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Manual

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This Manual describes the structure of the Agricultural Research Service (ARS) Safety, Health and Environmental Management Program, including Purpose and Scope; Organizational and Communication Structures; Program Authorities; Education and Training Requirements and Program Elements.

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INTRODUCTION

1. INTRODUCTION

This Manual has been prepared to serve as a reference for management officials, supervisors, and employees. It incorporates elements of Section 19 of the Occupational Safety and Health Act, which requires the head of each Federal agency to establish a Safety, Health, and Environmental Management Program that conforms to the standards set by the Secretary of Labor in Section 6 of the Act. Where more stringent safety, health, and environmental requirements are set forth, they will be applied.

The Safety, Health, and Environmental Management Program is the Agency's plan to effect optimal achievement of error-free and, therefore, accident-free task performance, which involves employee, machine, and environmental relationships. Within the Agency, the Safety, Health, and Environmental Management Program encompasses the related functional areas of safety management, occupational health management, environmental management, and industrial hygiene. Also, Radiation and Biological Safety Programs have been developed.

2. AGENCY POLICY STATEMENT

It is the policy of ARS to eliminate or minimize losses incurred by the Agency, individual employees, and the general public as a result of actions or incidents involving or producing injury, illness, and property/environmental damage in the workplace by:

- Implementing the Agency's program for safety, health, and environmental management.
- Complying with the spirit and letter of safety, health, and environmental legislation and related standards, orders, rules, and regulations.
- Establishing procedures for procurement, repair, storage, waste management/disposal, and salvage operations to prevent accident-related losses.
- Providing supervisory/employee education/training opportunities for communicating program function components.
- Properly assigning, directing, and training ARS employees.
- Developing supervisory safety, health, and environmental-related knowledge and skills.

- Compensating for human factors/errors, which have an undesirable effect upon the Agency's research mission.
- Developing facility self-protection plans for emergency situations.
- Developing and implementing program promotional activities.
- Analyzing work assignments to identify potentially hazardous conditions or adverse environmental consequences.
- Developing standard operating procedures which minimize or eliminate potentially hazardous conditions or adverse environmental effects.
- Analyzing the relationship of the employee, machine, and environment for the identification of potentially hazardous conditions or adverse environmental effects.
- Protecting employees from hazardous conditions through isolation, guarding and shielding principles, or personal protective equipment.
- Developing policies and procedures which minimize or eliminate potentially hazardous conditions or adverse personal effects through chemical labeling, hygiene, proper storage and disposal, and by inventorying chemicals and hazardous substances/materials.
- Developing procedures for researching, measuring, and reporting of safety, health, and environmental-related data.
- Developing programs for reviewing, inspecting/auditing, and complying with the Safety, Health, and Environmental Management Program.
- Incorporating the Safety, Health, and Environmental Management Program components into daily routines.

Periodic audit/inspection findings indicate that the Agency must take appropriate action to correct the deficiencies that exist, as well as provide a consistent level of program support to implement and maintain an acceptable Safety, Health, and Environmental Management Program as required by Federal, State, and local regulations.

Safety Management

The objective of the safety management function is the establishment, measurement, and appraisal of functions, methods, and programs for identifying, analyzing, and correcting problems associated with management functions that result in accidents/incidents having an adverse effect on the best utilization of Agency employees and property.

Occupational Health Management

The occupational health management function has for its objectives the establishment of programs to recognize, evaluate, and control occupational health hazards and to promote healthful working conditions.

Environmental Management

The objective of the environmental management function is to develop, implement, manage, and evaluate programs to:

- protect the human and natural environment;
- provide stewardship of natural and other resources under the Agency's control;
- prevent, control, and abate pollution at/from Agency facilities;
- protect Agency personnel from administrative, civil, and criminal penalties and liability; and
- comply with substantive and procedural environmental requirements associated with environmental and project planning, facility construction, and operation and program execution.

Industrial Hygiene

The objective of the industrial hygiene function is the development and implementation of program activities designed to anticipate, recognize, evaluate, and control environmental factors or stresses arising in or from the workplace that may cause sickness, impaired health and well-being, and/or significant discomfort among workers or among citizens of the community.

Radiation Safety Program

The Agency follows the Radiation Safety Program of the Department. The purpose of this program is to safeguard personnel, property, and the community at large from the potential hazards of radiation from all possible sources and thereby minimize legal risks associated with the presence or use of ionizing radiation. The Radiation Safety Program is administered by USDA. Specific program policy guidelines can be found in the departmental Radiation Safety Handbook and at the Radiation Safety Staff Homepage.

Biological Safety Program

The purpose of this program is to establish standards, special microbiological practices, safety equipment, and facilities that constitute biosafety levels 1-4, which are recommended for working with a variety of infectious agents in various laboratory settings. The purpose of this program is to protect the Agency and public from the potential adverse effects of infectious agents being studied within the Agency. This is achieved by establishing special biosafety standards, implementing rigorous biosafety practices, and conducting biohazardous research in specially designed facilities.

Chapter 9, Biohazard Containment Design of Manual 242.1, ARS Construction Project Design Standard, addresses requirements and considerations for containment facilities covering hazard classification and choice of containment; architectural, mechanical, and electrical design features; testing and certification requirements for critical components of the containment system; and bid document preparation. Specific program policy/guidelines can be found at the Agency's Biosafety Management Homepage.

3. APPLICABILITY

The contents of this Manual are applicable to all missions under the direction of the Administrator whether accomplished by Agency personnel, cooperators, or contractors. Exceptions to the provisions of this Manual require Office of the Administrator approval. Waivers must be documented and copies furnished to the next higher management level. In all instances, however, program coverage consistent with the intent of the pertinent provisions will be provided.

4. MAINTENANCE OF THIS MANUAL

The Safety, Health, and Environmental Management Branch (SHEMB), Facilities Division (FD), is responsible for the issuance of any amendments to this Manual. The Manual will be updated as required to maintain compliance with new or revised policies, standards, or regulations.

Where references are made to websites, a hard copy will be made available to anyone not having access to the information. Contact your servicing representative.

5. DEFINITIONS

The intent of this section is to promote a common understanding of technical terms and definitions among the safety, health, and environmental professionals of the Agency. The list below contains a listing of terms and definitions pertinent to the technology and practice of safety, health, and environmental management within the Agency.

- Safety, Health, and Environmental Management Program - The Agency's plan designed to affect optimal achievement of error-free and, therefore, accident-free task performance which involves employee, machine, and environmental relationships. Within the Agency, the Safety, Health, and Environmental Management Program encompasses the related functional areas of safety management, occupational health management, environmental management, and industrial hygiene.
- Industrial Hygiene - That science and art devoted to the anticipation, recognition, evaluation, and control of those environmental factors or stresses arising in or from the workplace that may cause sickness, impaired health and well being, or significant discomfort and inefficiency among workers or among the citizens of the community.
- Environmental Planning - Systematic, interdisciplinary application of the natural and social sciences and the environmental design arts to achieve the National Environmental Policy Act (NEPA) objectives of better decisions, a hard look at short- and long-term environmental effects of Agency actions, consideration of environmental factors at the earliest stages of project planning, and minimization of environmental impact.

- Environmental Protection - Preserving and enhancing the quality of the natural environment through affirmative management activities consistent with conservative environmental and ecological values.
- Environmental Compliance - At a minimum, complying with the letter and spirit of applicable pollution control standards. In order to ensure compliance, regulated units are to be identified, and operations are to be monitored and periodically reviewed.
- Environmental Management - The sum of environmental planning, protection, and compliance activities integrated into overall management procedures.
- Accidents - Incidents occurring due to errors in performance of specific tasks by employees and/or machines in a particular workplace; sustained because of ineffective adjustments to hazards; manifested by losses incurred; and observable in the form of symptoms such as pain, injury, damage, destruction, and interruption of the research mission.
- Hazards - Chemical, physical, or behavioral obstruction of safe task performance by employees and/or machines which might allow an unfavorable extent of chance danger, peril, or risk to affect an incident resulting in unwarranted losses.

6. AUTHORITIES

Authority for programs to prevent accidents/incidents involving people, personal property, and the environment with respect to the operations of the Federal Government is provided in various authorities, laws, standards and Executive orders.

