

OCCUPATIONAL SAFETY AND HEALTH FOR THE FEDERAL EMPLOYEE



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Central Intelligence Agency

Asbestos Abatement Program

1. Asbestos Definition
 - a. Naturally Occurring Fibrous Mineral
 - (1) Chrysotile
 - (2) Amosite
 - b. Insulation Types
 - (1) Friable, Sprayed-On
 - (2) Wrapped, Woven
2. OSHA Standard
 - a. No Standard For Bulk Asbestos
 - b. Airborne Standard is 2.0 f/cc
 - c. CIA Internal Standard is 0.1 f/cc
3. Areas Containing Significant Amounts of Bulk Asbestos
 - a. Headquarters: Basement, Ground, Penthouses, Main Auditorium, Power House
 - b. NPIC: Fifth and Sixth Floors
4. Areas Containing Moderate Amounts of Bulk Asbestos

South, Central, East Buildings, OTS 3, Headquarters
First and Seventh Floors,
5. Problems
 - a. Renovations
 - b. Pipe Maintenance
 - c. Computer, Telephone Cabling
6. Future Concerns
 - a. Comprehensive Identification Survey For Headquarters
 - b. Asbestos Building Materials Used
 - c. Asbestos
 - (1) SD/OMS Identification Surveys
 - (2) Professional Removal Difficulties

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Asbestos Abatement Program for Remington-Rand SafesJuly 1985 Status Report

1. Background

a. The asbestos is located in each drawer head strip of the Remington Rand (RR) safe, not within the inner liner or firewall.

b. Asbestos is not a hazard while it is bound inside a substrate, like a woven strip. To become a potential hazard, it must first become airborne and be inhaled at significant levels. Airborne asbestos can be generated by a deteriorated or badly worn RR safe drawer head strip.

c. Analytical monitoring has demonstrated that the levels of airborne asbestos generated by a typical RR safe are insignificant, and compatible with those levels typically encountered in an outdoor environment.

d. All RR safes in the metro area were inspected in April 1985 to ensure the asbestos strips were in good condition. All strips were found to be in good condition.

e. In response to employee concerns, it was decided to encapsulate the asbestos strips in all RR safes, or replace the RR safes with nonasbestos-containing safes, regardless of the condition of the asbestos strips. Encapsulation is only an interim abatement measure; the ultimate goal of the program is total replacement of the RR safes. This policy is also in accordance with Office of Security guidelines.

2. Overall Status

RR Safes Needing Encapsulating or Replacement

<u>DATE</u>	<u>HEADQUARTERS</u>	<u>OUTLYING BUILDINGS</u>
a. August 1983	1283	197
b. July 1985	637	0

1

SAFETY AND HEALTH PROGRAM

1. Interest of saving time

Handout - review and retention

*Occupational Safety and Health For The Federal Employees
Pages re safety Committee*

Objectives of CIA Safety and Health Program

Objectives and functions of three Branches

2. Since last meeting 10 January 1983 responsibility for
Safety and Health Program from Office/DDA to OMS where
established as Safety Division. 15 Jan. 1975

3. Why Change? Problems?

Safety part of O/DDA as Safety Staff for 2 years.
Staff increased by Health Physicist, 3 Fire Protection
Engineers.

Not a Staff function as such, not large enough for
Office. + many functions involved health working environment

Mr. Fitzwater's decision to transfer function and
personnel to Office of Medical Services.

2

2 months

4. How's it working - What's the advantages -

a. 9 Regional Medical Officers - PCS overseas will be trained and provided equipment to conduct noise and light studies, test resuscitators. Two regional RMO conferences a year, each RMO to attend one - will present safety and fire protection training to them. Already two conferences.

b. Medical Services Officers will also be trained in noise and illumination studies - will conduct on TDY's - test resuscitators.

c. 1 March 1985 detailed safety officer to fill Safety Officer position - already have one in Office of Communications - 2/3 year assignment.

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e. Two contracts for processing x-ray badges - 100 + 40 to be consolidated into one - Same true two laboratories.

3

f. Continuing safety enhancement program - Budgeted -
implementations recommendations result safety inspections
and surveys.

g. Closer coordination - industrial hygienist, and
Environmental Health and Preventive Medicine Officer -

of health physicist

Examples:

Analysis of a tracking compound use in several SE
areas.

Exfiltration device for OTS - use of device
coordinated with RMO's in area.

Agency noise policy - examination of employees in
high noise areas.

h. OMS has quarterly Newsletter - Safety now
including articles in that.

i. 1 week Basic Safety and Health Course (7) Alcohol
Program and VDT covered by speakers.

14

j. Injuries in 3 categories:

unsafe physical conditions

unsafe personal act (improper lifting, removing safety devices, improper equipment)

unsafe personal factor (carelessness, physical defects, physical state, lack of knowledge)

considering use of personnel in Psychological Services Division re employees injured as result of unsafe personal act and unsafe personal factor.
37 in 1974, 2 injuries each.

k. Enhanced Automation.

2 Delta Data's - will be able to enter direct to emp. file

CENTRAL INTELLIGENCE AGENCY

Occupational Safety and Health Committee

Meeting Agenda

1400 - 1500 Hours

25 July 1985

7D32, Headquarters Building

1. Introduction of Chairman
2. Introduction of Committee Members and Technical Advisors, and Deputy Chief, Safety Division, OMS
3. Occupational Safety and Health Program [redacted] - C/ Safety Div.
4. Update, asbestos, Remington Rand Safes - [redacted] C/ Occupational Health Branch, Safety Div.
5. Briefing on Agency's Asbestos Abatement Program
6. Open for comments or questions concerning the report of Accident Analyses for CY 1984.

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OCCUPATIONAL SAFETY AND HEALTH FOR THE FEDERAL EMPLOYEE

**U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH
ADMINISTRATION**

OFFICE OF FEDERAL AGENCY SAFETY PROGRAMS

Washington, D.C

February 1, 1984

SAFETY & HEALTH COMMITTEES
Pages 8, 36, 37, 38, 41

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INTRODUCTION

This booklet contains various materials pertaining to the Federal occupational safety and health program which is coordinated by the Office of Federal Agency Safety Programs, Occupational Safety and Health Administration, U.S. Department of Labor. This booklet will inform the agency head, employees of the agency, and other interested persons of the occupational safety and health protection provided for the employees of the agency.

The following is a brief synopsis of each piece of material in this booklet:

- A. The Occupational Safety and Health Act of 1970 is the law requiring that safe and healthful workplaces be provided for all employees. Section 19 of the Act requires the head of each agency to establish and maintain an occupational safety and health program for its employees. It also requires the Secretary of Labor to report to the President on the Federal occupational safety and health program.
- B. Section 7902, Title 5, U.S. Code directs the head of each Federal agency to develop and support organized safety and health programs and to report to the Secretary of Labor any injuries and accidents that occur to their employees.
- C. Executive Order No. 12196 defines the responsibilities and outlines the duties of the Secretary of Labor and each agency head as pertaining to the Federal occupational safety and health program. It also establishes the Federal Advisory Council on Occupational Safety and Health to assist the Secretary of Labor.
- D. Title 29 of the Code of Federal Regulations Part 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs," outlines specific requirements necessary for each agency to establish and maintain an occupational safety and health program.

THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

**Public Law 91-596
91st Congress, S. 2193
December 29, 1970**

AN ACT

To assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health; and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Occupational Safety and Health Act of 1970."

FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

SEC. 19. (a) It shall be the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated under section 6. The head of each agency shall (after consultation with representatives of the employees thereof)—

(1) provide safe and healthful places and conditions of employment, consistent with the standards set under section 6;

(2) acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees;

(3) keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action;

(4) consult with the Secretary with regard to the adequacy as to form and content of records kept pursuant to subsection (a)(3) of this section; and

(5) make an annual report to the Secretary with respect to occupational accidents and injuries and the agency's program under this section. Such report shall include any report submitted under section 7902(e)(2) of title 5, United States Code.

(b) The Secretary shall report to the President a summary or digest of reports submitted to him under subsection (a)(5) of this section, together with his evaluations of and recommendations derived from such reports. The President shall transmit annually to the Senate and the House of Representatives a report of the activities of Federal agencies under this section.

(c) Section 7902(c)(1) of title 5, United States Code, is amended by inserting after "agencies" the following: "and of labor organizations representing employees".

(d) The Secretary shall have access to records and reports kept and filed by Federal agencies pursuant to subsections (a)(3) and (5) of this section unless those records and reports are specifically required by Executive order to be kept secret in the interest of national defense or foreign policy, in which case the Secretary shall have access to such information as will not jeopardize national defense or foreign policy.

TITLE 5 OF THE UNITED STATES CODE

Section 7902. Safety Programs.

- (a) For the purpose of this section—
 - (1) “employee” means an employee as defined by section 8101 of this title; and
 - (2) “agency” means an agency in any branch of the Government of the United States, including an instrumentality wholly owned by the United States, and the government of the District of Columbia.
- (b) The Secretary of Labor shall carry out a safety program under section 941(b)(1) of Title 33 covering the employment of each employee of an agency.
- (c) The President may—
 - (1) establish by Executive order a safety council composed of representatives of the agencies and of Labor organizations representing employees to serve as an advisory body to the Secretary in furtherance of the safety program carried out by the Secretary under subsection (b) of this section; and
 - (2) undertake such other measures as he considers proper to prevent injuries and accidents to employees of the agencies.
- (d) The head of each agency shall develop and support organized safety promotion to reduce accidents and injuries among employees of his agency, encourage safe practices, and eliminate work hazards and health risks.
- (e) Each agency shall—
 - (1) keep a record of injuries and accidents to its employees whether or not they result in loss of time or in the payment or furnishing of benefits; and
 - (2) make such statistical or other reports on such forms as the Secretary may prescribe by regulation.

(Public Law 89-554, Sept. 6, 1966, 80 Stat. 530)

Federal Register

Vol. 45, No. 40

Wednesday, February 27, 1980

Presidential Documents

Title 3—

Executive Order 12196 of February 26, 1980

The President

Occupational Safety and Health Programs for Federal Employees

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 7902(c) of Title 5 of the United States Code and in accord with Section 19 of the Occupational Safety and Health Act of 1970, as amended (29 U.S.C. 668), it is ordered:

1-1. *Scope of this Order.*

1-101. This order applies to all agencies of the Executive Branch except military personnel and uniquely military equipment, systems, and operations.

1-102. For the purposes of this order, the term "agency" means an Executive department, as defined in 5 U.S.C. 101, or any employing unit or authority of the Federal government, other than those of the judicial and legislative branches. Since section 19 of the Occupational Safety and Health Act ("the Act") covers all Federal employees, however, the Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of agencies in the legislative and judicial branches of the government to help them adopt safety and health programs.

1-2. *Heads of Agencies.*

1-201. The head of each agency shall:

- (a) Furnish to employees places and conditions of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm.
- (b) Operate an occupational safety and health program in accordance with the requirements of this order and basic program elements promulgated by the Secretary.
- (c) Designate an agency official with sufficient authority to represent the interest and support of the agency head to be responsible for the management and administration of the agency occupational safety and health program.
- (d) Comply with all standards issued under section 6 of the Act, except where the Secretary approves compliance with alternative standards. When an agency head determines it necessary to apply a different standard, that agency head shall, after consultation with appropriate occupational safety and health committees where established, notify the Secretary and provide justification that equivalent or greater protection will be assured by the alternate standard.
- (e) Assure prompt abatement of unsafe or unhealthy working conditions. Whenever an agency cannot promptly abate such conditions, it shall develop an abatement plan setting forth a timetable for abatement and a summary of interim steps to protect employees. Employees exposed to the conditions shall be informed of the provisions of the plan. When a hazard cannot be abated without assistance of the General Services Administration or other Federal lessor agency, an agency shall act with the lessor agency to secure abatement.

- (f) Establish procedures to assure that no employee is subject to restraint, interference, coercion, discrimination or reprisal for filing a report of an unsafe or unhealthy working condition, or other participation in agency occupational safety and health program activities.
- (g) Assure that periodic inspections of all agency workplaces are performed by personnel with equipment and competence to recognize hazards.
- (h) Assure response to employee reports of hazardous conditions and require inspections within twenty-four hours for imminent dangers, three working days for potential serious conditions, and twenty working days for other conditions. Assure the right to anonymity of those making the reports.
- (i) Assure that employee representatives accompany inspections of agency workplaces.
- (j) Operate an occupational safety and health management information system, which shall include the maintenance of such records as the Secretary may require.
- (k) Provide safety and health training for supervisory employees, employees responsible for conducting occupational safety and health inspections, all members of occupational safety and health committees where established, and other employees.
- (l) Submit to the Secretary an annual report on the agency occupational safety and health program that includes information the Secretary prescribes.

1-3. *Occupational Safety and Health Committees.*

1-301. Agency heads may establish occupational safety and health committees. If committees are established, they shall be established at both the national level and, for agencies with field or regional offices, other appropriate levels. The committees shall be composed of representatives of management and an equal number of nonmanagement employees or their representatives. Where there are exclusive bargaining representatives for employees at the national or other level in an agency, such representatives shall select the appropriate nonmanagement members of the committee.

1-302. The committees shall, except where prohibited by law,

- (a) Have access to agency information relevant to their duties, including information on the nature and hazardousness of substances in agency workplaces.
- (b) Monitor performance, including agency inspections, of the agency safety and health programs at the level they are established.
- (c) Consult and advise the agency on the operation of the program.

1-303. A Committee may request the Secretary of Labor to conduct an evaluation or inspection pursuant to this order if half of a Committee is not substantially satisfied with an agency's response to a report of hazardous working conditions.

1-4. *Department of Labor.*

1-401. The Secretary of Labor shall:

- (a) Provide leadership and guidance to the heads of agencies to assist them with their occupational safety and health responsibilities.
- (b) Maintain liaison with the Office of Management and Budget in matters relating to this order and coordinate the activities of the Department with those of

other agencies that have responsibilities or functions related to Federal employees safety and health, including the Office of Personnel Management, the Department of Health, Education, and Welfare, and the General Services Administration.

(c) Issue, subject to the approval of the Director of the Office of Management and Budget, and in consultation with the Federal Advisory Council on Occupational Safety and Health, a set of basic program elements. The Program elements shall help agency heads establish occupational safety and health committees and operate effective occupational safety and health programs, and shall provide flexibility to each agency head to implement a program consistent with its mission, size and organization. Upon request of an agency head, and after consultation with the Federal Advisory Council on Occupational Safety and Health, the Secretary may approve alternate program elements.

(d) Prescribe recordkeeping and reporting requirements.

(e) Assist agencies by providing training materials, and by conducting training programs upon request and with reimbursement.

(f) Facilitate the exchange of ideas and information throughout the government about occupational safety and health.

(g) Provide technical services to agencies upon request, where the Secretary deems necessary, and with reimbursement. These services may include studies of accidents, causes of injury and illness, identification of unsafe and unhealthful working conditions, and means to abate hazards.

(h) Evaluate the occupational safety and health programs of agencies and promptly submit reports to the agency heads. The evaluations shall be conducted through such scheduled headquarters or field reviews, studies or inspections as the Secretary deems necessary, at least annually for the larger or more hazardous agencies or operations, and as the Secretary deems appropriate for the smaller or less hazardous agencies.

(i) Conduct unannounced inspections of agency workplaces when the Secretary determines necessary if an agency does not have occupational safety and health committees; or in response to reports of unsafe or unhealthful working conditions, upon request of occupational safety and health committees under Section 1-3; or, in the case of a report of an imminent danger, when such a committee has not responded to an employee who has alleged to it that the agency has not adequately responded to a report as required in 1-201 (h). When the Secretary or his designee performs an inspection and discovers unsafe or unhealthy conditions, a violation of any provisions of this order, or any safety or health standards adopted by an agency pursuant to this order, or any program element approved by the Secretary, he shall promptly issue a report to the head of the agency and to the appropriate occupational safety and health committee, if any. The report shall describe the nature of the findings and may make recommendations for correcting the violation.

(j) Submit to the President each year a summary report of the status of the occupational safety and health of Federal employees, and, together with agency responses, evaluations of individual agency progress and problems in correcting unsafe and unhealthful working conditions, and recommendations for improving their performance.

(k) Submit to the President unresolved disagreements between the Secretary and agency heads, with recommendations.

(l) Enter into agreements or other arrangements as necessary or appropriate with the National Institute for Occupational Safety and Health and delegate to it the inspection and investigation authority provided under this section.

1-5. The Federal Advisory Council on Occupational Safety and Health.

1-501. The Federal Advisory Council on Occupational Safety and Health, established pursuant to Executive Order No. 11612, is continued. It shall advise the Secretary in carrying out responsibilities under this order. The Council shall consist of sixteen members appointed by the Secretary, of whom eight shall be representatives of Federal agencies and eight shall be representatives of labor organizations representing Federal employees. The members shall serve three-year terms with the terms of five or six members expiring each year, provided this Council is renewed every two years in accordance with the Federal Advisory Committee Act. The members currently serving on the Council shall be deemed to be its initial members under this order and their terms shall expire in accordance with the terms of their appointment.

1-502. The Secretary, or a designee, shall serve as the Chairman of the Council, and shall prescribe rules for the conduct of its business.

1-503. The Secretary shall make available necessary office space and furnish the Council necessary equipment, supplies, and staff services, and shall perform such functions with respect to the Council as may be required by the Federal Advisory Committee Act, as amended (5 U.S.C. App. I).

1-6. General Services Administration.

1-601. Within six months of the effective date of this order the Secretary of Labor and the Administrator of the General Services Administration shall initiate a study of conflicts that may exist in their standards and other requirements affecting Federal employee safety and health, and shall establish a procedure for resolving conflicting standards for space leased by the General Services Administration.

1-602. In order to assist the agencies in carrying out their duties under Section 19 of the Act and this order the Administrator shall:

(a) Upon request, require personnel of the General Services Administration to accompany the Secretary or an agency head on any inspection or investigation conducted pursuant to this order of a facility subject to the authority of the General Services Administration.

(b) Assure prompt attention to reports from agencies of unsafe or unhealthy conditions of facilities subject to the authority of the General Services Administration; where abatement cannot be promptly effected, submit to the agency head a timetable for action to correct the conditions; and give priority in the allocation of resources available to the Administrator for prompt abatement of the conditions.

(c) Procure and provide safe supplies, devices, and equipment, and establish and maintain a product safety program for those supplies, devices, equipment and services furnished to agencies, including the issuance of Material Safety Data Sheets when hazardous substances are furnished them.

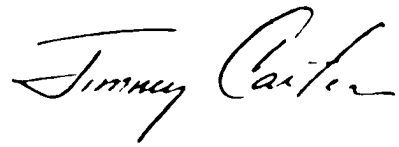
1-7. General Provisions.

1-701. Employees shall be authorized official time to participate in the activities provided for by this order.

1-702. Nothing in this order shall be construed to impair or alter the powers and duties of the Secretary or heads of other Federal agencies pursuant to Section 19 of the Occupational Safety and Health Act of 1970, Chapter 71 of Title 5 of the United States Code, Sections 7901, 7902, and 7903 of Title 5 of the United States Code, nor shall it be construed to alter any other provisions of law or Executive Order providing for collective bargaining agreements and related procedures, or affect the responsibilities of the Director of Central Intelligence to protect intelligence sources and methods (50 U.S.C. 403(d)(3)).

1-703. Executive Order No. 11807 of September 28, 1974, is revoked.

1-704. This order is effective July 1, 1980.



THE WHITE HOUSE
February 26, 1980.

