



Department of Energy

Washington, DC 20585

January 17, 2002

The Honorable John T. Conway
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, NW
Suite 700
Washington, D.C. 20004

Dear Mr. Chairman:

Consistent with the Department's implementation plan for the Defense Nuclear Facilities Safety Board (DNFSB) Recommendation 2000-2, I am forwarding information concerning Deliverable 21 under the implementation plan.

Commitment 21 calls for the Department to institutionalize the annual ES&H Assessment Summary in an Order or Policy revision.

Enclosed is a copy of DOE Notice 231.1, *Environment, Safety and Health Reporting Notice*. This Notice promulgates changes to DOE Manual 231.1-1, *Environment, Safety and Health Reporting Manual*, which institutionalize the annual summary report to the Secretary of ES&H assessments. We plan to include these provisions in a full revision of DOE Order and Manual 231.1. The Department has completed Commitment 21 and proposes closure of this commitment.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven V. Cary".

Steven V. Cary
Acting Assistant Secretary
Office of Environment, Safety and Health

Enclosure

cc:
M. Whitaker, S-3.1



Printed with soy ink on recycled paper

U.S. Department of Energy
Washington, D.C.

NOTICE

DOE N 231.1

Approved: 1-15-02
Expires: 1-15-03

SUBJECT: ENVIRONMENT, SAFETY, AND HEALTH REPORTING NOTICE

1. **OBJECTIVES.**

- a. To set forth the requirements and responsibilities for Department of Energy (DOE) elements, including the National Nuclear Security Administration (NNSA), for preparation of annual summary reports to the Secretary of Energy on the results of environment, safety, and health (ES&H) assessments conducted in the previous year.
- b. To implement the revised requirements of Title 29 Code of Federal Regulations (CFR) Part 1904, "Recording and Reporting Occupational Injuries and Illnesses," within DOE, including NNSA. To ensure collection and reporting of occupational injury and illness information that is required by law or is essential for evaluating DOE, including NNSA, operations.

2. **CANCELLATIONS.** Only the paragraphs of DOE M 231.1-1, *Environment, Safety, and Health Reporting Manual*, listed below are canceled. Cancellation of paragraphs of the Manual does not, by itself, modify or otherwise affect any contractual obligation to comply with such paragraphs.

- a. Paragraphs 2a, 2a(1), 2a(2), 2b, 2b(1), 2b(2), and 2i(3)(a) through 2i(3)(d) of Chapter II of DOE M 231.1-1.
- b. Appendix A of DOE M 231.1-1.

3. **APPLICABILITY.**

- a. **DOE Elements.** Except for the exclusions in paragraph 3c, below, this Notice applies to all DOE elements, including NNSA.
- b. **Contractors.** Except for the exclusions in paragraph 3c, below, the Contractor Requirements Document (CRD), Attachment 1, sets forth requirements to be applied to contractors awarded contracts for performing work for DOE, primarily on DOE-owned and -leased facilities. Contractor compliance with the CRD will be required to the extent set forth in the contract. The requirements of directives canceled by this Notice and currently attached to contracts remain in effect until the contract is modified to replace those requirements with the CRD attached to this Notice.

DISTRIBUTION:
All Departmental Elements

INITIATED BY:
Office of Environment, Safety and Health

- c. Exclusions. Activities conducted under the authority of the Director, Naval Nuclear Propulsion Program, as described in Public Law 98-525, with the exception of reporting required by 29 CFR 1960.

4. REQUIREMENTS.

- a. DOE Employee Occupational Safety and Health Program. (Effective January 1, 2002) DOE elements must record and report occupational fatalities, injuries, and illnesses among DOE employees arising out of work primarily performed at DOE-owned or -leased facilities. DOE elements must comply with the recordkeeping and reporting requirements contained in 29 CFR 1960, Subpart I, and guidance provided in the latest edition of the Department of Labor publication "Recordkeeping and Reporting Guidelines for Federal Agencies," Occupational Safety and Health Administration (OSHA) publication 2014, as modified as follows:
 - (1) Record all occupational injuries and illnesses experienced by DOE employees on the "Log of Work-Related Injuries and Illnesses," OSHA No. 300, and the "Summary of Work-Related Injuries and Illnesses," OSHA No. 300-A.
 - (2) Record and report work-related injuries and illnesses experienced by DOE employees on DOE F 5484.3, "Individual Accident/Incident Report," in lieu of OSHA No. 301, "Injury and Illness Incident Report." Access to DOE F 5484.3 must be in accordance with paragraph 4.b.. A completed copy of each DOE F 5484.3 must be submitted in accordance with the following procedures.
 - (a) A legible copy of each new or revised report must be submitted quarterly (on or before the 25th of each April, July, October, and January) for receipt by the Computerized Accident/Incident Reporting System (CAIRS) Data Coordinator. Reports should be submitted on or before the 25th of the month following the end of the quarter in which the accident occurred or in which information is received that changes the extent or outcome of a previously reported case.
 - (b) The reports must be addressed to the CAIRS Data Coordinator, U.S. Department of Energy, EH-72, Building 270, Corporate Center, 19901 Germantown Road, Germantown, MD 20874-1290.
 - (c) Each transmittal of reports to the CAIRS Data Coordinator must include a cover sheet that provides the following information:

- 1 name of the reporting organization,
- 2 organization code,
- 3 date of the transmittal,
- 4 case numbers for each new or revised report being transmitted, and
- 5 the name, phone number, and e-mail address of the contact person for the transmittal.

b. Access to Accident Records and Reports—DOE Employees. (Effective January 1, 2002)

- (1) Access to the OSHA No. 300 and the OSHA No. 300-A must be consistent with the requirements in 29 CFR 1960.71.
- (2) Forms provided for in paragraph 4.a. must be made available for inspection and copying by any authorized representative of DOE for the purpose of conducting oversight assessments or for statistical compilation.
- (3) Records that must be maintained under the provisions of 29 CFR 1960.67, 1960.68, and 1960.69 must be made available to the Secretary of Labor, Secretary of Health and Human Services, and their authorized representatives.

c. Updating Accident Records and Reports. (Effective January 1, 2002) For 5 years following the end of the calendar year that the accident occurred, DOE elements must update OSHA No. 300 and DOE F 5484.3 to include newly discovered recordable injuries or illnesses precipitated by that accident and to show any changes that have occurred in the classification of previously recorded cases. Record retention requirements must be consistent with the provisions included in 29 CFR 1960.73

d. ES&H Assessments—Report to LPSO/CSO: DOE field elements must submit to the lead program secretarial officer (LPSO) and cognizant secretarial officer (CSO) for their sites an annual summary report on the ES&H assessments conducted during the previous calendar year at the sites under their direction. The LPSO can allow organizations that collect this information on a fiscal year basis the option of preparing the annual summary report based on fiscal year rather than calendar year information. The annual summary report must be prepared in accordance with Attachment 2, "Instructions for the Annual Report on Environment, Safety, and Health Assessments," and submitted by the end of March each year.

- e. ES&H Assessments-Report to Secretary: The information provided to the LPSOs/CSOs in the annual reports on site ES&H assessments must be reviewed and summarized, and an overall summary report submitted to the Secretary of Energy by the end of April each year. The report to the Secretary must contain the following information:
- (1) Actions taken to address significant issues that are cross-cutting, actions taken at individual sites, and actions taken by the Headquarters Line organization. Include the status of those actions.
 - (2) Significant Issues for which field element managers requested assistance.

5. RESPONSIBILITIES.

a. Heads of DOE Elements.

- (1) Report quarterly work-related fatalities, injuries, and illnesses occurring among DOE employees arising out of work primarily performed at DOE-owned or -leased facilities to the Assistant Secretary for Environment, Safety and Health according to procedures provided in paragraphs 4.a.(2)(a), 4.a.(2)(b) and 4.a.(2)(c).
- (2) Assure that DOE Contractors report quarterly work-related fatalities, injuries, and illnesses occurring among DOE contractor employees and arising out of work primarily performed at DOE-owned or -leased facilities under their direction to the Assistant Secretary for Environment, Safety and Health according to procedures provided in paragraphs 2c of the CRD.
- (3) Report accidents that involve fatalities or multiple hospitalizations to DOE employees to the DOE Designated Agency Safety and Health Official (DASHO), the Assistant Secretary for Environment, Safety and Health. (See requirements in 29 CFR 1960.70.)

b. Heads of DOE Field Elements (Managers and Directors).

- (1) Periodically review ES&H assessments conducted at sites under their direction and prepare and submit an annual summary report on the assessments performed the previous calendar year to the LPSO and CSO for their sites.
- (2) Report accidents that involve fatalities/multiple hospitalizations to DOE employees to the DOE DASHO, the Assistant Secretary for Environment, Safety and Health. (See requirements in 29 CFR 1960.70.)

