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AUTHORIZES THE COMPANY UNIVERSITY OF COLOGNE, TO CARRY OUT WORK OVER 5,500 MASL AND ESTABLISHES DEADLINES FOR COMPLIANCE WITH HEALTH REQUIREMENTS.

EXEMPT RESOLUTION N° 1313

ANTOFAGASTA, 23 April 2020

IN VIEW OF THESE BACKGROUND, application submitted by company **UNIVERSITY OF COLOGNE, GERMANY, RUT: 69.508.740-3, represented by JÜRGEN STUTZKI, RUT 49.020.008-8**, dated 14 January 2020, number of internal records DAS N° 119 dated 15.01.2020, to obtain authorization to work at extreme altitude, and accompanying documentation by e-mail between 04 and 24 April 2020, and Payment Order N° 091663 dated 14.01.2020; and

BEARING IN MIND the provisions of the D.F.L. N° 1 of 2005 (Decree with Force of Law); which establishes the consolidated, coordinated and systematized text of the D.L. N° 2,763 of 1979 (Decree of Law) and of the laws N° 18,469 and N° 18,933; Law N° 19,937, which modifies the D.L. N°2,763 of 1979, with the purpose of strengthening the establishment of a new concept of health authority, different modalities of management, and strengthening citizen participation; Law N° 19,880, which establishes the bases for administrative procedures that govern the acts of the State Administration Bodies; D. S. N° 136 of 2004 (Supreme Decree) of the Ministry of Health, which approves the Organic Regulation of the Ministry of Health, Exempt Decree N° 99 of 2018 of the Ministry of Health, which establishes the order of subrogation of the position of Regional Secretary of the Ministry (SEREMI) of Health of the Region of Antofagasta; D. S. N° 594 of 1999 of the Ministry of Health, which approves the Regulation on Basic Health and Environmental Conditions in the Workplaces; D. S. N° 28 of 2012 of the Ministry of Health, which amends Decree N° 594 of 1999 of the Ministry of Health; Exempt Decree N° 1,113 of 2013 of the Ministry of Health, which approves Technical Standard N° 157, entitled "Technical Guide on Occupational Exposure to Chronic Intermittent Hypobarria at High Altitude"; D. S. N° 76 of 2007, of the Ministry of Labor and Social Security, which approves the regulations for the implementation of article 66 bis of Law N° 16,744 on the management of safety and health at works, tasks or services that it indicates; Resolution N°7 of 2019 of the Comptroller General of the Republic, which establishes rules on exemption from the procedure of taking reason, exempt Resolution N° 216 of April 13, 2012, of the Ministry of Health which approves the audit manual; articles 1, 3, 67, 161 to 174, 178 and other relevant articles of the Health Code and the use of its powers of which I am invested, and

CONSIDERING

FIRST: That on January 15, 2020, the company **UNIVERSITY OF COLOGNE, GERMANY, RUT: 69.508.740-3, represented by JÜRGEN STUTZKI, RUT 49.020.008-8**, makes a presentation in which it requests authorization to carry out works at extreme altitude above 5,500 masl, for the development of work on peaks above 5,500 masl for the installation of a telescope for the Cerro Chanjnantor Atacama Telescope Project, hereinafter PROJECT CCAT, accompanies documentation and makes the payment of the corresponding fee.

SECOND: That, by Supreme Decree N° 28 of 2012 of the Ministry of Health, Decree N° 594 of 1999 of the Ministry of Health is amended, and Paragraph III of Title IV is added, after point 9, point 10, which consists of 10 articles, related to Chronic Intermittent High Altitude Hypobaria.

THIRD: Subsequently, in 2013, Technical Standard N° 157, called "Technical Guide on Occupational Exposure to Chronic Intermittent Hypobaria at High Altitude", was approved by means of Exempt Decree N° 1,113, which contains various matters associated with health authorization associated with high-altitude workplaces, as well as other matters indicated in Supreme Decree N° 28 of 2012, such as prevention, surveillance and early diagnosis of health effects caused by exposure to Chronic Intermittent Hypobaria, among others.