[FR Doc. 80-6330
Filed 2-26-80; 11:39 am]
Billing code 3195-01-M

October 21, 1980

**BASIC PROGRAM ELEMENTS FOR FEDERAL EMPLOYEE
OCCUPATIONAL SAFETY AND HEALTH PROGRAMS**

29 CFR, PART 1960

Department of Labor
Occupational Safety and Health Administration

PART 1960

BASIC PROGRAM ELEMENTS FOR FEDERAL EMPLOYEE OCCUPATIONAL SAFETY AND HEALTH PROGRAMS AND RELATED MATTERS

SUBPART A—GENERAL

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1960.2	Definitions.
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SUBPART B—ADMINISTRATION

1960.6	Designation of agency safety and health officials.
1960.7	Financial management.
1960.8	Agency responsibilities.
1960.9	Supervisory responsibilities.
1960.10	Employee responsibilities and rights.
1960.11	Evaluation of occupational safety and health performance.
1960.12	Dissemination of occupational safety and health program information.
1960.13-15	[Reserved]

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1960.17	Alternate standards.
1960.18	Supplementary standards.
1960.19	Other Federal agency standards affecting occupational safety and health.
1960.20-24	[Reserved]

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1960.25	Qualifications of safety and health inspectors and agency inspections.
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1960.28	Employee reports of unsafe or unhealthful working conditions.
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**SUBPART F—OCCUPATIONAL SAFETY AND
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- 1960.36 General provisions.
- 1960.37 Committee organization.
- 1960.38 Committee formation.
- 1960.39 Agency responsibilities.
- 1960.40 Establishment committee duties.
- 1960.41 National committee duties.
- 1960.42–45 [Reserved]

SUBPART G—ALLEGATIONS OF REPRISAL

- 1960.46 Agency responsibility.
- 1960.47 Results of investigations.
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SUBPART H—TRAINING

- 1960.54 Training of top management officials.
- 1960.55 Training of supervisors.
- 1960.56 Training of safety and health specialists.
- 1960.57 Training of safety and health inspectors.
- 1960.58 Training of collateral duty safety and health personnel and committee members.
- 1960.59 Training of employees and employee representatives.
- 1960.60 Training assistance.
- 1960.61–65 [Reserved]

**SUBPART I—RECORDKEEPING AND
REPORTING REQUIREMENTS**

- 1960.66 Purpose, scope and general provisions.
- 1960.67 Record or log of occupational injuries and illnesses.
- 1960.68 Supplementary record of occupational injuries and illnesses.
- 1960.69 Annual Summaries of Federal Occupational Injuries and Illnesses.
- 1960.70 Reporting of serious accidents.
- 1960.71 Location and utilization of records and reports.
- 1960.72 Access to records by Secretary.
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- 1960.74 Agency annual reports.
- 1960.75–77 [Reserved]

OCCUPATIONAL SAFETY AND HEALTH

**SUBPART J—EVALUATION OF FEDERAL OCCUPATIONAL
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- 1960.78 Purpose and scope.
- 1960.79 Self-evaluations of occupational safety and health programs.
- 1960.80 Secretary's evaluations of agency occupational safety and health programs.
- 1960.81-83 [Reserved]

**SUBPART K—FIELD FEDERAL SAFETY AND
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- 1960.84 Purpose.
- 1960.85 Role of the Secretary.
- 1960.86 Establishing councils.
- 1960.87 Objectives.
- 1960.88 Membership and participation.
- 1960.89 Organization.
- 1960.90 Operating procedures.
- 1960.91 [Reserved]

AUTHORITY: Secs. 19 and 24 of the Occupational Safety and Health Act of 1970 (84 Stat. 1609,1614, (29 U.S.C. 668, 673)); Secretary of Labor's Order No. 8-76 (41 FR 25059); E.O. 12196.

OCCUPATIONAL SAFETY AND HEALTH

SUBPART A—GENERAL

1960.1—PURPOSE AND SCOPE OF THIS PART

(a) Section 19 of the Occupational Safety and Health Act (the Act) contains special provisions to assure safe and healthful working conditions for Federal employees. Under that section, it is the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated under section 6 of the Act. The Secretary of Labor (the Secretary), under section 19, is to report to the President certain evaluations and recommendations with respect to the programs of the various agencies, and the duties which section 24 of the Act imposes on the Secretary of Labor necessarily extend to the collection, compilation and analysis of occupational safety and health statistics from the Federal Government. The role of the General Services Administration in this area stems from its duties as the Government's principal landlord and from its specific safety and health responsibilities under 41 CFR Part 101, Subchapter D, Federal Property Management Regulations.

(b) Executive Order 12196, Occupational Safety and Health Programs for Federal Employees, issued February 26, 1980, prescribes additional responsibilities for the heads of agencies, the Secretary, and the General Services Administrator. Among other duties, the Secretary is required to issue basic program elements in accordance with which the heads of agencies shall operate their safety and health programs. The purpose of this part is to issue these basic program elements. Although agency heads are required to operate a program in accordance with the basic program elements, those elements contain numerous provisions which, by their terms, permit agency heads the flexibility necessary to implement their programs in a manner consistent with their respective missions, sizes, and organizations. Moreover, an agency head, after consultation with agency employees or their representatives and with appropriate safety and health committees may request the Secretary to consider approval of alternate program elements; the Secretary, after consultation with the Federal Advisory Council on Occupational Safety and Health, may approve such alternate program elements.

(c) Under Executive Order 12196, the Secretary is required to perform various services for the agencies, including consultation, training, recordkeeping, inspections, and evaluations. Agencies are encouraged to seek such assistance from the Secretary as well as advice on how to comply with the basic program elements and operate effective occupational safety and health programs. Upon the request of an Agency, the Office of Federal Agency Safety and Health Programs will review proposed agency plans for the implementation of program elements.

(d) Section 19 of the Act and the Executive Order require specific opportunities for employee participation in the operation of agency safety and health programs. The manner of fulfilling these requirements is set forth in part in these program elements. These requirements are separate from but consistent with the Federal Service Labor Management Relations Statute (5 U.S.C. 71) and regulations dealing with labor-management relations within the Federal Government.

(e) Executive Order 12196 and these basic program elements apply to all agencies of the Executive Branch. They apply to all Federal employees. They apply to all working conditions of Federal employees except those involving uniquely military equipment, systems, and operations.

(f) The Executive Order and this part do not apply to employees or working conditions of employees of private contractors performing work under government contracts, regardless of whether such privately employed workers perform their duties in government owned or leased facilities with government equipment or together with government personnel. Protection of employees of private contractors is assured under the other provisions of the Act, not under section 19. No provision of the Executive Order or this part shall be construed in any manner to relieve any private employer, including Federal contractors, or their employees of any rights or responsibilities under the provisions of the Act, including compliance activities conducted by the Department of Labor or other appropriate authority.

(g) Federal employees who work in establishments of private employers are covered by their agencies' occupational safety and health programs. Although an agency may not have the authority to require abatement of hazardous conditions in a private sector workplace, the agency head must assure safe and

healthful working conditions for his/her employees. This shall be accomplished by administrative controls, personal protective equipment, or withdrawal of Federal employees from the private sector facility to the extent necessary to assure that the employees are protected.

1960.2—DEFINITIONS

(a) The term "Act" means the Occupational Safety and Health Act of 1970 (84 Stat. 1590 et seq., 29 U.S.C. 651 et seq.).

(b) The term "agency" for the purposes of this part means an Executive Department, as defined in 5 U.S.C. 101, or any employing unit or authority of the Executive Branch of the Government. For the purposes of this part to the extent it implements section 19 of the Act, the term "agency" includes the United States Postal Service. By agreement between the Secretary of Labor and the head of an agency of the Legislative or Judicial Branches of the Government, these regulations may be applicable to such agencies.

(c) The term "agency liaison" means an agency person appointed with full authority and responsibility to represent the occupant agency management with the official in charge of a facility or installation such as a GSA Building Manager.

(d) The term "building manager" means the person who manages one or several buildings under the authority of a Federal agency. For example, a building manager may be the GSA person who manages building(s) for GSA.

(e) As used in Executive Order 12196, the term "consultation with representatives of the employees thereof" shall include such consultation, conference, or negotiation with representatives of agency employees as is consistent with the Federal Service Labor Management Relations Statute (5 U.S.C. 71), or collective bargaining or other labor-management arrangements. As used in this part, the term "representative of employees" shall be interpreted with due regard for any obligation imposed by the aforementioned statute and any other labor-management arrangement that may cover the employees involved.

(f) The term "Designated Agency Safety and Health Official" means the individual who is responsible for the management of the safety and health program within an agency, and is so designated or appointed by the head of the agency pursuant to § 1960.6 and the provisions of Executive Order 12196.

(g) The term "employee" as used in this part means any person, other than members of the Armed Forces, employed or otherwise suffered, permitted, or required to work by an "agency" as the latter term is defined in paragraph (b) of this section.

(h) The term "establishment" means a single physical location where business is conducted or where services or operations are performed. Where distinctly separate activities are performed at a single physical location, each activity shall be treated as a separate "establishment." Typically, an "establishment" as used in this part refers to a field activity, regional office, area office, installation, or facility.

(i) The term "uniquely military equipment, systems, and operations" excludes from the scope of the order the design of Department of Defense equipment and systems that are unique to the national defense mission, such as military aircraft, ships, submarines, missiles, and missile sites, early warning systems, military space systems, artillery, tanks, and tactical vehicles; and excludes operations that are uniquely military such as field maneuvers, naval operations, military flight operations, associated research test and development activities, any actions required under emergency conditions. The term includes within the scope of the Order Department of Defense workplaces and operations comparable to those of industry in the private sector such as: Vessel, aircraft, and vehicle

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repair, overhaul, and modification (except for equipment trials); construction; supply services; civil engineering or public works; medical services; and office work.

(j) The term "incidence rates" means the number of injuries and illnesses, or lost workdays, per 100 full-time workers. Rates are calculated as

$$\frac{N \times 200,000}{EH}$$

EH

N=number of injuries and illnesses, or number of lost workdays.
EH=total hours worked by all employees during a month, a quarter, or a fiscal year.
200,000=base for 100 full-time equivalent workers (working 40 hours per week, 50 weeks per year).

(k) The term "inspection" means a comprehensive survey of all or part of a workplace in order to detect safety and health hazards. Inspections are normally performed during the regular work hours of the agency, except as special circumstances may require. Inspections do not include routine, day-to-day visits by agency occupational safety and health personnel, or routine workplace surveillance of occupational health conditions.

(l) The term "Lost Workday Cases" means injuries and illnesses which involve days, or parts of days, away from work beyond the date of injury. "Lost Workdays—Away from Work" means the number of workdays (consecutive or not) during which the employee would have worked but could not because of an occupational injury or illness.

(m) The term "representative of management" means a supervisor or management official as defined in the applicable labor-management relations program covering the affected employees.

(n) The term "medical treatment" includes treatment administered by a physician, or by licensed or registered professional personnel understanding orders of a physician, for an occupational injury or illness which does not result in days away from work. "Medical treatment" does not include first aid treatment, even though provided by a physician or licensed or registered professional personnel. For further details and specific example of what is considered first aid treatment versus medical treatment, see OSHA 2014,

Recordkeeping and Reporting Guidelines for Federal Agencies.

(o) The term "recordable occupational injuries or illnesses" means any occupational injuries or illnesses which result in:

(1) Occupational-related deaths regardless of the time between injury and death, or the length of illness;

(2) Nonfatal occupational illnesses; or

(3) Nonfatal occupational injuries which involve days away from work or medical treatment.

(p) [Reserved]

(q) The term "Safety and Health Inspector" means a safety and/or occupational health specialist or other person authorized pursuant to Executive Order 12196, section 1-201(g), to carry out inspections for the purpose of Subpart D of this part, a person having equipment and competence to recognize safety and/or health hazards in the workplace.

(r) The term "Safety and Health Official" means an individual who manages the occupational safety and/or occupational health program at organizational levels below the Designated Agency Safety and Health Official.

(s) The term "Safety and Health Specialist" means a person or persons meeting the Office of Personnel Management standards for such occupations, which include but are not limited to:

Safety Manager/Specialist GS-018
Safety Engineer GS-803
Fire Protection Engineer GS-804
Industrial Hygienist GS-690
Fire Protection Specialist/Marshal GS-081
Health Physicist GS-1306
Occupational Medicine Physician GS-602
Occupational Health Nurse GS-610
Safety Technician GS-019
Physical Science Technician GS-1311
Environmental Health Technician GS-699
Air Safety Investigation Officer GS-1815
Aviation Safety Specialist GS-1825
Chemist GS-1320
Health Technician GS-645
Highway Safety Manager GS-2125

or equally qualified military, agency, or non-government personnel. The agency head shall be

responsible for determination and certification of equally qualified personnel.

(t) The term "workplace" means a physical location where the agency's work or operations are performed.

(u) The term "imminent danger" means any conditions or practices in any workplace which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through normal procedures.

(v) The word "serious" as used in "serious hazard," "serious violation" or "serious condition" means a

hazard, violation or condition such that there is a substantial probability that death or serious physical harm could result.

(w) The term "certified safety and health committee" means an agency safety and health committee that meets the provisions of section 1-3 of Executive Order 12196 and of this part, as listed and attested to by the head of each agency in writing to the Secretary.

(x) The term "reprisal" as used in this part means any act of restraint, interference, coercion or discrimination against an employee for exercising his or her rights under Executive Order 12196 and this part, or for participating in the agency's safety and health program.

1960.3-5 [RESERVED]

SUBPART B—ADMINISTRATION

1960.6—DESIGNATION OF AGENCY SAFETY AND HEALTH OFFICIALS

(a) The head of each agency shall designate an official with sufficient authority and responsibility to represent effectively the interest and support of the agency head in the management and administration of the agency occupational safety and health program. This Designated Agency Safety and Health Official should be of the rank of Assistant Secretary, or of equivalent rank, or equivalent degree of responsibility, and shall have sufficient headquarters staff with the necessary training and experience. The headquarters staff should report directly to, or have appropriate access to, the Designated Agency Safety and Health Official, in order to carry out the responsibilities under this part.

(b) The Designated Agency Safety and Health Official shall assist the agency head in establishing:

(1) An agency occupational safety and health policy and program to carry out the provisions of section 19 of the Act, Executive Order 12196, and this part;

(2) An organization, including provision for the designation of safety and health officials at appropriate levels, with adequate budgets and staffs to implement the occupational safety and health program at all operational levels;

(3) A set of procedures that ensures effective implementation of the agency policy and program as required by section 19 of the Act, Executive Order 12196, and the program elements of this part, considering the mission, size, and organization of the agency;

(4) Goals and objectives for reducing and eliminating occupational accidents, injuries, and illnesses;

(5) Plans and procedures for evaluating the agency's occupational safety and health program effectiveness at all operational levels; and

(6) Priorities with respect to the factors which cause occupational accidents, injuries, and illnesses in the

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agency's workplaces so that appropriate corrective actions can be taken.

(c) The agency head shall assure that safety and health officials are designated at each appropriate

level with sufficient authority and responsibility to plan for and assure funds for necessary safety and health staff, equipment, materials, and training required to ensure implementation of an effective occupational safety and health program.

1960.7—FINANCIAL MANAGEMENT

(a) The head of each agency shall ensure that the agency budget submission includes appropriate financial and other resources to effectively implement and administer the agency's occupational safety and health program.

(b) The Designated Agency Safety and Health Official, management officials in charge of each establishment, safety and health officials at all appropriate levels, and other management officials shall be responsible for planning, requesting resources, implementing, and evaluating the occupational safety and health program budget in accordance with the regulations of the Office of Management and Budget Circular A-11 (sections 13.2(f) and 13.5(f)) and other relevant documents.

(c) Appropriate resources for an agency's occupational safety and health program shall include, but not be limited to:

(1) Sufficient personnel to implement and administer the program at all levels, including necessary administrative costs such as training, travel, and personal protective equipment;

(2) Abatement of unsafe or unhealthful working conditions related to agency operations or facilities;

(3) Safety and health sampling, testing, and diagnostic and analytical tools and equipment, including laboratory analyses;

(4) Any necessary contracts to identify, analyze, or evaluate unsafe or unhealthful working conditions and operations;

(5) Program promotional costs such as publications, posters, or films;

(6) Technical information, documents, books, standards, codes, periodicals, and publications; and

(7) Medical surveillance programs for employees.

1960.8—AGENCY RESPONSIBILITIES

(a) The head of each agency shall furnish to each employee employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm.

(b) The head of each agency shall comply with the Occupational Safety and Health Administration standards applicable to the agency.

(c) The head of each agency shall develop, implement, and evaluate an occupational safety and health program in accordance with the requirements of section 19 of the Act, Executive Order 12196, and the basic

program elements prescribed in this part, or approved alternate program elements.

(d) The head of each agency shall acquire, maintain, and require the use of approved personal protective equipment, approved safety equipment, and other devices necessary to protect employees.

(e) In order to provide essential specialized expertise, agency heads shall authorize safety and health personnel to utilize such expertise from whatever source available, including but not limited to other agencies, professional groups, consultants, universities, labor organizations, and safety and health committees.

1960.9—SUPERVISORY RESPONSIBILITIES

Employees who exercise supervisory functions shall, to the extent of their authority, furnish employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm. They

shall also comply with the occupational safety and health standards applicable to their agency and with all rules, regulations, and orders issued by the head of the agency with respect to the agency occupational safety and health program.

1960.10—EMPLOYEE RESPONSIBILITIES AND RIGHTS

(a) Each employee shall comply with the standards, rules, regulations, and orders issued by his/her agency in accordance with section 19 of the Act, Executive Order 12196, and this part which are applicable to his/her own actions and conduct.

(b) Employees shall use safety equipment, personal protective equipment, and other devices and procedures provided or directed by the agency and necessary for their protection.

(c) Employees shall have the right to report unsafe and unhealthful working conditions to appropriate officials.

(d) Employees shall be authorized official time to participate in the activities provided for in section 19 of the Act, Executive Order 12196, this part, and the agency occupational safety and health program.

1960.11—EVALUATION OF OCCUPATIONAL SAFETY AND HEALTH PERFORMANCE

Each agency head shall ensure that any performance evaluation of any management official in charge of an establishment, any supervisory employee, or other appropriate management official, measures that employee's performance in meeting requirements of the agency occupational safety and health program, consistent with the employee's assigned responsibilities

and authority, and taking into consideration any applicable regulations of the Office of Personnel Management or other appropriate authority. The recognition of superior performance in discharging safety and health responsibilities by an individual or group should be encouraged and noted.

1960.12—DISSEMINATION OF OCCUPATIONAL SAFETY AND HEALTH PROGRAM INFORMATION

(a) Copies of the Act, Executive Order 12196, program elements published in this part, details of the agency's occupational safety and health program, and applicable safety and health standards shall be made available upon request to employees or employee representatives for review.

(b) A copy of the agency's written occupational safety and health program applicable to the establishment shall be made available to each supervisor, each occupational safety and health committee member, and to employee representatives.

(c) Each agency shall post conspicuously in each establishment, and keep posted, a poster informing employees of the provisions of the Act, Executive Order 12196, and the agency occupational safety and health program under this part. The Department of Labor will furnish the core text of a poster to agencies. Each agency shall add the following items:

(1) Details of the agency's procedures for responding

to reports by employees of unsafe or unhealthful working conditions, and to allegations of discrimination or reprisal due to participation in safety and/or health activities; (2) the location where employees may obtain information about the agency's occupational safety and health program, including the full text of agency occupational safety and health standards; and (3) relevant information about any agency safety and health committees. Such posters and additions shall not be altered, defaced, or covered by other material.

(d) A copy of the agency's poster shall be provided to the Secretary. If the agency needs assistance and advice on the content and development of the poster, such shall be requested of the Secretary prior to printing and distribution.

(e) Agency heads shall promote employee awareness of occupational safety and health matters through their ordinary information channels, such as newsletters, bulletins and handbooks.

1960.13-15 [RESERVED]

SUBPART C—STANDARDS

1960.16—COMPLIANCE WITH OSHA STANDARDS

Each agency head shall comply with all occupational safety and health standards issued under section 6 of the Act, or with alternate standards issued pursuant to this subpart. In complying with section 6 standards, an agency may, upon prior notification to the Secretary, prescribe and enforce more stringent permissible exposure levels or threshold limit values and may require more frequent monitoring of exposures without recourse to the approval procedures for alternate

standards described in § 1960.17. In addition, after consultation with employees and safety and health committees and prior notification to the Secretary, an agency may utilize the latest edition of a reference standard if it is more stringent than the section 6 standard. After notification, the Secretary may require the use of the approval procedures for alternate standards for any of the situations described in this paragraph.

1960.17—ALTERNATE STANDARDS

An agency head may apply an alternate standard where deemed necessary, and shall, after consultation with employees or their representatives, including appropriate occupational safety and health committees, notify the Secretary and request approval of such alternate standards.

(a) Any request by the head of the agency for an alternate standard shall be transmitted to the Secretary.

(b) Any such request for an alternate standard shall not be approved by the Secretary unless it provides equivalent or greater protection for affected employees. Any such request shall include:

- (1) A statement of why the agency cannot comply with the OSHA standard or wants to adopt an alternate standard;
- (2) A description of the alternate standard;
- (3) An explanation of how the alternate standard provides equivalent or greater protection for the affected employees;
- (4) A description of interim protective measures afforded employees until a decision is rendered by the Secretary of Labor; and
- (5) A summary of written comments, if any, from interested employees, employee representatives, and occupational safety and health committees.

1960.18—SUPPLEMENTARY STANDARDS

(a) In addition to complying with emergency temporary standards issued under section 6 of the Act, an agency head shall adopt such emergency temporary and permanent supplementary standards as necessary and appropriate for application to working conditions of agency employees for which there exists no appropriate OSHA standards. In order to avoid any possible duplication of effort, the agency head should notify the Secretary of the subject matter of such standard when the development of the standard begins.

(b) The agency head shall send a copy of the final draft of the permanent supplementary standard to the Secretary prior to official adoption by the agency, along with any written comments on the standard

from interested employees, employee representatives, and occupational safety and health committees. If the Secretary finds the permanent supplementary standard to be adopted inconsistent with OSHA standards, or inconsistent with OSHA enforcement practices under section 5(a)(1) of the Act, the Secretary shall have 15 working days in which to notify the head of the agency of this finding. In such a case, the supplementary standard shall not be adopted, but the agency will be afforded an opportunity to resubmit a revised standard that is designed to provide adequate protection and is consistent with OSHA standards. Upon request of the agency head, the Secretary shall offer to the agency technical assistance in the development of the supplemental standard.

