

Environment, Safety and Health Compliance – Alternative II (JULY 2006)

NOTE All work must be performed in accordance with the DEAR 970.5204-2 clause and all applicable federal regulations and site-specific requirements.

The Seller 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. BWXT Y-12 shall notify the Seller, in writing, of any noncompliance with the provisions of this Clause. After receipt of such notice, the Seller shall immediately take corrective action. In the event that the Seller fails to comply with said regulations and requirements, BWXT Y-12 may, without prejudice to any other legal or contractual rights of BWXT Y-12, 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 BWXT Y-12. The Seller shall make no claim for an extension of time or for compensation or damages by reason of, or connection with, such work stoppage. Seller must ensure all environmental safety and health requirements are communicated to lower tier subcontractors. The Seller shall participate in critiques and in investigations (Type A and B), as appropriate.

The Seller shall possess and maintain an internal corporate ES&H plan, which implements the OSHA requirements applicable to the normal course of the Seller's business. BWXT Y-12 reserves the right to request and review the Seller's ES&H plan and associated documentation at any time. The ES&H plan shall meet the following minimum requirements:

- (1) Management policies that provide for clear goals, responsibilities, authority, and accountability for meeting loss control objectives;
- (2) Implementation of applicable local, state, federal, environment, safety and health requirements that are relevant to the statement of work;
- (3) Employee guidance on internal engineering controls, precautions, and requirements on PPE to minimize, control and/or prevent employee exposure to include equipment/property loss;
- (4) Task-level hazard analysis with control measures that provide for safe work practices and employee training; and
- (5) Hazard Communication Program. (Copies of MSDS shall be provided to HMIS Coordinator prior to bringing any chemicals on site. In addition, the Seller shall provide to the HMIS Coordinator a current inventory on a monthly basis for chemicals stored on site for thirty (30) or more days per EPCRA/CERCLA. All chemicals stored on site shall follow NFPA storage guidelines.)

Environmental Compliance - The Seller shall comply with all applicable environmental protection laws, executive orders, ordinances, regulations, directives, and codes. Upon request, the Seller shall submit an Environmental Compliance Plan (ECP) outlining the methods proposed to address the environmental requirements specified in the statement of work. The ECP shall specify the person responsible for ensuring the requirements are met.

Site Reporting Requirements - The Seller shall report to the STR, all site incidents (i.e., injuries, illnesses, fires, spills, near misses, property or equipment loss, etc.) for proper investigation and disposition. Report serious events, requiring immediate response to the Plant Shift Superintendent (574-7172)