



Subject: Notice of Violation

Responsible Office: Safety & Mission Assurance Office

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PREFACE

P.1 PURPOSE

- a. This Langley Procedural Requirement (LPR) is intended to provide rules and guidelines for administering a Notice of Violation (NOV) to contractors performing work at Langley Research Center (LaRC) who violate safety rules and procedures, or who, by their record or actions, indicate a disregard for safety.

P.2 APPLICABILITY

- a. This LPR is applicable to contractors, grant recipients, or parties to agreements only to the extent specified or referenced in the appropriate contracts, agreements, or grants.
- b. Noncompliance with the requirements of this LPR may result in pursuit of available remedies against contractors in accordance with the terms of their contracts.
- c. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term “shall.” The term “may” denotes a discretionary privilege or permission, “can” denotes statements of possibility or capability, “should” denotes a good practice and is recommended, but not required, “will” denotes expected outcome, and “are/is” denotes descriptive material.
- d. In this directive, all document citations are assumed to be the latest version, unless otherwise noted.

P.3 AUTHORITY

- a. NPR 8715.1, NASA Safety and Health Programs.

P.4 APPLICABLE DOCUMENTS AND FORMS

- a. LF67, NASA LaRC Notice of Violation (Contractor)
- b. NASA contract governing contractor’s performance
- c. LPR 1740.2, Langley General Safety Program Requirements
- d. FAR 42.1303, Stop Work Orders

P.5 MEASUREMENT/VERIFICATION

SMAO shall verify compliance by confirming all corrective actions stated in a NOV are completed by their stated completion dates.

P.6 CANCELLATION

LMS-OP-1740.8 A-1, dated March 30, 2018

Lisa M. Ziehmman
Deputy Director

5/15/24
Date

DISTRIBUTION: Approved for public release via the Langley Management System;
distribution is unlimited.

CHAPTER 1: INTRODUCTION

1.1 DEFINITION

1.1.1 A Notice of Violation (NOV) is a formal means of notification to National Aeronautics and Space Administration (NASA) senior management and/or NASA prime contractor(s) that a contractor or one of their subcontractors has violated Occupational Safety and Health Administration (OSHA), NASA, or LARC safety standards, herein after referred to as “requirement” with one or more of the following characteristics:

a. Egregious violations posing an immediate danger to life or health including, but not limited to:

- (1) Working in trenches without shoring,
- (2) Improper confined space entry procedures,
- (3) Lockout/Tagout violations,
- (4) Electrical safety violations,
- (5) Use of improper lifting or rigging equipment and/or practices,
- (6) Improper management or use of scaffolding, and
- (7) Improper use of or lack of fall protection.

b. Any person or work group who has failed or refused to correct a violation in a timely manner after verbal and written notification by NASA safety official(s) and/or has repeatedly violated the same requirement(s). The violations may include, but are not limited to:

- (1) Poor housekeeping (e.g., unorganized and/or cluttered workspace),
- (2) Improper use of personal protective equipment (PPE) (e.g., hardhats, safety glasses),
- (3) Failure to eliminate trip/slip hazards,
- (4) Failure to abide by administrative policies (e.g., permits, safety plans),
- (5) Failure to abide by safety controls (e.g., safety or security control lines).

1.1.2 A NOV shall include:

- a. Contractor information (e.g., company name, job title/project, contract number),
- b. Description of the violation including citations to the applicable code sections,
- c. Required repairs and modifications (if applicable),
- d. When all corrective work will be completed (if applicable).

1.1.3 A NOV can be issued as a result of a filed complaint, on the basis of a periodic inspection, from a permit review, or from a mishap investigation.

1.2 RESPONSIBILITY

1.2.1 The Safety and Mission Assurance Office (SMAO) shall:

- a. Inform the LaRC Safety Manager of any requirement violations that may meet the definition of an NOV.
- b. Prepare the NOV for submission to the CO.

1.2.2 The LaRC Safety Manager shall:

- a. Implement the LaRC NOV policy.
- b. Determine if violations meet the definition of an NOV.
- c. Coordinate with the Contracting Officer (CO) and the Contracting Officer Representative (COR)/Technical Point of Contact (TPOC)/Task Monitor (TM) to manage violations through the NOV process.