1960.19—OTHER FEDERAL AGENCY STANDARDS AFFECTING OCCUPATIONAL SAFETY AND HEALTH

(a) Where employees of different agencies engage in joint operations, and/or primarily report to work or carry out operations in the same establishment, the standards adopted under § 1960.17 or § 1960.18 of the host agency shall govern.

(b) There are situations in which the head of an agency is required to comply with standards affecting occupational safety and health issued by a Federal agency other than OSHA. For example, standards issued by the Federal Aviation Administration, the Department of Energy, or the General Services Administration may be applicable to certain Federal workplaces. Nothing in this subpart affects the duty

of any agency head to comply with such standards. In addition, agency heads should comply with other standards issued by Federal agencies which deal with hazardous working conditions, but for which OSHA has no standards.

(c) Although it is not anticipated that standards of other Federal agencies will conflict with OSHA standards, should such conflict occur, the head of the agency shall inform the other Federal agency and the Secretary so that joint efforts to resolve the issues may be undertaken. However, until conflicts are resolved, agencies shall comply with the more protective of the conflicting standards.

1960.20-24 [RESERVED]

SUBPART D—INSPECTION AND ABATEMENT

1960.25—QUALIFICATIONS OF SAFETY AND HEALTH INSPECTORS AND AGENCY INSPECTIONS

(a) Executive Order 12196 requires that each agency utilize as inspectors "personnel with equipment and competence to recognize hazards." Inspections shall be conducted by inspectors qualified to recognize and evaluate hazards of the working environment and to suggest general abatement procedures. Safety and health specialists as defined in § 1960.2(s), with experience and/or up-to-date training in occupational safety and health hazard recognition and evaluation are considered as meeting the qualifications of safety and health inspectors. For those working environ-

ments where there are less complex hazards, such safety and health specializations as cited above may not be required, but inspectors in such environments shall have sufficient documented training and/or experience in the safety and health hazards of the workplace involved to recognize and evaluate those particular hazards and to suggest general abatement procedures. All inspection personnel must be provided the equipment necessary to conduct a thorough inspection of the workplace involved.

(b) Each agency which has workplaces containing information classified in the interest of national security shall provide access to safety and health inspectors who have obtained the appropriate security clearance.

(c) All areas and operations of each workplace, including office operations, shall be inspected at least annually. More frequent inspections shall be conducted in all workplaces where there is an increased risk of

accident, injury, or illness due to the nature of the work performed. Sufficient unannounced inspections and unannounced follow-up inspections should be conducted by the agency to ensure the identification and abatement of hazardous conditions.

(d) When situations arise involving multiple agencies' responsibilities for conditions affecting employee safety and health, coordination of inspection functions is encouraged.

1960.26—CONDUCT OF INSPECTIONS

(a) *Preparation.* (1) Prior to commencement of the inspection, the Safety and Health Inspector shall be provided all available relevant information which pertains to the occupational safety and health of the workplace to be inspected, including safety and health hazard reports, injury and illness records, previous inspection reports, and reports of unsafe and unhealthful working conditions.

(2) The Safety and Health Inspector shall determine in advance, where possible, the actual work procedures and conditions to be inspected, in order to have the proper equipment available to conduct an effective inspection.

(b) *Inspection.* (1) For the purpose of assuring safe and healthful working conditions for employees of agencies, the head of the agency shall authorize safety and/or health inspectors: To enter without delay, and at reasonable times, any building, installation, facility, construction site, or other area, workplace, or environment where work is performed by employees of the agency; to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein; and to question privately any agency employee, and/or any agency supervisory employee, and/or any official in charge of an establishment.

(2) If there are no authorized representatives of employees, the inspector shall consult with a reasonable number of employees during the walkaround.

(3) When, in the opinion of the inspector, it is necessary to conduct personal monitoring (sampling) of employee's work environments, the inspector may request employees to wear reasonable and necessary personal monitoring devices, e.g., noise dosimeters and air sampling pumps, for periods determined by the inspector to be necessary for complete and effective sampling of the environment.

(4) Upon request of the inspector, the employer shall encourage employees to wear the personal environmental monitoring devices during an inspection.

(5) Whenever and as soon as it is concluded on the basis of an inspection that a danger exists which could reasonably be expected to cause death or serious physical harm immediately, the inspector shall inform the affected employees and official in charge of the workplace of the danger. The official in charge of the workplace, or a person empowered to act for that official, shall undertake immediate abatement and the withdrawal of employees who are not necessary for abatement of the dangerous conditions. In the event the official in charge of the workplace needs assistance to undertake full abatement, that official shall promptly contact the Designated Agency Safety and Health Official and other responsible agency officials, who shall assist the abatement effort. Safety and health committees shall be informed of all relevant actions and representatives of the employees shall be so informed.

(6) At the conclusion of an inspection, the Safety and Health Inspector shall confer with the official in charge of the workplace or that official's representa-

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tive, and with an appropriate representative of the employees of the establishment, and informally advise them of any apparent unsafe or unhealthful working conditions disclosed by the inspection. During any such conference, the official in charge of the workplace and the employee representative shall be afforded an opportunity to bring to the attention of the Safety and Health Inspector any pertinent information regarding conditions in the workplace.

(c) *Written reports and notices of unsafe or unhealthful working conditions.* (1) The inspector shall, in writing, describe with particularity the procedures followed in the inspection and the findings which form the basis for the issuance of any Notice of Unsafe or Unhealthful Working Conditions.

(2) Each agency shall establish a procedure for the prompt issuance of a Notice of Unsafe or Unhealthful Working Conditions. Such notices shall be issued not later than 15 days after completion of the inspection for safety violations or not later than 30 days for health violations. If there are compelling reasons why such notice cannot be issued within the 15 days or 30 days indicated, the persons described in paragraph (c)(1)(iii) of this section shall be informed of the reasons for the delay. Such procedure shall include the following: (i) Notices shall be in writing and shall describe with particularity the nature and degree of seriousness of the unsafe or unhealthful working condition, including a reference to the standard or other requirement involved; (ii) the notice shall fix a reasonable time for the abatement of the unsafe or

unhealthful working condition; and (iii) a copy of the notice shall be sent to the official in charge of the workplace, the employee representative who participated in the closing conference, and/or the safety and health committee of the workplace, if any.

(3) Upon receipt of any notice of an unsafe or unhealthful working condition, the official in charge of a workplace shall immediately post such notice, or copy thereof, unedited, except for reason of national security, at or near each place an unsafe or unhealthful working condition referred to in the notice exists or existed. In addition, a notice shall be posted if any special procedures are in effect. Where, because of the nature of the workplace operations, it is not practicable to post the notice at or near each such place, such notice shall be posted, unedited, except for reason of national security, in a prominent place where it will be readily observable by all affected employees. For example, where workplace activities are physically dispersed, the notice may be posted at the location to which employees report each day. Where employees do not primarily work at or report to a single location, the notice may be posted at the location from which the employees operate to carry out their activities.

(4) Each notice of an unsafe or unhealthful working condition, or a copy thereof, shall remain posted until the unsafe or unhealthful working condition has been abated or for 3 working days whichever is later. A copy of the notice will be filed and maintained for a period of five years after abatement at the establishment and made available to the Secretary upon request.

1960.27—REPRESENTATIVES OF OFFICIALS IN CHARGE AND REPRESENTATIVES OF EMPLOYEES

(a) Safety and health inspectors shall be in charge of inspections and may interview any employee in private if the inspector deems it necessary. A representative of the official in charge of a workplace and a representative of employees shall be given an opportunity to accompany Safety and Health Inspectors during the physical inspection of any workplace, both

to aid the inspection and to provide such representatives with more detailed knowledge of any existing or potential unsafe or unhealthful working conditions. The representative of employees shall be selected by the employees. Additional representatives of the official in charge and additional representatives of employees may accompany the Safety and Health In-

spectors if it is determined by the inspector that such additional representatives will further aid the inspection. Different representatives of the employer and employees may be allowed to accompany the Inspector during each different phase of an inspection.

(b) Safety and health inspectors shall be authorized to deny the right of accompaniment under this section to any person whose participation interferes with a fair and orderly inspection.

(c) With regard to facilities classified in the interest of national security, only persons authorized to have

access to such facilities shall be allowed to accompany a Safety and Health Inspector in such areas.

(d) Safety and health inspectors shall consult with employees concerning matters of occupational safety and health to the extent deemed necessary for the conduct of an effective and thorough inspection. During the course of an inspection, any employee shall be afforded an opportunity to bring to the attention of the Safety and Health Inspector any unsafe or unhealthful working condition which the employee has reason to believe exists in the workplace.

1960.28—EMPLOYEE REPORTS OF UNSAFE OR UNHEALTHFUL WORKING CONDITIONS

(a) The purpose of employee reports is to inform agencies of the existence of, or potential for, unsafe or unhealthful working conditions. A report under this part is not a grievance.

(b) This section provides guidance in establishing a channel of communication between agency employees and those with responsibilities for safety and health matters, e.g., their supervisor, the agency safety and health officials, safety and health committees, safety and health inspectors, the head of the agency, or the Secretary. These channels of communication are intended to assure prompt analysis and response to reports of unsafe or unhealthful working conditions in accordance with the requirements of Executive Order 12196. Since many safety and health problems can be eliminated as soon as they are identified, the existence of a formal channel of communication shall not preclude immediate corrective action by an employee's supervisor in response to oral reports of unsafe or unhealthful working conditions where such action is possible. Nor should an employee be required to await the outcome of such an oral report before filing a written report pursuant to the provisions of this section.

(c) Any employee or representative of employees, who believes that an unsafe or unhealthful working condition exists in any workplace where such employee is employed, shall have the right and is encouraged to make a report of the unsafe or unhealthful working condition to an appropriate agency safety and health

official and request an inspection of such workplace for this purpose. The report shall be reduced to writing either by the individual submitting the report or, in the case of an oral notification, by the above official or other person designated to receive the reports in the workplace. Any such report shall set forth the grounds for the report and shall contain the name of the employee or representative of employees. Upon the request of the individual making such report, no person shall disclose the name of the individual making the report or the names of individual employees referred to in the report, to anyone other than authorized representatives of the Secretary. In the case of imminent danger situations, employees shall make reports by the most expeditious means available.

(d) *Reports received by the agency.* (1) Each report of an existing or potential unsafe or unhealthful working condition should be recorded on a log maintained at the establishment. If an agency finds it inappropriate to maintain a log of written reports at the establishment level, it may avail itself of procedures set forth in § 1960.71. A copy of each report received shall be sent to the appropriate establishment safety and health committee.

(2) A sequentially numbered case file, coded for identification, should be assigned for purposes of maintaining an accurate record of the report and the response thereto. As a minimum, each establishment's log should contain the following information: date,

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time, code/reference/file number, location of condition, brief description of the condition, classification (imminent danger, serious or other), and date and nature of action taken.

(3) Executive Order 12196 requires that agency inspections be conducted within 24 hours for employee reports of imminent danger conditions, within three working days for potentially serious conditions, and within 20 working days for other than serious safety and health conditions. However, an inspection may not be necessary if, through normal management action and with prompt notification to employees and safety and health committees, the hazardous condition(s) identified can be abated immediately.

(4) An employee submitting a report of unsafe or unhealthful conditions shall be notified in writing within 15 days if the official receiving the report determines there are not reasonable grounds to believe such a hazard exists and does not plan to make an inspection based on such report. A copy of each such notification shall be provided by the agency to the appropriate certified safety and health committee, where established under Executive Order 12196. An agency's inspection or investigation report, if any, shall be made available to the employee making the report within 15 days after completion of the inspection, for safety violations or within 30 days for health violations, unless there are compelling reasons, and shall be made available to the Secretary or the Secretary's authorized representative on request.

(e) *Reports received by the Secretary of Labor.*

(1) Agency safety and health programs must have provisions for responding to employee's reports of unsafe or unhealthful working conditions and the Secretary encourages employees to use agency procedures as the most expeditious means of achieving abatement of hazardous conditions. It is recognized, however, that employee reports may be received directly by the Secretary.

(2) When such reports are received directly from an employee or employee representative, the Secretary shall, where a certified safety and health committee exists, forward the report to the agency for handling in accordance with procedures outlined in § 1960.28(d). A copy of the responses to the originator shall be sent to the Secretary.

(3) Where there is no certified safety and health committee, or when requested by half the members of a committee, the Secretary may initiate an inspection or other appropriate action. When the Secretary determines that an inspection is warranted, the Secretary shall observe the same response times as required of the agencies under the Executive Order and § 1960.28(d)(3). When the Secretary determines not to make an inspection, the report shall be forwarded to the agency for handling in accordance with procedures outlined in § 1960.28(d). A copy of the response to the originator shall be sent to the Secretary.

1960.29—ACCIDENT INVESTIGATION

(a) While all accidents should be investigated, including accidents involving property damage only, the extent of such investigation shall be reflective of the seriousness of the accident.

(b) In any case, each accident which results in a fatality or the hospitalization of five or more employees shall be investigated to determine the casual factors involved. Except to the extent necessary to protect employees and the public, evidence at the scene of an accident shall be left untouched until inspectors have an opportunity to examine it.

(c) Any information or evidence uncovered during accident investigations which would be of benefit in developing a new OSHA standard or in modifying or

revoking an existing standard should be promptly transmitted to the Secretary.

(d) The investigative report of the accident shall include appropriate documentation on date, time, location, description of operations, description of accident, photographs, interviews of employees and witnesses, measurements, and other pertinent information. A copy of the investigative report required by this section shall be forwarded to the official in charge of the workplace, the appropriate safety and health committee, and the exclusive employee representative, if any. The investigative report shall be made available to the Secretary or his authorized representative on request.

1960.30—ABATEMENT OF UNSAFE OR UNHEALTHFUL WORKING CONDITIONS

(a) The agency shall ensure the prompt abatement of unsafe or unhealthful conditions. Where a Notice of an Unsafe or Unhealthful Working Condition has been issued, abatement shall be within the time set forth in the notice, or in accordance with the established abatement plan.

(b) The procedures for correcting unsafe or unhealthful working conditions shall include a follow-up, to the extent necessary, to determine whether the correction was made. If, upon the follow-up, it appears that the correction was not made, or was not carried out in accordance with an abatement plan prepared pursuant to paragraph (c) of this section, the official in charge of the establishment and the appropriate safety and health committee shall be notified of the failure to abate.

(c) The official in charge of the establishment shall promptly prepare an abatement plan with the appropriate participation of the establishment's Safety and Health Official or a designee, if in the judgment of the establishment official the abatement of an unsafe or unhealthful working condition will not be possible within 30 calendar days. Such plan shall contain an explanation of the circumstances of the delay in abatement, a proposed timetable for the abatement,

and a summary of steps being taken in the interim to protect employees from being injured as a result of the unsafe or unhealthful working condition. A copy of the plan shall be sent to the safety and health committee, and, if no committee exists, to the representative of the employees. Any changes in an abatement plan will require the preparation of a new plan in accordance with the provisions of this section.

(d) When a hazard cannot be abated within the authority and resources of the official in charge of the establishment, that official shall request assistance from appropriate higher authority. The local safety and health official, any established committee and/or employee representatives, and all personnel subject to the hazard shall be advised of this action and of interim protective measures in effect, and shall be kept informed of subsequent progress on the abatement plan.

(e) When a hazard cannot be abated without assistance of the General Services Administration or other Federal lessor agency, the occupant agency shall act with the lessor agency to secure abatement. Procedures for coordination with the General Services Administration are contained in Subpart E of this part.

1960.31—INSPECTIONS BY OSHA

(a) The Secretary or the Secretary's representatives are authorized to conduct, when the Secretary deems necessary, announced or unannounced inspections in the following situations:

(1) Where an agency has not established occupational safety and health committees or where committees no longer operate in conformance to the requirements of subpart F of this part;

(2) In response to a request from half the membership of record of any certified safety and health committee; and

(3) In response to an employee's report of an imminent danger situation, where there is a certified committee, but where the Secretary determines that neither the agency nor the committee has responded to the employee.

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(b) The Secretary's inspectors or evaluators are authorized: to enter without delay, and at reasonable times, any building, installation, facility, construction site, or other area, workplace, or environment where work is performed by employees of the agency; to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment, and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein; and to question privately any employee,

any supervisory employee, and/or any official in charge of an establishment.

(c) The Secretary may also make scheduled inspections as an integral part of OSHA's evaluation of an agency's safety and health program in accordance with Subpart J of this part.

(d) OSHA inspections shall follow the general format set forth for agency inspections in other applicable parts of this subpart.

1960.32-33 [RESERVED]

SUBPART E—GENERAL SERVICES ADMINISTRATION AND OTHER FEDERAL AGENCIES

1960.34—GENERAL PROVISIONS

Within six months of the effective date of this part, the Secretary of Labor and the Administrator of the General Services Administration (GSA) shall initiate a study of conflicts that may exist in their standards concerning Federal buildings, leased space, products purchased or supplied, and other requirements affecting Federal employee safety and health. Both agencies shall establish and publish a joint procedure for resolving conflicting standards. All other Federal agencies that have authority for purchasing equipment, supplies, and materials, and for controlling Government space, as well as the leasing of space, shall also be subject to the requirements of this subpart, including publication of a procedure for resolving conflicting standards.

(a) In order to assist agencies in carrying out their duties under section 19 of the Act, Executive Order 12196, and this part, the Administrator or the Administrator's designee shall:

(1) Upon an agency's request, furnish for any owned or leased space offered to a Federal agency for

occupancy: (i) A report of a recent pre-occupancy inspection to identify serious hazards or serious violations of OSHA standards or approved alternate standards, and (ii) a plan for abatement of the hazards and violations discovered;

(2) Provide space which: (i) meets any special safety and health requirements submitted by the requesting agency, and (ii) does not contain either serious hazards or serious violations of OSHA standards or approved alternate standards which cannot be abated;

(3) Repair, renovate, or alter, upon an agency's request, owned or leased space in a planned and controlled manner to reduce or eliminate, whenever possible, any hazardous exposure to the occupant agency's employees;

(4) Accompany, upon request, the Secretary or the Secretary's designee on any inspection or investigation of a facility subject to the authority of the General Services Administration. Requests made for this purpose shall, whenever possible, be made at the GSA regional level in order to facilitate prompt assistance;

(5) Investigate, upon an official agency request, reports of unsafe or unhealthful conditions within the scope of GSA's responsibility. Such investigation, when requiring an on-site inspection, shall be completed within 24 hours for imminent danger situations, within three working days for potentially serious conditions, and within 20 working days for other safety and health risk conditions;

(6) Abate unsafe or unhealthful conditions disclosed by reports, investigation or inspection within 30 calendar days or submit to the occupant agency's designated liaison official an abatement plan. Such abatement plan shall give priority to the allocation of resources to bring about prompt abatement of the conditions. (GSA shall publish procedures for abatement of hazards in the Federal Property Management Regulations—41 CFR Part 101);

(7) Establish an occupancy permit program which will regulate the types of activities and occupancies in facilities in order to avoid incompatible groupings, e.g., chemical or biological laboratories in office space. GSA shall seek to consolidate Federal laboratory operations in facilities designed for such purposes;

(8) Ensure, insofar as possible, that agency safety and health problems still outstanding are resolved, or otherwise answered by acceptable alternatives prior to renegotiation of leases; and

(9) Ensure that GSA or other Federal lessor agencies' building managers maintain a log of reports of unsafe or unhealthful conditions submitted by tenants to include: date of receipt of report, action taken, and final resolution.

(b) *Product safety.* Agencies such as GSA, DOD, and others which procure and provide supplies, equipment, devices, and material for their own use or use by other agencies, except for the design of uniquely military products as set forth in § 1960.2(i), shall establish and maintain a product safety program which:

(1) Ensures that items procured will allow user agencies to use such products safely for their designed purpose and will facilitate user compliance with all applicable standards.

(2) Requires that products meet the applicable safety and health requirements of Federal law and regulations issued thereunder;

(3) Ensures that hazardous material will be labelled in accordance with current law or regulation to alert

users, shippers, occupational safety and health, and emergency action personnel, and others, to basic information concerning flammability, toxicity, compatibility, first aid procedures, and normal as well as emergency handling and disposal procedures;

(4) Ensures availability of appropriate safety rescue and personal protective equipment to supply user agencies. The writing of Federal procurement specifications will be coordinated by GSA with OSHA/NIOSH as needed to assure purchase of approved products;

(5) Ensures that products recalled by the manufacturer, either voluntarily or by order from a regulatory authority, are removed from inventory. Each recall notice or order shall be forwarded to all agencies which have ordered such product from or through the procuring/supplying Federal agency, e.g., GSA, DOD, etc.;

(6) Includes preparation of FEDSTD 313, Material Safety Data Sheets (MSDS), involving all interested agencies in review to keep the standard current. MSDS provided by agencies or contractors shall meet the requirements of FEDSTD 313 and be furnished to DOD for filing and distribution.

