



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Solid Waste and Emergency Response
1200 Pennsylvania Ave. SW
Washington, DC 20460

JUL 28 2005

MEMORANDUM

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SUBJECT: OSWER Directive - Mandatory Implementation of the Emergency Responder Health and Safety Manual
(OSWER Directive Number 9285.3-12)

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TO: Superfund National Policy Managers, Regions I-X

cc: OSWER Office Directors
Regional Removal Managers
Regional Safety, Health and Environmental Management Program
Officials
Environmental Response Team, OSRTI
National Decontamination Team Program Managers, OEM

DATE: July 28th, 2005

PURPOSE

This directive establishes a policy requiring EPA emergency response (ER) personnel to implement and adhere to consistent Health and Safety standards and management practices issued in the Emergency Responder Health & Safety (H&S) Manual ("H&S Manual"). The first three chapters of the H&S Manual will be transmitted with this directive, partially fulfilling the H&S responsibilities of supervisors, managers and responders (EPA Order 1440.1/1440.2). Eight chapters are under development. Additional chapters will be identified and developed as appropriate.

EPA remains fully committed to protecting the health and safety of its employees. This manual is intended to supplement current H&S documents, policies and guidance (i.e., OSWER Integrated Health and Safety Program Operating Practices for OSWER Field Activities, Pub. 9285.0-01C, November 2002) with regard to Agency wide consistency in response H&S activities. EPA managers are required to communicate this directive and the H&S Manual to all relevant EPA staff.

BACKGROUND

The Agency's emergency response personnel have routinely implemented health and safety procedures to comply with the requirements of the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300, NCP) and the Occupational Safety and Health Administration. Recent evaluations revealed that the H&S procedures varied among applicable response entities both in terms of requirements imposed and the degree to which these requirements were being implemented.

As a result, EPA is developing a H&S Manual containing "chapters" addressing the highest priority needs of the Program. These chapters are being developed in a modular fashion by EPA health and safety professionals and will be released as they are finalized. Those working collaboratively to develop the chapters for the manual include: EPA's certified industrial hygienists (CIHs) from the Safety, Health and Environmental Management Division (SHEMD), the Office of Emergency Management (OEM), the Environmental Response Team (ERT), as well as regional Removal Managers (RMs) and On-Scene Coordinators (OSCs). Their input reflects over thirty years of response experience and includes responses to nationally significant incidents and national mobilizations such as the 9-11 World Trade Center Attacks, Anthrax Attacks of 2001, and the Columbia Space Shuttle recovery.

As of this date, three chapters have been completed and eight more are under development. Completed chapters include: Radiation Safety, Medical Surveillance, and Respiratory Protection. Chapters under development include: an Introductory Chapter, Bloodborne Pathogens, Confined Space Entry, Physical Stress, Personal Protective Equipment, Bio-Warfare Agents, Chemical Warfare Agents, and Injury, Accident, and Exposure Reporting. These eleven chapters were selected by the Removal Managers, with input from the On-Scene Coordinators (OSCs), as the highest priority H&S activity areas.

APPLICABILITY

This directive applies to all Agency OSCs and Headquarters (HQ)/ Environmental Response Team (ERT)/ National Decontamination Team (NDT) field personnel directly responsible for conducting response activities under the Comprehensive Environmental Response, Compensation, and Liability Act, the Oil Pollution Act, and the Stafford Act authorities. Agency management may, on a case by case basis, determine that this directive applies to other Agency response personnel if it is determined necessary to ensure their safety.

EFFECTIVE DATE

This Directive will be effective on July 28th, 2005.

IMPLEMENTATION

Full implementation of this Directive will begin immediately and on a nationally consistent basis. This Directive will be available from intranet/web site and CDs to be maintained by ERT. Implementation will be by each Region, the ERT, the NDT and HQ response personnel. The National Planning and Preparedness Division (NPPD) is responsible for the overall coordination of the groups mentioned in this directive.

The implementation of this Directive will be carried out as follows:

- The primary responsibility for the implementation of this program is retained by the Superfund Program Directors, Removal Managers, Regional Safety, Health and Environmental Management Program (SHEMP) officials and response personnel supervisors, with appropriate support from other Program management and field personnel.
- The **existing National Approach to Response (NAR) H&S Workgroup** will continue to be responsible for the preparation of future H&S chapters and associated training material.
- The **ERT**, with regional support, will provide regional training as new chapters are developed. ERT will maintain a website where the Manual will be posted, reviewed at least once a year in conjunction with the tier system described below, and updated as appropriate. ERT will also serve as a national center of advice regarding the implementation of these H&S requirements. ERT will develop a **national electronic record keeping system** to maintain appropriate H&S training records.
- A "tier system"¹ has been developed to implement the H&S Manual requirements. Tier groups and their responsibilities are described below.
 - A **H&S Implementation Workgroup (Tier 1)**- will be formally organized not more than 30 days following the effective date of this directive, consisting of the established regional Health and Safety Points of Contact (H&S POCs), their backups and their HQ's/ERT/NDT counterparts. These individuals will be responsible for coordinating with their respective SHEMP managers and Radiation Safety Officers to recommend resolutions for program implementation issues, recommend directive and manual updates, and define resource needs. The co-leadership of the Tier 1 group will be selected by the Removal Managers (**Tier**

¹ Tiers are used to easily reflect the different groups involved in the implementation of the Emergency Responders H&S Manual and to indicate the hierarchy of the groups.

2) on a two year cycle, and work with designated Removal Managers (Tier 2) on implementation issues.

- **Removal Managers (Tier 2)**- will work to provide Program issue resolution and lead discussions on matters referred by the H&S Implementation Workgroup. They will also provide advice to the H&S Senior Management Committee (Tier 3) on precedent setting issues and strategic direction of Program H&S.
- **A H&S Senior Management Committee (Tier 3)** - will be established, not more than 30 days following the effective date of this directive, consisting of the Director of the Office of Emergency Management, the Director of the Safety, Health and Environmental Management Division, the Director of the Office of Superfund Remediation and Technology Innovation, the two lead region Division Directors for Superfund and Homeland Security and the OSWER Safety, Health and Environmental Management designee. This committee will assist in maintaining or modifying the overall strategic direction of the H&S program, resolve nationally significant issues (e.g. maintaining national program consistency), and ensure that an appropriate level of resources are available for effective program implementation activities and materials such as development or revision of H&S chapters, H&S training and training materials. The work of the committee will be facilitated by the Director of NPPD.
- **Managers** from the Program (Regional Removal, and HQ's ERT, NDT and the Program Operations and Coordination Division) **are required to submit a report** to the Director of NPPD detailing implementation accomplishments or issues within three months of this directive's effective date. The NPPD Director will coordinate this information with the H&S Senior Management Committee for strategic planning and direction of the Program's H&S Manual and its implementation.
- The annual Core ER reviews of the Program will help ensure the long-term nationally consistent implementation of these H&S requirements and those that will be developed in the future. The Core ER evaluation criteria will continue to be modified to appropriately reflect these new requirements.

Please contact Mark Mjones, Director of NPPD, if you have any questions or comments about the implementation of the H&S Manual.

Attachment.