

Integration of Environment, Safety, and Health Service Subcontract Specifications for Low Risk Subcontracts

All work must be performed in accordance with DEAR 970.5223-1, *Integration of Environment, Safety, and Health into Work Planning and Execution*, 10 CFR 851, *Worker Safety and Health Program*, and all applicable federal regulations and site-specific requirements.

The Subcontractor shall take all reasonable precautions in the performance of the work under this contract to protect the environment, safety, and health of employees and members of the public.

The Company shall notify the Subcontractor, in writing, of any noncompliance with the provisions of this Clause. After receipt of such notice, the Subcontractor shall immediately take corrective action. In the event that the Subcontractor fails to comply with said regulations and requirements, The Company may, without prejudice to any other legal or contractual rights of The Company, issue an order stopping all or any part of the work; thereafter, a start order for resumption of the work may be issued at the discretion of The Company. The Subcontractor shall make no claim for an extension of time or for compensation or damages by reason of, or connection with, such work stoppage.

Subcontractor must ensure that legal, contractual, and technical requirements are flowed down to lower-tier subcontractors. These include, but are not limited to, Stop Work Authority and Integrated Safety Management DOE Acquisition Regulation (DEAR) clause. Subcontractors shall comply with the applicable safety and health requirements for their covered workplace as referenced in 10 CFR 851.23, *Safety and Health Standards*. The Subcontractor shall participate in critiques and in investigations, as appropriate.

The Subcontractor performing work under this contract whose employees will be on-site greater than 30 days in a 12 month period at a DOE facility or are enrolled for any length of time in a medical or exposure monitoring program required by this rule or other Federal, State, or local regulation, must provide Occupational Medicine services, under the direction of a licensed physician meeting the credentials requirements of 10 CFR 851, Appendix A.8 (b), and personnel providing health services meeting the credentials requirements of Appendix A.8(c). A written description of Subcontractor's occupational medicine program is required to be submitted upon request under this Agreement. The Subcontractor shall submit to the STR (Strategic Technical Representative) written notice of a local medical provider licensed physician meeting the credentials requirements of 10 CFR 851, Appendix A.8(b) and personnel providing health services meeting the credentials of 10 CFR 851, Appendix A.8(c) for employees requiring local medical care. In any emergent medical situation, The Company's Occupational Health Services or Emergency Services will provide the appropriate triage, stabilization, and transport of the worker.

The Subcontractor shall possess and maintain an internal corporate Environment, Safety & Health (ES&H) Program that implements the Occupational Safety and Health Administration (OSHA) requirements applicable to the normal course of the Subcontractor's business. The Company reserves the right to request and review the Subcontractor's ES&H Program and associated documentation at any time.

Hazard Communication Program— All chemicals brought on site shall be labeled in accordance with 29 CFR 1910.1200, *Hazard Communication*. The Subcontractor shall provide to The Company Subcontract Technical Representative (STR) copies of the safety data sheet prior to bringing chemicals on-site. The STR, must forward copies of safety data sheet to the Hazardous Material Inventory System (HMIS) Coordinator prior to the Subcontractor bringing chemicals on –site. All chemicals stored on-site shall follow National Fire Protection Association (NFPA) storage guidelines.

In addition, per 40 CFR 370.20, *Emergency Planning and Community Right to Know Act*, on a monthly basis, the Subcontractor shall provide to the STR the completed inventory form (UCN-21445, *Subcontractor Hazardous Materials Inventory Report*, for Y-12 and PX-5905, *Monthly Chemical Agents Inventory*, for Pantex). These inventory reports must identify any chemicals brought on site at any point during that month. Each month the STR shall forward copies of the completed chemical inventory forms to The Company Hazardous Materials coordinator

When Hoisting and Rigging activities are authorized to be performed on site these activities shall follow the requirements of DOE-STD-1090, *DOE Hoisting and Rigging Standard*.

Written, properly authorized, current permits (e.g., confined space, environmental) are required before work begins. The Company shall provide the permits, unless ES&H approves the Subcontractor's program. Permits provide details on the type of activity to be performed and the safety requirements

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necessary to perform the job. Permits shall be posted in a designated area of the workplace and the instructions must be followed.

Lockout/Tagout of hazardous energy sources (e.g., electrical, hydraulic) is to be implemented by The Company. Lockout/Tagout will be performed in accordance with The Company's Lockout/Tagout Program.

Environmental Compliance—The Subcontractor shall comply with all applicable environmental protection laws, executive orders, ordinances, regulations, directives, and codes. Upon request, the Subcontractor shall submit an Environmental Compliance Plan (ECP) outlining the methods proposed to address the environmental requirements specified in the statement of work. The ECP, which may be combined with safety and health and radiation protection or radiological control plans as an Environment, Safety and Health site specific plan, shall specify the person responsible for ensuring the requirements are met. Additionally, the subcontractor shall comply with applicable requirements of statutes, regulations, and ordinances pertaining to protection of historical and cultural resources.

Suspect/Counterfeit Materials and Equipment—The Subcontractor shall comply with all requirements established in the subcontract terms and conditions related to restrictions and controls of suspect and counterfeit materials and equipment.

ES&H Submittals—Some subcontracted work scopes may require that subcontractors provide certain documents such as Safety Performance History, OSHA Logs, ES&H Program, safety and health programs, training, certifications, medical programs, etc. upon request.