(c) In order to assist agencies in carrying out their duties under section 19 of the Act, Executive Order 12196, and this part, the DOD operates and maintains an automated system to receive, file, reproduce, and make available MSDS data to other Federal agencies through the Government Printing Office or the National Technical Information Services.

(d) All Federal agencies shall use MSDS either provided by DOD, or acquired directly from suppliers, when purchasing hazardous materials (as defined in FEDSTD 313) for local use. These data will be used to develop detailed procedures to advise employees in the workplace of the hazards involved with the materials and to protect them therefrom.

(e) *Safety and health services.* GSA will operate and maintain for user agencies the following services:

(1) Listings in the "Federal Supply Schedule" of safety and health services and equipment which are approved for use by agencies when needed. Examples of such services are: workplace inspections, training, industrial hygiene surveys, asbestos bulk sampling, and mobile health testing; examples of such equipment are: personal protective equipment and apparel, safety devices, and environmental monitoring equipment;

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(2) Rules for assistance in the preparation of agency "Occupant Emergency Plans" (formerly called "Facility Self-Protection Plans"), to be published by GSA at 41 CFR Part 101;

(3) An effective maintenance program in the Inter-agency Motorpool System which will ensure the safety and health of Federal employees utilizing the vehicles. Critical items to be included are: Exhaust systems,

brakes, tires, lights, steering, and passenger restraint or other crash protection systems; and

(4) A rapid response system whereby agencies can alert GSA to unsafe or unhealthful items purchased or contracted for by GSA, which in turn will evaluate the reports, initiate corrective action, as appropriate, and advise use agencies of interim protective measures.

1960.35—NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

(a) The Director of the National Institute for Occupational Safety and Health (NIOSH) shall, upon request by the Secretary, assist in: (1) Evaluations of Federal agency safety and health programs; (2) investigations of possible safety and health hazards; and (3) inspections resulting from employee or committee reports of unsafe or unhealthful working conditions.

(b) The Director of NIOSH shall provide a Hazard Evaluation (HE) program for Federal agencies. This program shall be designed to respond to requests for assistance in determining whether or not safety or health hazards are present in a Federal workplace.

Requests for such Hazard Evaluations may be submitted to the Director by:

- (1) The Secretary of Labor;
 - (2) The Head of a Federal agency;
 - (3) An agency safety and health committee if half the committee requests such service; and
 - (4) Employees who are not covered by a certified safety and health committee.
- (c) The Director of NIOSH may assist agencies by providing hazard alerts, technical services, training materials and conducting training programs upon request by an agency and with reimbursement.

SUBPART F—OCCUPATIONAL SAFETY AND HEALTH COMMITTEES

1960.36—GENERAL PROVISIONS

(a) The occupational safety and health committees described in this subpart are organized and maintained basically to monitor and assist an agency's safety and health program. These committees assist agencies to maintain an open channel of communication between employees and management concerning safety and health matters in agency workplaces. The committees provide a method by which employees can utilize their knowledge of workplace operations to assist agency management to improve policies, conditions, and practices.

(b) Agencies may elect to establish safety and health committees meeting the minimum requirements contained in this subpart. Where such committees are not established or fail to meet the minimum requirements established by the Secretary, the Secretary is authorized by section 1-401(i) of Executive Order 12196 to conduct unannounced inspections of agency workplaces when the Secretary determines them necessary.

1960.37—COMMITTEE ORGANIZATION

(a) For agencies which elect to utilize the committee concept, safety and health committees shall be formed at both the national level and, for agencies with field or regional offices, at appropriate levels within the agency. To realize exemption from unannounced OSHA inspections, an agency must form a committee at the national level and at any establishment or grouping of establishments that is to be exempt, keeping the Secretary advised of the locations and activities where such committees are functioning.

(1) The principal function of the national level committee shall be to consult and provide policy advice on, and monitor the performance of, the agency-wide safety and health program.

(2) Committees at other appropriate levels shall be established at agency establishments or groupings of establishments consistent with the mission, size and organization of the agency and its collective bargaining configuration. The agency shall form committees at the lowest practicable local level. The principal function of the establishment (or local) committees is to monitor and assist in the execution of the agency's safety and health policies and program at the workplaces within their jurisdiction. Any dispute over the meaning of the term "appropriate levels" shall be resolved by the Secretary.

(b) Committees shall have equal representation of management and nonmanagement employees, who shall be members of record.

(1) Management members of both national level and establishment level committees shall be appointed in writing by the person empowered to make such appointments.

(2) Nonmanagement members of establishment level committees shall represent all employees of the establishment and shall be determined according to the following rules:

(i) Where employees are represented under collective bargaining arrangements, members shall be appointed from among those recommended by the exclusive bargaining representative;

(ii) Where employees are not represented under collective bargaining arrangements, members shall be determined through procedures devised by the agency

which provide for effective representation of all employees; and

(iii) Where some employees of an establishment are covered under collective bargaining arrangements and others are not, members shall be representative of both groups.

(3) Nonmanagement members of national level committees shall be determined according to the following rules:

(i) Where employees are represented by organizations having exclusive recognition on an agency basis or by organizations having national consultation rights, some members shall be determined in accordance with the terms of collective bargaining agreements and some members shall be selected from those organizations having consultation rights, and

(ii) Where employees are not represented by organizations meeting the criteria of paragraph (b)(3)(i) of this section, members shall be determined through procedures devised by the agency which provide for effective representation of all employees.

(c) Committee members should serve overlapping terms. Such terms should be of at least two years duration, except when the committee is initially organized.

(d) The committee chairperson shall be nominated from among the committee's members and shall be elected by the committee members. Management and nonmanagement members should alternate in this position. Maximum service time as chairperson should be two consecutive years.

(e) Committees shall establish a regular schedule of meetings and special meetings shall be held as necessary; establishment level committees shall meet at least quarterly and national committees shall meet at least annually.

(f) Adequate advance notice of committee meetings shall be furnished to employees and each meeting shall be conducted pursuant to a prepared agenda.

(g) Written minutes of each committee meeting shall be maintained and distributed to each committee member, and upon request, shall be made available to employees and to the Secretary.

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1960.38—COMMITTEE FORMATION

(a) Upon forming such committees, heads of agencies shall submit information to the Secretary concerning the existence, location, and coverage, in terms of establishments and population, of such committees, certifying to the Secretary that such committees meet the requirements of this subpart. The information submitted should include the name and telephone numbers of the chairperson of each committee, and should be updated annually as part of the annual report required by § 1960.74 to reflect any changes that may have occurred.

(b) If, upon evaluation, the Secretary determines that the operations of a committee do not meet the requirements of this subpart, the Secretary shall notify the agency and identify the deficiencies to be remedied. If the agency does not satisfy the Secretary within 90 days that the committee meets the requirements of this subpart, the committee shall not be deemed a committee under Executive Order 12196 and this part.

1960.39—AGENCY RESPONSIBILITIES

(a) Agencies shall make available to committees all agency information relevant and necessary to their duties, except where prohibited by law. Examples of such information include, but are limited to: The agency's safety and health policies and program; human and financial resources available to implement the program; accident, injury, and illness data; epidemiological data; employee exposure monitoring data;

Material Safety Data Sheets; inspection reports; reprisal investigation reports; abatement plans; NIOSH hazard evaluation reports; and internal and external evaluation reports.

(b) Agencies shall provide all committee members appropriate training as required by subpart H of this part.

1960.40—ESTABLISHMENT COMMITTEE DUTIES

(a) The safety and health committee is an integral part of the safety and health program, and helps ensure effective implementation of the program at the establishment level.

(b) An establishment committee formed under this subpart shall, except where prohibited by law:

(1) Monitor and assist the safety and health program at establishments under its jurisdiction and make recommendations to the official in charge on the operation of the program;

(2) Monitor findings and reports of workplace inspections to confirm that appropriate corrective measures are implemented;

(3) When requested by the agency Safety and Health Official, or when the committee deems it necessary for effective monitoring of agency establishment inspection procedures, participate in inspections of the establishment;

(4) Review internal and external evaluation reports and make recommendations concerning the establishment safety and health program;

- (5) Review, and recommend changes, as appropriate, to procedures for handling safety and health suggestions and recommendations from employees;
- (6) When requested by the Designated Agency Safety and Health Official, or when the committee deems it necessary, comment on standards proposed pursuant to the provisions of Subpart C of this part;
- (7) Monitor and recommend changes, as required, in the level of resources allocated and spent on the establishment safety and health program;
- (8) Review agency responses to reports of hazardous conditions, safety and health program deficiencies, and allegations of reprisal;
- (9) Report their dissatisfaction to the Secretary if half a committee determines there are deficiencies in the establishment's safety and health program or is not satisfied with the agency's reports of reprisal investigations; and
- (10) Request the Secretary to conduct an evaluation or inspection if half the members of record are not satisfied with an agency's response to a report of hazardous working conditions.

1960.41—NATIONAL COMMITTEE DUTIES

National committees established under this subpart shall, except where prohibited by law:

- (a) Monitor performance of the agency safety and health program and make policy recommendations to the head of the agency on the operation of the program;
- (b) Monitor and assist in the development and operation of the agency's establishment committees. As the committee deems appropriate, monitor and review: Reports of inspections; internal and external evaluation reports; agency safety and health training programs; proposed agency standards; agency plans for abating hazards; and responses to reports of hazardous conditions; safety and health program deficiencies; and allegations of reprisal;
- (c) Monitor and recommend changes in the resources allocated to the entire agency safety and health program;
- (d) Report their dissatisfaction to the Secretary if half a committee determines there are deficiencies in the agency's safety and health program or is not satisfied with the agency's reports of reprisal investigations; and
- (e) Request the Secretary to conduct an evaluation or inspection if half the members of record are not satisfied with an agency's response to a report of hazardous working conditions.

1960.42-45 [RESERVED]

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SUBPART G—ALLEGATIONS OF REPRISAL

1960.46—AGENCY RESPONSIBILITY

(a) The head of each agency shall establish procedures to assure that no employee is subject to restraint, interference, coercion, discrimination or reprisal for filing a report of an unsafe or unhealthful working condition, or other participation in agency occupational safety and health program activities, or because of the exercise by such employee on behalf of himself or herself or others of any right afforded by section 19 of the Act, Executive Order 12196, or this part. These rights include, among other, the right of an employee to decline to perform his or her assigned task because of a reasonable belief that, under the

circumstances, the task poses an imminent risk of death or serious bodily harm coupled with a reasonable belief that there is insufficient time to seek effective redress through normal hazard reporting and abatement procedures established in accordance with this part.

(b) Based on the Secretary's evaluation of agencies' procedures for protecting employees from reprisal, the Secretary shall report to the President by September 30, 1982 his findings and recommendations for improvements in procedures for the investigation and resolution of allegations of reprisal.

1960.47—RESULTS OF INVESTIGATIONS

Each agency shall keep occupational safety and health committees advised of agency activity regarding allegations of reprisal and any agency determina-

tions thereof. Agency officials shall provide copies of reprisal investigation findings, if any, to the Secretary and to the appropriate safety and health committee.

1960.48-53 [RESERVED]

SUBPART H—TRAINING

1960.54—TRAINING OF TOP MANAGEMENT OFFICIALS

Each agency shall provide top management officials with orientation and other learning experiences which will enable them to manage the occupational safety and health programs of their agencies. Such orienta-

tion should include coverage of section 19 of the Act, Executive Order 12196, the requirements of this part, and the agency safety and health program.

1960.55—TRAINING OF SUPERVISORS

(a) Each agency shall provide occupational safety and health training for supervisory employees that includes: supervisory responsibility for providing and maintaining safe and healthful working conditions for employees, the agency occupational safety and health program, section 19 of the Act, Executive Order 12196, this part, occupational safety and health standards applicable to the assigned workplaces, agency procedures for reporting hazards, agency procedures for reporting and investigating allegations of reprisal, and agency procedures for the abatement of hazards, as well as other appropriate rules and regulations.

(b) This supervisory training should include introductory and specialized courses and materials which will enable supervisors to recognize and eliminate, or reduce, occupational safety and health hazards in their working units. Such training shall also include the development of requisite skills in managing the agency's safety and health program within the work unit, including the training and motivation of subordinates toward assuring safe and healthful work practices.

1960.56—TRAINING OF SAFETY AND HEALTH SPECIALISTS

(a) Each agency shall provide occupational safety and health training for safety and health specialists through courses, laboratory experiences, field study, and other formal learning experiences to prepare them to perform the necessary technical monitoring, consulting, testing, inspecting, designing, and other tasks related to program development and implementation, as well as hazard recognition, evaluation and

control, equipment and facility design, standards, analysis of accident, injury, and illness data, and other related tasks.

(b) Each agency shall implement career development programs for their occupational safety and health specialists to enable the staff to meet present and future program needs of the agency.

1960.57—TRAINING OF SAFETY AND HEALTH INSPECTORS

Each agency shall provide training for safety and health inspectors with respect to appropriate standards, and the use of appropriate equipment and testing procedures necessary to identify and evaluate

hazards and suggest general abatement procedures during or following their assigned inspections, as well as preparation of reports and other documentation to support the inspection findings.

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1960.58—TRAINING OF COLLATERAL DUTY SAFETY AND HEALTH PERSONNEL AND COMMITTEE MEMBERS

Within six months after October 1, 1980, or on appointment of an employee to a collateral duty position or to a committee, each agency shall provide training for collateral duty safety and health personnel and all members of certified occupational safety and health committees commensurate with the scope of their assigned responsibilities. Such training shall include: The agency occupational safety and health

program; section 19 of the Act; Executive Order 12196; this part; agency procedures for the reporting, evaluation and abatement of hazards; agency procedures for reporting and investigating allegations of reprisal, the recognition of hazardous conditions and environments; identification and use of occupational safety and health standards, and other appropriate rules and regulations.

1960.59—TRAINING OF EMPLOYEES AND EMPLOYEE REPRESENTATIVES

(a) Each agency shall provide appropriate safety and health training for employees including specialized job safety and health training appropriate to the work performed by the employee, for example: Clerical; printing; welding; crane operation; chemical analysis, and computer operations. Such training also shall inform employees of the agency occupational safety and health program, with emphasis on their rights and responsibilities.

(b) Occupational safety and health training for employees of the agency who are representatives of

employee groups, such as labor organizations which are recognized by the agency, shall include both introductory and specialized courses and materials that will enable such groups to function appropriately in ensuring safe and healthful working conditions and practices in the workplace and enable them to effectively assist in conducting workplace safety and health inspections. Nothing in this paragraph shall be construed to alter training provisions provided by law, Executive Order, or collective bargaining arrangements.

1960.60—TRAINING ASSISTANCE

(a) Agency heads may seek training assistance from the Secretary of Labor, the National Institute for Occupational Safety and Health and other appropriate sources.

(b) After the effective date of Executive Order 12196, the Secretary shall, upon request and with reimbursement, conduct orientation for Designated Agency Safety and Health Officials and/or their designees which will enable them to manage the occupational safety and health programs of their agencies. Such orientation shall include coverage of section 19 of the Act, Executive Order 12196, and the requirements of this part.

(c) Upon request and with reimbursement, the Department of Labor shall provide each agency with

training materials to assist in fulfilling the training needs of this subpart, including resident and field training courses designed to meet selected training needs of agency safety and health specialists, safety and health inspectors, and collateral duty safety and health personnel. These materials and courses in no way reduce each agency's responsibility to provide whatever specialized training is required by the unique characteristics of its work.

(d) In cooperation with OPM, the Secretary will develop guidelines and/or provide materials for the safety and health training programs for high-level managers, supervisors, members of committees, and employee representatives.

1960.61-65 [RESERVED]

SUBPART I—RECORDKEEPING AND REPORTING REQUIREMENTS

1960.66—PURPOSE, SCOPE AND GENERAL PROVISIONS

(a) The purpose of this subpart is to establish uniform requirements for the collection and compilation by agencies of occupational safety and health data, for proper evaluation and necessary corrective action and to assist the Secretary in meeting the requirement to develop and maintain an effective program of collection, compilation, and analysis of occupational safety and health statistics. The term "incident" as herinafter used in this subpart shall include all occupational injuries and illnesses.

(b) In order to perform his duties under section 19 of the Act and Executive Order 12196, particularly with respect to providing the President with current information about the Federal agency safety and health program, it is necessary that the Secretary be promptly informed of serious incidents involving agency

employees as provided in § 1960.70. Assistance to agencies in the investigation of such incidents is available pursuant to the provisions of Executive Order 12196 and this subpart.

(c) Each agency shall utilize the information collected through its management information system to identify unsafe and unhealthful working conditions, and to establish program priorities.

(d) The Department of Labor shall provide Federal agencies with the forms and instructions for meeting the recordkeeping specified in §§ 1960.67, 1960.68, and 1960.69.

(e) The provisions of this subpart are not intended to discourage agencies from utilizing recordkeeping and reporting forms which contain a more detailed break-

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down of information than the forms provided by the Department of Labor.

(f) Information required to be submitted to the Department of Labor by this subpart may be submitted on media processable by electronic data processing equipment provided that such: media comply with the requirements of the Office of Federal Agency Programs, U.S. Department of Labor.

(g) Information concerning occupational injuries and illnesses or accidents which, pursuant to statute or Executive Order, must be kept secret in the interest of national defense or foreign policy, shall be recorded on separate forms. Such records shall not be submitted to the Department of Labor, but may be used by the appropriate Federal agency in evaluating the agency's program to reduce occupational injuries, illnesses and accidents.

1960.67—RECORD OR LOG OF OCCUPATIONAL INJURIES AND ILLNESSES

(a) Each Federal agency shall maintain a record or log of all recordable occupational injuries and illnesses for each establishment. Except as provided in § 1960.71 (b) and (c), the log is to be maintained at the establishment.

(b) Within six working days after receiving information on a recordable occupational injury or illness, appropriate information concerning such injury or illness shall be entered on the record or log. For this

purpose, OSHA Form No. 200 or its equivalent, shall be used and shall be completed in the detail required by that form and the instructions contained therein.

(c) As a minimum, any occupational injury or illness reported by an employee on a Form CA-1 or CA-2 (except first aid cases) to the Office of Workers' Compensation Programs (OWCP), Department of Labor, shall be considered recordable on the log.

1960.68—SUPPLEMENTARY RECORD OF OCCUPATIONAL INJURIES AND ILLNESSES

In addition to the record or log of occupational injuries and illnesses provided for under § 1960.67, each Federal agency shall maintain a supplementary record for each occupational injury and illness. The record shall be completed within six working days after the receipt of information that a recordable

occupational injury or illness has occurred. For this purpose, OSHA Form No. 101, or OWCP Forms CA-1 and CA-2, or the equivalent, shall be completed in the detail required by the forms and the instructions; therein.

1960.69—ANNUAL SUMMARIES OF FEDERAL OCCUPATIONAL INJURIES AND ILLNESSES

(a) Each Federal agency, on a fiscal year basis; shall compile an annual summary of occupational injuries and illnesses as prescribed in OSHA publication 2014. The summaries shall be based on the record or log of occupational injuries and illnesses maintained pursuant to § 1960.67.

(b) At the agency's option, and consistent with the Privacy Act considerations and applicable bargaining

agreements, the last page of the record or log of occupational injuries and illnesses may be posted as the Annual Summary of Federal Occupational Injuries and Illnesses.

(c) Each agency shall furnish the Department of Labor with a copy of its summary upon request of the Secretary.

1960.70—REPORTING OF SERIOUS ACCIDENTS

(a) Within 48 hours after the occurrence of an employment accident, the head of the Federal agency shall report by telephone or telegraph to the Office of Federal Agency Programs:

- (1) Any occupational accident which is fatal to one or more employees;
- (2) Any occupational accident which results in the hospitalization of five or more employees;
- (3) Any occupational illness which results in death; or
- (4) Any occupational accident involving both Federal and non-Federal employees which results in a fatality or the hospitalization of five or more such employees.

Accidents not immediately reportable, but which result in death within six months of the date of the accident, shall be reported within 48 hours of the time the employer becomes aware of the death.

(b) The report shall relate the circumstances of the accident, names of individuals involved, any actions taken by the agency, the number of fatalities, and/or injuries and illnesses and the extent of any injuries. The Secretary may require such additional information in writing or otherwise, as he deems necessary.

1960.71—LOCATION AND UTILIZATION OF RECORDS AND REPORTS

(a) The provisions of this section, dealing with the availability of information compiled pursuant to this subpart, are designed to guide agencies in providing agency employees and their representatives with the basic information necessary to assure that they can

actively participate in an agency safety and health program. The provisions of this section are also designed to encourage agencies to allow agency safety and health inspectors to have direct access to the accident, injury and illness records of the establish-

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ments they are inspecting in order that they may better carry out their duties pursuant to subpart D of this part.

