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DOE Strengthens Rules Governing Worker Safety

Washington, D.C. — Energy Secretary Samuel W. Bodman today announced regulations aimed at improving worker safety across the Department of Energy complex. This rule establishes a uniform set of standards that will require department-wide compliance and monetary fines for contractors who fail to apply these regulations.

“This announcement marks a major step forward in protecting the health and safety of our workers and contractors,” said Secretary Bodman. “Most importantly, this rule strengthens our hand in both identifying and fixing safety issues before an accident occurs.”

While DOE nuclear workers are protected under the Price-Anderson Act, which allows the Department to take enforcement actions against contractors who violate nuclear safety rules, there is no uniform standard or enforcement mechanism that addresses the health and safety of non-nuclear workers.

“In the past, health and safety regulations varied from site-to-site and contractor-to-contractor, creating uneven standards of protection,” said Assistant Secretary of Energy for Environment, Safety and Health, John S. Shaw. “While DOE’s record is strong, this rule provides incentive for our contractors to constantly continue to improve safety practices.”

Under the new “Worker Health and Safety Rule,” all non-nuclear, DOE contractors will be required to comply with applicable OSHA safety and health standards. In addition, as applicable on a site-by-site basis, contractors will also be responsible for meeting additional safety and health consensus standards issued by groups such as the American Conference of Governmental Industrial Hygienists; the National Fire Protection Association; the American National Standards Institute; and the American Society for Mechanical Engineers.

Enforced by Office of Environment, Safety and Health’s Price-Anderson Enforcement Office (PAAA), the rule establishes investigative procedures and fines for contractors who fail to meet safety and health requirements. Contractors violating these regulations could be fined up to \$70,000 per violation, per day.

In 2002, under section 3173 of the Bob Stump National Defense Authorization Act (NDAA), Congress directed the Secretary of Energy to promulgate regulations for

industrial and construction safety and health at DOE facilities. This rule fulfills this requirement and will go into full force and effect on February 7, 2007, one year after publication in the Federal Register. DOE contractors and site managers will attend a series of classes and workshops over the course of 2006, in order to ensure rapid compliance upon the effective enforcement date.

A copy of the final rule, 10 CFR 851 (Worker Health and Safety Rule), is posted on the Office of Environment, Safety and Health website at: <http://www.eh.doe.gov/rulemaking>

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