

## **PWS 4: SAFETY (INDIRECT)**

### **1. General Requirements:**

1.1. This Safety PWS applies to all production/use of facilities by the Contractor, regardless of the origin of the work.

1.2. The Contractor shall protect the lives and health of its employees, Government employees, tenants, subcontractors, and the public from its operations. The Contractor shall ensure that the subcontractors and tenants meet the safety requirements required within this PWS. The Contractor shall also protect Government property.

1.3. The Contractor shall comply with DFARS 252.223-7002, Safety Precautions for Ammunition and Explosives; DFARS 252.223-7003, Change in Place of Performance - Ammunition and Explosives; and DOD Manual 4145.26, DOD Contractor's Safety Manual for Ammunition and Explosives, 13 March 2008, Incorporating Change 1, Effective 30 March 2018 (except as noted in Paragraphs 1.3.3., 2.3., and 2.7. below). The Contractor shall also comply with FAR 52.223-3, Hazardous Material Identification and Material Safety Data; DFARS 252.223-7001, Hazard Warning Labels when applicable; 32 CFR 655 .10, Use of radiation sources by non-Army entities on Army land; and FAR 52.223-7, Notice of Radioactive Materials. All plans submitted under this PWS shall not decrease the requirements of this PWS. In addition, the Contractor shall comply with the following safety requirements:

1.3.1. The Contractor shall comply with applicable provisions of Federal, State and Local ordinances, laws, and construction codes and support safety inspections and audits.

1.3.2. The Contractor shall respond to the Administrative Contracting Officer (ACO), in writing, regarding safety inspections of its operations performed by DOD, Department of the Army, U.S. Army Materiel Command and the U.S. Army Joint Munitions Command elements. The Contractor shall provide one copy of any report issued by such agencies within fifteen (15) calendar days of receipt. The Contractor shall provide quarterly reports for all uncorrected items identified in the agency report until all items are corrected (CDRL A4-001).

1.3.3. When required by DA Pam 385-64, "Ammunition and Explosives Safety Standards," dated 10 October 2013, Chapter 4, the Contractor shall submit site and construction plans that comply with DA Pam 385-65, "Explosive and Chemical Site Plan Development and Submission," dated 20 July 2009. Use of latest version of the Explosives Safety Siting (ESS) software is required for submissions. The Contractor shall submit site plans electronically (e.g., e-mail, DOD SAFE, etc.) (CDRL A4-002). The Contractor shall manage the Explosives Safety Site Plan (ESSP) Program electronically to include keeping an updated Master Planning Map.

1.3.4. The Contractor shall prepare, present and manage explosives storage license(s) (CDRL A4-002), and identify and track each ammunition and explosives storage location in a Master Planning Map as part of the ESSP Program. In addition, the Contractor shall provide the Holston Army Ammunition Plant (HSAAP) Government Safety Office with a written notification that the 12-month license review/validation process has been completed (CDRL A4-003). The Contractor shall submit for Government approval, prior to any change in any net explosives weight amounts outlined in the current license(s) (CDRL A4-003).

1.3.5 Special Qualifications: The Contractor is responsible for ensuring Safety Department personnel possess a requisite knowledge of explosives safety regulations and experience that makes them suitable for explosives safety duties required for execution of this contract. The Contractor entering this agreement shall affirm that personnel meeting these requirements are established before the performance begins.

1.4. The Contractor shall notify the HSAAP Government Safety Office upon arrival of any Federal, State or Local agency including, but not limited to, the Occupational Safety and Health Administration (OSHA) and Nuclear Regulatory Commission (NRC), and provide to the HSAAP Government Safety Office one copy of any report issued by such agencies within fifteen (15) calendar days of receipt. The Contractor shall provide one copy of the response to the report to the HSAAP Government Safety Office within five (5) calendar days of responding to the report generator (CDRL A4-004).

1.5. The Contractor shall write a decontamination plan and provide a copy to HSAAP Government Safety Office for concurrence (CDRL A4-005). The plan shall apply Defense Explosives Safety Regulation (DESR) 6055.09, Edition 1, dated 13 January 2019, and DOD Instruction 4140.62, Material Potentially Presenting an Explosive Hazard (MPPEH), 20 August 2015, Incorporating Change 2, 31 August 2018, to buildings, equipment, and items of ammunition/components which are contaminated with explosives and upon which the Contractor wants to perform work or dispose. The plan shall also address decontamination of items contaminated with hazardous materials other than explosives and upon which the Contractor wants to perform work or dispose. The plan shall also contain a requirement for the Contractor to certify, in writing, the level of decontamination of each item and what restrictions that level places on the item.