(b) The log and supplementary records required by §§ 1960.67 and 1960.68 shall be maintained at each establishment. Where, for reasons of efficient administration or practicality, an agency must maintain these records at a place other than at each establishment, such agency shall ensure that there is available at each establishment a copy of these records. These records shall be complete and as current as possible; in no case shall more than 45 days elapse after the recording of an illness or injury occurring in an establishment and the availability of records reflecting that injury or illness at that establishment.

(c)(1) For agencies engaged in activities such as agriculture, construction, transportation, communications, and electric, gas and sanitary services, which may be physically dispersed, the log and supplementary records, or copies thereof, may be maintained at a place to which employees report each day.

(2) For personnel who do not primarily report or work at a single establishment, and who are generally not supervised in their daily work, such as traveling employees, technicians, engineers, etc., the log and supplementary records, or copies thereof, may be maintained at the base from which personnel operate to carry out their activities.

(d) Each Federal agency shall post a copy of its agency annual summary of Federal occupational injuries and illnesses for an establishment, as compiled pursuant to §§ 1960.67 or 1960.69, at such establishment, not later than 45 calendar days after the close of the fiscal year or otherwise disseminate a copy of the annual summary for an establishment in written form to all employees of the establishment. Copies of the annual summary shall be posted for a minimum of 30 consecutive days in a conspicuous place or places in the establishment where notices to employees are customarily posted. Where establishment activities are physically dispersed, the notice may be posted at the location to which employees report each day. Where employees do not primarily work at or report to a single location, the notice may be posted at the location from which the employees operate to carry out their activities. Each Federal agency shall take necessary steps to ensure that such summary is not altered, defaced, or covered by other material.

(e) The head of each agency shall ensure access to establishment logs and annual summaries by the establishment's, Occupational Safety and Health Committees, employees, former employees and employee representatives.

(f) Agency safety and health inspectors shall also have access to accident, injury and health records maintained under this subpart and in accordance with the provisions of § 1960.26(a)(1).

1960.72—ACCESS TO RECORDS BY SECRETARY

The records required to be maintained under the provisions of this subpart shall also be available and made accessible to the Secretary or his authorized

representative (including personnel of the National Institute for Occupational Safety and Health).

1960.73—RETENTION OF RECORDS

The records and reports required to be maintained under the provisions of this subpart shall be retained by each agency for five years following the end of the fiscal year to which they relate, at any location including a Federal record retention center, to which

the Secretary or his authorized representative would have reasonable access. In addition, records required by OSHA standards shall be retained in accordance with those standards.

1960.74—AGENCY ANNUAL REPORTS

(a) The Act and E.O. 12196 require all Federal agency heads to submit to the Secretary an annual report on their agency's occupational safety and health program, containing such information as the Secretary prescribes.

(1) Each agency shall submit to the Secretary by January 1 of each year a report describing the agency occupational safety and health program of the previous fiscal year, and objectives for the current year. The report shall include a summary of the agency's self-evaluation findings as required by § 1960.78(b).

(2) The Secretary shall furnish guidelines to agency heads by January 1 each year concerning the preparation of this report for the coming fiscal year.

(3) The agency reports shall be used in the preparation of the Secretary's report to the President.

(b) The Secretary shall submit to the President by October 1 of each year a summary report of the status of the occupational safety and health of Federal employees, based on agency reports, evaluations of individual agency progress and problems in correcting unsafe and unhealthful working conditions, and recommendations for improving their performance.

1960.75—1960.77 [RESERVED]

OCCUPATIONAL SAFETY AND HEALTH

SUBPART J—EVALUATION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH PROGRAMS

1960.78—PURPOSE AND SCOPE

(a) The purpose of this subpart is to establish a comprehensive program for the evaluation of Federal employee occupational safety and health programs. This subpart includes the responsibilities of agency heads in conducting self-evaluations of the effectiveness of their occupational safety and health programs, and the responsibilities of the Secretary in evaluating the extent to which each agency head has developed and implemented agency programs in accordance with the requirements of Executive Order 12196 and this part.

(b) Agency heads shall develop and implement a program for evaluating the effectiveness of their agency's occupational safety and health program. An annual summary report shall be submitted to the

Secretary covering self-evaluations conducted during the previous year.

(c) The Secretary shall conduct a comprehensive evaluation of each Federal agency's occupational safety and health program. Evaluations shall be conducted on a regular schedule to determine the performance levels of each agency's program. The Secretary shall submit to the President each year: A summary report of the status of the occupational safety and health of Federal employees; Department of Labor evaluations, together with agency responses, of individual agency progress and problems in correcting unsafe and unhealthful working conditions; and recommendations for improving agency's performance.

1960.79—SELF-EVALUATIONS OF OCCUPATIONAL SAFETY AND HEALTH PROGRAMS

Agency heads shall develop and implement a program of self-evaluations to determine the effectiveness of their occupational safety and health programs. The self-evaluations are to include qualitative assessments of the extent to which their agency safety and health programs are:

(a) Developed in accordance with the requirements set forth in Executive Order 12196 and this part, and

(b) Implemented effectively in all agency field activities.

Agencies needing assistance in developing a self-evaluation program should contact the Secretary.

1960.80—SECRETARY'S EVALUATIONS OF AGENCY OCCUPATIONAL SAFETY AND HEALTH PROGRAMS

- (a) In accordance with section 1-401(h), the Secretary shall develop a comprehensive program for evaluation an agency's occupational safety and health program. To accomplish this, the Secretary shall conduct:
- (1) A complete and extensive evaluation of all elements of an agency's occupational safety and health program on a regular basis;
 - (2) Special studies of limited areas of an agency's occupational safety and health program as deemed necessary by the Secretary; and
 - (3) Field reviews and scheduled inspections of agency workplaces as deemed necessary by the Secretary.
- (b) The Secretary shall develop and distribute to Federal agencies detailed information on the Department of Labor's evaluation program. The information shall include, but is not limited to:
- (1) The major program elements included in a complete and extensive evaluation of an agency's occupational safety and health program;
 - (2) The methods and factors used to determine the effectiveness of each element of an agency's program;
 - (3) The factors used to define "large" or "more hazardous" Federal agencies, establishments, or operations;
 - (4) The procedures for conducting evaluations including field visits and scheduled inspections; and
 - (5) The reporting format for agency heads in submitting annual summaries of their self-evaluation programs.
- (c) Prior to the initiation of an agency evaluation, the Department of Labor will review the annual agency self-evaluation summary report. The Secretary will then develop a program evaluation plan before the initiation of an agency evaluation. A copy of the plan shall be furnished to the agency to be evaluated at the time of the notification of the evaluation.
- (d) To facilitate the evaluation process and to insure full understanding of the procedures to be followed and the support required from the agency, the Secretary, or the Secretary's representative, shall conduct an opening conference with the agency head or designee. At the opening conference, the Secretary's authority and evaluation plan will be explained.
- (e) The agency evaluation should be completed within 90 calendar days of the date of the opening conference.
- (f) A report of the evaluation shall be submitted to the agency head by the Secretary within 90 calendar days from the date of the closing conference.
- (g) Agency heads shall respond to the evaluation report within 60 calendar days of receipt of the report.

1960.81-83 [RESERVED]

OCCUPATIONAL SAFETY AND HEALTH

SUBPART K—FIELD FEDERAL SAFETY AND HEALTH COUNCILS

1960.84—PURPOSE

(a) Executive Order 12196 provides that the Secretary shall “facilitate the exchange of ideas and information throughout the Government about occupational safety and health.”

(b) Consistent with this objective, the Secretary will continue to sponsor and/or provide guidance for those Field Federal Safety and Health Councils now established and in operation, and establish new field coun-

cils as necessary. The field councils will consist primarily of qualified representatives of local area Federal field activities whose duties pertain to occupational safety and health, and also of representatives of recognized local labor organizations, or other civilian employee organizations, at local area Federal field activities. For the purpose of this subpart the definition of field activity will be provided by each agency.

1960.85—ROLE OF THE SECRETARY

(a) The Secretary shall maintain liaison with agency heads to ensure that they encourage their field activities to participate actively in field council programs. To ensure maximum participation, the field councils' annual reports to the Secretary shall provide descriptions of the degree of management and employee participation by the defined Federal field activities. The Secretary shall annually furnish each agency head with a report consolidating the information received as to the participation of the agency's several field installations in field council activities.

(b) The Secretary shall provide leadership and guidance and make available necessary equipment, supplies, and staff services to the Field Federal Safety and Health Councils to assist them in carrying out their responsibilities. The Secretary shall also provide consultative and technical services to field councils. These services shall involve aid in any phase of developing and planning programs; and in sponsoring, conducting or supporting safety and health training courses.

1960.86—ESTABLISHING COUNCILS

(a) Those field councils established and in operation prior to the effective date of this subpart will continue to function without interruption provided they are operating in accordance with the provision of their charter and this subpart.

(b) The Secretary may establish a council in any area where ten or more Federal establishments totaling 300 or more employees are located within an area having a radius of 50 miles, and there is substantial agreement among the agencies that such a council would be useful. In any such area where there is no council already established, a field representative of the Secretary may, upon his own initiative or at the request of any establishment within the area, contact

representatives of all establishments within the area and encourage the organization of a field council.

(c) After a new council has been organized, officers elected, and articles of organization drafted and accepted by the council membership, a formal request for recognition as a field council shall be sent to the Secretary. Upon approval of the Articles of Organization, a charter will be issued.

(d) At the first general meeting of the council, committees should be appointed and the cooperation of all participants should be solicited to aid the functioning of committees and the successful accomplishment of the council's objectives.

1960.87—OBJECTIVES

The basic objective of field councils is to facilitate the exchange of ideas and information to assist agencies to reduce the incidence, severity and cost of occupational accidents, injuries, and illnesses. Field councils shall act on behalf of the Secretary or his designees on occupational safety and health activities in carrying out within their respective geographic areas the following functions:

(a) To act as a clearinghouse on information and data on occupational accidents, injuries, and illnesses and their prevention.

(b) To plan, organize and conduct field council meetings or programs which will give technical advice and information on occupational safety and health to representatives of participating agencies and employee organizations.

(c) To promote improvement of safety and health programs and organizations in each Federal agency represented or participating in council activities.

(d) To promote coordination, cooperation, and sharing of resources and expertise to aid agencies with inade-

quate or limited resources. These objectives can be accomplished in a variety of ways. For example, field councils could organize and conduct training programs for employee representatives, collateral duty and professional safety and health personnel, coordinate or promote programs for inspections, or, on request, conduct inspections and evaluations of the agencies' safety and health programs.

(e) To provide Federal Executive Boards, Federal Executive Associations, labor union organizations and other employee representatives with information on the administrative and technical aspects of safety and health programs.

(f) To evaluate the safety and health problems peculiar to local conditions and facilitate solutions to these problems through council activities.

(g) To develop a cooperative relationship with local community leaders by informing them of the existing functions and objectives of the council and by calling on them for support and participation in council meetings and activities.

1960.88—MEMBERSHIP AND PARTICIPATION

(a) Each field council shall consist of the designated representatives of local Federal activities appointed by their respective activity heads, after consultation with appropriate employee representatives and appropriate certified safety and health committees.

(b) Federal agency heads should encourage each field activity having responsibility for the safety and health of agency employees to participate in the programs of these councils.

(c) Each activity head shall appoint an equal number of officially designated representatives (with designated alternates), from management and from nonmanagement employees, consistent with applicable collective bargaining arrangements.

(d) Representatives shall be selected from individuals in the following categories:

(1) Federal occupational safety and health professionals.

(2) Related Federal professionals, or collateral duty personnel. This includes persons employed in professions or occupations related to or concerned with safety and health of employees.

(3) Line management officials.

(4) Representatives of recognized Federal labor or other employee organizations.

(i) Where certified occupational safety and health committees exist, nonmanagement members of the committees shall be given the opportunity to select one individual for official appointment to field councils by the activity head.

(ii) Where employees are represented by collective bargaining arrangements, but no committee exists,

nonmanagement members of field councils shall be selected from among those recommended by the exclusive bargaining representatives for official appointment to field councils by the activity head.

(iii) Where some employees in an activity are represented by collective bargaining arrangements and others are not, the agency head should solicit nominations for the agency's designated nonmanagement representative and alternate both from lawful labor organization(s) with collective bargaining status and from employees not represented through collective bargaining and should select from the nominees for official appointment as designated employee representatives on the field council.

(e) Representatives from non-Federal organizations. Associate membership may be granted to any non-Federally employed person who demonstrated interest in occupational safety and health. An associate member has no voting rights and may not hold any office.

(f) No maximum limitation shall be imposed by a council on itself, in regard to the numbers of personnel in any of the above categories that may attend meetings and/or participate in field council activities. An agency is free to have any number of individuals, in addition to the officially designated representatives, participate in council activities.

(g) Only officially designated agency representatives or their alternates shall have voting privileges. All representatives and participants shall serve without additional compensation.

(h) Travel funds shall be made available equally to management and nonmanagement employee representatives.

1960.89—ORGANIZATION

(a) Field council officers shall include, as a minimum, a chairperson, vice chairperson, and secretary. Officers shall be elected for a one or two-year term on a

calendar year basis by a majority vote of the designated representatives. Election of officers shall be held at least 60 days before the beginning of a calendar year.

The election may be conducted at a regularly scheduled meeting or by letter ballot.

(b) Each council shall notify the appropriate OSHA Regional Office and the Office of Federal Agency Safety and Health Programs of the name, agency address, and telephone number of each newly elected official.

(c) Each council shall have an Executive Committee consisting of all elected officers, chairpersons of ap-

pointed committees and the immediate past chairperson of the field council.

(d) In addition to the Executive Committee, each council shall have either a membership committee, a program committee and a finance committee, or a council official designated responsibility in these areas. Additional committees may be appointed by the chairperson for specific purposes as warranted.

1960.90—OPERATING PROCEDURES

(a) The Executive Committee of each council shall meet at least 45 days before the beginning of each calendar year to approve an annual program for the council designed to accomplish the objectives and functions stated in § 1960.87. In addition, the Executive Committee shall meet periodically to ensure that the meetings and other activities of the council are being conducted as outlined in the council schedule.

(b) The council program shall include at least four meetings or activities per year dealing with occupational safety and health issues.

(c) Each field council shall submit to the Secretary or his designee by March 15 of each year a report describing the activities and programs of the previous calendar year and plans for the current year. In addition, the report shall address the participation and attendance of designated representatives of the coun-

cil. The Office of Federal Agency Safety and Health Programs, OSHA, shall furnish guidelines to field councils concerning the preparation of this report.

(d) Upon determination that a council is not operating in accordance with its charter and the provisions of this subpart, and after consultation with appropriate OSHA regional officials, the Secretary shall revoke the council's charter. Upon revocation of a charter, the council shall surrender all its government property to the appropriate OSHA regional official. Any continuing or future organization in the same geographical area shall not use the title Field Federal Safety and Health Council, or any derivation thereof, unless formally rechartered by the Secretary. Notification of revocation of a council's charter shall be sent to the chairperson, where identifiable, and to the appropriate OSHA Regional Office.

1960.91 [RESERVED]

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Central Intelligence Agency

Asbestos Abatement Program

1. Asbestos Definition

a. Naturally Occurring Fibrous Mineral

- (1) Chrysotile
- (2) Amosite

b. Insulation Types

- (1) Friable, Sprayed-On
- (2) Wrapped, Woven

2. OSHA Standard

- a. No Standard For Bulk Asbestos
- b. Airborne Standard is 2.0 f/cc
- c. CIA Internal Standard is 0.1 f/cc

3. Areas Containing Significant Amounts of Bulk Asbestos

- a. Headquarters: Basement, Ground, Penthouses, Main Auditorium, Power House
- b. NPIC: Fifth and Sixth Floors

4. Areas Containing Moderate Amounts of Bulk Asbestos

South, Central, East Buildings, OTS 3, Headquarters
First and Seventh Floors,

[Redacted]

[Redacted]

5. Problems

- a. Renovations
- b. Pipe Maintenance
- c. Computer, Telephone Cabling

6. Future Concerns

a. Comprehensive Identification Survey For Headquarters

b. Asbestos Building Materials

[Redacted]

c. Asbestos

[Redacted]

- (1) SD/OMS Identification Surveys
- (2) Professional Removal Difficulties

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Asbestos Abatement Program for Remington-Rand SafesJuly 1985 Status Report

1. Background

a. The asbestos is located in each drawer head strip of the Remington Rand (RR) safe, not within the inner liner or firewall.

b. Asbestos is not a hazard while it is bound inside a substrate, like a woven strip. To become a potential hazard, it must first become airborne and be inhaled at significant levels. Airborne asbestos can be generated by a deteriorated or badly worn RR safe drawer head strip.

c. Analytical monitoring has demonstrated that the levels of airborne asbestos generated by a typical RR safe are insignificant, and compatible with those levels typically encountered in an outdoor environment.

d. All RR safes in the metro area were inspected in April 1985 to ensure the asbestos strips were in good condition. All strips were found to be in good condition.

e. In response to employee concerns, it was decided to encapsulate the asbestos strips in all RR safes, or replace the RR safes with nonasbestos-containing safes, regardless of the condition of the asbestos strips. Encapsulation is only an interim abatement measure; the ultimate goal of the program is total replacement of the RR safes. This policy is also in accordance with Office of Security guidelines.

2. Overall Status

RR Safes Needing Encapsulating or Replacement

<u>DATE</u>	<u>HEADQUARTERS</u>	<u>OUTLYING BUILDINGS</u>
a. August 1983	1283	197
b. July 1985	<u>637</u> <i>1283</i>	0

CIA Registry
85-2324

8 JUL
1985

MEMORANDUM FOR: CIA Occupational Safety and Health Committee
Members and Technical Advisors

FROM: James H. McDonald, Chairman
CIA Occupational Safety and Health
Committee

SUBJECT: Meeting, CIA Occupational Safety and Health
Committee

1. A meeting of the CIA Occupational Safety and Health Committee and its Technical Advisors, is scheduled for 1400 hours on 25 July 1985. The meeting is expected to last approximately 1 hour.

2. The agenda for the meeting is attached. Also, you are encouraged to bring any significant fire, safety, or health items to the attention of the Committee at the conclusion of the formal agenda.

3. Please make every effort to attend this meeting or send an appropriate representative if you cannot be there.

4. Any questions may be addressed to me on extension or to Chief/Safety Division on extension

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~~James H. McDonald~~

Attachment

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CENTRAL INTELLIGENCE AGENCY

Occupational Safety and Health Committee

Meeting Agenda

1400 - 1500 Hours

25 July 1985

7D32, Headquarters Building

1. Introduction of Chairman
2. Introduction of Committee Members and Technical Advisors, and Deputy Chief, Safety Division, OMS
3. Occupational Safety and Health Program
4. Update, asbestos, Remington Rand Safes
5. Briefing on Agency's Asbestos Abatement Program
6. Open for comments or questions concerning the report of Accident Analyses for CY 1984.