In some jurisdictions, more stringent State or local standards may govern our activities. The following list only contains those minimum Federal requirements that apply Agencywide.

Some of the authorities behind the Safety, Health, and Environmental Management Program are:

- 5 Code of Federal Regulations (CFR), Part 630, Federal Employees Family Friendly Leave Act;

- 7 CFR, Part 2, Delegations of Authority by the Assistant Secretary for Administration;
- 10 CFR, Chapter I, Part 19, Notices, Instructions, and Reports to Workers, Inspection and Investigation; Part 20, Standards for Protection Against Radiation; and Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material;
- 29 CFR, Part 1605, Equal Employment Opportunity Commission;
- 29 CFR, Part 1928, Occupational Safety and Health Standards for Agriculture;
- 29 CFR, Part 1910, Occupational Safety and Health Standards;
- 29 CFR, Part 1926, Safety and Health Regulations for Construction;
- 29 CFR, Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs;
- 40 CFR, Parts 1 to end, Protection of the Environment;
- 41 CFR, Part 101-5.3, Establishes General Services Administration (GSA) policy on and provides guidelines for the installation of physical fitness facilities;
- 42 CFR, Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records;
- 49 CFR, Subtitle B, Chapter I, Subchapter C, Parts 171-178, Hazardous Materials Regulations;
- 49 CFR 173, Department of Transportation (DOT) safety regulations;
- 5 United States Code (USC) 552a, Privacy Act of 1974;
- 5 USC 792, Federal Employees Health and Counseling Programs;
- 5 USC 7361-7362, Federal requirements for developing appropriate prevention, treatment, and rehabilitation programs and services for drug abuse, alcohol abuse, and alcoholism among employees;
- 5 USC, 7901, Health Service Programs;

- 29 USC 668, 673, Sections 6, 19, and 24 of the Occupational Safety and Health Act of 1970 (84 Stat. 1609, 1614, Federal Agency Safety Programs and Responsibilities);
- 29 USC 794, Rehabilitation Act of 1973, as amended;
- 42 USC 9601, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Title III, Superfund Amendments and Reauthorization Act (SARA) of 1986;
- Public Law (P.L.) 95-454, Civil Service Reform Act of 1978;
- P.L. 100-71, Section 503 of the Supplemental Appropriations Act of 1987;
- P.L. 102-143, The Omnibus Transportation Employee Testing Act of 1991;
- P.L. 103-103, Federal Employees Leave Sharing Amendments Act;
- P.L. 103-388, Family and Medical Leave Act;
- P.L. 103-409, FEGLI Living Benefits Act;
- Title VII, Civil Rights Act of 1964;
- Executive Order (E.O.) 12088 dated October 13, 1988, Pollution Prevention;
- E.O. 12196 dated February 26, 1980, Occupational Safety and Health Programs for Federal employees;
- E.O. 12564 dated September 15, 1986, Drug Free Workplace;
- E.O. 12856 dated August 3, 1993, Federal Facilities Compliance;
- Comptroller General Decision B-187074 dated November 7, 1977, holding that under 5 USC 7901 an agency may expend appropriated funds for the procurement of diagnostic and preventative psychological counseling services;
- Comptroller General Decision B-226569 dated November 30, 1987, allowing reimbursement for local travel expenses for visits to the Employee Assistance Counselor located at another agency when an agency determines that the travel is

advantageous to the Government;

- Departmental Manual 5600-1, Environmental Pollution Prevention, Control, and Abatement;
- ARS P&P 600.12, "Guidelines and Precautions to Be Taken By Personnel In Storing, Using, Handling, and Disposing of Agricultural Chemical Pesticides";
- Scientific and Technical Guidelines for Drug Testing Programs--Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA), Department of Health and Human Services (DHHS), as revised;
- Standards for Certification of Laboratories Engaged in Urine Drug Testing for Federal Agencies--ADAMHA, DHHS, as revised;
- Federal Employees Compensation Act (FECA) Bulletin 87-9, provides agencies with guidance relative to workers' compensation claims and physical fitness activities.

7. ABBREVIATIONS

- AAO - Area Administrative Officer
- ACGIH - American Conference of Governmental Industrial Hygienists
- AD - Area Director
- ADAMHA - Alcohol, Drug Abuse, and Mental Health Administration
- ADP - Automated Data Processing
- A-E - Architect-Engineer
- AFM - Administrative and Financial Management
- ARS - Agricultural Research Service
- ASHM - Area Safety and Health Manager
- CAA - Clean Air Act
- CDC - Centers for Disease Control
- CEPS - Cluster Environmental Protection Specialist
- CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act
- CFR - Code of Federal Regulations
- COR - Contracting Officer's Representative
- CORE - Calendar of Reporting Events
- CZM - Coastal Zone Management
- DAAFM - Deputy Administrator, Administrative and Financial Management
- DEA - Drug Enforcement Administration
- DHHS - Department of Health and Human Services
- DOJ - Department of Justice

- DOL - Department of Labor
- DOT - Department of Transportation
- EPA - Environmental Protection Agency
- EAP - Employee Assistance Program
- FD - Facilities Division
- FECA - Federal Employees Compensation Act
- FEMA - Federal Emergency Management Agency
- FIFRA - Federal Insecticide, Fungicide, and Rodenticide Act
- FWS - Fish and Wildlife Service
- GPO - Government Printing Office
- GSA - General Services Administration
- HRD - Human Resources Division
- HWC - Hazardous Waste Cleanup
- MSDS - Material Safety Data Sheets
- NEPA - National Environmental Policy Act
- NRC - Nuclear Regulatory Commission
- OAR - Onsite Assistance Review
- OHMP - Occupational Health Maintenance Program
- OSHA - Occupational Safety and Health Administration
- P&P - Policy and Procedure
- PWPP - Pesticide Worker Protection Program
- RCRA - Resource Conservation and Recovery Act
- SARA - Superfund Amendments and Reauthorization Act
- SHEMB - Safety, Health, and Environmental Management Branch
- TEP - Technical Evaluation Panel
- USC - United States Code

8. SAFETY, HEALTH, AND ENVIRONMENTAL STANDARDS

Basic Agency responsibilities for Safety, Health, and Environmental Standards are as follows:

- The Chief, SHEMB, FD, will develop safety, health, and environmental standards for general Agency application. The chief will also serve as the primary interpreter of other Federal/State/local safety, health, and environmental-related standards as to their applicability to ARS operations. The chief will provide guidance and assistance necessary to ensure adequate compliance with applicable safety, health, and environmental standards by program officials throughout the Agency.
- The Area Directors (AD's), Area Administrative Officers (AAO's), Center Directors, and Location Coordinators will maintain a complete and current set of applicable Occupational Safety and Health Administration (OSHA),

Environmental Protection Agency (EPA) and DOT standards. These officials will provide other managerial support of the requirements, and ensure compliance through resource allocation and policies.

- The Area/Center/Collateral Duty Safety Officers, Area Safety and Health Managers (ASHM's), Cluster Environmental Protection Specialists (CEPS), or Industrial Hygienists will provide guidance and assistance necessary to ensure adequate compliance with all applicable safety, occupational health, environmental, and industrial hygiene standards by program officials in their areas of concern.
- Supervisory and managerial personnel will be knowledgeable of standards that apply to their work areas and will ensure that employees under their supervision know and follow applicable standards.
- All employees will be knowledgeable about and will follow the standards that apply to their areas of work.

Procedures for Adoption

- E.O. 12196 requires the Secretary of Labor to provide consultation to agencies as necessary and appropriate to ensure agency standards are consistent with OSHA standards.
- To meet the requirements of E.O. 12196, ARS will adopt OSHA standards published as 29 CFR 1910, 1918, 1926, and 1928 as ARS standards unless a request for an exception is submitted through the Deputy Administrator, Administrative and Financial Management (DAAFM) to the Department of Labor (DOL).
- The DAAFM will submit new safety and health standards which conflict with OSHA standards to OSHA for approval. Requests will include:
 - copies of the standard proposed for adoption, arranged to correspond to appropriate subparts of OSHA standards; and
 - information supporting the standard's proposal (i.e., past accident experience, how the proposal is as effective as OSHA standards, and why the OSHA standards conflict with effective ARS operations).