- c. Cognizant Secretarial Officers, including the Deputy Administrator for Defense Programs. Review the annual reports on ES&H assessments for the sites under their direction and submit summaries to the Secretary by the end of April each year.
 - d. Office of Management, Budget and Evaluation. Prepare the reports required by this Notice concerning work-related injuries and illnesses involving DOE Headquarters and NNSA Headquarters employees and submit them to the CAIRS Data Coordinator.
 - e. Assistant Secretary, Office of Environment, Safety and Health.
 - (1) As the DASHO for the DOE Federal Employees Occupational Safety and Health Program, reports accidents to DOE employees that involve fatalities or multiple hospitalizations to the Occupational Safety and Health Administration, U.S. Department of Labor. (See requirements in 29 CFR 1960.70.)
 - (2) Maintain a data base, currently the Computerized Accident/Incident Reporting System, that compiles reports submitted in accordance with paragraphs 4a(2)(a), 4a(2)(b), and 4a(2)(c) above.
6. REFERENCES. The following references describe additional sources of information that may assist in the implementation of this Notice.
- a. DOE O 200.1, *Information Management Program*, dated 9-30-96, establishes the requirements for the DOE information management program.
 - b. Title 29 CFR 1904, "Recording and Reporting Occupational Injuries and Illnesses," provides Occupational Safety and Health Administration standards for recording and reporting occupational injuries and illnesses. (*published January 2001*)
 - c. Title 29 CFR 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters," Subpart I, "Recordkeeping and Reporting Requirements," provides Occupational Safety and Health Standards for recording and reporting Federal employee occupational injuries and illnesses.
 - d. DOE M 231.1-1, *Environment, Safety, and Health Reporting Manual*, dated 9-30-95, establishes DOE management objectives and requirements for reporting ES&H information.
 - e. DOE 470.2A, *Security, Emergency Management, and Independent Oversight and Performance Assurance Program*, dated 3-1-00, establishes DOE management objectives and requirements for independent program oversight of ES&H and

emergency management programs, and for resolution and tracking of safety issues identified by the Office of Independent Oversight and Performance Assurance.

- f. DOE O 225.1A, *Accident Investigations*, dated 11-26-97, establishes DOE management objectives and requirements for the conduct of investigation of certain accidents occurring at DOE operations and sites.
 - g. 10 CFR 1008, "Records Maintained on Individuals (Privacy Act)."
 - h. Title 5 United States Code, section 552a(e)(3), "Privacy Act of 1974," which imposes requirements on any Federal agency that maintains personal information in a system of records which information is retrieved by name or other personal identifier.
 - i. Title 36, Code of Federal Regulations, Chapter 12, which sets forth policies and procedures concerning the creation, collection, use, documentation, dissemination, and disposition of records maintained by Federal Agencies and The National Archives and Records Administration.
7. CONTACT. Office of Environment, Safety and Health, Office of Regulatory Liaison, 301-903-4343.

BY ORDER OF THE SECRETARY OF ENERGY:



FRANCIS S. BLAKE
Deputy Secretary

CONTRACTOR REQUIREMENTS DOCUMENT

DOE N 231.1, ENVIRONMENT, SAFETY, AND HEALTH REPORTING NOTICE

Contractors must develop sitewide and facilitywide procedures, protocols, or other methods to meet the reporting requirements in this Contractor Requirements Document (CRD).