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OCCUPATIONAL SAFETY AND HEALTH PROGRAM
CENTRAL INTELLIGENCE AGENCY

CIA SAFETY & HEALTH PROGRAM

PURPOSE: Ensure safe and healthful working conditions and environments for employees of the Central Intelligence Agency. STAT

Designated Safety and Health Official

Harry Fitzwater, DDA

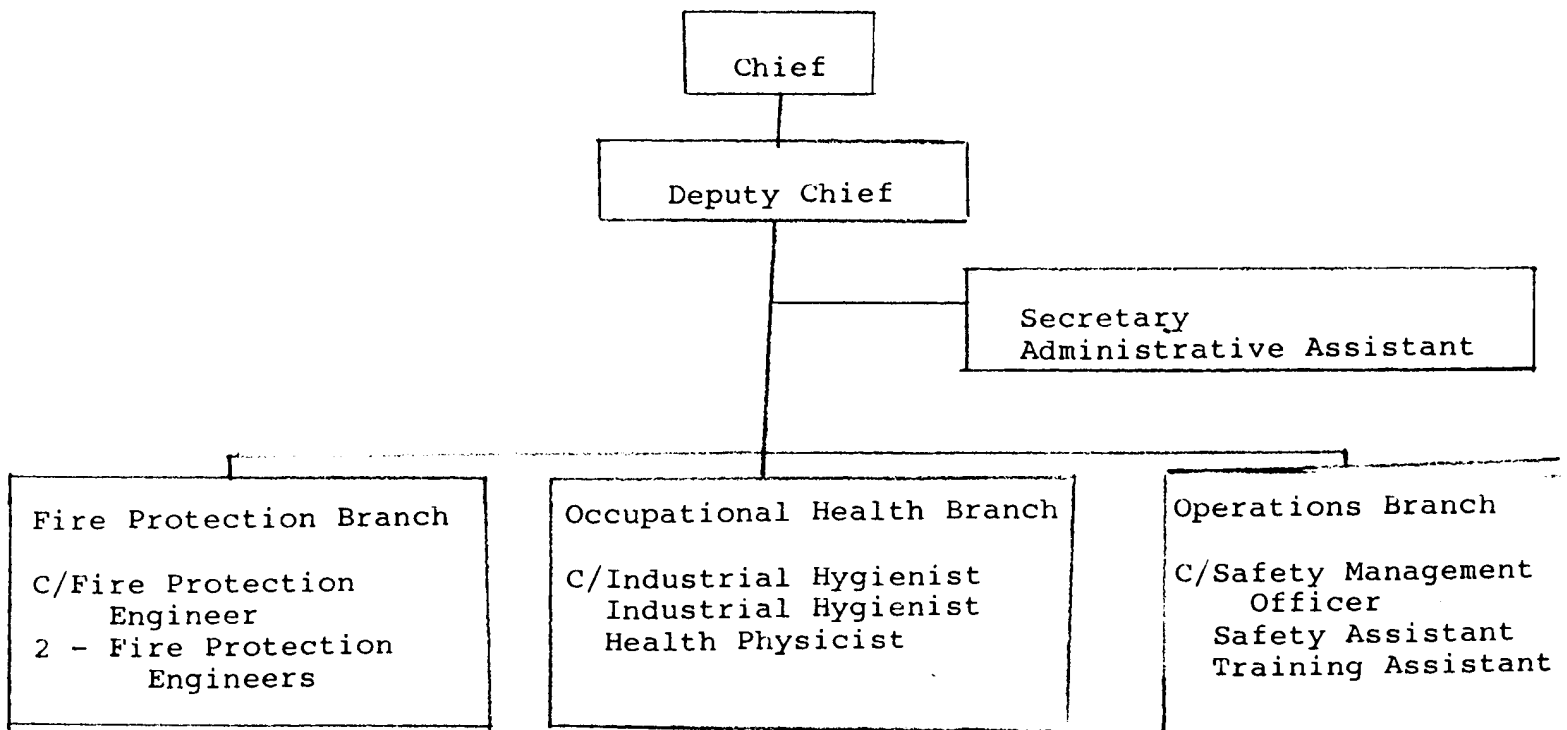
Occupational Safety and Health Committee

Jim McDonald, ADDA, Chairman

* * * * *

SAFETY DIVISION
OFFICE OF MEDICAL SERVICES

PURPOSE: Establish and maintain an effective and comprehensive Occupational Safety and Health Program to ensure safe and healthful working environments for employees of the Central Intelligence Agency in compliance with Federal Statutes.



SAFETY DIVISION
OFFICE OF MEDICAL SERVICES

Objectives

1. Establish and maintain an effective and comprehensive Occupational Safety and Health Program to ensure safe and healthful working conditions and environments for employees of the Central Intelligence Agency.
2. Establish and maintain the Program in accordance with Agency Headquarters and Field Regulations and as mandated by Section 19 of the Occupational Safety and Health Act, Executive Order 12196, and Section 7902, Title 5, United States Code.
3. Administer the Program by properly trained personnel assigned to and performing the functions of the three Branches of the Safety Division in accordance with the Basic Program Elements for Federal Employee Occupational Safety and Health Programs, Title 29, Code of Federal Regulations, Part 1960. (Appendix D)

FIRE PROTECTION BRANCH

SAFETY DIVISION

OBJECTIVE:

The objective of the Fire Protection Branch is to furnish to employees places and conditions of employment that are free of recognized fire hazards, and provide the Agency with an effective fire protection and prevention program that meets the requirements of the National Fire Codes, Basic Building Code, and other applicable Federal Standards and regulations. This task is accomplished by utilizing engineering fundamentals, research, and fire experience to evaluate and recommend functional solutions to fire protection and life safety hazards.

FUNCTIONS:

1. Review, evaluate, and approve plans and specification for new construction and renovations to ensure compliance with Agency fire protection and life safety regulations.
2. Provide technical advice and guidance to Agency officials, project engineers, and management in the interpretation of fire protection and fire prevention regulations, standards and directives.
3. Review shop drawings relative to fire protection equipment being installed under Agency and GSA contracts for compliance with contract plans and specifications.
4. Design fire protection, fire detection, and fire extinguishing systems for new construction and facility renovations.
5. Coordinate fire protection enhancement projects between Agency personnel and the design firm to achieve a functional and economical result.
6. Evaluate new building materials and methods of construction to establish safeguards, to ensure reasonable life safety for occupants, and to maintain building integrity.

7. Prepare preliminary cost estimates and scopes of work for fire protection design projects.
8. Interact with staff engineers, architects, and other engineering disciplines to ensure the accuracy of project design.
9. Conduct fire protection engineering surveys and prepares survey reports for Agency owned or occupied facilities worldwide.
10. Inspect and test for acceptance all fire alarm, fire detection, and fire suppression systems to ensure that they operate in accordance with the contract requirements.
11. Supervise the maintenance testing of all fire protection systems in Headquarters Building and selected domestic sites to ensure their efficient and continuous operation.
12. Conduct annual fire drills in Headquarters buildings and selected domestic sites to familiarize employees with established emergency evacuation procedures. Maintain a current roster of emergency evacuation personnel and brief the personnel at least annually.
13. Conduct investigations of all fires involving Agency property or equipment in the Headquarters area and of fires involving fatalities or large monetary losses worldwide. Assist, as requested, government officials such as Department of State and General Services Administration, in the investigation of major fires or suspected arson involving areas where Agency facilities are co-located with those of the requesting officials.
14. Prepare special fire protection projects that require immediate or intensive efforts.
15. Prepare fire protection criteria, procedures, and standards for Agency facilities worldwide.
16. Provide short and long term planning of fire protection projects to correct existing deficiencies and to ensure that future projects comply with Agency safety regulations.

17. Attend project design meetings with various Agency components to advise them of fire protection and safety requirements for new construction and major renovations.

18. Administer the emergency evacuation program for Agency buildings in the Headquarters area.

a. Review annually and update as required, the evacuation plans for Agency buildings in the Headquarters area.

b. Coordinate with appropriate emergency officers and maintain up-to-date rosters of emergency evacuation personnel in the Headquarters area.

c. Conduct annual briefings of all headquarters evacuation personnel and other building organizations upon request.

d. Provide training and instruction to Security Duty Officers and Federal Protective Officers on emergency response procedures.

19. Conduct briefings as required to review the operation of special fire suppression systems utilized by certain Agency components.

20. Review engineering studies, plans, and specifications for new construction and renovation projects managed by the Department of State, to ensure that the Agency's fire protection and life safety requirements have been satisfied.

21. Assist in the training program of the Operations Branch by providing instruction in the safety course as well as special courses in regard to fire prevention and protection, use of fire extinguishers, and applicable codes.

22. Attend periodic functions of the National Fire Protection Association and Society of Fire Protection Engineers. Attend appropriate courses for purpose of refresher training, and keeping abreast of state-of-the-art regarding the fire protection and prevention field.

23. In coordination with Operations Branch, conducts fire, safety and health inspections of Agency facilities worldwide. Inspection includes a physical inspection of the facility, observation of its daily operation, examination of equipment, and effectiveness of measures used to develop safe operations. Comprehensive reports containing recommendations for correction of specific hazards as well as overall appraisal of the safety performance are provided to the appropriate officials.

VIII. OPERATIONS BRANCH

SAFETY STAFF

OBJECTIVE:

STAT The objective of the Operations Branch is to insure that the Agency's Safety and Health Program, as set forth in [redacted] is maintained in compliance with the Occupational Safety and Health Act and Executive Order 12196, following guidelines provided in Title 29, Code of Federal Regulations, Part 1960, Subparts C (Standards), D (Inspection and Abatement), H (Training), I (Recordkeeping and Reporting Requirements) and J (Evaluation of Occupational Safety and Health Program).

FUNCTIONS:

1. Furnish to employees places and conditions of employment that are free from recognized safety and health hazards that are causing, or likely to cause death or physical harm.

a. Assure that periodic inspections of all Agency workplaces are performed by qualified personnel with equipment to recognize hazards. Each of the Agency's facilities and workplaces shall be evaluated at least annually. Additional evaluations shall be conducted at those workplaces where there is an increased risk of accident, injury, illness, or fire due to the nature of the work performed. The evaluations shall be the result of physical inspections of the facilities, observation of their daily operations, examination of equipment, and review of the effectiveness of measures used to develop safe operations. Comprehensive reports containing recommendations for the correction of specific safety, health, and fire hazards as well as an overall appraisal of the safety performance of the facilities shall be forwarded to the appropriate officials.

b. Assure response to employee reports of hazardous conditions and conduct inspections within twenty-four hours for imminent dangers, three working days for potential serious conditions, and twenty working days for other conditions. Assure the right to anonymity of those making the reports.

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c. Coordinate with each component safety officer in the Headquarters area to insure they inspect their areas as required [redacted] Evaluate each component based on review of the inspection report and contact with the component safety officer.

d. Maintain a current record of all Agency facilities and dates of last inspections

e. Review reports of safety inspections conducted by Office of Communications Inspectors and reports of security officers, Office of Security, to insure recommendations concerning safety, fire, and health are appropriate.

2. Provide safety and health training for supervisory employees, employees responsible for conducting occupational safety and health inspections, all members of occupational safety and health committees where established, and other employees.

a. Provide top management officials with orientation and other learning experiences which will enable them to manage the occupational safety and health programs of their components. The orientation shall include coverage of section 19 of the Act, Executive Order 12196, 29 CFR 1960, and the Agency's safety and health program.

b. Provide training for supervisory employees to include: supervisory responsibility for providing and maintaining safe and healthful working conditions for employees, the Agency's occupational safety and health program, Section 19 of the Act, Executive Order 12196, 29 CFR 1960, occupational safety and health standards applicable to assigned workplaces, Agency procedures for reporting hazards, reporting and investigating allegations of discrimination, and procedures for the abatement of hazards, as well as other appropriate rules and regulations.

c. Provide training for safety and health specialists through courses, laboratory experience, field study and other formal learning experiences; to insure their proficiency in technical monitoring, consulting, testing, inspecting, designing and other tasks related to program development and implementation, hazard recognition, evaluations and other related tasks.

d. Implement career development programs for the occupational safety and health specialists to enable the staff to meet present and future needs of the Agency.

e. Provide training for safety and health inspectors, with respect to appropriate standards and the use of appropriate equipment and testing procedures necessary to identify, evaluate, and suggest means of abating hazards during or following their assigned inspections, as well as preparation of reports and other documentation to support the inspection findings. As a minimum, six 5-day basic safety and health courses will be conducted each year.

f. Upon appointment of an employee to a collateral duty position, provide training commensurate with the scope of the assigned safety and health responsibilities. The duty assignments will vary from component to component but will normally include: hazard recognition, evaluation and control, reporting and record keeping, program administration, and promotion.

g. Provide training for all members of certified occupational safety and health committees commensurate with the scope of their assigned occupational safety and health responsibilities. The training shall include: The Agency's occupational safety and health program, Section 19 of the Act, Executive Order 12196, 29 CFR 1960, Agency procedures for the reporting and investigating allegations of discrimination, the recognition of hazardous conditions or environments, identification and use of occupational safety and health standards, and any other appropriate rules and regulations.

h. Provide safety and health training to each new employee. As a minimum, the training shall inform the employees of the Agency's safety and health program and their rights and responsibilities as provided in Occupational Safety and Health Act and Executive Order 12196.

3. Operate an occupational safety and health management information system which shall include as a minimum the maintenance of such records and submission of such reports as the Secretary of Labor may require.

- a. Prepare and submit to the Deputy Director of the Central Intelligence, an annual report covering comprehensive analyses of accidents, injuries, and fires involving CIA employees, property, and equipment.
- b. Prepare and submit an annual comprehensive Occupational Safety and Health report to the Secretary of Labor. Coordinate such report through the Office of Medical Services.
- c. Analyze each accident, injury, and fire report involving Agency personnel, property, or equipment worldwide to determine the principal causes, and to judge the effectiveness of the overall safety program.
- d. Provide to appropriate Agency officials on a quarterly basis, a report regarding the injury experience factor for the purpose of eliciting their support relative to accident prevention.
- e. Prepare and submit an annual report to Federal Fire Council on the fire losses of the Agency.
- f. Procure and provide safety literature on a monthly basis to Agency employees in the Headquarters area.
- g. Procure and provide safety literature on a quarterly basis to Agency employees at domestic and overseas locations.
- h. Publish quarterly safety bulletins or newsletters suitable for distribution to overt and covert Agency employees worldwide. These publications should reflect prevalent safety hazards, safety films available, new and revised safety standards promulgated under the Occupational Safety and Health Act, and encourage employees to report occupational injuries.
- i. Publish special bulletins and notices regarding prevalent safety and health hazards.
- j. Provide support to proclamations by the President of special weeks or months such as "Fire Prevention", "Bicycle Safety", Boating Safety", and "Poison Prevention", through distribution of the Proclamation and appropriate literature.

4. Establish and maintain an effective motor vehicle safety program in coordination with the Office of Logistics as appropriate. The program shall be in accordance with applicable Federal regulations and guidelines designed to reduce motor vehicle accidents and the resulting deaths, injuries, and property damage.

a. Prepare and keep on a current basis safety rules and regulations concerning motor-vehicle operation and maintenance, and insure compliance with such regulatory issuance.

b. Establish a program of training, testing, and licensing motor vehicle operators, and conduct periodic surveys to determine actions necessary to strengthen the program.

c. Establish and maintain motor vehicle award programs.

d. Attend Federal, State, and local traffic safety functions as appropriate.

e. Maintain close liaison with appropriate traffic enforcement officials.

5. Determine through investigation the causative factors of accidents and injuries involving Agency personnel, property, and equipment, and submit investigative reports to appropriate officials.

a. Investigate each accident in the Headquarters area to determine cause and action necessary to prevent a recurrence. The extent of investigation shall be reflective of the seriousness of the accident.

b. Investigate each accident worldwide which results in a fatality, hospitalization of five or more employees, or property damage of \$100,000 or more. The investigative report shall include appropriate documentation on date, time, location, description of operation, description of accident, photographs, interview of employees and witnesses, measurements and other pertinent information. A copy of the report shall be forwarded to the official in charge of the workplace, and the appropriate safety and health committee.

c. Review reports submitted from installation safety officers at the domestic and overseas facilities to insure adequate investigations and corrective actions.

OCCUPATIONAL HEALTH BRANCH

SAFETY DIVISION

OBJECTIVE:

Conduct an occupational health program to provide Agency employees safe and healthy environments which are free of recognized occupational hazards. The branch will implement the requirements of the Occupational Safety and Health Act, Nuclear Regulatory Commission, Environmental Protection Agency, Department of Transportation and Food and Drug Administration, in so far as these regulations are applicable to the Agency. Applicable state and local regulations, as well as the best scientific and medical opinion, will be used to supplement Federal regulations. Within the Agency, the program shall be coordinated with the Office of Medical Services and any other pertinent components, such as the Office of Logistics and Office of Technical Service.

FUNCTIONS:

1. Conduct detailed studies to identify and correct existing and potential health hazards caused by chemical, biological or physical agents.
 - a. Collect and evaluate toxicological data, and relate the hazard to probable physiological effects.
 - b. Make recommendations to correct any health hazards observed during surveys, or brought to our attention by employee complaints.
 - c. Specify the design quality and prescribe the use of all types of personal protective equipment, and monitor the effectiveness of this equipment as well as other safety equipment, such as safety showers, emergency eye washes, flammable liquid storage cabinets, and other chemical storage requirements.
 - d. Investigate all injuries caused by chemicals, and all illnesses alleged to be caused by chemicals, as well as all accidents involving chemical spills.

2. Maintain files of hazardous materials, their locations, use, necessary precautions, first aid procedures, evacuation procedures, fire control procedures, and spill cleanup procedures and record keeping requirements imposed by the numerous regulatory agencies and necessary to monitor the progress of the Branch program.

3. Insure that the staff is knowledgeable of the state of the art advances in their specialty fields, and that they maintain current knowledge in associated areas of the profession.

a. Representatives will attend the annual American Industrial Hygiene Association Conference and other training courses and conferences that are recognized by the professional societies of the individual's specialty.

b. Branch members will be crossed trained in Safety and Fire Protection, and will be capable of providing basic assistance in these areas.

c. Members of the Branch will be crossed trained in the specialty areas of the other Branch members by in house informal training and on the job training, as well as attendance at outside courses.

4. Coordinate the Agency Environmental Health program.

a. Insure that air and water effluents meet all state, local, and federal regulations.

b. Insure that chemical wastes are transported and disposed of in accordance with all applicable regulations. That Agency personnel responsible for disposing of hazardous waste have the appropriate storage and disposal permits and numbers, and are aware of the requirements from the Department of Transportation and The Environmental Protection Agency.

c. Insure that all hazardous waste is appropriately labeled, handled, transported and disposed of in compliance with the applicable federal, state and local regulations.

d. Insure that all accidental spills are properly reported and cleaned up.

e. Insure that all stack emissions from fossil fuel burning facilities meet all state, federal and local requirements.

f. Insure that all environmental noise is in compliance with community, state and FAA standards.

g. Insure that vehicular exhaust emissions meet the federal and state requirements.

h. Insure that sewage treatment facilities meet the applicable effluent standards and airborne biological limits set by federal and state regulations.

i. Insure that the formulation, application and disposal of insecticides and herbicides are in compliance with federal and state regulations.

j. Insure that electrical equipment containing polychlorinated biphenyls are stored and disposed of in compliance with federal and state regulations.

5. Assist in control of possible hazards by:

a. Determining that each area of operation is aware of the hazards, knows evacuation procedures, first aid and spill cleanup procedures and that employees in the respective areas know what personal protective equipment is necessary for both normal operation and emergency situations.

b. Insuring employees have knowledge of materials used, toxicity of the compounds, hazardous effects of sources of energy (lasers, ionizing and non-ionizing radiation) and physical hazards (noise, vibration, and heat). Members of the Occupational Health Branch will participate in the regularly scheduled training courses given by the Operations Branch, and will provide special training courses where necessary.

c. Evaluate operations and areas for the extent of the potential hazard, using the appropriate and accepted sampling or monitoring technique for the particular hazard, and through extensive job analysis.

d. Providing additional employee protection by developing special programs for specific hazards (hearing conservation program, programs to detect health effects from inhaled or absorbed compounds, etc.).

e. Insuring that all areas requiring specialized local ventilation have adequate ventilation, to prevent hazardous accumulation of chemicals in the work environment.

f. Insuring that all areas used for the handling, storage, or disposal of chemicals have adequate protective devices for both personnel and property. These include safety showers, emergency eye wash stations, appropriate detection and extinguishing materials, flammable storage cabinets, and other items specific to the compounds of interest.

6. Insure that radiation safety activities and record keeping do not conflict with, or appear to conflict with Agency policies controlling cover and classified information.

7. Provide the technical basis for and coordinate the Agency radiation safety policy.

a. Review, on an annual basis, relevant Federal, State, and County statutes, executive orders, authoritative standards, expert opinions, and specific operational requirements.

b. Identify all Agency equipment or materials capable of producing radiation in excess of one tenth the maximum permissible exposure rates defined in [redacted]. The functions in paragraph 12 of [redacted] shall be routinely performed at this action level, which for administrative purposes is considered to be potentially harmful.

c. Request components to identify special situations which require clarification or interpretation of radiation safety regulations.

8. Implement the Agency's radiation safety program.

a. Provide components a list of appropriate radiation standards based on equipment reported to Chief, Safety Division.

b. Draft detailed safety procedures to implement regulations and guidelines in specific situations. Coordinate the review of such drafts when appropriate.

c. Provide safety training to employees who use or work near equipment capable of producing potentially harmful radiation exposure.

d. Provide components with personnel monitoring devices based on equipment being used. Ensure appropriate analysis and record keeping.

e. Ionizing Radiation program

(1) Maintain quarterly and lifetime occupational ionizing radiation dose totals for each employee, and provide this information to the Director of Medical Services quarterly, for inclusion in the employee's medical file.

(2) Schedule and conduct periodic safety inspections of material and equipment capable of producing potentially harmful levels of radiation exposure.

(3) Assist components to investigate and report probable or suspected incidents or accidents involving radiation producing equipment or materials. Interpret such incidents, and provide appropriate notification to the persons directly involved, concerning possible injury or biological effects.

(4) Interpret the results of field investigations and survey data, and equate these to possible biological effects.

(5) Evaluate the effectiveness of radiation safety programs.

(6) Provide employees and component managers with a reliable assessment of occupational exposure to ionizing radiation and encourage them to work with the lowest exposure levels reasonably achievable.

(7) Encourage employee awareness of occupational radiation exposure by teaching orientation classes, evaluating questions of employee concern, publicizing relevant literature reports of over-exposure incidents and publicizing advances in understanding the biological effects of radiation.