New, Amended, or Supplementary Standards

- The Chief, SHEMB, FD, through the DAAFM, may amend or develop new standards for special application to working conditions.
- The Chief, SHEMB, FD, through the DAAFM, may adopt supplementary standards for application to working conditions for which no OSHA standard exists.
- The above procedures will be followed when new, amended, or supplementary standards are required to address occupational health, industrial hygiene, and environmental issues.

Conflicting Standards

- Where Agency employees are engaged in joint operations with other Federal agencies or primarily work in the facility of another agency, the Administrator, or his designee, will consult with the head of the other agency to resolve potential conflicts between ARS safety, health, and environmental standards and standards of that agency. ASHM's will coordinate these situations and report such conflicts to the Chief, SHEMB, FD, through the AAO.
- If distinctly separate activities are performed at a single location, each activity will be treated as a separate establishment.
- If the Agency owns and provides services to a facility shared by another Federal agency, State agency or university, or other cooperator, ARS standards will prevail until conflicting standards are resolved and a memorandum of understanding/research agreement or similar document is prepared.
- When the Agency is required by law to comply with requirements of another Federal authority (e.g., GSA) and compliance conflicts with Agency safety, health, and environmental standards, the Administrator, or his designee, will inform the head of the Federal authority of the conflict so that joint efforts for resolution may be made. Each ASHM will monitor and report these situations to the DAAFM through the Chief, SHEMB, FD, through the AD/AAO.

Emergency Temporary Standards

- The Agency will adopt OSHA emergency temporary standards which apply to ARS activities. Applicable management

officials will immediately ensure that employees exposed to

hazards receive the protection provided by OSHA emergency temporary standards.

- OSHA emergency temporary standards will remain effective as Agency standards until the Secretary of Labor publishes a permanent standard or Agency standards are adopted which are consistent with these OSHA standards.
- The Chief, SHEMB, FD, may develop Agency emergency temporary standards when necessary to protect Agency employees from imminent danger.

Access to Standards

- The DAAFM will notify appropriate USDA safety and health officials of final adoption, revision, modification, or revocation of Agency safety, health, and environmental standards.
- The Chief, SHEMB, FD, will provide Areas/locations with instructions for obtaining current safety, health, and environmental standards applicable to their operations.

NOTE: Locations may establish safety, health, and environmental regulations applicable to unique local working conditions, provided such regulations do not conflict with and are not less stringent than established Agency standards or policies. Location safety, health, and environmental regulations are not considered as standards for the purposes of this Manual.

Environmental Standards

- The Agency will adopt all environmental-related standards associated with the rules, regulations, codes, and laws listed in the Authorities Section of this chapter. The Agency will also adopt, where appropriate, Federal, State, county, and local environmental standards.

Distribution

- Each ARS location will maintain a complete and current set of:
 - applicable safety, health, biological, radiological, and environmental standards; and

- ARS Manual 230.0.

These items will be readily accessible to all employees.

A list of all possible applicable standards for a given location would be very long if all the statutes, laws, regulations, policies and procedures, etc., on the books were included. Your location, service area, Headquarters safety, health, or environmental representative should be consulted when determining which location operation requires compliance with a specific standard.

9. SOURCES OF INFORMATION AND ASSISTANCE

Agency personnel are sometimes asked to make a preliminary assessment of the degree of employee exposure to hazards arising from a process or operation. In emergency situations and in the absence of immediate access to an Industrial Hygienist, ASHM, Collateral Duty Safety Officer, CEPS, or Safety Specialist, it may be necessary to take immediate action to identify, evaluate, or control an occupational hazard. Therefore, one must utilize available resources to assure that the best advice is provided. The purpose of this section is to provide Agency personnel with information about specialized help that is available from a number of sources. Some sources of specialized help include:

Occupational Safety and Health

- OSHA - <http://www.osha.gov>
- OSHA Computerized Information System
<http://www.osha-slc.gov/>
- OSHA - 29 CFR 1910
[http://www.osha-slc.gov/oshstd toc/
OSHStdtoctoc1910.html](http://www.osha-slc.gov/oshstd%20toc/OSHStdtoctoc1910.html)
- Federal Register - OSHA
[http://www.osha-slc.gov/oshstdtoc/OSHA
Stdtoctoc1910.html](http://www.osha-slc.gov/oshstdtoc/OSHAStdtoctoc1910.html)
- OSHA Training Institute - Course List
[http://www.osha-slc.gov/Trainingtoc/ted
appc.html](http://www.osha-slc.gov/Trainingtoc/tedappc.html)
- National Institute for Occupational Safety and Health (NIOSH) - <http://www.cdc.gov/niosh/homepage.html>

- World Health Organization
<http://www.who.ch>
- Agency for Toxic Substances and Disease Registry (ATSDR)
<http://atsdr.1.atsdr.cdc.gov:8080/atsdrhome.html>
- Material Safety Data Sheets (MSDS)
<http://hazard.com/MSDS/index.html>
- DHHS
<http://www.os.dhhs.gov>

Biological Safety

- Centers for Disease Control and Prevention (CDC)
<http://www.cdc.gov>
- National Institutes of Health (NIH)
<http://www.nih.gov>
- ASBA BioSafety Resource Homepage
<http://www.GRCBS.MSU.edu/absa/resource.html>

Radiation Safety

- Nuclear Regulatory Commission (NRC)
<http://www.nrc.gov>
- Radiation Safety Office Homepage
<http://www.uvm.edu/radst>
- EPA Mixed Waste Team Homepage
<http://www.epa.gov/radiation/mixed-waste/>

Industrial Hygiene

- American Industrial Hygiene Association
<http://www.aiha.org/>
- American Conference of Governmental Industrial Hygienists (ACGIH) <http://www.acgih.org/>
- Chem Center
<http://chemcenter.org/>

- The Merck Manual
<http://www.merck.com/pubs/mmanual/htm./section.htm>
- American Board of Industrial Hygiene (ABIH)
<http://www.abih.org/>
- Navy Industrial Hygiene Program
<http://www.mmcp.med.navy.mil/nor/ih>
- Army Industrial Hygiene Program
<http://chppm-www.apgea.army.mil/Armyih>
- Industrial Hygiene on the World Wide Web (some calculations and conversions),
<http://www.cs.wku.edu/~russellg/ih/ih.html>

Environmental Management

- EPA - <http://www.epa.gov>
- EPA Hotlines
<http://www.epa.gov/epahome/hotline.html>
- Housing and Urban Development - Office of Lead Hazard Control
<http://www.hud.gov/lead/leahome.html>
- EPA Regional Offices
<http://www.epa.gov/offices.html#regions>
- Federal Register - EPA
<http://www.epa.gov/fedrgstr/EPAFR-CONTENTS/>
- EPA Emergency Response Notification System
<http://www.epa.gov/erns>
- EPA Office of Air and Radiation
<http://www.epa.gov/oar/oarhome.html>
- EPA Office of Enforcement, Compliance, and Assurance
<http://www.epa.gov/docs/oecaerth/index.html>
- Pollution Prevention/Waste Minimization - EPA
<http://www.epa.gov/opptintr.p2home/>
- Federal Emergency Management Agency (FEMA)
<http://www.fema.gov>

- EPA Office of Solid Waste and Emergency Response (Resource Conservation and Recovery Act (RCRA) and CERCLA) - <http://www.epa.gov/epaoswer/inex.htm>
- DOT - <http://www.dot.gov>

Agricultural Safety

- Agricultural Health and Safety Center
<http://www-ch.ucdavis.edu/www/agcenter.html>
- National Ag Safety Data Base
<http://www.agen.ufl.edu/~nasdhome.html>
- Pesticide Poisoning Handbook
<http://gnv.ifas.ufl.edu/~fairsweb/text/pp/19729.html>
- Pesticide Product Information
<http://www.cdpr.ca.gov/docs/epa/epamenu.htm>
- NIOSH Ag Centers
<http://www-epm.ucdavis.edu/www/niosh/niosh.html>

Government Organizations

- FEMA
<http://www.fema.gov>
- Natural Resources (USDA, Conservation Service)
<http://www.ncg.nrcs.usda.gov>
- USDA Home Page
<http://usda.gov>
- CFR's (a Government Printing Office (GPO) searchable data base)
<http://www.access.gpo.gov/nara/cfr/index.html>
- Ergonomics
<http://www.osha-slc.gov/ergo/index.html>
- Universal Waste Rule
<http://www.epa.gov/epaoswer/hazwaste/id/univwast.htm>
- Library of Congress
<gopher://marvel.loc.gov>

- Congressional Home Page
http://thomas.loc.gov
- President's E-Mail Address
president@whitehouse.gov

There is an overwhelming amount of information available from the Federal Government that concerns all aspects of safety, health, and environmental programs. Because of content changes in Government agency activities and frequent reorganizations with the Government, it is recommended that you consult the latest issue of the U.S. Government Organization Manual published annually by the GPO, Washington, D.C. 20402. This paperbound book can be found in most libraries and Government offices.

