



Department of Energy
Washington, DC 20585

August 26, 2008

MEMORANDUM FOR DISTRIBUTION

FROM: **GLENN S. PODONSKY**
CHIEF HEALTH, SAFETY AND SECURITY OFFICER
OFFICE OF HEALTH, SAFETY AND SECURITY

SUBJECT: Disposition of Department of Energy Voluntary Protection Program Status When Contract and/or Contractor Changes Occur

The purpose of the Department of Energy (DOE) Voluntary Protection Program (VPP) is to recognize and promote excellence in contractor occupational health and safety programs. These programs, composed of management systems for preventing and controlling occupational hazards, not only ensure that DOE Orders are met, but go beyond requirements to provide the best feasible health and safety protection at the site.

Within the past year, there have been significant changes in operating contractors that affect many of our DOE-VPP participants, and additional changes are expected. When DOE initiated DOE-VPP, this eventuality was anticipated, and guidance was provided in the DOE-VPP Program Elements. That guidance was "Whenever significant changes are made in the managing contractor or in the organizational structure at a participant site, the Primary DOE-VPP Point of Contact shall make an onsite assistance visit to determine the impact of the changes. At its discretion, Headquarters may also conduct an onsite evaluation of the situation."

The purpose of this memorandum is to update this guidance and provide for consistent application across the DOE-VPP community.

It is imperative that the affect on all five tenets of DOE-VPP be considered in the recommendation by the primary point of contact. We anticipate that when a major contract changes, there will be effects on senior management structure and personnel; resources to accomplish the mission; and changes in mission priority, as well as changes in management systems, policies, and procedures. Further, the new contractor needs the opportunity to demonstrate its leadership and commitment to safety excellence.

A change in contractor could necessitate retirement of VPP status. However, an assuming contractor may retain interim VPP status for up to a 24-month transition period if they (1) establish new written commitments by both management and labor consistent with the five tenets of VPP; (2) identify aspects of the existing VPP that will be evaluated for change; (3) develop a formal action plan to transition from the current to the revised (new contract) VPP; and (4) submit a revised application in a timeframe that enables scheduling of an onsite evaluation by the Office of Health, Safety and Security (HSS) within 24 months of the contract transition.



As with all VPP applications, the local Operations Office must provide a recommendation of whether HSS should schedule an onsite evaluation. For contract changes, the basis for the Operations Office's recommendation should include an analysis of major program changes and related contractor actions to assure change areas are consistent with VPP requirements.

In order to encourage continued participation in DOE-VPP by the new contractor, HSS will prioritize our certification and recertification efforts as follows:

1. Existing DOE-VPP Star sites in good standing but overdue for Triennial Recertification;
2. Transitional Star participants that have completed the abbreviated application process;
3. Existing DOE-VPP Star sites in a Conditional status;
4. Existing DOE-VPP Merit sites;
5. Existing DOE-VPP Star sites due for Triennial Recertification;
6. Previous DOE-VPP Star sites that have completed the new applicant process; and
7. New applicants.

Please provide this guidance as necessary to your site contractors. Additionally, we will incorporate this guidance into the DOE-VPP guidance documents. If you have any questions, please contact Mr. Bradley K. Davy, Director, Office of Worker Safety and Health Assistance, at (301) 903-2473 or brad.davy@hq.doe.gov.

Distribution List for Disposition of Department of Energy Voluntary Protection
Program Status When Contract and/or Contractor Changes Occur

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