(8) Provide employees and component managers with assessment of occupational exposure to radiation. These will include exposure estimates and discussion of both biological and legal consequences. Assessments will be made for all routine exposures, for accidental exposures and for planning purposes. Exposure estimates will be based on field measurements when practical.

(9) Encourage component managers to request assessments of typical or hypothetical exposures so that they may better implement local radiation protection in sensitive situations.

(10) Insure that all employees who work with equipment or material which produces ionizing radiation receive a pre-assignment radiation safety orientation.

(11) Administer a personnel dosimeter program for all employees who might exceed one-tenth of the maximum permissible occupational exposure.

(a) Insure that appropriate dosimeters are available.

(b) Insure that dosimeters are properly analyzed.

(c) Maintain records of employee exposure and provide quarterly reports to the Office of Medical Service for inclusion in employee health records.

(12) Periodically evaluate operations and areas for the extent of ionizing radiation hazards using survey techniques recommended by NCRP and ICRP.

(13) Purchase and arrange for the maintenance and calibration of radiation measuring equipment.

f. Non-Ionizing Radiation

(1) Provide employees and component managers with assessment of occupational exposure to non-ionizing radiation. These will include equipment exposure contours and discussion of both biological and legal consequences. Assessments will be made for all routine exposures, for accidental exposures and for planning purposes. Exposure contours will be based on field measurements when practical and include power density and maximum stay times at each contour.

(2) Provide component managers with an assessment of general population exposure to non-ionizing radiation when applicable. These will include estimated contours of exposure level and discussion of legal consequences. Contours which cross station lines at greater than one-tenth general population levels, will be reported as estimates unless station managers specifically request measurements.

(3) Insure employees who might be exposed to greater than one-tenth maximum permissible power density receive a pre-assignment non-ionizing radiation safety orientation.

(4) Periodically evaluate operations and areas for the extent of non-ionizing radiation hazards using guidelines recommended by ANSI C95.1 and EPA.

(5) Review designs of new facilities with special emphasis on sources of non-ionizing radiation. Comment on personnel safety and on compliance with guidelines for general population exposure.

(6) Insure that microwave ovens used for food preparation are surveyed quarterly for interlock function and leakage as required by 21 CFR 1030.10 and maintain a sequential log of survey results for three years after the oven is removed from service.

9. Provide input to the Office of Medical Services for medical surveillance programs.

10. Investigate employee suggestions and complaints regarding health hazards in the work place, and illnesses which are alleged to have been caused by occupational conditions. The investigations will include recommendations for corrections of any hazards.

11. Conduct annual Occupational Safety and Health inspections, and evaluations of those facilities, domestic and foreign, that are considered high potential health hazard areas.

12. Participate in professional societies and committees as appropriate.

13. Coordinate technical review panels as required, and interpret technical findings in terms of Agency requirements.

INDUSTRIAL HYGIENE PROGRAM

OCCUPATIONAL HEALTH BRANCH
SAFETY DIVISION

OBJECTIVE:

Conduct an industrial hygiene program to provide work environments for employees of the Central Intelligence Agency free from recognized health hazards and meets the requirements of the Occupational Safety and Health Administration health standards. The program shall be coordinated with the other Components of the Safety Staff, the Office of Medical Services and any other pertinent components within the CIA. The program will follow guidelines provided by Headquarters and Field Safety and Health Regulations, by the Occupational Safety and Health Administration, Environmental Protection Agency, Food and Drug Administration, state and local regulations and guidance provided by the scientific community.

FUNCTIONS:

1. Conduct studies to identify and correct existing and potential hazards due to chemicals, biological agents, heat, noise, illumination, etc.

a. Collect and evaluate toxicological data and relate the hazard to probable physiological effects.

b. Make recommendations to correct any health hazards observed during surveys or brought to attention of the Safety Staff by employee complaints.

c. Specify the design quality and prescribe the use of all types of personal protective equipment. Monitor the effectiveness of this equipment, as well as other safety equipment, such as safety showers, eyebaths, flammable liquid storage cabinets and other chemical storage requirements.

2. Maintain file of hazardous materials, their locations, use, necessary precautions, first aid procedures, evacuation procedures, fire control procedures and spill cleanup procedures.

3. Investigate all injuries caused by chemicals, and all illnesses alleged to be caused by chemicals, as well as all accidents involving chemical spills.

4. Assist in control of possible hazards by:

a. Determining that each area of operation is aware of the hazards, knows evacuation procedures, first aid and spill cleanup procedures and that employees in the respective areas know what personal protective equipment is necessary for both normal operation and emergency situations.

b. Insuring employees have knowledge of materials used, toxicity of the compounds and hazardous effects of physical hazards (noise, vibration and heat).

c. Evaluate operations and areas for the extent of the potential hazard, using the appropriate and accepted sampling or monitoring technique for the particular hazard, and through extensive job analysis.

d. Providing additional employee protection by developing special programs for specific hazards (hearing conservation program, programs to detect health effects from inhaled or absorbed compounds, etc.).

e. Insuring that all areas requiring specialized local ventilation have adequate ventilation, to prevent hazardous accumulation of chemicals in the work environment.

f. Insuring that all areas used for the handling, storage, or disposal of chemicals have adequate protective devices for both personnel and property. These include safety showers, emergency eye wash stations, appropriate detection and extinguishing materials, flammable storage cabinets, and other items specific to the compounds of interest.

5. Provide input to the Office of Medical Services for medical surveillance programs.

6. Investigate employee suggestions and complaints regarding health hazards in the work place, and illnesses which are alleged to have been caused by occupational conditions. The investigations will include recommendations for corrections of any hazards.

7. Conduct annual Occupational Safety and Health inspections, and evaluations of those facilities, domestic and foreign, that are considered high potential health hazard areas.

8. Participate in professional societies and committees as appropriate.

9. Coordinate technical review panels as required, and interpret technical findings in terms of Agency requirements.

ENVIRONMENTAL HEALTH PROGRAM

OCCUPATIONAL HEALTH BRANCH
SAFETY DIVISION

OBJECTIVE:

STAT Conduct an environmental health program to provide employees of the Central Intelligence Agency (CIA) with workplaces which are free from known health and safety hazards which arise from, or are related to environmental activities; and in turn, insure the activities of the CIA do not adversely affect the environment, or public health and safety. The program shall be coordinated with the other Components of the Safety Division, the Office of Medical Services, and any other pertinent Components within the CIA. The program will conform to the guidelines provided by [redacted] Safety and Health Regulations, by the Environmental Protection Agency, Occupational Safety and Health Administration, Department of Transportation, Food and Drug Administration, state and local regulations, and the guidance provided by the scientific community.

FUNCTIONS:

1. Conduct detailed environmental impact studies of proposed activities which may adversely effect the ecosystem, or public health and safety, and recommend remedial action as appropriate.

2. Conduct analytical monitoring and evaluate resulting data to insure that facility air and water effluents do not adversely affect the environment, or public health and safety, and are in compliance with federal, state, and local guidelines.

3. Organize emergency response capabilities, and provide analytical support for the accidental spillage of chemical, physical, or biological materials.

a. Develop a log of the proposed procurement and shipment of hazardous or potentially hazardous materials, and evaluate, or initiate precautionary measures to insure the materials are handled in a healthful and safe manner, and in compliance with federal, state, and local guidelines.

b. Insure the adverse affects from the accidental spillage of hazardous or potentially hazardous materials are minimized, and appropriate clean-up activities are promptly initiated.

c. Interface with federal, state, and local hazardous material response officials to develop contingency planning for accidental spills, and maintain an efficient response network.

4. Insure that all generated chemical, physical, and biological wastes, both hazardous and non-hazardous, are handled in a safe and healthful manner, and are transported, and ultimately disposed-of in compliance with federal, state, and local guidelines.

5. Conduct analytical monitoring and evaluate resulting data to insure that all environmental noise from facilities or activities is in compliance with Federal Aviation Administration, state, and local guidelines, and does not constitute a public nuisance.

6. Conduct analytical monitoring and evaluate the resulting data to insure equipment containing polychlorinated biphenyls (PCBs) is handled, transported, stored, and ultimately disposed-of in a healthful and safe manner, and does not pose a threat to the environment, or public health and safety, and is in compliance with federal, state, and local guidelines.

7. Conduct analytical monitoring and evaluate resulting data to insure that facility sewage treatment facilities do not adversely affect the environment, or public health and safety, and are in compliance with federal, state, and local guidelines.

8. Conduct analytical monitoring and evaluate resulting data to insure the formulation, application, and ultimate disposal-of insecticides and herbicides is conducted in a healthful and safe manner, and is in compliance with federal, state, and local guidelines.

9. Insure the exhaust fumes from the motor vehicle fleet are in compliance with federal, state, and local guidelines.

10. Conduct training in the recognition, evaluation, and control of environmental hazards for concerned personnel on a periodic basis.

11. Coordinate technical review panels as required, and interpret technical findings in terms of Agency requirements.

12. Participate in professional societies and committees as appropriate.

RADIATION SAFETY PROGRAM
OCCUPATIONAL HEALTH BRANCH
SAFETY DIVISION

Basic Objective:

To protect Agency employees from the hazards associated with the use of ionizing or non-ionizing radiation. The program requires close cooperation with the Office of Communications, Office of Medical Services, the Industrial Hygiene Section of the Safety Division, all levels of management, and all first line supervisors of employees who use either ionizing or non-ionizing radiation producing materials or equipment.

Secondary Objective:

To insure that the Agency management is aware of the requirements of applicable CIA, federal, state, and local regulations and in compliance with these regulations when this does not interfere with our ability to conduct business.

Functions:

1. General

a. Insure implementation

[Redacted]

[Redacted]

b. To provide applicable operating officials, supervisors, and employees with a reliable assessment of occupational exposure to ionizing and non-ionizing radiation and encourage them to work with the lowest exposure levels reasonably achievable.

c. To encourage employee awareness of occupational radiation exposure by teaching orientation classes, evaluating questions of employee concern, and by bringing to their attention relevant reports of over-exposure incidents and advances in understanding the biological effects of radiation.

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d. Review, on an annual basis, relevant Federal, State, and County statutes, executive orders, authoritative standards, expert opinion, and specific operational requirements.

e. Identify all Agency equipment or materials capable of producing radiation in excess of one tenth the maximum permissible exposure rates defined.

f. Request components to identify special situations which require clarification or interpretation of radiation safety regulations.

g. Participate in professional societies and committees as appropriate.

h. Coordinate technical review panels as required, and interpret technical findings in terms of Agency requirements.

i. Provide applicable components a list of appropriate radiation standards based on equipment reported to Chief, Safety Division.

j. Provide safety training to employees who use or work near equipment capable of producing potentially harmful radiation exposure.

k. Schedule and conduct periodic safety inspections of material and equipment capable of producing potentially harmful levels of radiation exposure.

l. Assist components to investigate and report probable or suspected incidents or accidents involving radiation producing equipment or materials. Interpret such incidents, and provide appropriate notification to the persons directly involved, concerning possible injury or biological effects.

m. Interpret the results of field investigations and survey data, and equate these to possible biological effects.

2. Ionizing Radiation

a. Provide employees and component supervisors with assessment of occupational exposure to radiation. These will include exposure estimates and discussion of both biological and legal consequences. Assessments will be made for all routine exposures, for accidental exposures and for planning purposes. Exposure estimates will be based on field measurements when practical.

b. Encourage component supervisors to request assessments of typical or hypothetical exposures so that they may better implement radiation measures, even in operational situations.

c. Insure that all employees who work with equipment or material which produces ionizing radiation receive a pre-assignment radiation safety orientation.

d. Administer a personnel dosimeter program for all employees who might exceed one-tenth of the maximum permissible occupational exposure.

(1) Insure that appropriate dosimeters are available.

(2) Insure that dosimeters are properly analyzed.

(3) Maintain records of employee exposure and provide quarterly reports to the Office of Medical Service for inclusion in employee health records.

e. Periodically evaluate operations and areas for the extent of ionizing radiation hazards, using survey techniques recommended by National Council on Radiation Protection and International Congress on Radiation Protection.

f. Purchase and arrange for the maintenance and calibration of radiation measuring equipment.

3. Non-Ionizing Radiation

a. Provide employees and component supervisors with assessment of occupational exposure to non-ionizing radiation. These will include equipment exposure contours and discussion of both biological and legal consequences. Assessments will be made for all routine exposures, for accidental exposures and for planning purposes. Exposure contours will be based on field measurements when practical and include power density and maximum allowable exposure times at each contour.

b. Provide component supervisors with an assessment of general population exposure to non-ionizing radiation especially at Commo Base Stations. These will include estimated contours of exposure level and discussion of legal consequences. Contours which cross property lines at greater than one-tenth general population levels, will be reported as estimates unless station managers specifically request measurements.

c. Insure employees who might be exposed to greater than one-tenth maximum permissible power density receive a pre-assignment non-ionizing radiation safety orientation.

d. Periodically evaluate operations and areas for the extent of non-ionizing radiation hazards using guidelines recommended by ANSI C95.1 and EPA.

e. Review designs of new facilities with special emphasis on sources of non-ionizing radiation. Comment on personnel safety and on compliance with guidelines for general population exposure.

f. Insure that microwave ovens used for food preparation are surveyed quarterly for interlock function and leakage, as required by 21 CFR 1030.10, and maintain a sequential log of survey results for three years after the oven is removed from service.

Central Intelligence Agency

Asbestos Abatement Program

For Domestic Facilities

January 1985

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I. Introduction

1. Occupational health studies have established that exposure to airborne asbestos fibers can cause several ailments, including cancer. Studies have also shown that the lower the asbestos exposure level, the less the risk of adverse health effects. In an effort to reduce the risk to the working population, the Occupational Safety and Health Administration (OSHA) has issued a permissible airborne asbestos exposure limit. Yet, health risks have been demonstrated at all exposure levels, and available studies provide no evidence for a "safe" exposure limit. For this reason, all significant airborne fiber levels should be considered in need of abatement until authoritative research demonstrates otherwise.

2. The Safety Staff has been given the responsibility to respond to the above findings in accordance with and without delay will institute the following Asbestos Abatement Program. The Program requirements are compatible with their OSHA counterparts, and in some instances they are more stringent. The long-range goal of the Program is the identification and elimination of all asbestos-containing materials under our jurisdiction. The interim objective will be the reduction of all personal exposure levels to a point where significant airborne asbestos levels can no longer be detected analytically. This regulatory approach is consistent

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with the National Institute for Occupational Safety and Health's (NIOSH) Recommended Asbestos Standard.

3. The following report is intended to provide employees with an understanding of what actions will be taken in the event asbestos contamination of their work area is suspected, or has been identified. For Component Safety Officers, and employees with supervisory responsibilities, an outline of your reporting requirements and collateral duties is also included.

4. The Asbestos Abatement Program is a unique and ambitious undertaking; but exemplary measures are required when the outcome impacts upon the health and well-being of our personnel. At present, limited resources restrict full implementation at overseas facilities, but a worldwide program is already under consideration and guidance is available on a case-by-case basis. Each Directorate is urged to fully cooperate with the Safety Staff in this endeavor, and to provide assistance as appropriate.

5. Any questions or comments should be directed to the

STAT Chief, Safety Staff, DDA,

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Harry E. Fitzwater

Deputy Director for Administration

II. Asbestos Background Information

A. Asbestos - What is it?

1. Asbestos is a naturally occurring fibrous mineral. The generic term "asbestos" actually encompasses about thirty mineral compounds, but of these thirty only the following 5 types are of significance:

Chrysotile

Amosite

Tremolite

Crocidolite

Anthophyllite

2. Asbestos minerals are mined in the United States and Canada, where chrysotile accounts for approximately 95 percent of the production.

B. Asbestos - Where is it Found?

1. Asbestos is found ubiquitously in the environment because of its extensive use in industry and in the home. Over 3,000 products contain asbestos. Most commercial use is in the construction industry; such applications include: cement products, floor tile, paper products, insulation, and caulking.

2. Asbestos has been definitively identified at several locations in the Headquarters building and satellite facilities. For example, it has been used for the fireproofing of structural support beams, and for the

insulation of water pipes. Some Remington Rand safes also contain asbestos to insulate the contents from fire damage. Asbestos has not been identified as a component in ceiling tiles.

C. Asbestos - What are the Health Effects?

1. Exposure to airborne asbestos fibers can produce a lung scarring called asbestosis. The onset of asbestosis is usually gradual, developing over a period of 10 to 30 years of exposure. Asbestos is also a cancer producing agent. Epidemiologic studies (statistical profiles on groups of people) have demonstrated that increased exposure to asbestos increases the risk of developing lung cancer. Lung cancer also appears to be related to the extent of exposure, and cigarette smoking. Cigarette smoking greatly increases the risk to personnel who are also exposed to asbestos. Mesothelioma, a rare type of cancer has also been linked with exposure to asbestos. An increased incidence of stomach and colon cancer has also been reported.

III. The Abatement Program - Part I: Identification and Evaluation of Potential Asbestos Hazards

A. Asbestos Bulk Sample Collection

1. The collection of a bulk (solid) sample of suspected asbestos-containing material is the first step in the Abatement Program. The Safety Staff will collect representative bulk samples as part of the ongoing identification program, or upon-written request from a concerned Component. Samples must not be collected by untrained personnel in order to prevent accidental exposures to asbestos. Also, by personally collecting the bulk sample, the Safety Staff can readily ascertain the extent of the potential hazard, and accurately identify and record these areas for future reference.

2. In some instances, the collection of a bulk sample would be unnecessary, such as when the composition of the parent material can be reliably obtained from the manufacturer of the material. In this case, the Safety Staff will be responsible for acquiring such information from the manufacturer. It would also be unnecessary to collect bulk samples in areas where previous sampling of the same parent material has already been conducted and has produced conclusive results.

B. Asbestos Bulk Sample Identification

1. The Safety Staff will have all bulk samples analyzed by a private, accredited laboratory to determine the samples' composition. In order to ensure valid results, the laboratory will be a participant in the

National Institute for Occupational Safety and Health (NIOSH) Proficiency Analytical Testing Program (PAT), and must be certified in asbestos analysis. Laboratory turnaround time is typically three weeks; however, priority results can usually be obtained within 48 hours for a surcharge. When a bulk sample has been properly collected, a quality laboratory can identify asbestos in excess of 1 percent of the total of sample.

2. The Safety Staff will incur all expenses for the collection and analyses of bulk samples, and will request priority results as appropriate, depending on the extent of the potential hazard.

C. Evaluation of Bulk Sample Results

1. There are no health standards for the amount or type of asbestos a material may contain; insulation composed of 90 percent chrysotile is not uncommon. However, the presence of asbestos per se does not necessarily constitute a health hazard. Asbestos is a potential hazard only when significant concentrations of fibers become airborne and are inhaled; it is not a hazard while it is tightly bound within a matrix. The matrix is the bonding or adhesive component of the parent material. Unfortunately, the integrity of an asbestos-containing material is a finite parameter, and fiber release from natural deterioration will begin at some time depending upon the condition of the matrix. Asbestos fibers can also become airborne when maintenance or construction work, such as painting, cutting, or cabling, disturbs the matrix.

2. As outlined above, the percent composition of an asbestos-containing material actually gives little indication as to the extent of the potential health hazard. An area containing deteriorated insulation composed of only 10 percent asbestos may present a greater hazard than an area containing insulation of 90 percent asbestos if the latter is tightly bound within the matrix. It is only after analytical monitoring the surrounding air for its concentration of released asbestos fibers can an accurate assessment of the hazard be made.

3. After a review of the bulk sample results from the laboratory, the Safety Staff will make a determination as to whether an air sampling survey of the affected environment is warranted. If no asbestos was found in the bulk sample, air sampling will not be conducted. If asbestos is indicated, an air sampling survey will be conducted. The timetable for the survey will depend upon the potential for fiber release from the matrix, (i.e., the integrity of the matrix), and the opportunities for exposing personnel to these fibers. In any event, a memorandum outlining the bulk sample laboratory results, and a recommended course of action will be prepared by the Safety Staff at this point, and it will be forwarded to the Chief of the affected Component, and that Component's designated Safety Officer.

IV. The Abatement Program - Part II: Air Sampling for
Asbestos, and Permissible Airborne Exposure Limits

A. Air Sampling for Asbestos

1. After an area has been definitely identified as containing asbestos materials, the second and most important step in the Abatement Program is the quantitation of airborne asbestos fibers in the surrounding environment. This is accomplished by using a precision pump to draw a known volume of the surrounding air through a filter, and later counting the number of asbestos fibers collected on the filter using a phase contrast microscope. Only trained industrial hygienists from the Safety Staff will be permitted to collect airborne asbestos samples. The contracted laboratory that will be tasked with counting the collected asbestos fibers will conform to the accreditation requirements outlined in Section III, Part B of this report.

