

The HPS' Alliance Agreement with OSHA Update and Background Information

J. Scott Kirk, CHP
Chair, HPS OSHA Alliance Ad Hoc Committee

The Health Physics Society (HPS) and the Occupational Safety and Health Administration (OSHA) entered into an agreement to provide specific services regarding radiation safety matters (April 2004 *Health Physics News*).

HPS President Ken Kase and the Assistant Secretary of Labor for Occupational Safety and Health, John Henshaw, met at the Department of Labor to sign this Alliance Agreement on 20 February 2004.

The purpose of the Alliance Agreement is to share our expertise in current and emerging radiation safety topics and to assist OSHA as it develops education and communication programs for its staff. Within the scope of this Alliance Agreement, the HPS will also share its expertise with OSHA as this federal agency addresses radiation protection issues.

This Alliance Agreement was initiated by an inquiry from OSHA to HPS President John Frazier in May 2003. At that time, OSHA requested a meeting with the HPS to discuss this matter in more detail. Such a meeting was held with HPS representatives and Assistant Secretary Henshaw and his staff in June 2003.

At this meeting, OSHA requested that the HPS share its expertise in radiation safety practices and principles. The scope of this request was

directed primarily towards assisting OSHA in fulfilling its anticipated mission of protecting workers involved in the cleanup of radioactive materials in the event of a terrorist event involving a radiological dispersal device (RDD). In fact, OSHA has been responsible for ensuring that workers involved in the cleanup of federal facilities were adequately protected against potential exposure to anthrax after the terrorist attacks post September 11, 2001.



Left to right, Sean Austin, CHP, Scott Kirk, CHP, John Nagy, CHP, Linda Farrell, CHP, and Cindy Boggs. Committee member Ralph Andersen was not present for the photo.

Assistant Secretary Henshaw's staff members stated that their Office of Outreach Services and Alliances¹ had acquired the expertise of the American Biological Safety Association (ABSA) to assist in protecting workers from exposure to biological pathogens. OSHA noted that the HPS could forge an Alliance Agreement with OSHA in a similar fashion to provide our expertise in protecting workers from exposure to radiation and radioactive materials.

In September 2003, President Kase established an Ad Hoc

Committee, chaired by J. Scott Kirk, to begin the process of formalizing such an agreement with OSHA's Office of Outreach Services and Alliances.

Over the course of the next few months, Kirk worked with OSHA staff to draft an Alliance Agreement for consideration by both organizations. The HPS' Board of Directors unanimously approved the Alliance Agreement in November 2003. This Alliance Agreement was finalized at the aforementioned signing ceremony on 20 February 2004.

The HPS Ad Hoc Committee met on 25 March 2004 with representatives of OSHA to formulate the actions necessary to implement the Alliance Agreement.

At this meeting, OSHA stated that it is considering

revising its radiation protection standards (Title 29, Code of Federal Regulations, Part 1910.1096) in the near future.

The determination whether or not to proceed with a rulemaking would be based in part on information submitted by stakeholders to OSHA in response to a Request for Information expected to be published in the *Federal Register* in the near future.

OSHA is currently responsible for ensuring that workers are protected against nonionizing sources of radiation and ionizing sources of radiation that are not covered

under the Atomic Energy Act of 1954, as amended.

Additionally, OSHA currently regulates sources of radiation at several Department of Energy facilities that are unrelated to the production of nuclear weapons. Under the scope of the Alliance Agreement, the HPS is expected to share its views regarding radiation protection issues.

To address their emerging regulatory responsibilities, members of the HPS shared their insights into the current interagency efforts at revising the National Response Plan (NRP) at the 25 March meeting. According to HPS representatives, these interagency deliberations are intended to delineate responsibilities for developing Late-Phase Protective Action Guides (PAGs) and ensuring occupational radiation protection should a terrorist event involving the use of radioactive materials occur in the United States.

Moreover, the potential complexities regarding which federal agency would have responsibilities for protecting workers should radioactive materials regulated under the Atomic Energy Act of 1954 be involved was discussed.

Along these lines of discussion, the HPS shared with OSHA the recent HPS Position Statement titled *Guidance for Protective Actions Following a Radiological Terrorist Event*, which was issued in January 2004 (<http://hps.org/documents/RDDPAGS.pdf>).

OSHA staff members stated that their Salt Lake Technical Center located in Salt Lake City, Utah, is currently in the process of revising procedures and plans to address its responsibilities in the event of a radiological terrorist attack in the United States. Within the scope of the Alliance Agree-

ment, OSHA requested assistance from the HPS in providing peer-review expertise on some of the plans/procedures.

OSHA informed the HPS of efforts by the National Council on Radiation Protection and Measurements to revise the report titled *Management of Terrorist Events Involving Radioactive Materials* (Report 138) to reflect the PAGs

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under development by the Environmental Protection Agency. Moreover, it was noted that information regarding implementation of the PAGs would soon be published in the *Federal Register*.

OSHA requested that the HPS share its expertise in updating specific Safety and Health Topics currently listed on the OSHA Web site (see <http://www.osha.gov/dcspp/alliances/hps/hps.html>). According to OSHA, approximately two million viewers visit this section of its Web site each month.

The implementation team² agreed that the HPS would provide updates and/or include new information related to potential health hazards attributable to use of x rays to screen personnel and cargo, potential health effects of intrauterine radiation exposure to a fetus/embryo, radiation instrumentation, and potential health effects of radiation exposure attributable to a terrorist event involving an RDD. Additionally, the implementation team agreed to assist in establishing links between the HPS Web site and OSHA's Web site.

Updates to OSHA's Safety and Health Topics page will be a signifi-

cant contribution by the HPS in fulfilling several of the outreach and communication commitments under the Alliance Agreement.

HPS members who attend the 49th Annual Meeting of the HPS in Washington, DC, are encouraged to visit the OSHA Alliance Booth that will be located at the Exhibit Hall. The HPS agreed to support this outreach effort to better inform its members of the activities that are currently underway within the scope of this Alliance Agreement.

The Alliance Agreement will remain in effect for a period of two years from the date of its signing, at which time it will be renewable for another two-year period. In addition, the Alliance Agreement specifies that the implementation team from both organizations will meet quarterly.

The next quarterly meeting is scheduled in conjunction with the 49th Annual Meeting of the HPS. As directed by President Kase, efforts are currently underway to consider designating the OSHA Implementation Team as a Standing Committee with the drafting of a proposed rule and Standard Operating Procedure.

Footnotes

¹ OSHA's Office of Outreach Services and Alliances is responsible for establishing Alliance Agreements. Alliances enable organizations committed to workplace safety and health to collaborate with OSHA to prevent injuries and illnesses in the workplace. OSHA and its allies work together to reach out to, educate, and lead the nation's employers and their employees in improving and advancing workplace safety and health. For additional information on the Alliance program see <http://www.osha.gov/dcspp/alliances>.

² OSHA participants who serve on the implementation team include Bob Curtis, Dave Hamel, Earl Hicks, Sandi Khan, Jeffrey Lodwick, Atkinson Longmire, and Lisa Ramber. Participants from the HPS include Ralph Andersen, Sean Austin, Cindy Boggs, Linda Farrell, J. Scott Kirk, and John Nagy. 