1.6. The Contractor shall not construe the requirements of this PWS as making the Army the controlling employer (as defined by the Federal OSHA) at HSAAP.

1.7. The Government has the right to conduct its own investigation of any accident occurring on the plant, not just those involving ammunition or explosives. The Contractor shall cooperate with the Government investigation and requests for information.

1.8. The Government Safety Staff shall be given unrestricted read only access, via Contractor network computers in each Government Safety Staff work area, to review the related Contractor databases to include the Master Planning Map. Hard copies and/or electronic copies shall be made available upon request.

## **2. Specific Safety Requirements for Contractor Operations:**

### **2.1. Radioactive Material or Radiation Producing Equipment.**

2.1.1. The Contractor shall comply with the requirements of Titles 10 and 32 CFR, or State requirements for radioactive items used on-site.

2.1.2. The Contractor shall obtain Procurement Contractor Officer (PCO) approval before bringing radioactive items onto the plant.

2.1.3. If the Contractor possesses any radioactive material or radiation producing equipment on site, at a minimum the following standards shall apply:

2.1.3.1. The Contractor shall appoint, in writing, a trained individual as Radiation Safety Officer (RSO) and another individual as alternate RSO to manage the radiation safety program. (CDRL A4-006)

2.1.3.2. The Contractor shall ensure the RSO and alternate RSO receive a minimum of 24 hours of training in radiation safety every two years. The Contractor shall identify the RSO training requirements in its safety plan.

2.1.3.3. The Contractor shall apply for Army Radiation Permits through the ACO in accordance with (IAW) 32 CFR 655.10 prior to bringing radioactive material or operating radiation producing devices on-post. The Contractor shall also apply through the ACO for changes to existing radiation permits and supporting permit documents, including NRC or State licenses and subsequent amendments to those licenses. (CDRL A4-007)

2.1.3.4. The Contractor shall provide the ACO and HSAAP Government Safety Office access to the Contractor's annual radiation sources inventory (which includes radioactive material and radiation producing devices) and its annual radiation protection program review as required by 10 CFR 20.1101 (or applicable State regulation for agreement state licensees).

2.1.3.5. The Contractor shall report accidents, incidents, and thefts involving radioactive material to the ACO and HSAAP Government Safety Office IAW 10 CFR 20. The Contractor shall report accidents and incidents involving radiation-producing devices to the ACO and HSAAP Government Safety Office IAW State regulation. (CDRL A4-008)

2.1.3.6. The Contractor shall ensure personnel who work with or around radioactive material or radiation-producing devices receive initial and periodic radiation safety training commensurate with their duties. The Contractor shall address these training requirements in its safety plan. The Contractor shall provide the ACO and HSAAP Government Safety Office access to the Contractor's annual radiation protection program review as required by 10 CFR 20.1101 or applicable State regulations.

#### 2.1.4. Lasers

2.1.4.1. If the Contractor uses lasers, the Contractor shall implement the protection standards and controls for the safe use of lasers and laser systems as outlined in ANSI Z136.1-2014 or current revision.

2.1.4.2. The Contractor shall appoint, in writing, a trained individual as Laser Safety Officer (LSO) prior to operating Class 3b or Class 4 lasers (CDRL A4-006)

2.1.5. Radiofrequency Devices. The Contractor shall appoint, in writing, a trained individual as Radiofrequency Safety Officer (RFSO), IAW DA PAM 385-24 The Army Radiation Safety Program for Radiofrequency devices that require posting of hazard-warning signs (CDRL A4-006) Radiofrequency devices are defined in DA PAM 385-24 The Army Radiation Safety Program.

#### 2.2. Accident Reporting

2.2.1. The Contractor shall provide timely notification (within one hour) to HSAAP Government Safety Office and ACO of accidents listed in Paragraph C2.2, DOD Manual 4145.26, regardless of the involvement of ammunition or explosives, upon becoming aware of their occurrence (CDRL A4-008). The Contractor shall report all ammunition and explosives accidents, regardless of Government property damage or personnel injury level, and all other accidents involving Government property damage equal to or more than \$5,000.

