



## Department of Energy

Washington, DC 20585

August 13, 2019

Mr. Saul Botone, Owner  
Applied Construction Technologies 2, LLC  
6602 Tierra Sandia NW  
Albuquerque, New Mexico 87120

WEL-2019-01

Dear Mr. Botone:

The Office of Enterprise Assessments' Office of Enforcement has completed an evaluation into an electrical arc event that occurred when a digger derrick truck entered the minimum approach distance of a 46-kilovolt (kV) energized electrical line at the Sandia National Laboratories' (SNL) Coyote Test Field, on April 11, 2018. Applied Construction Technologies 2, LLC (ACT2) was under contract to the National Technology and Engineering Solutions of Sandia, LLC (NTESS) to fulfill the responsibilities as a general contractor for the Coyote Test Field wood pole replacement project at SNL. When performing work at SNL, the general contractor is required to follow the NTESS contract specific safety plan (CSSP) which requires ACT2 to follow the DOE requirements codified in 10 C.F.R. Part 851, *Worker Safety and Health Program*. Based on this evaluation, the Office of Enforcement identified concerns that warrant management attention by ACT2.

The specific concerns relate to when an ACT2 subcontractor positioned a digger derrick truck and pole trailer near an energized 46-kV overhead power line to retrieve salvage utility poles laying on the ground. While the subcontractor was loading poles onto the pole trailer, the boom entered the minimum approach distance of the power line and created an electrical arc. The electrical arc severed the power line between two utility poles, causing the power line to fall to the ground, immediately opening the supply breaker and de-energizing the cable. One of the severed power lines struck ACT2's occupied parked vehicle before falling to the ground. An electrical substation circuit re-closer automatically re-energized the line, initiating a brush fire. ACT2's subcontractor attempted to extinguish the fire with portable fire extinguishers while Sandia emergency services was contacted by the ACT2 supervisor. Efforts to extinguish the fire were unsuccessful, and all personnel retreated to the assembly point to wait for emergency services.

The Office of Enforcement has elected to issue this Enforcement Letter to convey concerns about ACT2's implementation of worker safety and health regulatory requirements through work performed by their subcontractor on April 11, 2018, at Coyote Test Field. The Office of Enforcement determined that ACT2 did not follow the requirements stated in the NTESS CSSP, which obligated ACT2 to



perform a pre-operation hazard assessment along with their subcontractor prior to retrieving the utility poles. In addition, if work under or near any overhead power line was necessary, the CSSP required ACT2 and the subcontractor to request de-energization of the overhead power line and to use a spotter to guide the digger derrick truck operator. These work performance deficiencies reveal potential violations of DOE requirements codified in Part 851. Issuance of this Enforcement Letter reflects DOE's decision to not pursue further enforcement activity against ACT2 at this time in recognition of the corrective actions taken by ACT2 to address noncompliances revealed by this event. In coordination with the National Nuclear Security Administration, the Office of Enforcement will continue to monitor ACT2's efforts to maintain a safe workplace at DOE sites.

This letter imposes no requirements on ACT2, and no response is required. If you have any questions, please contact me at (301) 903-7707, or your staff may contact Dr. Anthony Pierpoint, Director, Office of Worker Safety and Health Enforcement, at (301) 903-0100.

Sincerely,



Kevin L. Dressman

Director

Office of Enforcement

Office of Enterprise Assessments

cc: Jeffrey Harrell, NA-SN  
Randy Castillo, NTESS