1.2.3 Contracting Officer, Office of Procurement, shall:

- a. Reference this directive in appropriate LaRC agreements and contracts as recommended by SMAO.
- b. Issue stop work notices.
- c. Coordinate with LaRC Safety Manager to work through the NOV process.
- d. Maintain official records of NOVs.

1.2.4 Contractor Management shall:

- a. Participate in the NOV process as required by the CO and the applicable contract.
- b. Complete required sections of the NOV within three days of NOV issuance.

1.2.5 Contracting Officer Representative / Technical Point of Contact / Task Monitor shall:

- a. Review and concur with the contractor's response to an NOV.
- b. Maintain official records of NOVs.

CHAPTER 2: NOV PROCEDURES

2.1 INTRODUCTION

2.1.1 SMAO personnel shall notify the LaRC Safety Manager if they identify, or are informed of, requirement violations that may meet the definition of a NOV as defined in this LPR.

2.1.1.1 If a violation poses an immediate danger to life and/or health, the individual who identifies the violation will STOP the operation immediately. (Reference LPR 8621.1)

2.1.1.2 If the LaRC Safety Manager determines that the violation does not meet the definition of a NOV, then the issue will be addressed immediately or submitted as a safety concern and tracked, as appropriate.

2.1.1.3 If the LaRC Safety Manager determines that the violation meets the definition of a NOV, a NOV shall be issued to the contractor.

2.1.2 NOVs shall be issued according to the procedures in in Section 2.2 of this LPR.

2.2 PROCEDURES

2.2.1 SMAO personnel shall create a NOV using LF 67, "NASA LaRC Notice of Violation (Contractor)" for the violation.

Note: An LF67 and a NOV are equivalent terms.

2.2.2 As soon as the situation is safe and while SMAO is preparing the NOV, the LaRC Safety Manager shall inform the CO and COR/TPOC/TM of the NOV and if a suspension of work is required.

2.2.3 If the violation is egregious, it may rise to the level requiring a stop work order or a partial stop work order. (Reference FAR 42.1303)

2.2.4 Once the government portion of the LF67 is completed, the LaRC Safety Manager shall review and approve the NOV.

2.2.5 At SMAO's request, the CO shall schedule a meeting with the COR/TPOC/TM, Contractor Management, SMAO, and if applicable, subcontractor management to discuss the NOV, including describing the violation(s) and discussing potential solutions to resolve the situation.

2.2.6 After the meeting with relevant stakeholders, the LaRC Safety Manager shall submit the NOV to the CO.

2.2.7 The CO shall officially issue the NOV to the contractor.

2.2.8 The contractor shall complete and submit the required sections of the NOV to the CO within three business days of NOV issuance.

2.2.9 The CO shall send the NOV to SMAO and the COR/TPOC/TM for review and concurrence of the contractor's response.

2.2.10 If NASA does not concur with the NOV response, SMAO shall work with the CO to reach an acceptable solution with the contractor. Contractor will need to update the

LF67 and resubmit for approval within five business days.

2.2.11 The LaRC Safety Manager shall sign the NOV upon concurrence.

2.2.12 The CO shall keep the official record of the NOV for recordkeeping and send a copy to the COR/TPOC/TM and the contractor for their records.

2.2.13 SMAO shall track and confirm that all required corrective actions have been taken by the contractor by the completion dates stated on the NOV.

2.2.14 Once the Corrective action is confirmed completed, SMAO will notify the CO and COR/TPOC/TM.

APPENDIX A. DEFINITIONS

Notice of Violation (NOV). A detailed description is included in Section 1.1 of this LPR.

APPENDIX B. ACRONYMS

CO	Contracting Officer
COR	Contracting Officer Representative
LaRC	Langley Research Center
LF	Langley Form
LPR	Langley Procedural Requirement
NASA	National Aeronautics and Space Administration
NOV	Notice of Violation
OSHA	Occupational Safety and Health Administration
PPE	Personal Protection Equipment
SMAO	Safety and Mission Assurance Office
TM	Task Monitor
TPOC	Technical Point of Contact