2. Phase contrast microscopy represents the only technique available that can reasonably be used for routine asbestos analysis. This method is approved by OSHA and NIOSH, and will be used by the Safety Staff's contracted laboratory for airborne asbestos analysis. Direct-reading

asbestos monitoring devices, such as electronic fibrous aerosol monitors, may be used in conjunction with they OSHA/NIOSH sampling method; but because of the questionable accuracy of these devices, they will not be permitted as substitutes for the OSHA/NIOSH method.

B. Permissible Airborne Asbestos Exposure Limits

1. In accordance with the original premise that significant levels of exposure are unacceptable, the exposure limit will be established at the analytical method's limit of detection for airborne asbestos. The limit of detection is defined as the point at which the OSHA/NIOSH method, phase contrast microscopy, is incapable of reliably detecting airborne asbestos fibers. Theoretically, an asbestos fiber concentration of 0.001 fibers per cubic centimeter of contaminated air can be detected (0.001 fibers/cc). However, in order to maintain reliable accuracy and precision, the normalized limit of detection for the OSHA/NIOSH method is usually cited as 0.1 fibers/cc.

2. The permissible exposure limit of the Abatement Program is, therefore, established at 0.1 fibers/cc for an

8-hour workday average concentration. This exposure limit is consistent with the NIOSH recommended standard, and OSHA has already been petitioned by several institutions to reduce their standard to this limit. Brief exposure periods will be permitted up to a ceiling (maximum) concentration of 0.5 fibers/cc, provided that the 8-hour average exposure does not exceed 0.1 fibers/cc. This is also consistent with the NIOSH recommended standard. Examples of such brief excursions are presented in Table I:

Table I

Asbestos Abatement Program

Permissible Airborne Asbestos Exposure Standard

Concentration vs Time

Permissible Exposure Level

Concentration Level (fibers/cc)	Permissible Exposure Time (hours)
0.1	8
0.2	4
0.3	2.7
0.4	2
0.5	ceiling

3. Should an individual's exposure to asbestos exceed the levels presented in Table I, appropriate abatement measures must be immediately initiated (see Section V). If the individual's exposure level is in compliance with Table I, no immediate action is necessary. However, the

contaminated area will be placed in the Safety Staff's follow-up air monitoring schedule to insure the levels remain in compliance. Follow-up surveys will be conducted on at least an annual basis, and when any work which can disturb the asbestos (painting, remodeling, cabling, etc.) is performed in a contaminated area. It will be the responsibility of the Component Safety Officer to provide written notification to the Safety Staff before any work is performed in previously identified or suspected, asbestos-contaminated areas within his/her jurisdiction.

4. The Safety Staff will incur all expenses for the collection and analyses of airborne asbestos samples, and will request priority results as appropriate, depending on the extent of the potential hazard.

V. The Abatement Program - Part III: Asbestos Abatement

Techniques and Control Measures

A. Introduction

1. Appropriate abatement techniques must be promptly initiated when the Safety Staff has determined that an employee's exposure is in excess of the values listed in Section III, Table I, of this report. When exposures are in compliance with Table I, an abatement measure will not be required. However, an abatement measure may still be

suggested should, in the opinion of the Safety Staff, future circumstances, such as maintenance or construction, result in the elevation of airborne fiber levels to the limit of exposure. All abatement activities must be conducted by professional abatement contractors who have previously demonstrated the highest levels of proficiency in handling asbestos.

2. OSHA does not specify a single type of abatement technique, the only criteria are that the end result be a significant reduction in airborne fiber levels, and engineering controls such as removal or encapsulation of the asbestos be given primary consideration. Administrative control measures and/or personal protective equipment, such as respirators, are permitted only as interim control measures - they are not to be considered true abatement techniques.

B. Abatement Technique A - Asbestos Removal

Clearly, asbestos removal is the abatement technique of choice for bringing exposure levels into compliance with Table I. As a general rule, the Safety Staff will most often recommend asbestos removal whenever an abatement technique is needed. All asbestos removal work must be performed in conformance with existing OSHA standards (29 CFR 1910.1001) which are summarized in Appendix A, but the Safety Staff

reserves the right to amend this document to enhance the safety and health posture of the operation. Furthermore, all asbestos removal contracts must be approved in writing by the Chief, Safety Staff. The approval process will necessitate a meeting between the removal company's analytical representative, and an industrial hygienist from the Safety Staff. It is recommended that an affected component provide written notification to the Safety Staff before soliciting monetary bids for asbestos removal work. The Safety Staff can provide a list of reputable removal specialists for selective bidding, based upon the past ability of the specialist to adequately meet the more stringent safety and health requirements.

C. Abatement Technique B - Asbestos Encapsulation

Asbestos encapsulation is a process by which a special bonding resin is sprayed-on the asbestos-containing material in order to halt, or dramatically reduce, the release of airborne fibers via natural deterioration of the matrix. While encapsulation appears to be an expeditious means for bringing exposure levels into compliance, there are two intrinsic limitations in the operation. First, the encapsulating resin does not always penetrate the total

thickness of the asbestos-containing material, and tends to stay on the outer surface. Should any work be performed in a contaminated, but encapsulated area, during which drilling or cutting into the asbestos matrix is necessary, the inner asbestos fibers may be disturbed and released into the air, thereby exposing nearby personnel. Secondly, although the encapsulating resins are commercially advertised as having long lifetimes, typically in excess of 10 years, their usefulness is nonetheless finite, and contaminated areas may require re-encapsulating in the future. It is because of these drawbacks, and the fact that the hazard is only isolated - not removed, that asbestos encapsulation remains a less attractive abatement technique than asbestos removal. But encapsulation does have its advantages, especially because it can usually be performed in less time, and with less expense, than asbestos removal. As with asbestos removal, all asbestos encapsulating contracts must be approved in writing by the Chief, Safety Staff.

D. Abatement Techniques - Monetary Considerations

It will be the responsibility of the Safety Staff to select and approve an asbestos abatement technique best suited for a particular situation. All contractual expenditures for removing or encapsulating asbestos-containing materials will be incurred by the affected Component, not the Safety Staff.

E. Asbestos Control Measure A - Administrative Measures

Administrative control measures are those steps undertaken by management to reduce an individual's overall exposure by limiting the amount of time the individual is permitted to work in an asbestos-contaminated area. This control measure is usually very effective for reducing an individual's exposure, but it does not remove or alleviate the original hazard. Administrative control measures are, therefore, considered by the Safety Staff to be interim arrangements until the asbestos can be removed or encapsulated. If administrative control measures are deemed necessary, the Safety Staff will provide appropriate written guidance to the affected Component for initiating the measures.

F. Asbestos Control Measure B - Personal Protective

Equipment

The use of personal protective equipment, such as respirators, for bringing asbestos exposures into compliance shall be permitted only on a very limited basis for unusual circumstances. Since personal protective equipment are usually of limited effectiveness, they will only be allowed when exposure periods are isolated and transient, typically less than a few hours per month, or when alternative abatement techniques or administrative

measures have been demonstrated to be infeasible. But personal protective equipment will be permitted and required during the implementation phase of the aforementioned abatement techniques. The Safety Staff will be responsible for initiating and monitoring all activities involving personal protective equipment for asbestos. The Safety Staff will also provide all personal protective equipment for staff employees, and will incur all expenses for the equipment.

VI. The Abatement Program - Part IV:

Control of the Subsequent Utilization of Asbestos-Containing Materials

All components must provide advanced-written notification to the Safety Staff before introducing asbestos-containing materials into Agency facilities. Several non-asbestos containing materials have been recently developed which have properties similar to asbestos. The Safety Staff will provide a list of vendors for such materials, along with applicable technical data. It will be the responsibility of the affected component to provide the Safety Staff with a written justification for the planned introduction of asbestos, if any recommended substitutes are perceived as being unsuitable.

VII. Security Considerations

1. The Chief, Security Services Section, Office of Security, and all security escorts assigned to monitor the activities of contracted asbestos specialists will receive a preliminary briefing on the potential hazards of asbestos by a representative from the Safety Staff. A summary of the appropriate safety and health measures undertaken and required by the Safety Staff will be presented at that time, and these will be periodically reinforced and further clarified, if necessary, at the site of the operation. The security escorts will be instructed to immediately notify the Safety Staff, should they perceive any discrepancies during the implementation phase of the asbestos operation.

2. The security escorts will not be permitted to enter the immediate asbestos work area during the implementation phase of the operation. This area will be isolated from the remainder of the facility by plastic transparent/translucent containment curtains, and will be further identified with appropriate caution signs. It has been the experience of the Safety Staff, that the operation can be easily monitored, from a security standpoint, outside of the containment curtains. When the work area has been properly isolated (see Appendix A), the outside airborne asbestos levels will be in compliance with the exposure limits

presented in Table I, Section IV, of this report. The Safety Staff will have the outside area continually monitored with analytical instrumentation to insure the levels remain in compliance. It will be unnecessary, therefore, to require the security escorts (or residents of the facility) to wear respirators during the performance of their duties. It is not the policy of the Safety Staff to require the use of respirators in lieu of requiring proper practices on the part of the contracted asbestos specialist. Nevertheless, if the security escorts would feel more comfortable wearing respirators, they will be supplied by the Safety Staff along with appropriate training in their use.

VIII. Summary of the Duties and Responsibilities for the Asbestos Abatement Program

A. The Safety Staff will:

1. Collect bulk samples of suspected asbestos-containing materials, have the materials analyzed by an accredited laboratory, and report the results to the affected Component.

2. Conduct air sampling surveys of asbestos-containing areas, and use the resulting data to evaluate the extent of the potential hazard to personnel working in these areas.

3. Recommend an appropriate asbestos abatement technique when necessary, and provide guidance and supplementary monitoring for the operation.

4. Advise personnel in the hazards of asbestos exposure, and provide them with appropriate personal protective equipment if necessary.

B. The Component Safety Officer will:

1. Provide the Safety Staff with written notification of areas suspected of containing asbestos, and inform the Safety Staff before additional asbestos is brought into their Component.

2. Appropriately disseminate information received from the Safety Staff regarding asbestos monitoring results, and inform personnel of the course of action recommended as a result of the monitoring operation.

3. Notify the Safety Staff of any scheduled work to be conducted in areas known, or suspected, to contain asbestos.

4. Advise their Component's Contracting Officer technical Representatives of the requirements of the Asbestos Abatement Program.

IX Appendix A

GUIDELINES FOR ASBESTOS REMOVAL

1. **APPLICABLE PUBLICATIONS:** The applicable provisions of the following publications listed below form a part of this specification.

1.1 Occupational Safety and Health Act (OSHA) 1910.1001 Asbestos; and National Institute for Occupational Safety and Health (NIOSH) Revised Recommended Asbestos Standard DHEW Publication No. 77-169.

1.2 Environmental Protection Agency EPA-450/2-78-014 (OAPS No. 1.2-094) and all associated appendixes.

2. **GENERAL:**

2.1 **Procedures:** The procedures to accomplish the removal of asbestos shall be as hereinafter specified. Any deviation from that shown on drawings, required by Code, or as specified, shall require approval by the Chief/Safety Staff. The Contractor shall provide to the Chief/Safety Staff, through the Contracting Officer Technical Representative (COTR), a detailed description of the methods and equipment to be used for each operation, and the sequence of operations.

2.2 Asbestos removal control shall be as hereinafter specified.

2.3 **Protection of Existing Work:** Existing work to remain shall be protected from damage. Work damaged by the Contractor shall be repaired to match existing work.

2.3.1 Cover any items to remain as necessary to protect from asbestos contamination.

2.4 Use of explosives will not be permitted. .

2.5 Contractor shall establish a schedule of asbestos removal work for the areas. Restrictions for scheduling of asbestos removal work in areas adjacent to occupied areas shall comply with Paragraph, Noise Control, Section, Special Conditions. Contractor shall present this schedule for approval prior to beginning work.

3. ASBESTOS ANALYSIS

3.1 Asbestos in itself does not create a hazard, unless the material is to be removed, cut, or is currently abraded in such a way as to become airborne. If the outer covering is missing or badly worn it should be sealed or covered. There are several commercial techniques available. If the material is to be removed, fit-tested and NIOSH approved, respirators and disposable coveralls of limited permeability must be worn by the workman. The material must be worked wet to prevent the asbestos from becoming airborne. The contaminated respirators, coveralls and the asbestos must be bagged in impermeable bags and the bags placed in DOT 17H drums for ultimate disposal in an EPA approved landfill. At the completion of each days removal work, the area must be carefully vacuumed with a high efficiency air handler and the vacuum cleaner bag included with the other items for disposal.

3.2 If further information is needed, please contact Safety Staff on extension

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4. DOCUMENTATION OF PERFORMANCE IN ASBESTOS REMOVAL:

4.1 The Contractor shall furnish documentation of successful performance in asbestos removal. This will include name and address of at least 3 purchasers of service, locations of work performed, and the records of air monitoring for asbestos as required by OSHA 1910.1001.

4.2 The Contractor will have at all times in his possession at his office and in view at the job site one copy of the OSHA regulation 1910.1001, Asbestos, and Environmental Protection Agency 40 CFR Part 61, subpart B: National Emission Standard for asbestos, asbestos stripping work practices, and disposal of asbestos waste.

5. SCOPE OF WORK

5.1 The Contractor shall furnish all labor, materials, services, insurance and equipment necessary for the complete removal of the asbestos.

5.1.1 Personnel removing asbestos shall wear an approved type asbestos respirator as specified hereinafter. Persons not directly related with the removal shall not be permitted in the area. Ducts and other passages shall be secured to eliminate the possibility of migration of dust

particles to other parts of the building. The Safety Staff will make tests during this removal period to verify previous negative asbestos test results.

5.2 Removal of asbestos shall be in accordance with the guidelines or regulation of the responsible local Agency, EPA, NIOSH, and OSHA and as hereinafter specified as decontaminated conditions.

5.3 The Contractor shall furnish proof that employees have had instruction on the dangers of asbestos exposure, on proper respirator use, decontamination, and OSHA regulations.

6. WORKER'S DRESS AND EQUIPMENT FOR ASBESTOS REMOVAL:

6.1 Work clothes will consist of full body coveralls, disposable head covers, boots, or sneakers, and respiratory protective equipment as required by OSHA regulations. Eye protection and hard hats should be available as appropriate.

6.2 Coveralls should be of a limited permeability, paper disposable type.

6.3 Respiratory protection for workers shall be provided by the Contractor as required by current OSHA regulations.

7. DECONTAMINATION:

7.1 All workers, without exception:

7.1.1 Will change work clothes at designated areas prior to start of day's work. Lockers or acceptable substitutes will be provided by the Contractor for street and work clothes.

7.1.2 All work clothes will be removed in the area designated by the COTR. Workers would then proceed to a shower indicated by the COTR. Workers will shower before lunch and at the end of each day's work. Temporary shower with drain, cold and hot water, towels, soap, and hygienic conditions are the responsibility of the Contractor.

7.1.3 No smoking, eating or drinking is to take place once beyond the clean room at the job site. Prior to smoking, eating or drinking, workers will fully decontaminate by showering. Each worker will then dress into a new clean disposable coverall to eat, smoke or drink. This new coverall can then be used to reenter the work area.

7.1.4 Worker's footwear will remain inside contaminated area until completion of the job.

8. PRE-ASBESTOS REMOVAL PREPARATION:

8.1 The Contractor will thoroughly seal all openings and fixtures including, but not limited to, capping of heating and ventilating ducts, doors, windows, and ceiling plenum with polyethylene taped securely in place. Allowance must be made for easy egress through the work area in event of emergency.

8.2 Polyethylene sheets (6 Mil minimum) will be used to cover the entire floor and wall surfaces.

8.3 The Contractor will set up a decontamination facility as indicated by the Contracting Officer which will house the changing room, shower area, and equipment area.

8.4 The Contractor shall use existing toilet facilities in the work area to avoid decontamination for this purpose.

8.5 Procedures will be written for evacuation of injured workers. Aid for a seriously injured worker will not be delayed for reasons of decontamination.

8.6 Post asbestos caution signs at all entrances to contaminated areas, as required by OSHA.

9. METHODS OF ASBESTOS REMOVAL:

9.1. The asbestos material will be sprayed with water containing an additive to enhance penetration. The additive, or wetting agent, will be 50 percent polyethylene ester and 50 percent polyoxyethylene ether at a concentration of a 1 ounce per 5 gallons of water. A fine spray of this solution must be applied to prevent fiber disturbance preceding the removal of the asbestos material. The asbestos will be sufficiently saturated to prevent emission of airborne fibers in excess of the exposure limits prescribed in the OSHA standards referenced in these specifications.

9.2. Removal of the asbestos material will be done in small sections, on staging platforms, if needed. The material will be placed in small dumpster containers on wheels. These containers shall be free of any holes, cracks, or flaws. The dumpsters are to be provided with rubber seals and latches to

make container airtight. The exterior of the dumpsters shall be vacuum cleaned before leaving the contaminated area. Once a dumpster is packed it shall be sealed and labeled with appropriate asbestos caution signs prior to starting the next dumpster to prevent the material from drying.

9.3. Packed and sealed dumpsters, with the required labeling, will be delivered to a predesignated disposal site for burial according to appropriate Department of Transportation regulations. Labels and all necessary signs shall be in accordance with EPA and OSHA standards.

9.4. Following removal, the entire area will be wet cleaned. After a 24-hour period to allow for dust settling, the entire area will be wet cleaned again. During this settling period, no entry, activity or ventilation will be allowed. The term "entire area" means all walls, floors, windows, doors, and underside of the first floor slab. This also included all exterior of ductwork, piping, conduits, wiring, and supports within the area. Twenty-four hours after the second cleaning all surfaces in the entire work area will be thoroughly vacuumed and wet mopped. The interior of existing ductwork shall be vacuum cleaned during the second cleaning period and shall meet EPA approval tests.

9.5 All polyethylene material, tape, cleaning material, and clothing will be placed in dumpsters, sealed and labeled as described above for the asbestos waste material.

9.6. All equipment will be cleaned of asbestos material prior to leaving the work area.

10. AIR MONITORING:

10.1. Throughout the removal and cleaning operations, air sample monitoring will be conducted by the Contractor to ensure that the removal is complying with all codes, regulations and ordinances. The method to be used is described in OSHA Standards, 1910.93a. The air monitoring technician and his equipment will be subject to approval of the Safety Staff representative. Prior to the start of any work, the technician's method of measurement, calibration, and proof that his method is approved by the Secretary of Labor of the United States will be submitted to the Safety Staff representatives for their approval. The Contractor shall be responsible, at

his cost for any monitoring equipment, equipment technician, test procedures and reports. The Contractor shall submit required reports to Safety Staff representatives indicating that he is in accordance with OSHA and EPA requirements. The contractor must possess the ability to conduct air monitoring with a recently calibrated, direct-reading fibrous aerosol monitor (FAM). The need for using the FAM at the work-site will be left to the discretion of the Safety Staff representative.

10.2. Air monitoring shall be performed to provide the following samples during the period of asbestos removal:

<u>Area to be sampled</u>	<u>Number of samples</u>	<u>Minimum sampled volume in standard liters</u>
Work area	4	480
Outside work area barriers	4	480
Outside building	1	480

Samples will be taken after the actual removal operation has begun. The contractor must immediately notify the Chief/Safety Staff, via the COTR, when an air sample collected outside the work area yields results in excess of 0.1 asbestos fibers per cubic centimeter of contaminated air (0.1 fibers/cc). Outside air concentrations in excess of 0.1 fibers/cc are indicative of substandard work practices by the Contractor, and will not be tolerated. All work will cease until the cause of the high asbestos levels is pinpointed and corrected to the satisfaction of the Safety Staff representative. The contractor must notify the Chief/Safety Staff, via the COTR, when an air sample inside the work area exceeds 2.0 fibers/cc.

11. CLEAN-UP AND GUARANTEE:

11.1. After the second cleaning operation the following test must be performed: A complete visual inspection must be made to insure dust free conditions, and two air samples shall be taken within 48 hours after completion of all cleaning work. (Minimum volume of air sample 480 liters).

11.2 If noncompliance occurs, repeat cleaning and measurement until space is in compliance. Refer to 29 CFR 1910.1001, 7a.

12. DISPOSAL OF ASBESTOS MATERIAL AND RELATED DEBRIS:

12.1. All asbestos material miscellaneous debris in sealed dumpster will be transported to the predesignated disposal site in accordance with the guidelines of the U.S. Environmental Protection Agency and Department of Transportation.

12.2. Workers unloading the sealed dumpsters and machinery operators will wear fit-tested, and NIOSH approved respirators and appropriate protective clothing when handling material at the disposal site.

12.3. The material shall be dumped from the dumpster into the burial site. The dumpster may be reused. However, if any dumpster is damaged, which may result in leakage of asbestos material, the dumpster shall be repaired before reusing. All dumpsters, after material has been dumped, shall be thoroughly washed before placed back on the truck.

12.4. If, at any time, the Safety Staff representative decides that work practices are violating pertinent regulations or endangering workers, he will immediately notify in writing the on-site contractor representative that operations will cease until corrective action is taken.