1. Annual Summary Reports of Environment, Safety, and Health Assessments. Contractors must prepare an annual summary report of ES&H self-assessments and submit it to the field element manager. The annual summary report must be prepared in accordance with Attachment 2, "Instructions for the Annual Report on Environment, Safety, and Health Assessments," and submitted by February 15 each year.
2. Contractor Employee Occupational Safety and Health Program. (Effective January 1, 2002)
 - a. DOE contractors must record, maintain, and post records related to occupational fatalities, injuries, and illnesses occurring among their employees (and subcontractors) arising out of work primarily performed at DOE-owned or -leased facilities. [See requirements in Title 29 Code of Federal Regulations (CFR) 1904.4 through 1904.9, 1904.11, 1904.30, 1904.31, and 1904.46.]
 - b. Contractors must use Occupational Safety and Health Administration (OSHA) No. 300, "Log of Work-Related Injuries and Illnesses," and OSHA No. 300-A, "Summary of Work-Related Injuries and Illnesses," to log and summarize all occupational injuries and illnesses occurring to contractor employees. OSHA No. 300 and OSHA No. 300-A must be completed, verified, and certified. In addition, OSHA No. 300-A must be posted. [See requirements in 29 CFR 1904.29, 1904.32, 1903.43, and 1904.44.]
 - c. Contractors must use DOE F 5484.3, "Individual Accident/Incident Report". [Do not use OSHA No. 301, "Injury and Illness Incident Report."] DOE F 5484.3 must be completed within 7 calendar days of receiving information that a recordable injury or illness has occurred. Access to DOE F 5484.3 must be in accordance with paragraph 3, below. Contractors must submit a completed copy of each new or revised DOE F 5484.3 quarterly to the heads of DOE field elements and Headquarters elements, or their designee, on or before the 15th of each April, July, October, and January, unless directed to submit in accordance with the following procedures.
 - (1) A legible copy of each new or revised report must be submitted quarterly (on or before the 25th of each April, July, October, and January) to the Computerized Accident/Incident Reporting System (CAIRS) Data Coordinator. Reports should be submitted on or before the 25th of the month following the end of the quarter in which the accident occurred or in which information is received that changes the extent or outcome of a previously reported case.
 - (2) The reports must be addressed to CAIRS Data Coordinator, U.S. Department of Energy, EH-72, Building 270 Corporate Center, 19901 Germantown Road, Germantown, MD 20874-1290.

- (3) Each transmittal of reports to the CAIRS Data Coordinator must include a cover sheet. Appendix A provides an example of the information that must be included in the cover sheet and the suggested format.
3. Access to Accident Records and Reports. (Effective January 1, 2002) Forms similar to those described in 29 CFR 1904.29 must be made available for inspection and copying by any representative of DOE for the purpose of conducting oversight assessments or for statistical compilation.
4. Updating Accident Records and Reports. (Effective January 1, 2002) DOE contractors assuming occupational safety and health responsibilities at a DOE-owned or -leased facility also must update accident records (OSHA No. 300 logs and DOE F 5484.3 forms) of the previous operating contractor.

APPENDIX A

TRANSMITTAL OF INDIVIDUAL ACCIDENT/INCIDENT REPORTS (EXAMPLE)

Reporting Organization: _____

Organization Code Number: _____

Date of Transmittal: _____

Number of New Accident/Incident Reports Included in Transmittal: _____
(List by case number each report included in transmittal)

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Number of Revised Accident/Incident Reports Included in Transmittal: _____
(List by case number each report included in transmittal)

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Contact Person

Name: _____

Phone Number: _____

E-Mail Address (if available): _____

INSTRUCTIONS FOR THE ANNUAL REPORT ON ENVIRONMENT, SAFETY AND HEALTH ASSESSMENTS

1. **Introduction.** Describe the implementation of DOE P 450.5, *Line Environment, Safety, and Health Oversight*, and the Integrated Safety Management System (ISMS) at the site. Include any major site-specific programs that contribute to meeting the policies of ISMS and DOE P 450.5.
2. **Summary of ES&H Assessments.** Summarize the schedule and scope of environment, safety, and health (ES&H) assessments or self-assessments conducted at the site by the DOE line management (Headquarters and field elements), the management and operating or management and integrating contractor, the Headquarters Office of Independent Oversight and Performance Assurance, and external organizations at the direction of DOE Headquarters, the field element, or the facility contractor in the previous calendar year. The summary should include assessments such as those conducted by and under the DOE Accident Investigation Program, Facility Representative Program, the DOE field element oversight programs, authorization basis reviews, conduct of operations, conduct of maintenance, quality assurance, environmental protection, worker safety and health, emergency management, and radiation protection assessments.
3. **Summary of Significant Issues/Corrective Actions/Status of Actions.** Summarize the significant issues identified in the ES&H assessments conducted in the previous calendar year, correlated both by program and by safety system. The correlations should show how the ES&H assessment program reviews the condition of systems that are safety class, safety-significant, or perform important defense-in-depth functions. Summarize the corrective actions taken to address significant issues identified in the ES&H assessments conducted in the previous calendar year, and provide the status of the corrective action at the end of the year. This section should also include the status of any corrective actions from past calendar years' reports that were still not completed at the time the annual report was prepared.
4. **ES&H Assessment Program Improvements.** Discuss any lessons learned and any improvements made to the DOE field element or site contractor ES&H assessment or self-assessment program or process as a result of an ES&H assessment or the preparation of the annual report on ES&H assessments.

APPENDIX - LIST OF ES&H ASSESSMENTS CONDUCTED IN CALENDAR YEAR