FOURTH: That, in order to verify compliance with the aforementioned regulations, the main company is obliged to keep an updated record of the works, tasks or services, for the time it is extended, on paper and/or digital support, which must contain basic information, a record that must be available, on the work, tasks or services, when required by the inspection bodies, as required by Article 5 of the Regulations for the Application of Article 66 bis of Law N° 16,744, incorporated by Law N° 20,123, which establishes occupational safety and health standards for works, tasks or services in which workers subject to subcontracting regimes provide services, approved by Supreme Decree N° 76 of 2007 of the Ministry of Labor and Social Security.

FIFTH: That, article 110 b, of the regulation on basic health and environmental conditions in workplaces, indicates that the provisions of point 10 regulate work at high altitude, in which workers are exposed to chronic intermittent hypobaria. In addition, it establishes that work may only be carried out above 5,500 masl following an evaluation and explicit and justified authorization by the Health Authority, granted in accordance with the Technical Guide on Occupational Exposure to Chronic Intermittent Hypobaria at High Altitude, approved by Decree of the Ministry of Health, issued under the formula "By order of the President of the Republic".

SIXTH: That, by means of Exempt Decree N° 1,113 of 2013 of the Ministry of Health, Technical Standard N° 157 is approved, entitled "Technical Guide on Occupational Exposure to Chronic Intermittent Hypobaria due to High Altitude", which aims to establish procedures, standardized criteria for health surveillance and evaluation, the requirements of medical professionals and facilities, conditions for habitability and mitigation, necessary for compliance with the provisions of Supreme Decree N° 594 of 1999 of the Ministry of Health, on work under conditions of exposure to chronic intermittent hypobaria in high-altitude work and extreme geographical altitude.

SEVENTH: In the above-mentioned technical regulation, in its numeral 17, regarding the Sanitary Authorization, it establishes that it must consider the fulfillment of the following requirements for the authorization of work in extreme altitude:

- 1.- Health evaluation that includes a battery of pre-occupational tests, a stress electrocardiogram and a hypoxia tolerance test.
- 2.- Individual oxygen supply on a permanent basis.
- 3.- Identification of workplaces with high physical and ergonomic load, with their corresponding risk analysis and risk mitigation and control plans.
- 4.- Adequate rest areas for the physiological recovery of the worker that considers mitigation measures, such as oxygenation and compliance with habitability standards

5.- Plan, in the first week of work, a progressive exposure from only 4 hours on the first day up to 8 or more hours on day 3, to facilitate proper acclimatization and prevent intolerance.

6.- System of programmed breaks during the working day according to the requirements and physiological load of the work.

7.- Evacuation plan in case of medical emergency.

EIGHTH: That, after reviewing the background presented by the applicant company, compliance with the requirements set forth in the technical guide is verified, in order to evaluate the granting of the respective sanitary authorization.

NINTH: That, considering the imminent risk that implies for the health of the workers that will develop work in the conditions of extreme altitude, this Authority, in order to verify the fulfillment of the minimum conditions required by the regulations, is that it will establish sanitary requirements and terms for their fulfillment, according to the type of company that performs the work, as a principal or contractor.

I RESOLVE

1. AUTHORIZE the company **UNIVERSITY OF COLOGNE, GERMANY, RUT: 69.508.740-3, represented by JÜRGEN STUTZKI, RUT 49.020.008-8**, to develop works for the installation of a telescope on the summit of Cerro Chanjnantor at 5,600 masl, in the Commune of San Pedro de Atacama, Antofagasta Region, according to the deadlines defined in the CCAT project.

