

Department of the Interior Departmental Manual

Effective Date: 11/10/15

Series: Safety Management

Part 485: Safety and Occupational Health Program

Chapter 4: Safety and Health Standards, Procedures, and Guidelines

Originating Office: Office of Occupational Safety and Health

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4.1 **Purpose.** This chapter provides the minimum Occupational Safety and Health Program (Program) requirements for the development or adoption of safety and health standards and guidelines. It also specifies procedures for the development of alternate standards if Occupational Safety and Health Administration (OSHA) or other Federal or national consensus standards do not meet Departmental needs.

4.2 **Scope.** The policy in this chapter applies to all bureaus and offices in the Department.

4.3 **Authorities.**

A. Public Law 91-596, "Occupational Safety and Health Act of 1970," (The Act) Sections 6 and 19 (29 U.S.C. 655 and 668), as amended.

B. Public Law 100-678, Public Buildings Amendments of 1988, Section 21, "Compliance with Nationally Recognized Codes" (40 U.S.C. 619), as amended.

C. Executive Order 12196, "Occupational Safety and Health Programs for Federal Employees."

D. Title 10, Chapter I, Code of Federal Regulations (CFR), "Nuclear Regulatory Commission."

E. Title 14, CFR, Chapter I, "Department of Transportation, Federal Aviation Administration," Parts 1 to 199.

F. Title 23, CFR, "Department of Transportation, Federal Highway Administration," Parts 1 to 973, and Parts 1200 to 1339.

G. Title 24, CFR, "Housing and Urban Development (HUD), Lead Safe Housing Rule," Part 35, Subparts B through R.

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H. Title 27, CFR, Chapter II “Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives,” Parts 400 to end.

I. Title 29, CFR, “Labor,” Chapter XVII.

J. Title 30, CFR, “Department of Labor, Mine Safety and Health Administration,” Parts 1 to 199.

K. Title 40, CFR, Chapters I-IV, “Environmental Protection Agency,” Parts 1 to 1499.

L. Title 49, CFR, Chapter XII, “Department of Homeland Security, Transportation Security Administration,” Parts 1500 to 1699.

M. Departmental Manual, Part 620, “Wildland Fire Management, Chapter 1, General Policy and Procedures.”

4.4 **References.**

A. American Conference of Governmental Industrial Hygienists (ACGIH) (latest edition).

B. National Fire Protection Association (NFPA) Codes and Standards.

C. American National Standards Institute/American Industrial Hygiene Association Z10 (latest edition), “Occupational Health and Safety Management Systems.”

D. National Wildfire Coordinating Group (NWCG) “Standards for Wildland Fire Management.”

4.5 **Requirements.**

A. Bureaus and offices will comply with Departmental, OSHA, and other Federal regulatory standards, Executive Order 12196, and appropriate national consensus standards. Where conflicts exist among these standards, the order of application will be Federal, then Departmental, then national consensus standards. Bureaus may establish more stringent requirements.

B. The Department recognizes the NWCG as subject matter experts in Wildland Fire Management. The NWCG is comprised of representatives from federal, tribal, and state organizations with Wildland fire management responsibilities that develop standards and guidelines to manage Wildland fire operations.

C. If standards do not exist or existing standards are not adequate, alternate standards will be developed for the Department by the Office of Occupational Safety and Health (OSH)

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and/or bureaus using the following process:

(1) The bureau/office recognizing the need for an alternate standard will prepare the appropriate documentation required by 29 CFR 1960.17 for the Department of the Interior (DOI) to use in notifying the Department of Labor (DOL) of the intent to develop an alternate standard. The request package for the alternate standard will be routed through OSH and the Departmental Designated Agency Safety and Health Official (DASHO) for concurrence before being sent to DOL. After DOL approves the alternate standard, it will be adopted by DOI.

(2) The request for the alternate standard shall provide equivalent or greater protection for affected employees and shall include:

(a) Statement of why the bureau or office cannot comply with the OSHA standard or wants to adopt an alternate standard.

(b) Description of the alternate standard.

(c) Explanation of how the alternate standard provides equivalent or greater protection for affected employees.

(d) Summary of written comments, if any, from interested employees, employee representatives, and occupational safety and health committees.

D. The DOI can adopt emergency temporary and permanent supplementary standards as necessary and appropriate for working conditions of bureau or office employees for which there exists no appropriate OSHA standards. In order to avoid conflicts with the regulatory process, DOI should notify DOL of the subject matter of the supplementary standard when development begins.

(1) The DOI shall send a copy of the final draft of the permanent supplementary standard to DOL prior to officially adopting the standard, along with any written comments on the standard from interested employees, employee representatives, and occupational safety and health committees.

(2) If DOL finds the permanent supplementary standard is inconsistent with OSHA regulations or enforcement policy, DOI will be notified. The DOI will be required to re-submit a revised copy of the permanent supplementary standard that is consistent with OSHA regulations and enforcement policy.

E. Interagency Operations and Activities.

(1) Where employees of other Federal agencies engage in joint operations and activities and/or primarily report to work, or carry out operations and activities in the same establishment as DOI, the jurisdictional agency's safety and health standards adopted under 29 CFR 1960.7 and/or the jurisdictional agency's supplemental standards adopted under

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29 CFR 1960.18 shall govern.

(2) In the event that a jurisdictional agency's safety and health standards do not meet the minimum standards promulgated by DOI, then DOI will apply its standards to DOI employees at multi-employer worksites.

F. Beyond OSHA requirements, other special requirements applicable to and adopted by the Department include:

(1) ACGIH Threshold Limit Values (TLV) and Biological Exposure Indices (BEI) will be used for chemicals that do not have limits set by OSHA or when the ACGIH limits are more stringent than OSHA's.

(2) NWCG Standards.

(3) NFPA Codes and Standards (latest edition).

(4) ANSI Z 10 (latest edition).

(5) HUD Lead Safe Housing Rule, 24 CFR 35, Subparts B through R.

G. Requests for Interpretation to OSHA. Requests for interpretations of OSHA standards and regulations shall be submitted from the Bureau Safety Manager to the Director of OSH.

H. Variances to 485 Departmental Manual (DM) Requirements. Requests for variances to DM requirements shall be submitted by the Bureau Safety Manager to the Director of OSH. Request packages must include:

(1) Statement of why the requesting organization cannot comply with the DM.

(2) Description of the variance requested.

(3) Explanation of how the variance provides equivalent or greater protection for the affected employees.

(4) Description of the interim protective measures used to afford employees protection until a decision is rendered by the Director of OSH.