10. RESPONSIBILITIES

The Administrator will:

- Initiate and maintain/oversee a comprehensive and viable Safety, Health, Radiation, Biological, and Environmental Management Program consistent with the requirements set forth in applicable Federal/State/local legislative and Executive mandates.
- Serve or designate, as required by USDA Departmental Regulation 4400-1, a Deputy Administrator to serve as the Agency's Designated Safety and Health Official and provide the necessary staffing, education/training, equipment, financial resources, and management support to develop and manage a comprehensive and effective Agencywide program.
- Ensure that Agency employees are furnished with places and conditions of employment that are free from recognized hazards that may contribute to the occurrence of occupational-related injury, illness, death, or property/environmental damage.
- Ensure that administrative procedures and professional services are available for the recognition and treatment of employees' personal difficulties that may affect their safety, health, or productivity.
- Ensure prompt response to all reports of unsafe or unhealthful conditions, and establish procedures designed to ensure that no employee is subject to any interference,

discrimination, or other type of reprisal for reporting such conditions or participating in Agency Safety, Health, and Environmental Management Program activities.

- Ensure that periodic inspections of all Agency workplaces are performed by qualified and properly equipped personnel and provide for adequate employee representation during inspections.
- Ensure prompt abatement of unsafe and unhealthful working conditions and assure proper posting of notices for identified unsafe and unhealthful conditions that cannot be abated immediately.
- Ensure that safety, health, and environmental-related education and training are provided for all Agency employees (with special emphasis on supervisory personnel, collateral duty safety and health personnel, representatives of employees, members of safety and health committees, employees performing hazardous work assignments and duties, new employees, and employees assigned specific safety, health, and environmental management and operational duties and responsibilities).
- Ensure participation by and consultation with employees or their representatives in safety, health, and environmental operations and activities.
- Ensure that safety, health, and environmental responsibilities are integrated within the performance standards of all managers, supervisors, and employees.
- Furnish, upon Department request or as directed, all safety, health, and environmental-related reports (annual, evaluation, investigation, etc.); statistical reports (injury, illness, property/environmental damage, loss, costs, etc.); and/or hazardous waste cleanup/funding reports.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual programs for details.

Deputy Administrators, Associate Deputy Administrators, National Program Leaders, and Headquarters Staffs and Divisions or Their Subordinate Staffs will:

- Recommend actions based on input from knowledgeable personnel that enable ARS to comply with the intent, purposes, and standards of impacting safety, health, and environmental legislation.
- Provide coordination and consultative assistance to subordinates under their jurisdiction to help them develop safety, health, radiation, biological and environmental strategies to meet the requirements of USDA, ARS policies and impacting laws, standards, and regulations.
- Include adequate funds for compliance with safety, health, and environmental standards in budgets under their jurisdiction.
- Ensure that all necessary actions are taken for the prevention, control, and abatement of potentially hazardous conditions for all operations and activities under their jurisdiction.
- Develop improvement plans and provide followup reports for corrective action measures to meet standards.
- Participate in Agencywide development of program implementation plans (i.e., goals, objectives, milestones) designed to ensure compliance.
- Provide review and comments, as requested, on safety, health, and environmental issues.
- Immediately notify the appropriate management official responsible for resource allocations whenever unsafe, unhealthful, environmentally damaged, or potential pollution situations arise so that appropriate actions can be taken.
- Ensure through the Biological Safety Officer that all safety, health, and environmental concerns are addressed during the design/construction of biosafety facilities and are within research procedures and new programs which require compliance with biosafety levels.
- Establish policy to ensure that the Agency's research operations are in compliance with NEPA provisions.

AD's, Under the Direction of the Administrator, will:

- Exercise primary responsibility to initiate, operate, and direct a comprehensive and viable Area Safety, Health, Radiation, Biological, and Environmental Management Program, consistent with the requirements set forth in applicable legislative/Executive mandates and Manual 230.0, Safety, Health, and Environmental Management Program.
- Provide the necessary staffing, education/training, equipment, financial resources, and management support to develop and manage a comprehensive and viable program.
- Provide all supervisory personnel and employees immediate access to applicable safety, health, and environmental standards and program elements.
- Ensure that all accidents, injuries, illnesses, and environmental releases are properly reported; appropriate forms are prepared; and investigations are performed to identify causes and to determine corrective actions.
- Establish Area goals and objectives for reducing or eliminating accidents, injuries, illnesses, and damage to the environment consistent with Agencywide goals/objectives set forth by the Administrator.
- Inform and hold subordinate supervisors accountable for implementing and monitoring ARS program requirements and for ensuring that they and their employees are properly trained and prepared to carry out these responsibilities.
- Compile and approve in a timely manner overall Areawide safety, health, and environmental reports, inventories, and statistics required by the ARS Administrator.
- Develop safety, health, and environmental duties and responsibilities in position descriptions of line managers, staff officials, and employees.
- Comply with all NEPA requirements related to construction and program issues; conduct all required environmental assessments, environmental impact statements, categorical exclusions, etc.; and record, sign, forward, and maintain copies of all project documents.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual program for details.

Center Directors, Location Coordinators, and Research Leaders will:

- Implement, manage, monitor, and comply with all applicable Federal and State regulations and Agency Safety, Health, and Environmental Management Program policies and procedures and standards to ensure safe, healthy, and environmentally protected workplaces.
- Inform and hold subordinate supervisors responsible for implementing and managing the Agency's safety, health, and environmental requirements, and ensure that they and their employees are properly educated, trained, and prepared to carry out these responsibilities.
- Provide education/training, equipment, facilities, other necessary financial resources, and management support to subordinate employees to ensure compliance with the safety, health, and environmental policies and regulations described above.
- Seek out and utilize trained safety, health, industrial hygiene, environmental, and radiological personnel, or acquire such personnel by direct hire or contract to assist in solving safety, health, environmental, and radiological problems to provide a safe working environment.
- Furnish location employees with places and conditions of employment that are free from recognized hazards. Provide training/personal protective equipment to work around known hazardous situations that cannot be corrected without unjustifiable resource allocations that may contribute to the occurrence of occupational-related injury, illness, death, or environmental damage.
- Ensure that administrative procedures and professional employee assistance programs are available for the

identification and treatment of employees' work-related and/or personal difficulties that may affect their safety, health, or productivity.

- Respond promptly to all reports of unsafe or unhealthy conditions that threaten people, property, or the environment, and establish procedures designed to ensure that no employee is subject to any interference, discrimination, or other type of reprisal for reporting such conditions or participating in the Agency's Safety, Health, and Environmental Management Program activities.
- Periodically inspect all location workplaces through qualified and properly equipped personnel, and provide for adequate employee representation during inspections.
- Provide prompt abatement of unsafe and unhealthy working conditions that threaten people, property, or the environment, and ensure proper posting of notices for identified unsafe and unhealthful conditions that cannot be abated immediately.
- Provide periodic safety, health, and environmental education/training for all location employees, including themselves, (with special emphasis on supervisory personnel, collateral duty safety and health personnel, representatives of employees, members of safety and health committees, employees performing hazardous work assignments and duties, new employees, and employees assigned specific safety, health, and environmental duties and responsibilities) to keep all employees current with program requirements and policies.
- Require participation by and consultation with employees or their representatives (i.e., unions) in the locations' safety, health, and environmental operations and activities.
- Integrate safety, health, and environmental responsibilities into the performance standards of all managers, supervisors, and employees under their jurisdiction, and appraise their performance accordingly.
- Obtain the necessary data and furnish all safety, health, and environmental reports (annual, evaluation, investigation, etc.); statistical reports (injury, illness, property/environmental damage, loss, costs, etc.); and hazardous waste cleanup/funding reports.