Radiological Control Compliance—The Subcontractor shall comply with all applicable radiological control regulations and requirements of the DOE, and shall take all reasonable precautions in the performance of the work under this order to protect the safety and health of employees and members of the public. The Subcontractor shall adhere to the applicable radiological control requirements contained in the site requirements as delineated in the Statement of Work (SOW). The requirements incorporate 10 CFR 835, *Occupational Radiation Protection* and other DOE contractual radiological control requirements that flow down to the Subcontractors. All Subcontractor personnel shall conform to The Company applicable and area specific radiological control rules and procedures.

Site Reporting Requirements—The Subcontractor shall report to the STR all site incidents (i.e., injuries, illnesses, fires, spills, near misses, property or equipment loss) for proper investigation and disposition. Report serious events requiring immediate response to the Y-12 Operations Center (865-574-7172) or Pantex Operations Center (806-477-3333). The STR shall ensure that the Subcontractor submits in writing, through the STR to the ES&H Injury/Illness Case Management Department, DOE F 5484.3, *DOE Individual Accident/Incident Report*, within five working days of accidents or incidents.

The Subcontractor must submit Subcontract Tabulation of Work Hours utilizing form UCN-21439, *Subcontract Safety Performance Report*, before the fifth day each month for the preceding month.

Compliance to Federal, State, and Local Regulations—All subcontract personnel on The Company's property shall comply with all applicable federal, state, and local standards and regulations including but not limited to, OSHA, U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Regulations (FMCSR), Pipeline and Hazardous Material Safety Administration (PHMSA), Hazardous Materials (HM) Regulations, National Fire Protection Association, American National Standards Institute, and American Society of Mechanical Engineers standards.

Transportation Compliance Verification—Commercial Motor Vehicles defined by 49 CFR 390.5, *Definitions*, shall conform to all applicable laws/regulations, to include Federal Motor Vehicle Safety Standards. All off-site and on-site nonhazardous and hazardous materials, substances, and waste transportation and commercial motor vehicle activities shall be performed in full compliance with all applicable federal, state, and local requirements, to include proper packaging, marking, labeling, placarding, shipping documentation, emergency response requirements, vehicle inspection, load securement, vehicle condition, driver qualification, and carrier safety carriers shall demonstrate that:

- A. Commercial vehicle operators are properly licensed and medically certified, and Subcontractor shall provide list of both qualified drivers licenses and their medical cards.

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- B. Commercial vehicle has a current periodic (annual) inspection and are in compliance with the FMCSR, PHMSA, and HM regulations.
- C. Carrier has sufficient liability insurance as outlined in the FMCSR.
- D. Carrier has a SAFER Score not exceeding 85.
- E. Commercial vehicles must have a compliance inspection administered by one of The Company's Transportation Compliance representatives upon arriving on site.

An over dimensional shipment shall be governed by UCN-26736, *Integration of Environment, Safety, and Health Service Subcontract Specifications for Moderate/High Risk Subcontracts*.

All Subcontractor personnel must conform to The Company applicable and/or specific occupational safety and health rules and procedures as delineated in SOW.

Worker Safety and Health Program—Unless otherwise specified in the subcontract document, subcontractors working on-site will work under The Company approved Worker Safety and Health Program. The contract between the Company and the Subcontractor will contain specific contract scope, applicable worker safety and health requirements, and other terms and conditions.

Subcontractor Evaluation—All on-site solicitations and awarded subcontracts will contain a clause titled Performance Evaluation Program. This clause will inform Subcontractors that their subcontract may be evaluated under The Company subcontractor performance evaluation process as delineated in procedure E-PROC-3024, *Subcontract Management Program Manual*.

When a subcontractor chooses not to work under The Company approved Worker Safety and Health Program and the applicable work scope requires a Worker Safety and Health Program per 10 CFR 851, the following actions must be performed prior to work starting on-site:

- Subcontractor submits a Worker Safety and Health Program, as defined in 10 CFR 851, to The Company for approval.
- The Company's representatives review, recommend approval, and provide the document to National Nuclear Security Administration Production Office that reviews and approves The Company's Subcontractor Worker Safety and Health Program.

The Company shall be responsible for the disposition of all recyclable material and waste generated as a result of this subcontract. The Subcontractor shall work with the STR to identify potential waste streams, and The Company's Waste Management will provide a Waste Management Plan (WMP) that contains the requirements to follow related to material disposition if it is determined to be required by The Company's Waste Management.

The Subcontractor shall acknowledge the requirements outlined in the WMP. All recyclable and waste products including Universal Waste materials (i.e., lamps, batteries, etc.) will be dispositioned of in accordance with The Company's WMP. The STR shall direct the Subcontractor to segregate and accumulate recyclable material, universal waste, and waste in appropriately identified containers and store containers in approved designated areas at the facility.

The STR shall complete any necessary forms/submittals to facilitate the materials disposition. The Subcontractor shall bag/containerize waste/recyclable materials at the direction of the STR and in accordance with the WMP, but will not remove any waste/recyclable materials from Y-12.

If waste streams are identified that are not addressed in the existing WMP, the STR will contact Waste Management to update the WMP. The Subcontractor shall comply with The Company, DOE, and applicable regulatory requirements related to material reuse and recycle and waste management.