

**MEMORANDUM OF UNDERSTANDING
BETWEEN
U.S. DEPARTMENT OF ENERGY
OFFICE OF HEALTH, SAFETY AND SECURITY
AND THE
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES**

I. BACKGROUND

The U.S. Department of Energy (DOE), Office of Health, Safety and Security (HSS) is committed to conducting work efficiently and in a manner that ensures protection of workers, the public and the environment. In an expanded effort to communicate and establish relationships with those elements that train, manage and represent our workforce and improve the safety culture at DOE sites, HSS and the U.S. Department of Health and Human Services (HHS), National Institutes of Health (NIH), National Institute of Environmental Health Sciences (NIEHS) Worker Education and Training Program (NIEHS WETP) have agreed to institutionalize the communication between DOE-HSS and NIEHS WETP in a cooperative agreement to support improvements to DOE worker health and safety. NIEHS currently provides training to DOE's Office of Environmental Management (EM) and is authorized according to the National Defense Authorization Act for Fiscal Years 1992 and 1993, Part C-Miscellaneous, Section 3131, Worker Protection at Nuclear Weapons Facilities. The DOE/NIEHS work training program is created to ... "provide training and education to persons who are or may be engaged in hazardous substance response or emergency response at Department of Energy nuclear weapons facilities."

For over 18 years, union safety and health trainers have trained DOE workers on hazards related to Hazardous Waste Operations and Emergency Response (HAZWOPER) work governed by 29 CFR 1910.120. In the 1990s, DOE's Office of Environment, Safety and Health [EH] worked with EM and the NIEHS grantees to develop objectives and reciprocity for HAZWOPER training; which are reflected in Chapter 4 in the DOE HAZWOPER Handbook. Recently, HSS has reinvigorated training initiatives and collaborative working relationships. Through this Memorandum of Understanding (MOU), the DOE National Training Center (NTC) could reestablish a more formal connection with the NIEHS grantees.

II. PURPOSE

HSS and NIEHS WETP are committed to supporting quality safety and health training and education to persons who are working at DOE facilities to increase the understanding of hazards at these facilities. This MOU provides an expression of intent between the Parties to work together to improve and promote worker health and safety training and education at DOE sites. It is the intent of the parties that the relationship solidified by

this MOU will encourage a cooperative and coordinated effort to support improvements to training initiatives impacting workers at DOE sites.

III. COLLABORATIVE OBJECTIVES

NIEHS and HSS recognize the efficacy of sharing expertise communications to assess (analyze) and advance worker health and safety training at DOE sites. The collaboration and coordination among NIEHS, the NTC and other HSS subject matter experts in the areas of training in support of worker health and safety programs, will serve to enhance (support) and streamline far reaching (Complex wide) training initiatives. HSS and NIEHS WETP agree that an MOU provides a framework within which activities of mutual concern related to worker health and safety training can be pursued.

This MOU will provide a cooperative understanding between the DOE and NIEHS in the matter of worker training. It will allow for a collaborative partnership between these two agencies and their training subject matter experts.

IV. WORKING AGREEMENT

NIEHS WETP and HSS agree to share their expertise to facilitate this collaboration. The Parties agree to jointly and separately cooperate, coordinate and promote participation in this initiative.

NIEHS WETP and HSS will work together to identify a curriculum of acceptable of safety and health training that will be accepted throughout the DOE complex. The Parties will work to assure that all safety and health training in the DOE Complex conforms to the applicable DOE training needs and requirements including DOE Manual 450.4-1 Integrated Safety Management and 10 C.F.R. 851, "Worker Safety and Health Program."

Using surveys and other research tools, HSS and NIEHS WETP will work together to perform a training-needs assessment during fiscal year 2009. Detailed activities to support the assessment will be identified and coordinated by HSS and NIEHS WETP training coordinators. The assessment will address:

- the extent to which training is being conducted to meet the requirements and intent of 10 C.F.R. 851,
- the impact of training on Integrated Safety Management (ISM) and Voluntary Protection Programs (VPP) effectiveness; and
- worker involvement in implementation of 10 C.F.R. 851, ISM and VPP.

The intent of the assessment is to create a projection of future safety and health training needs across the DOE complex. HSS will actively coordinate with NIEHS WETP, as well as other internal and external organizations in identifying opportunities for integrating training development and delivery. Activities associated with this MOU will be identified on a separate task list that will be agreeable to both DOE-HSS and NIEHS-WETP.

V. GENERAL

Dispute resolution in the conduct of activities covered by this Agreement will initially include discussions between the NIEHS Director and the DOE NTC Director. If necessary, the resolution process will be elevated to the Chief Health, Safety and Security Officer.

VI. TERMINATION

This MOU shall take effect on the date of signature of all parties. This MOU may be modified at any time with the concurrence of both parties. Any one of the parties may terminate this MOU upon 30 days advance written notice.

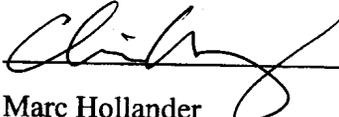
VII. LIMITATIONS

This MOU is entered into to promote the effectiveness of DOE and does not confer any enforceable right upon any outside parties. This MOU does not supersede, supplant, or supplement any other agreement or contract between NIEHS grantees or any other organization within DOE. The MOU creates no obligation of funds or duty to obligate funds. In addition, this MOU does not obligate other program secretarial offices, field elements, or individual contractors to participate in activities conducted under this MOU. This MOU will have a separate attachment of tasks that can be defined and modified as needed.

VIII. HSS/NIEHS MOU Coordinators:

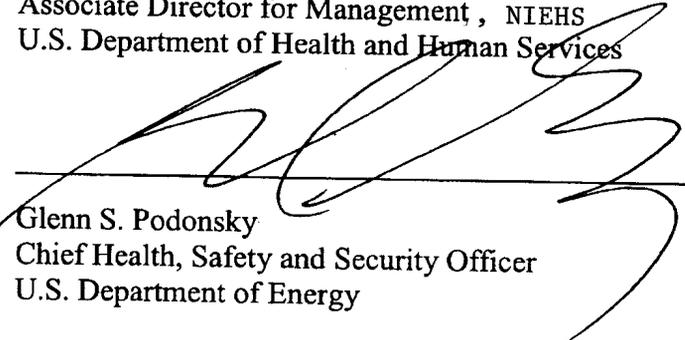
HSS Coordinator: Jeffrey Harrell, Director, NTC
NIEHS Coordinator: Joseph T. Hughes Jr., NIEHS WETP

Signed by:



Marc Hollander
Associate Director for Management, NIEHS
U.S. Department of Health and Human Services

2/4/09
Date



Glenn S. Podonsky
Chief Health, Safety and Security Officer
U.S. Department of Energy

11/2/07
Date