- Recommend actions that enable the Agency to comply with the intent and purposes of applicable standards impacting safety, health, and environmental legislation.
- Report within required deadlines any and all environmental releases (i.e., any spilling, leaking, pumping, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment) to appropriate Federal, State, or local regulatory officials and Area/Headquarters officials.
- As required, provide support and make formal recommendations to the Area Director concerning environmental issues and building permit procedures related to NEPA.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional specific responsibilities. Please refer to the individual program for details.

The DAAFM will:

- Recommend actions that enable the Agency to comply with the intent, purposes, and standards of safety, health, and environmental legislation.
- Recommend ARS policy and procedures on safety, health, and environmental standards and program elements to comply with Federal laws and regulations.
- Inform Agency line/staff officials of changes in safety, health, and environmental management standards and program elements to comply with Federal laws and regulations.
- Provide oversight to ascertain that applicable safety, health, and environmental concerns/provisions are observed in Agency acquisition, construction, personnel, ADP, property (real/personal), contracting, and financial processes.
- Ensure the compilation and distribution of Agencywide safety, health, and environmental reports, inventories, and statistics as required.
- Administer funds appropriated to the Agency for hazardous waste cleanup and compliance purposes, and provide guidance to Agency officials on programming and budgeting for Safety,

Health, and Environmental Management Program operations/activities.

- Ensure that reviews, inspections/audits, evaluations, and followup of needed corrective actions of Agency operations/activities are performed to ascertain that they are in compliance or are being brought into compliance insofar as feasible with applicable Federal, State, and local safety, health, and environmental standards.
- Ensure through the Department's Radiation Safety Staff that all safety, health, and environmental concerns are addressed within the Radiation Safety Program as required by current Federal laws and regulations.
- Ensure, through the Biological Safety Officer, that all safety, health, and environmental concerns are addressed within the Biological Safety Program.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual program for details.

FD-SHEMB will:

- Develop, implement, manage, and monitor all applicable safety, health, and environmental standards and programs as required by Federal laws and regulations.
- Ensure that all supervisory personnel and employees know of their right to have access to applicable safety, health, and environmental standards and program elements.
- Ensure that supervisors and employees properly report all accidents, injuries, illnesses, and environmental releases; complete the appropriate forms within prescribed deadlines; perform investigations to identify causes; and determine corrective actions.
- Recommend actions that enable ARS to comply with the intent, purposes, and standards of safety, health, and environmental legislation.
- Establish and recommend ARS policy and procedures on safety, health, and environmental standards and on Safety, Health, and Environmental Management Program components.

- Identify and prepare correspondence and information through the DAAFM and Agency line/staff officials concerning changes in safety, health, and environmental management standards and program elements that need to be implemented in the Agency. Serve as liaison with Department officials and external regulatory offices to determine legislation, regulatory requirements, or changes in safety, health, and environmental regulations which impact Agency programs.
- Advise other ARS-AFM functional areas of safety, health, and environmental-related concerns/provisions which must be included in acquisition, construction, personnel, ADP, property (real/personal), contracting, and financial processes.
- Obtain the necessary data and compile Agencywide safety, health, and environmental reports, inventories, and statistics as required.
- Recommend actions and provide guidance to line officials on programming and budgeting for safety, health, and environmental management activities.
- Conduct periodic reviews and make written assessments of Areas' efforts to implement the Agency Safety, Health, and Environmental Management Program.
- Establish Agencywide procedures for inspecting and evaluating the effectiveness of the Agency program at all organizational levels.
- Ensure through the responsible property management officials that safety, health, and environmental concerns are addressed in the acquisition and disposal of real and personal property.
- Provide, except where delegated to the Area Office, operational safety, health, and environmental project management for FD facility projects in excess of \$500,000 for construction and in excess of \$50,000 for architect-engineer (A-E) requirements.
- Provide policy direction and support to program officials concerning hazardous waste cleanup funding projects; monitor Area utilization of the funding and ensure required Status of Funds Reports are prepared by Area officials; and prepare Agency response to the Department.

- Provide policy direction and guidance to the Area/location staff and line officials in their preparation of Statements of Work for preliminary assessments, site inspections, or other preremedial/remedial work for Area pollution prevention/abatement/remediation projects, and serve as a Technical Evaluation Panel (TEP) member as required.
- Provide policy direction and guidance to Area/location officials in their preparation of EPA Form 3500-7, Federal Agency Pollution Abatement Plan - Project Report; RCRA, Section 3016, Inventory Form; EPA Form 7530-1, Notification for Underground Storage Tanks; and FEDPLAN, Federal Facilities Information System/Pollution Status Report - Agency Plan.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual program for details.

AAO's will:

Assist line managers in identifying and allocating necessary staffing, education/training, and financial resources to develop and manage a comprehensive and viable Area program.

- Provide administrative management assistance to the AD in establishing Area goals/objectives for reducing or eliminating accidents, injuries, illnesses, or damage to the environment.
- Provide administrative management assistance in compiling Areawide safety, health, and environmental reports, inventories, and statistics required by the Administrator.
- Recommend actions that enable the AD to comply with the intent, purposes, and standards of impacting safety, health, and environmental legislation.
- Assist in the development of improvement plans and followup reports for corrective action measures to meet safety, health, and environmental standards.
- Provide all supervisory personnel and employees immediate access to applicable safety, health, and environmental standards and program components.

- Ensure that all accidents, injuries, illnesses, and environmental releases are properly reported; that appropriate forms are prepared; and that investigations are performed to identify causes and determine corrective actions.
- Participate in the development of an Agencywide Safety, Health, and Environmental Management Program to ensure compliance with regulations.
- Monitor hazardous waste cleanup (HWC) fund spending to ensure compliance with departmental HWC spending guidelines; ensure quality and accuracy of HWC Status of Funds Reports for all Area projects; and ensure HWC activities are conducted, and the findings reported to Headquarters as required.
- Administratively supervise (or delegate the responsibilities), assign tasks, and monitor the performance of individual CEPS, Industrial Hygienists, and other safety, health, and environmental employees under their supervision. Assignments will be congruent with Areawide/Agencywide program goals, priorities, and objectives, unless the location situation/condition requires immediate attention.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual program for details.

Location Administrative Officers will:

Assist line managers in identifying and allocating necessary staffing, education/training, and financial resources to develop and manage a comprehensive and viable location program.

- Provide administrative management assistance to the Center Director/Location Coordinator/Research Leader in establishing location goals/objectives for reducing or eliminating accidents, injuries, illnesses, or damage to the environment.
- Provide administrative management assistance in compiling location safety, health, and environmental-related reports, inventories, and statistics required by the Agency.

- Recommend actions that enable the Center Director/Location Coordinator/Research Leader to comply with the intent and purpose of standards impacting safety, health, and environmental legislation.
- Assist in the development of improvements, plans, and followup reports for corrective action measures to meet standards.
- Provide all location supervisory personnel and employees immediate access to applicable safety, health, and environmental standards and program elements.
- Ensure that all accidents, injuries, illnesses, and environmental releases are properly reported; that appropriate forms are prepared; and that investigations are performed to identify causes and determine corrective actions.
- Participate in the development of Agencywide safety, health and environmental management programs to ensure compliance with regulations.
- Monitor HWC fund spending to ensure compliance with departmental HWC spending guidelines; ensure quality and accuracy of HWC Status of Funds Reports for all location projects; and ensure quarterly reviews of HWC activities are conducted, and that the findings are reported to Headquarters as required.
- Administratively supervise, assign tasks, and monitor the performance of individual CEPS, Industrial Hygienists, and other safety, health, and environmental employees under their supervision. Assignments will be congruent with Areawide/Agencywide program goals, priorities, and objectives, unless the location situation/condition requires immediate attention.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual program for details.

ASHM's will:

- Coordinate and provide technical oversight to the implementation of the Agency Safety, Health, and

Environmental Management Program for all Area employees, cooperators, and visitors in accordance with the policies, regulations, and responsibilities described in this Manual.

