



Department of Energy
Office of Science
Berkeley Site Office
Lawrence Berkeley National Laboratory
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Berkeley, California 94720

JUN 29 2007

Dr. Steven Chu
Director
Lawrence Berkeley National Laboratory
1 Cyclotron Road, MS: 50A-4119
Berkeley, CA 94720

Subject: Authority Having Jurisdiction (AHJ)

Dear Dr. Chu:

This letter serves to clarify the delegation for Authority Having Jurisdiction (AHJ) for safety and health standards in accordance with 10 CFR 851, *Worker Safety and Health Program*. As stated in DOE O 420.1B, *Facility Safety*, the AHJ is the head of the DOE field element or designee. As such, the Manager of the DOE Berkeley Site Office is the ultimate AHJ for LBNL and if appropriate, can delegate this authority to the Laboratory Director for each functional area requirement in the Rule that has AHJ provisions. After careful consideration, the BSO has elected to delegate only the AHJ for the Electrical Safety Program to the LBNL Laboratory Director. The Director can further delegate this authority as prescribed in the implementation guide to 10 CFR 851.

The National Electrical Code (NEC) and the DOE Electrical Safety Handbook (ESHB), define the AHJ responsibilities as (1) interpreting codes, regulations, and standards, (2) approving equipment, assemblies, or materials, and (3) permitting alternate methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety equal to or exceeding established codes, regulations, and standards (CRS). LBNL will be held responsible and accountable for implementing electrical AHJ functions as required by NEC and ESHB. If LBNL fails to implement AHJ program as required, the BSO reserves the right to withdraw this AHJ if necessary.

As a condition of this delegation, LBNL will document all AHJ activities concerning permitting alternate methods or equivalencies regarding materials and work practices not

meeting existing codes, regulations and standards, and provide a copy of these equivalencies to BSO, within 30 days of such determination.

The AHJ delegation only applies to LBNL's Electrical Safety Program and does not extend to any other functional area requirements that have AHJ provisions. BSO is accountable for worker safety on site. Accordingly, BSO will perform operational awareness activities of LBNL's Electrical Safety program. If you have any questions concerning this matter, please contact Mary Gross at (510) 486-4373.

Sincerely,

A handwritten signature in cursive script that reads "Aundra Richards".

Aundra Richards

Manager, Berkeley Site Office

cc:

David McGraw
Howard Hatayama
Richard Debusk
Hattie Carwell
Donna Spencer