2. IT IS ESTABLISHED that the company **UNIVERSITY OF COLOGNE, GERMANY** must meet the following sanitary requirements:

a. IN THE TERM OF 3 BUSINESS DAYS, to be submitted as a contractor or service provider in the CCAT PROJECT, a Gantt chart regarding all activities which will be carried out during the period that the works are executed, informing in writing the update of the same one to the SEREMI of Health of Antofagasta Region, in the office of documents reception of this Regional Authority, previous to the beginning of the works beyond 5,500 masl.

b. To supervise permanently the activities that are developed in the works at extreme altitude, verifying compliance with the prevention and protection measures informed to this authority, during the whole period of the informed period of this project.

c. Keep all information of the Work Plan submitted to this authority and implementation of the means of verification requirements defined by the technical health standard that give an account of the fulfillment for the obtaining of this Sanitary Authorization.

3. IT IS ESTABLISHED that the company **UNIVERSITY OF COLOGNE, GERMANY, IN PROJECT CCAT** must present a technical report to this authority every quarter, which will include the following information:

a) Health assessment:

Staffing records to verify the instructions defined by the company of all personnel who have joined the company after applying for this Health Authorization or that their assessments are updated for the corresponding annual period.

b) Permanent supply of individual oxygen:

Records of the application of the annexes informed in instructions or procedures defined by the company, also describing the liters per minute provided to each worker, oximetry results and measurement schedule.

c) Identification of workstations with a high physical and ergonomic load, with the corresponding risk analysis and mitigation plans and risk control:

Results and records of the identification of workstations with a high physical and ergonomic load in extreme altitude conditions, with the corresponding risk analysis and readjustments that were necessary to implement, according to instructions or procedures.

d) Adequate rest areas for the physiological recovery of the worker should be considered, including mitigation measures such as the enforcement of habitability standards:

Records of the use of rest areas for the physiological recovery of the worker considering hours of use and results of vital signs according to identification of risks related to their health evaluation, as well as what is defined in the instructions or procedures.

e) Plan the first week of work for a progressive exposure from only 4 hours on the first day to 8 or more hours on day 3 to facilitate adequate acclimatization and recovery from intolerance:

Records on implementation of progressive exposure to work at extreme altitudes that consider acclimatization evaluation results, recording time and results, as well as that is defined in instructions or procedures.

f) System of scheduled breaks during the first working day in accordance with the demands and physiological workload:

Record of programmed breaks considering the time of performance, the day of the shift, results measured according to need or for those that exceeded 30% of physical load, as well as what is defined in the instructions or procedures.

g) Medical emergency evacuation plan:

Activation records for medical emergency activation and final analysis and evaluation report, according to instructions or procedures.

4. IT IS ESTABLISHED that the company must strictly comply with the provisions of Article 6 of the D.S. N° 76 of 2007 of the Ministry of Labor, which states that "the contracting companies and subcontractors must make, together with the main company, the necessary coordination to comply with the regulations on safety and health in the workplace".

5. IT IS ESTABLISHED that the authorized company must comply with the regulations on basic health and environmental conditions in the workplace and the Technical Guide on Exposure to Chronic Intermittent Hypobaric at High Altitude. In case of non-compliance, the company will proceed in accordance with the provisions of Book X of the Health Code.

6. IT IS ESTABLISHED that the authorized company must comply with the measures prescribed by the Ministry of Health and the World Health Organization, related to the recommendations for the Global Covid-19 Health Alert; by way of examples: Ord. B1 N 1,086 of 07.04.2020 of the Ministry of Health and Communication N 0438 of the SEREMI of Health of the Region of Antofagasta. Since this is a condition that changes day by day, we suggest a permanent revision of the official websites in this area <https://www.gob.cl/coronavirus/> <https://www.who.int/es>.

7. AUDIT this present resolution by officials of the Department of Health Action of this Regional Ministerial Secretariat of Health.

8. NOTIFY this resolution by officials of the Department of Health Action of this Regional Ministerial Secretariat of Health.

ANO **TESE, NOTIFIQUESE Y COMUNIQUESE**



SECRETARIO REGIONAL
SECRETARIO MINISTERIAL DE SALUD
REGION DE ANTOFAGASTA



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