Associates, LLC
Brookhaven National Laboratory
Upton, New York 11973

Dear Dr. Hewett:

**SUBJECT: ASSIGNMENT OF AUTHORITY HAVING JURISDICTION FOR
ELECTRICAL SAFETY AT BROOKHAVEN NATIONAL
LABORATORY**

References: 1. 2020 National Electrical Code, NFPA-70 (2A) Article 80.13,
Informative Annex H (2B) Article 90.4
2. Standard for Electrical Safety in the Workplace (NFPA-70E-2021)
3. 10 CFR Part 851, *Worker Safety and Health Program*
4. DOE Order 420.1C, Chg 3 (LtdChg), *Facility Safety*

10 Code of Federal Regulations Part 851, *Worker Safety and Health Program*, Appendix A, Paragraph 10 requires the management and operating contractor of Brookhaven National Laboratory (BNL) to implement a comprehensive electrical safety program that complies with National Fire Protection Association (NFPA)-70 (otherwise known as the National Electric Code [NEC]) and the Standard for Electrical Safety in the Workplace (NFPA-70E). Additionally, Department of Energy (DOE) Order 420.1C, *Facility Safety*, requires the DOE Head of Field Element to fulfill the roles and responsibilities of the Authority Having Jurisdiction (AHJ) for matters involving Electrical Safety. Due to their nature, AHJ-related operational responsibilities are not considered inherently Federal functions and are typically assigned to and performed by contractor staff who are experienced professionals, as further specified by DOE Order 420.1C.

Therefore, I am assigning the BNL Electrical AHJ position as the site's Electrical Safety AHJ to act as DOE's representative for routine activities. These 16 AHJ related operational responsibilities are described in Article 80.13 of the 2020 NEC, Informative Annex H. The Electrical Safety AHJ function for implementation is further described in Article 90.4 of the NEC, which includes the responsibility for making interpretations of the Code, provided the chosen alternative methods are deemed equivalent to maintaining effective safety.

In general, the assigned AHJ is responsible for enforcing the requirements of the NFPA-70 and NFPA-70E codes and standards and approving equipment, materials, installation, or procedures. DOE retains the right to override decisions of the contractor, including the interpretation and application of DOE orders, guides, standards, and mandatory codes and standards. Variances, Exemptions, Equivalencies, and Alternative Approaches shall be coordinated with BHSO and submitted to DOE for approval.

Appropriate level of training, qualifications, and organizational independence are critical to execute the AHJ role. If at any time, the assigned Electrical Safety AHJ believes that they cannot adequately carry out this designation, they must immediately inform BHSO. Any organizational changes affecting the assigned AHJ shall be submitted to BHSO within 14 calendar days of the change with an assurance that the AHJ function has not been impacted.

This assignment supersedes prior delegations or assignments and will continue until rescinded, amended, or superseded in writing. Please contact Jordanna Kendrot at extension 7982 with any questions.

Sincerely,

Robert P. Gordon
Site Manager

cc: G. Olson, SC-BHSO
S. Tabone, SC-BHSO
J. Kendrot, SC-BHSO

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S. Kohler, BSA
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