2.2.2. The Contractor shall provide to the HSAAP Government Safety Office a copy of their OSHA Form 300, Log of Work-Related Injuries and Illnesses, showing data for the previous month (e.g., February form showing January data) (CDRL A4-009).

2.2.3. The Contractor shall provide to the HSAAP Government Safety Office a copy of their OSHA Form 300A, Summary of Work-Related Injuries and Illnesses (CDRL A4-009).

2.2.4 The Contractor's performance for (1) Total Case Incident Rate (TCIR), (2) Lost Time (LT) case rate, and (3) Days Away Restricted or Transferred (DART) rate, shall be at or below the most current publication of the U.S. Department of

Labor (Bureau of Labor Statistics) rates for their North American Industry Classification System (NAICS) code.

2.3. HSAAP Government Staff training: The Contractor shall provide comparable safety training to the HSAAP Government Staff as the Contractor does for its own staff. This requirement includes OSHA and other safety training as the mission may dictate. When feasible, the HSAAP Government Staff can attend classes established for Contractor personnel. Examples of training include: hearing conservation, HAZWOPER, radiation protection, use of respirators, HAZMAT, asbestos, lead exposure, and emergency action plans. The Contractor is not obligated to develop training to satisfy training mandates applicable only to Government employees. The purpose of this requirement is to assist with integration of the Contractor and Commander's safety programs. The Government does not expect the Contractor to incur additional costs to execute this requirement.

2.4. The Contractor shall develop, track and provide general safety awareness training to all plant visitors, Contractor personnel, subcontractors, tenants, and Government employees (CDRL A4-010). Training shall be required annually at a minimum.

2.5. The Contractor shall prepare a written Emergency Action Plan. The plan shall comply with 29 CFR 1910.38, as well as any additional State and/or Local requirements if more stringent (CDRL A4-011). The Contractor shall exercise the plan at least once per year and shall notify the ACO on the scheduling of the exercise. After each exercise, the Contractor shall provide HSAAP Government Safety Office a written after-action report with corrective actions identified (CDRL A4-012).

2.6. The Contractor shall inspect and maintain lightning protection systems as detailed in Chapter 17, Section IV, of DA Pam 385-64, "Ammunition and Explosives Safety Standards," dated 10 October 2013, and AMC R 385-100. Any replacement of existing lightning protection system components or construction of new lightning protection systems shall comply with the requirements in Chapter 17, Section IV, DA Pam 385-64, "Ammunition and Explosives Safety Standards," dated 10 October 2013. A copy of the inspection reports shall be provided to the HSAAP Government Safety Office (CDRL A4-013).

2.7. The Contractor shall apply to the requirements of 29 CFR 1910.119, Process Safety Management of Highly Hazardous Chemicals, to all explosive, propellant, and pyrotechnic operations. The Contractor shall provide the Process Hazard Analysis (PHA) revalidation schedule on a quarterly basis. (CDRL A4-014)

2.8. The Contractor shall obtain site plan approval from Department of Defense Explosives Safety Board for all explosive operations before starting operations.

2.9. The Contractor shall comply with the Memorandum, Office of Assistant Secretary of the Army (Installations, Energy and Environment), 2 July 2014, subject: Personnel Qualifications for Documenting Explosives Safety Status. The Contractor shall have the appropriate trained individuals to manage and process MPPEH, Material Documented as an Explosives Hazard (MDEH), and Material Documented as Safe (MDAS) at HSAAP IAW the Decontamination Plan. Certified individuals shall assess and make determinations on materials going to the on-site landfill, burning ground or other facilities for treatment. The Contractor shall maintain and submit a list of personnel authorized to document the explosives safety status of MPPEH IAW the Memorandum, Office of Assistant Secretary of the Army (Installations, Energy and Environment), 2 July 2014, subject: Personnel Qualifications for Documenting Explosives Safety Status (CDRL A4-015).

