

**APPENDIX M**

**USACE PROCESS FOR REQUESTING  
INTERPRETATIONS**

The following process will be used for requesting an official interpretation of the requirements contained in this manual: (Other DOD Components must submit their requests for interpretations through their chain of command.)

1. All requests and responses shall be in writing.
2. The requestor must specifically identify the requirement for which they seek an interpretation. The requestor must provide the exact citation and quote the requirement in question. A separate request must be made for each requirement.
3. The requestor must state their source of confusion regarding the requirement.
4. The requestor must provide the evaluator with all the information necessary to understand the context in which the requirement is being applied.
5. The requestor must provide their interpretation of the requirement and their rationale.
6. Every effort should be made to interpret a requirement at the lowest possible level. The requestor must first seek an interpretation from the immediate next level prior to requesting interpretation from higher echelons. For example, a Contractor must first seek an interpretation of a requirement from the field office under which they work. If they are not satisfied with that interpretation, they may request, in writing, that an interpretation be sought at the local Safety and Occupational Health Office level. Both the Contractor's and the field office's interpretation of the requirement and their rationales and supporting information shall be forwarded to the Safety Office. The local Safety Office must then

EM 385-1-1  
3 Nov 03

render a written interpretation of the requirement within 5 working days of receipt. If either the field office or the requestor is not satisfied with the response from the local Safety Office, either may appeal their position in writing to the Regional/Division Safety and Occupational Health Office. In that case, the entire package containing the requestor's, the field offices, and the local Safety Office's interpretations, rationales, and supporting information shall be sent to the Division Safety Office. The Division Safety Office shall render a written response to the local Safety Office within 10 working days of receipt. If the requestor, the field office, or local Safety Office is not satisfied with the Division Safety Office response, any of them may appeal it to the HQ USACE Safety and Occupational Health Office for final resolution. In that case, all of the information sent to the Division Safety Office and the interpretation, rationale, and supporting information provided by the Division Safety Office shall be sent to the HQ USACE Safety Office. Within 30 working days of receipt, the HQ USACE Safety Office will provide a final written interpretation to the Division Safety Office for dissemination.

7. Interpretations apply ONLY to the specific time and the context in which the requirement is being applied. They may not be used as precedents to determine future applications of the requirement. HQ USACE will make the proper notifications if an interpretation may be applied globally.

8. Unofficial requests for interpretations/clarifications of requirements from USACE Safety and Occupational Health Offices may be made via email or telephone. However, the answers provided via this mode will be considered general guidance, not official interpretations.

9. HQ USACE will NOT accept requests for official interpretations from parties outside the Corps of Engineers structure.