

OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

**PROGRAM DIRECTIVE**

Program Directive A-201  
Issued July 15, 1990  
Revised January 18, 2008

**SUBJECT:** Radiation: Inspection of NRC - Licensed Nuclear Facilities

**AFFECTED CODES/**

**DIRECTIVES:** OSHA Instruction CPL 2.86 [Memorandum of Understanding Between the OSHA and the U.S. Nuclear Regulatory Commission](#) CPL 02-00-086.  
OSHA Instruction CPL 2.95 [Enforcement Authority at the Department of Energy's \(DOE\) Government-Owned, Contractor-Operated \(GOCO\) sites. CPL 002-00-095.](#)

**PURPOSE:** This directive is to inform OR-OSHA staff of the existence of a federal Memo of Understanding between OSHA and the Nuclear Regulatory Commission and OR-OSHA's involvement with it.

**BACKGROUND:** This directive has been adopted by the state to honor the jurisdictional limits established in the OSHA/NRC Memo of Understanding (MOU) and to coordinate the state's activities with the NRC and Federal OSHA.

**ACTION:** Inspections in NRC-licensed nuclear facilities to evaluate plant conditions which result in occupational hazards, but do not affect the safety of the licensed radioactive materials, must be coordinated through the Health Field Operations Manager. The Health Field Operations Manager will contact the OSHA Regional Administrator and appropriate NRC Regional Administrator prior to initiating an inspection, for purposes of complying with the attached guidelines.

**HAZARDS:** NRC-licensed nuclear facility hazards have been divided into the following four types:

- A. Radiation hazards produced by radioactive materials.
- B. Chemical hazards produced by radioactive materials.
- C. Plant conditions which affect the safety of radioactive materials and thus present an increased radioactive hazard to workers. For example, conditions that could produce fire or an explosion, and thereby cause a release of radioactive materials of an unsafe reactor conditions.

- D. Plant conditions which result in occupational hazards, but do not affect the safety of the licensed radioactive materials. For example, exposures to toxic non-radioactive material and other industrial hazards in the workplace.

NOTE: Generally, NRC covers the first three hazards and OR-OSHA/OSHA covers the fourth hazard.

**GUIDELINES:**

- A. Sections 6. through 13. of the MOU establish interface procedures. Within the framework of these guidelines, the following will be adhered to:
1. The OR-OSHA Health Field Operations Manager will maintain contact with the appropriate OSHA Regional Administrator and NRC Regional Administrator in order to expedite answers to jurisdictional and other issues. A current list of NRC Regional Offices and personnel is included in Appendix B of CPL 02-00-086.
  2. If a jurisdictional question arises which cannot be resolved at the regional level, or if guidance is required to make a decision, or if the issue has nationwide impact, telephone the office of General Industry Compliance Assistance.
  3. Fatality, catastrophe, and complaint inspections will continue as before in OR-OSHA jurisdictional areas as depicted in D. above. However, OR-OSHA personnel must refer to the Health Field Operations Manager, who will refer to the NRC, any observations relating to areas where increased management attention is required such as the following:
    - a. Lax security control or work practices that would affect nuclear or radiological health and safety.
    - b. Improper posting of radiation areas.
    - c. Licensee employee allegations on NRC license or regulation violations.
  4. OR-OSHA Health Field Operations Manager will be the point of contact between the OSHA Regional Administrator and the NRC.
    - a. Health Enforcement Managers will assist the Health Field Operations Manager in establishing staff contacts with NRC Regional Offices.
    - b. Jurisdictional matters that cannot be decided at the

local level must be referred promptly to the Health Field Operations Manager for assistance in resolution.

5. Plans in support of participation for the OSHA/NRC team assessments (Section 9. of the MOU) will be coordinated through the Office of Field Programs (OFP). The Directorate of Policy (DOP) will act as liaison with NRC and refer information to OFP. OR-OSHA will participate.
6. Health Field Operations Manager will provide compliance personnel to participate in the OSHA/NRC team assessments (Section 9 of the MOU). OSHA's and OR-OSHA's portion of the team assessments will be treated as enforcement inspections and citations will be issued to the inspected establishments as appropriate.
7. Plans in support of participation in training as described in Section 11. of the MOU will be handled by the Directorate of Federal-State Operations in coordination with DOP. DOP will act as liaison among the affected parties, as required.
8. The Health Field Operations Manager will ensure that staff comply with the applicable ionizing radiation standards, [OAR 437-002-1910.1096 Ionizing Radiation](#).

- B. Department of Energy (DOE) Government-owned, Contractor-operated sites are under the enforcement of DOE.

Currently Oregon has no such facilities that are federally owned; however, if any facilities of this type are constructed in Oregon, OSHA Instruction CPL 2.95 will apply, i.e., they will be under DOE jurisdiction.

**EFFECTIVE  
DATE:**

This directive is effective immediately and will remain in effect until cancelled or superseded.