### **3. Subcontracting/Renting:**

3.1. Before signing a contract or tenant use agreement for any purpose, the Contractor shall do the following:

3.1.1. Inform subcontractors or tenant of their obligation to comply with Federal, State, and Local safety and health laws and regulations. The Contractor shall flow down all applicable safety requirements contained in this PWS and ensure compliance.

3.1.2. Decontaminate facilities and equipment to the appropriate degree to ensure safe use.

3.1.3. Ensure buildings and equipment meet current OSHA and other standards before allowing subcontractor or tenant access.

3.1.4. Ensure subcontractors return building(s), equipment, and land to their pre-work level of contamination or better after the contract. Ensure tenants returns building(s), equipment, and land to their pre-rental level of contamination or better after the tenant use agreement expires.

3.1.5. Ensure the location of the proposed operations will not encroach upon explosive operations.

3.1.6. In addition to the accident reporting requirements stated above in Paragraph 2.2, the Contractor shall report to HSAAP Government Safety Office any accident involving its subcontractor or tenants that in the opinion of the Contractor is likely to arouse media attention.

3.2. If the subcontract or tenant use agreement will result in making ammunition, explosives, pyrotechnics, or propellants on plant, storing them on plant, or bringing them onto the plant for any purpose, the Contractor shall also:

3.2.1. Obtain siting approval per the requirements in Paragraph 1.3.3 above.

3.2.2. Obtain PCO approval for waivers or exemptions to the requirements of DOD Manual 4145.26.

**4. Written Safety Plan:** The Contractor shall develop and provide a copy to the HSAAP Government Safety Office for concurrence (CDRL A4-016) and comply with a written Safety Program that meets the requirements below:

4.1. The plan shall describe in detail how the Contractor shall ensure operations by itself, subcontractors, and tenants and facilities used, comply with OSHA requirements. The Contractor shall address each 29 CFR 1910 Subpart separately. The Contractor need only address those subparts that apply to operations or the facilities used by itself, subcontractors, and tenants.

4.1.1. In the plan, the Contractor shall separately address implementation of 29 CFR 1910.119, Process Safety Management. As a minimum, the plan shall address the following elements from Appendix C to 29 CFR 1910.119: Employee involvement in Process Safety Management, Process Safety Information, Process Hazard Analysis, Operating Procedures and Practices, Employee Training, Contractors, Pre-Startup Safety, Mechanical Integrity, Non-routine Work Authorizations, Managing Change, Investigation of Incidents, Emergency Preparedness, and Compliance Audits.

4.2. The plan shall describe in detail how the Contractor shall determine if its operations and the facilities the Contractor uses comply with DOD Manual 4145.26.

4.2.1. The plan shall describe in detail how the Contractor shall correct non-compliances with DOD Manual 4145.26.

4.2.2. The plan shall describe in detail the interim protective measures the Contractor shall institute until the Contractor corrects non-compliances with DOD Manual 4145.26.

4.2.3 The plan shall describe how the Contractor Safety Department tracks the 180 day maintenance and safety shutdown program for compliance with the requirements as stated in the Maintenance PWS.

4.3. The plan shall require the Contractor to document, in writing all inspections, surveys, etc. performed to determine compliance with OSHA or DOD Manual 4145.26.

4.4. The plan shall require the Contractor to enter all conditions found to be non-compliant with OSHA or DOD Manual 4145.26 that it cannot correct immediately into a searchable electronic database to permit tracking of the non-compliant condition

until corrected. The database shall include the names and contact information (such as work telephone number) of persons responsible for correction (CDRL A4-017).

4.5. The plan shall require the Contractor to enter into a searchable electronic database to permit tracing until abated, any hazardous condition, not attributable to non-compliance with OSHA or DOD Manual 4145.26, and not corrected upon discovery. The database shall include the names and contact information (such as work telephone number) of persons responsible for correction (CDRL A4-017).

4.6. The plan shall provide that in the event of an accident requiring direct notification to OSHA or State agency (work-related fatality, in-patient hospitalization of one or more persons, amputation, or loss of an eye), the Contractor shall take immediate action to re-focus its workforce on matters of safety, such as a stand down or similar appropriate activity.

4.7. The plan shall describe in detail how the Contractor shall comply with this PWS.

**5. Inspection and Acceptance:** The ACO and HSAAP Government Safety Office shall determine compliance primarily by visual inspection, field audits, and review of records as the work is performed.