- Ensure that all Area/location programs within the Area are consistent with Agency guidelines and with Federal laws and regulations.
- Ensure that known and foreseeable safety, health, and environmental concerns are taken into consideration regarding research activities, construction, repair and maintenance, modernization, and HWC projects.
- Recommend Area/location goals, objectives, and resource requirements for reducing or eliminating accidents, injuries, illnesses, and damage to the environment.
- Ensure that managers/supervisors arrange for appropriate safety, health, and environmental education/training programs; orientations for new employees; and assistance in such training as priorities permit.
- Ensure that managers/supervisors comply with Federal, State, and local safety, health, and environmental rules, regulations, standards, policies, and guidance issued by the Agency with respect to the Agency Safety, Health, and Environmental Management Program.
- Ensure that periodic inspections, including environmental audits, of all workplaces are performed, and that an abatement program is put in place on an annual basis or as resources permit.
- Through appropriate management/reporting systems, monitor abatement of unsafe and unhealthful working conditions at all locations within the Area.
- Assist managers/supervisors in preparing and providing all safety, health, and environmental plans, cost estimates, reports, statistics, and/or other information for the locations within the Area.
- Recommend corrective solutions/actions to ensure prompt abatement of unsafe and unhealthful working conditions.
- Conduct periodic reviews and make written assessments to the supervisors, AD's, and the DAAFM of locations' efforts to

implement the Agency Safety, Health, and Environmental Management Program.

- Assist Area/location property personnel in addressing all safety, health, and environmental concerns relating to the acquisition and disposal of real and personal property.
- Provide safety, health, and environmental guidance and assistance to Area/location personnel in their administration of the Area/location program, setting of program priorities, and evaluating program implementation and effectiveness.
- Assist Area/location managers in reporting, as necessary, to the appropriate Federal, State, or local regulatory officials and Area/Headquarters officials any and all environmental releases (i.e., any spilling, leaking, pumping, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment) of a listed hazardous substance in quantities equal to or greater than listed quantities.
- Provide operational safety, health, and environmental project management for Area facility projects under \$500,000 for construction and A-E requirements under \$50,000 or when in receipt of delegation of authority. Review design submittals and approve from a safety and health perspective.
- Provide technical support and make formal recommendations for all construction and all research-related issues to the AD concerning environmental and building permit procedures and issues related to NEPA for Area facility projects under \$500,000 for construction and A-E requirements under \$50,000.
- Coordinate resolution of environmental issues with appropriate Federal, State, and local environmental regulatory organizations associated with design projects over \$50,000 and NEPA issues impacting facility design identified by the A-E.
- Review, correct, and consolidate location/Area submittals concerning EPA Form 3500-7, Federal Agency Pollution Abatement Plan - Project Report; RCRA, Section 3016, Inventory Form; EPA Form 7530-1, Notification for Underground Storage Tanks; and FEDPLAN, Federal Facilities Information System/Pollution Status Report - Agency Plan.

- Prepare Statements of Work for preliminary assessments/site inspections or other preremedial/remedial work for all Area pollution prevention/abatement/remediation projects regardless of dollar value; serve as the Chairperson for the project(s) TEP; and serve as the Contracting Officer's Representative (COR) as required.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual program for details.

CEPS, Location Safety Officers, Industrial Hygienists, Collateral Duty Safety Officers and Office of Management and Budget Circular A-76 Contractors Providing Safety, Health, and Environmental Support to Employees/ Facilities/Equipment in Compliance with Applicable Contract Provisions, as Directed by Center Director/Location Coordinator/Research Leader, will:

- Recommend actions that enable the Agency to comply with the intent, purposes, and standards of Federal/State safety, health, and environmental laws and regulations.
- Assist managers/supervisors in developing and implementing the Safety, Health, and Environmental Management Program for location employees, cooperators, and visitors according to the Agency and Federal, State, and local laws, regulations, and policies.
- Assist managers/supervisors in designing all programs at the locations being serviced to be consistent with the ARS Safety, Health, and Environmental Management Program policy.
- Assist managers/supervisors in designing safety, health, and environmental compliance into location research operations, construction, repair and maintenance, and modernization projects.
- Recommend location/Area goals and objectives for reducing or eliminating accidents, injuries, illnesses, and damage to the environment.
- Arrange, conduct, assist the location in obtaining appropriate safety, health, and environmental education/training programs and orientations for present and new employees.

- Ensure that managers/supervisors are complying with all applicable Agency, Federal, State, and local safety, health, and environmental rules, regulations, and standards. Report all violations to higher levels of management.
- Conduct inspections/environmental audits of all workplaces within the locations being serviced on a regular basis.
- Provide or recommend prompt abatement of unsafe and unhealthful working conditions, facilities, equipment, and practices.
- Assist the Center Director/Location Coordinator/Research Leader with all safety, health, and environmental-related plans to bring the location/unit into compliance along with cost estimates, reports of violations/corrective actions, training needed, supporting statistics, and/or other information for the locations being serviced.
- Provide safety, health, and environmental guidance and assistance to location officials in their administration of the location programs; assist in setting safety, health, and environmental program priorities; and assist in evaluating program implementation/effectiveness.
- Assist managers/supervisors in implementing ARS policies/procedures which minimize or eliminate potentially hazardous conditions or adverse personal effects through chemical hygiene management, proper storage and disposal, and by inventorying chemicals and hazardous substances/materials.
- Assist Area/location officials in reporting to the appropriate Federal, State, or local regulatory officials and Area/Headquarters officials on any and all environmental releases (i.e., any spilling, leaking, pumping, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment) of a listed hazardous substance in quantities equal to or greater than listed quantities.
- Collect data and assist managers/supervisors in preparing location submittal of EPA Form 3500-7, Federal Agency Pollution Abatement Plan - Project Report; RCRA, Section 3016, Inventory Form; EPA Form 7530-1, Notification for Underground Storage Tanks; and FEDPLAN, Federal Facilities Information System/Pollution Status Report - Agency Plan.
- As required, assist in preparing Statements of Work for

preliminary assessments/site inspections or other preremedial/remedial work for locations being served. Serve as a TEP member, if assigned, for pollution prevention/abatement/remediation projects, and serve as the COR as required.

- As required, provide technical support and make formal recommendations for location construction and research-related issues involving NEPA and building permit procedures for facility projects under \$500,000 for construction and A-E requirements under \$50,000.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific requirements. Please refer to the individual program for details.

All Employees will:

To the extent and scope of their authority, ensure safe and healthful workplaces.

- Comply with all applicable Federal, State, and local regulations; ARS safety, health, and environmental standards; and all rules, regulations, and orders.
- Ensure the proper and timely reporting of all accidents, injuries, illnesses, and environmental releases; prepare the appropriate forms; and timely notification of supervisory/management employees of the causes and corrective actions recommended, which may include training.
- Perform all assigned tasks (including those activities not specifically addressed by existing rules or regulations) in a manner conducive to the safety and health of themselves, their fellow employees, the public, and the environment.
- Properly use all applicable safety, health, environmental, and personal protective equipment and clothing.
- Avail themselves of medical surveillance, employee assistance, counseling, and other Federal programs to maintain their physical and mental health and safety in accordance with ARS policies and regulations. Supervisory approval/concurrence should be acquired except where confidentiality is guaranteed.

- Participate fully in the Agency program with freedom from restraint, interference, coercion, discrimination, or reprisal.
- Obtain and maintain appropriate training and certification as required to work safely.

Each function (individual program) within the Safety, Health, and Environmental Management Program carries additional, specific responsibilities. Please refer to the individual program for details.

Supervisors will:

- To the full extent of their authority, furnish employees a place of employment which is free from recognized hazards that are causing or are likely to cause death or physical harm.
- Comply with applicable OSHA occupational safety and health standards, EPA standards, DOT standards, NRC standards, CDC biological safety recommendations, national fire codes, most recent ACGIH standards, and all associated rules, regulations, and orders issued by USDA and the Agency.
- Ensure that the employees supervised receive initial and recurring specialized job safety and health training appropriate to the work performed by the employee. The training will also inform employees of the location's Safety, Health, and Environmental Management Program, along with its various functions.
- Provide employees access to safety, health, and environmental-related laws, standards, regulations, codes, policies and procedures, manuals, and injury and illness statistics.
- Ensure, where there is recognized potential exposure to hazardous chemicals, materials, noise, radiation, or biological agents, that employees are provided an opportunity to participate in the medical surveillance/Occupational Health Maintenance Program (OHMP) programs.
- Ensure proper use of all applicable safety, occupational health, environmental, radiological, and biological protective equipment, devices, and clothing.

