

REGION I INSTRUCTION 0810.2, REVISION 2

INTERFACING WITH THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

A. PURPOSE

To implement the Memorandum of Understanding Between the NRC and OSHA as described in the referenced Manual Chapter.

B. REFERENCES

NRC Inspection Manual Chapter 1007, Interfacing Activities Between Regional Offices of NRC and OSHA, dated February 17, 1994.

C. DISCUSSION

On October 21, 1988, a Memorandum of Understanding between the NRC and OSHA was signed (Reference Appendix B, to NRC Inspection Manual Chapter 1007). The Memorandum provides, in part, for the exchange of information regarding conditions at licensee plants which result in an occupational risk, but do not affect the safety of licensed radioactive materials. For example, there might be exposure to toxic non-radioactive materials and other industrial hazards in the workplace. A standard format is provided for inspectors to communicate OSHA-type concerns to the licensee for action and to the regional staff for review and forwarding to OSHA (Reference Appendix A to NRC Inspection Manual Chapter 1007). Regional technical personnel should be familiar with the referenced NRC Manual Chapter. Regional technical personnel shall implement the guidance contained in NRC Manual Chapter 1007.

D. IMPLEMENTATION

1.0 Regional Administrator

- 1.1 Exchanges information concerning events, unsafe conditions, and other matters with OSHA as appropriate.
- 1.2 Uses information provided by OSHA as appropriate; this may include evaluation and analysis of the information and on site follow-up.
- 1.3 Designates one staff member to serve as the Regional Office OSHA Liaison Officer.
- 1.4 Informs the Directors, Office of Enforcement, and NRR or NMSS, as appropriate, of any issue that raises questions concerning inspection or enforcement activities involving both NRC and OSHA jurisdiction at NRC-licensed facilities.

CONTACT:
Regional Office OSHA Liaison Officer

Revision Responsibility:
DRSS

2.0 Regional Office OSHA Liaison Officer

- 2.1 Serves as the principal point of contact between the Regional Office and the appropriate OSHA Regional Office.
- 2.2 Provides advice and guidance to inspectors and to Regional Office staff on non-radiological hazards observed during inspections.
- 2.3 Determines whether events and conditions at NRC-licensed facilities having industrial safety significance are to be reported to the OSHA Regional Office.
- 2.4 Maintains records of interface activities with OSHA Regional Offices.
- 2.5 Maintains records of non-radiological hazards reported by inspectors.
- 2.6 Coordinates joint NRC and OSHA assessments of fuel and materials facilities.
- 2.7 The OSHA Liaison Officer shall contact the OSHA Regional Office orally or in writing on all items that are identified by inspectors that have generated a Non-Radiological Hazards Data Sheet.
- 2.8 The OSHA Liaison Officer shall ensure that copies of all written correspondence associated with OSHA-related issues, are sent to the Chief, Inspection and Licensing Program Branch, NRR; and to the Chief, Operations Branch, IMNS or FCSS, NMSS, as appropriate, and to the NMSS OSHA Liaison Officer.

3.0 Inspectors

- 3.1 Notify licensee management and the Regional Office OSHA Liaison Officer of non-radiological hazards brought to their attention by licensee employees or observed during an inspection. The employee's identity, the fact that we received an allegation and its mode of communication, shall be withheld from licensee management. A Non-Radiological Hazards Data Sheet (Appendix A of NRC Manual Chapter 1007) should be completed and provided to the OSHA Liaison Officer for hazards that are more than minor safety significance, that are repetitive, or that require OSHA technical expertise to evaluate.
- 3.2 Monitors the licensee's corrective action for non-radiological hazards brought to the attention of licensee management by NRC. If significant safety concerns are identified or if the licensee demonstrates a pattern of unresponsiveness to identified concerns, this matter should be discussed with licensee management and the Regional Office OSHA Liaison Officer. For all licensees, it is intended that region-based inspectors will not make a special follow-up inspection solely on the basis of an OSHA issue. Follow-up inspections should be done during the next routine scheduled inspection.

E. ADDITIONAL REQUIREMENTS

OSHA may provide the Regional Office with information about a nuclear power plant or site where increased licensee management attention to worker safety is needed.

Such information is normally based on reports of injury or complaints at the particular location. The Regional or Resident Inspector will inform licensee management of the information and will monitor the licensee's corrective actions, as provided for in Section 04.06.a of NRC Inspection Manual Chapter 1007.

Allegations, or portions of allegations, that fall solely within the purview of OSHA are not to be entered into the Allegation Management System.

F. PERIODIC AUDITS OR REPORTS

None.

G. EFFECTIVE DATE

This Regional Instruction is effective upon receipt and will remain in effect until superseded.

Original Signed by:
William F. Kane/for

Approved:

Thomas T. Martin
Regional Administrator

Date:

June 17, 1994

Distribution:

Chief, Administrative Management Branch (Original)
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