## **6. Waivers and Exceptions:**

6.1. Waivers or Exemptions of Mandatory Safety Requirements. IAW DOD Manual 4145.26, as specified in DFARS 252.223-7002, mandatory safety requirements are those that use the term "shall," "must," or "will" as contained in this document. The Contractor shall not deviate from the mandatory safety requirements without prior written approval from the PCO. The Government grants waivers and exemptions for specific situations. The Contractor shall not interpret them to cover similar operations, locations, or conditions.

6.1.1. The Government may grant a waiver after it has been determined that the Contractor cannot comply with applicable safety standards, risks have been adequately assessed and control measures identified, and that essential work shall still be performed. The Government normally grants waivers for one year or less, and no waiver shall remain in effect for longer than five years. The Contractor shall forward all requests for waiver for approval to the HSAAP Government Safety Office, ACO, and PCO no less than ten (10) business days for a Negligible or Minor Risk, no less than thirty (30) business days for a Moderate Risk, and no less than ninety (90) business days for a Serious or Critical Risk. (CDRL A4-018)

6.1.2. When the time to correct the deviation will exceed five years, the Contractor shall forward a request for an exemption to the HSAAP Government Safety Office, ACO, and PCO.



6.1.3. The Contractor shall review waivers (granted for a period of more than one year) and exemptions annually to ensure that the circumstances requiring the waiver or exemption have not changed. The Contractor shall forward the results of this review and a progress report, regarding corrective actions the Contractor has completed, to the HSAAP Government Safety Office, ACO, and PCO (CDRL A4-018). The Government will not grant waivers or exemptions without evidence that the Contractor has taken positive steps to program and budget for correction of the noncompliance.

6.1.4. The PCO will rescind waivers and exemptions on the stated expiration date unless the Contractor sends a request for renewal to the HSAAP Government Safety Office, ACO, and PCO at least ninety (90) calendar days before the expiration date. The PCO will cancel approved waivers or exemptions that are no longer necessary, prior to the stated expiration date when notified by the Contractor. The Contractor shall maintain a current list of open waivers and exemptions and submit a monthly report on waivers and exemptions to the HSAAP Government Safety Office, ACO, and PCO (CDRL A4-018).

6.1.5. The PCO may temporarily suspend a waiver or exemption when an accident involving the waived or exempted condition or facility occurs until investigation and analysis justify reinstatement.

7. Note: All references regarding Government installation commander duties and authorities or responsibilities in any of the documents, regulations, pamphlets and manuals are specifically excluded from this PWS.

7.1 Installation Commanders Authority: Notwithstanding the Contractor's responsibility for the safety of its employees and operations at HSAAP as well as the requirements in the contract, the Installation Commander and the Commander's Representative has the authority to stop operations or practices that, if allowed to continue, could reasonably be expected to result in death or serious physical harm to personnel, generate major system damage, or endanger the installations ability to accomplish its mission. This authority allows for shutdown of a suspect operation or practice prior to the elimination of the perceived danger through regular channels, including an immediate shutdown in those situations in which the Installation Commander or the Commander's Representative determines that an activity presents an imminent hazard to life or property that threatens the mission of the Government. The Contractor shall cease operations immediately upon formal direction from the Installation Commander or the Commander's Representative. The Contractor shall not resume operations for a directed shut down until the Installation Commander or the Commander's Representative gives formal approval.