- Monitor employee performance of work to ensure that it is accomplished in a manner conducive to the health and safety of themselves, their fellow employees, and the environment.
- Ensure that an OSHA safety poster (AD-1010) informing employees of the provisions of the Occupational Safety and Health Act is posted conspicuously in their work area.
- Monitor their work area to identify hazards; to abate any hazards found; and, if abatement is delayed, to post a notification to employees of the hazard and/or forbid/eliminate access to the hazardous area.
- Investigate, in a timely manner, any employee reports of unsafe/unhealthy working conditions, and abate any hazards within their capability to abate.
- Provide official time for employee and employee representative participation in the various safety, health, and environmental management programs, without restraint, interference, coercion, discrimination, or reprisal.
- Prepare an abatement plan for any hazard that cannot be corrected within 30 days.

11. BASIC EMPLOYEE RIGHTS

All Agency employees have the right to:

- Work in a safe, secure, and healthy work area.
- Decline to perform their assigned tasks because of a reasonable belief that potentially hazardous conditions exist.
- Participate in the Agency's Safety, Health, and Environmental Management Program. Employees may be authorized official time to participate in activities provided by E.O. 12196, 29 CFR 1960, and the Agency's program.
- Have access to safety, health, and environmental standards, workplace injury and illness statistics, and occupational safety, health, and environmental procedures.
- Comment on alternate safety, health, and environmental standards being proposed.

- Report and request inspections of unsafe and unhealthy working conditions to the appropriate officials as discussed in 29 CFR 1960.28. If conditions are not promptly or effectively corrected, or if it appears that an employee's right to report potentially hazardous conditions is being infringed upon, the employee or designated representative may seek further resolution through the Agency Safety Manager; the Assistant Secretary for Administration; or OSHA, DOL.

12. REPRISALS

Agency employees are not subject to restraint, interference, coercion, discrimination, or reprisal for filing a report of an unsafe or unhealthful working condition or other participation in the Safety, Health, and Environmental Management Program.

Acts of reprisal against Agency employees who disclose information which they reasonably believe evidences substantial and specific danger to public health and safety are prohibited personnel practices under 5 USC 2302(b)(8).

Agency employees have the right to be free from reprisal actions resulting from their participation in the Agency program activities or from their reporting of unsafe or unhealthy conditions in their work environment.

Agency employees also have the right to decline to perform their 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.

Each location and staff office must ensure that these rights are protected.

Governing Authorities include:

- 5 USC 2302(b)(8), Prohibited Personnel Practices;
- E.O. 12196, Occupational Safety and Health Program for Federal Employees, Section 1-201(f);
- 29 CFR 1960.46, Agency Responsibility;

- Departmental Regulation 4400-1, Departmental Occupational Safety and Health Management, Sections 7b and 7c;
- Departmental Personnel Manual, Chapter 771, Subchapter 4, Agriculture Grievance System; and
- Departmental Regulation 4400-3, Safety and Health Reprisals;

Allegations of reprisal should be processed under the Agency grievance procedures process.

Areas/locations must monitor compliance with this policy through the annual safety, health, and environmental inspection process.

13. EDUCATION/TRAINING

Education and training for ARS employees in accordance with 29 CFR 1960 and E.O. 12196 must be provided for all employees with special emphasis on management and supervisory personnel, collateral duty safety and health personnel, representatives of employees, members of safety committees, and employees performing hazardous work assignments and duties.

The objectives of the Education/Training Program are to:

- improve operational efficiency through the elimination of potentially hazardous conditions associated with Agency operations;
- provide employees with safe and healthy places in which to work;
- reduce and eliminate the drain on resources created by personal injuries, illnesses, property damage, and environmental releases; and
- improve employee recognitions of unsafe acts and conditions and to develop employee awareness of the need for proper work practices.

Agency policy with regard to education/training is to comply with all education/training related to provisions of all Federal, State, and local rules, regulations, codes, etc., which impact Agency operations. Specific impacting of Federal, State, and local rules, regulations, codes, etc., are found in Section 4 (Authorities) of this Manual.

Your location, servicing Area, or Headquarters safety, health, and environmental representative should be consulted when determining which location operation requires compliance with a specific standard.

Specific program implementation procedures, as well as specific program roles and responsibilities, can be found at the FD-SHEMB Homepage.

14. INCENTIVE AWARDS PROGRAM AND PROMOTIONAL ACTIVITIES

The program provides for systematic acquisition and distribution of informational materials to stimulate employee participation in the Safety, Health, and Environmental Management Program; establishes policy for recognizing outstanding contributions to program improvements within the Agency; and states responsibilities for safety, health, and environmental activities within the Agency.

It is the Policy of the Agency to:

- sustain a motivated and physically, mentally, and emotionally healthy workforce;
- maintain or increase productivity through the elimination or substantial reduction of accidental injuries, illnesses, property damage, and environmental releases; and
- promote active employee participation in the Agency's Safety, Health, and Environmental Management Program.

Specific program implementation procedures, as well as specific Program roles and responsibilities, can be found at the FD-SHEMB Homepage.

15. CALENDAR OF REPORTING EVENTS (CORE)

The compliance reporting requirements for each of the various programs administered within the Agency have been consolidated within CORE. Other program reports required by the Department and/or other Federal agencies are also included.

The CORE listing does not include those associated with specific activities (e.g., monitoring well installations), location-specific activities (e.g., wetlands), or those requirements specific to local and State authorities. Administrative requirements for permit notifications, test results, fees, etc., are the responsibility of the facility management to identify and

acknowledge. Your servicing location, Area, or Headquarters safety, health, and environmental representative should be consulted when determining the reporting requirements for the facility.

It is the Agency's policy to complete the reporting requirements in a timely manner. All information supplied must be accurate and complete to the maximum extent possible. Copies of the submittal are to be maintained by the originating office and filed in an organized manner.

The CORE as well as specific roles and responsibilities can be found at the FD-SHEMB Homepage.

NOTE: Due dates on the CORE are tentative and subject to change based on Agency or Department requirements.

SAFETY MANAGEMENT

16. POSTER (AD-1010)

It is an Agency requirement to prominently display the Occupational Safety and Health poster (Form AD-1010) in each location where Agency business is conducted or when services or operations are performed. The posters must be placed in prominent places in each location and maintained in good condition. When posters are displayed on bulletin boards, no other materials should be placed to obstruct the view of the poster.

Replacement posters can be obtained by contacting the ASHM.

17. SAFETY COMMITTEE PROGRAM

CFR, Title 29, Part 1960, Occupational Safety and Health Programs for Federal Employees, establishes specific requirements for the formulation of safety and health committees, composed of representatives of management and representatives of employees for the purpose of advising and assisting Agency officials with respect to their responsibilities under the Safety, Health, and Environmental Management Program.

It is the policy of the Agency to establish a committee at all locations having 15 or more permanent full-time employees and appoint a safety representative at all locations having less than 15 permanent full-time employees.

Specific program implementation procedures, as well as specific program roles and responsibilities, can be found at the FD-SHEMB Homepage.

NOTE: OSHA Certified Committees are not recognized within USDA (See Title 29, Part 1960, for details).

18. FACILITIES DESIGN/FIRE PROTECTION

A safe, healthy, and environmentally sound work environment is the critical objective in the design of Agency facilities. Basic design criteria and design quality standards for the construction, repair, and alteration of buildings and facilities are found in Manual 242.1, Construction Project Design Standard. Specific safety, health, and fire protection requirements and design considerations related to laboratory ventilation, hazardous materials storage, emergency egress requirements, and asbestos abatement are found in Chapter 7 - Safety and Health Elements of Manual 242.1.

All of the above can be found at the FD-SHEMB Homepage.

19. ACCIDENTS/ILLNESS REPORTING, INVESTIGATION, AND ANALYSIS

The FECA provides compensation and medical care to Federal employees for disability due to injuries and illnesses sustained in the performance of their official duties. FECA is also applicable to Federal employees while serving as Federal petit or grand jurors and certain other groups.