## DOCUMENT SUMMARY LIST

For Holston Army Ammunition Plant PWS 4

Document Number (Contract Reference)	Solicitation/Contract Number/ Procurement Title	Document Date Document
Category Applicable Tailoring	Document Title	
Title 29, Code of Federal Regulations (PWS: para 1.2, 1.3.1, 1.5, 2.2.2, 2.2.3, 2.4, 2.5, 2.7, 3.1.1, 3.1.3, 4.1, 4.1.1, 4.3, 4.4, 4.5, 4.6, 4.6)	Labor	Current Rev Cat 3
DOD Manual 4145.26 (PWS: para 1.3, 2.2.1, 2.8, 3.2.2., 4.2, 4.2.1, 4.5, 6.1)	Contractor's Safety Manual for Ammunition and Explosives 4.2.2, 4.3, 4.4,	13 Mar 08 Cat 1
DA PAM 385-64 (PWS: para 1.3.3, 2.6, 2.8)	Ammunition and Explosives Safety Standards	10 Oct 13 Cat 1
DA PAM 385-65 (PWS: para 1.3.3, 2.6, 2.8)	Explosive and Chemical Site Plan Development and Submission	20 Jul 09 Cat 1
DI-MISC-80508B (CDRL A4-001, A4-002, A4-005, A4-006, A4-007, A4-009, A4-011, A4-014, A4-017) (PWS: para 1.3.2, 1.3.3, 2.1.4.2, 2.1.5, 2.2.2, 2.5, 1.3.4, 1.5, 2.1.3.1, 2.1.3.3, 2.9, 6.5)	Technical Report-Study/Services	14 Nov 06 Cat 2
DI-MISC-81381 (CDRL A4-004) (PWS: para 1.4)	Site Survey Report (SSR)	25 Jan 94 Cat 2
DESR 6055.09 (PWS: para 1.5)	DOD Ammunition and Explosives Safety Standards	29 Feb 08 Cat 1
DODI 4140.62 PWS: para 1.5)	Material Potentially Presenting an Explosive Hazard (MPPEH)	20 Aug 15 Cat 1
DI-SAFT-81066 (CDRL A4-016) (PWS: para 4.4 & 4.5)	Safety Studies Plan	12 Oct 90 Cat 2
Title 10, Code of Federal Regulations (PWS: para 2.1.1, 2.1.3.4, 2.1.3.5)	Energy	Current Rev Cat 1
Title 32, Code of Federal Regulations (PWS: para 1.3, 2.1.1, 2.1.3.3)	National Defense	Current Rev Cat 1

ANSI Z136.1-2015 (PWS: para 2.1.4.1)	American National Standard for the Safe Use of Lasers	2015 Rev Cat 1
DI-SAFT-81563 (CDRL A4-008) (PWS: para 2.1.3.5, 2.2.1)	Accident/Incident Report	2 Jun 98 Cat 2
DI-ADMN-81313A (CDRL A4-003, A4-017) (PWS: para 1.3.4, 6.4)	Progress Report (Studies)	8 Nov 06 Cat 2
DI-MISC-80394 (CDRL A4-012) (PWS: para 2.5)	Disaster Preparedness Exercise Evaluation Report	30 Jul 87 Cat 2
DI-NDTI-80809B (CDRL A4-013, A4-014) (PWS: para 2.6)	Test-Inspection Records	24 Jan 97 Cat 2
Memo (CDRL A4-013) (PWS: para 2.6)	Personnel Qualifications for Documenting Explosives Safety Status	02 Jul 14 Cat 2
DI-SAFT-80104B (CDRL A4-017) (PWS: para 6.2)	Waiver or Deviation System Safety Report (WDSSR)	31 Jul 95 Cat 2
DA PAM 385-24 (PWS: para 2.1.3)	The Army Radiation Safety Program	30 Nov 15 Cat 1
DID-ADMN-81373 (CDRL A4-010) (PWS: para 2.4)	Presentation Material	1 Oct 93 Cat 2
DID-SAFT-82313 (CDRL A4-015) (PWS: para 4.0)	Environmental, Health and Safety Plan (HSP)	10 Mar 2020 Cat 2
AMC R 385-100 (CDRL A4-013) (PWS: para 2.6)	Army Material Command Safety Manual	26 Sep 1995 Cat 2

#### Category Codes:

Category 0. Unless otherwise specified in the solicitation, contract, or contract modifications, all documents are for guidance and information only.

Category 1. The requirements contained in the directly cited document are contractually applicable to the extent specified. Unless otherwise specified in the solicitation, contract, or contract modifications, all requirements contained in reference

and subsequently referenced documents are contractually for guidance and information only.

Category 2. The requirements contained in the directly cited document and the reference documents identified in the directly cited document are contractually applicable to the extent specified. Unless otherwise specified in the solicitation, contract, or contract modifications, all requirements contained in subsequently referenced documents within reference documents are contractually for guidance and information only.

Category 3. Unless otherwise specified in the solicitation, contract, or contract modifications, all requirement contained in the directly cited document and all reference and subsequently referenced documents are contractually applicable to the extent specified.