A Federal employee who is injured while in the performance of duty has no right to recover damages from the United States for the effects of the injury except through FECA. The benefits provided by the act constitute the exclusive remedy for work-related injuries and deaths.

By law, an employee (or their designated representative in cases where the employee is incapacitated by an accident or illness) and the immediate supervisor are responsible for completing all reports necessary to protect an injured employee's rights. Penalties are provided by law for failure to make required reports and for filing false reports. Supervisors are responsible for maintaining an adequate supply of the basic forms (e.g., CA-1 Injuries; CA-2, Illness) needed to properly record and report job-related injuries and illnesses.

A prompt response must be made by management personnel to all employee reports of unsafe or unhealthy conditions. Each report must be recorded on a log maintained at the facility.

Investigations must be conducted of all catastrophic events. Such events must be reported to the next higher organization.

Specific accident/illness reporting requirements, as well as specific investigative procedures, can be found at the FD-SHEMB Homepage.

20. PUBLIC VISITOR PROTECTION PROGRAM

Visitors to Agency facilities are often exposed to the same hazards as employees. However, due to a lack of familiarity with the facility and its associated operations, they have a higher potential for job-related injury/illness. Before visitors are conducted through a facility, the following actions will be taken by the ranking supervisor or the designated representative of the area to be visited:

- Visitors will be briefed on the nature of the operation to be visited.
- Visitors will also be briefed on the physical, chemical, radiological, or biological hazards they may be exposed to, and any required action the visitor must take to limit or prevent exposure.
- If protective equipment is required in the area to be visited, it will be provided. Examples are hearing protection, non-prescription eye wear, toe guards, and hard hats. Operations with a high number of visitors should maintain required protective equipment for the visitors.
- Where potential physical, chemical, radiological, or biological hazards exist, the visitors will be escorted at all times to prevent contact/exposure to the hazards.
- Any incident involving injury/illness or actual harmful exposure to hazardous chemicals, radioactive materials, or biological agents will be reported immediately to the operation supervisor who will investigate and, in turn, report it to the appropriate official.

- Refusal of a visitor to utilize required protective equipment may be considered reason to deny the visitor entry into the area.

21. INSPECTION/ABATEMENT PROGRAM

Safety, health, and environmental inspections are of vital importance in hazard control. They assist in determining what safeguards are necessary to eliminate or otherwise remove hazards before accidents, personal injuries/illnesses, and environmental exposures/releases before they occur. In addition, inspections enable the inspector to come in contact with individual workers and to enlist their help in eliminating accidents. All ARS locations are to be inspected annually.

The whole purpose of inspections should be one of helpfulness in discovering conditions which, upon correction, will result in making the facility a safer place to work and one where Agency operations can be conducted economically, efficiently, and safely.

Management officials and supervisory personnel in the Areas, centers, and locations will:

- ensure prompt attention to reports, by employees or others, of unsafe or unhealthy working conditions;
- ensure periodic inspections of workplaces by personnel with sufficient technical competence and equipment necessary to conduct thorough inspections of the workplace involved; and
- ensure prompt abatement of unsafe or unhealthy working conditions (including those facilities, and/or equipment furnished by another Federal, State, or local agency).

All inspections and abatement actions will be in compliance with 29 CFR 1960, Subpart D, Inspection and Abatement, and as appropriate, with the provisions outlined in the codes and regulations located in the reference section of this chapter.

Specific inspection/abatement implementation requirements, as well as specific roles and responsibilities and inspector qualifications, can be found at the FD-SHEMB Homepage.

22. ONSITE ASSISTANCE REVIEWS (OAR's)

Recognizing that it is not always easy for Agency managers to

identify, interpret, implement, and track changes in the complex Federal, State, and local requirements applicable to Agency facilities, the Agency has established the OAR program to periodically review implementation, management, operation, and evaluation of the Safety, Health, and Environmental Management Program at both the Area and location levels. These reviews are an examination of the efficiency and effectiveness of operational and administrative activities (i.e., management, education/training, services, oversight, and evaluation).

OAR's identify Safety, Health, and Environmental Management Program strengths and weaknesses and, in a spirit of cooperation, mechanisms for corrective action.

The objectives of the OAR are to:

- identify the effective/functional level of Agency Safety, Health, and Environmental Management Program components and procedures within the management structure of the organizational level being reviewed; and
- identify improvements and replacements for program components and procedures deemed unnecessary, outdated, or inefficient.

Specific OAR program requirements, authorities, review criteria, and verification statements, as well as roles and responsibilities, can be found at the FD-SHEMB Homepage.

23. CONTROLLED SUBSTANCES - ACQUISITION, REGISTRATION, RECORD KEEPING AND SECURITY

P.L. 91-513 (Comprehensive Drug Abuse Prevention and Control Act of 1970) provides that every person who manufactures, imports, distributes, dispenses, or administers any controlled substances, or conducts research or chemical analysis with controlled substances, shall annually obtain a Certificate of Registration from the Drug Enforcement Administration (DEA), DOJ. Accordingly, the provisions of this law apply to Agency scientists, veterinarians, chemists, and other employees engaged in dispensing narcotic and nonnarcotic controlled substances or conducting research or chemical analyses with controlled substances.

To comply with the law, the Agency will require the registration of any employee or group of affiliated employees (division, branch, laboratory, etc.) at one general physical location where

controlled substances are distributed, dispensed, or otherwise administered in the conduct of their program work.

No employee will engage in any activity for which registration is required until a Controlled Substances Registration Certificate, Form DEA-223, is issued by the Director, DEA.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

24. STORAGE, PREPARATION, AND CONSUMPTION OF FOOD AND BEVERAGES IN FACILITIES WITH LABORATORIES

Agency policy is to develop and implement procedures that protect the health and safety of employees and ensure compliance with 29 CFR 1910. Food and beverage storage, preparation, or consumption are forbidden in the laboratory. Appropriate corrective action including disciplinary action will be considered in those cases where violations of Agency policy or Federal laws and regulations have occurred where compliance to these policies, laws, and regulations is not being practiced.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

25. HAZARD COMMUNICATION PROGRAM

The Agency's Hazard Communication Program is designed to prevent employee exposure to hazardous chemical and biological agents and to comply with applicable Federal, State, and local laws. This program mandates that each facility will be evaluated at least annually to identify the chemical, physical, and biological health hazards known to be present and to which employees may be exposed in the course of their employment and to advise them thereof.

It is the Agency's policy to provide information and training to employees on the potential physical and health hazards that may result from exposure to chemical and biological agents in their work environment. Information and training shall be provided to employees by implementing and maintaining the following minimum elements of a Hazard Communication Program:

- a written program outlining the program, policies, and procedures;

- a chemical inventory system;
- an MSDS reference file system;
- labeling and other forms of warning; and
- employee information and training.

This program applies to all Agency employees including part-time, seasonal, and temporary employees who are identified for inclusion in the program based on a hazard assessment.

A hazard assessment must be performed for all radiological, chemical, and biological agents known to be present in the workplace. For the hazard assessment of chemicals only, it is Agency policy to rely on the physical and health hazard evaluations done by the chemical manufacturers and importers that are written on MSDS prepared by them and provided to the Agency.

This program does not apply to:

- any hazardous waste as defined by the Solid Waste Disposal Act (as amended by RCRA of 1976) and regulated by EPA;
- tobacco or tobacco products;
- wood or wood products;
- foods, drugs, or cosmetics intended for personal consumption/use by employees; and
- any consumer product as defined by the Consumer Product Safety Act that is used in the same manner of normal consumer use by the general public.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

26. CHEMICAL HYGIENE PROGRAM

The Chemical Hygiene Program applies specifically to laboratory use of hazardous chemicals and employees who may be exposed to hazardous chemicals in the course of their laboratory assignments. Minimum written program requirements include the appointment of a Chemical Hygiene Officer; the development of a Chemical Hygiene Plan, which describes basic rules and

procedures; procedures for employee exposure determinations; criteria for exposure control; procedures for employee notification; procedures for operation of available protective equipment; procedures for unusual laboratory operations; a description of labels and other forms of warning; available employee information and training; hazard assessment procedures; record keeping requirements; and medical consultation provisions.

It is the Agency's policy to protect employees and the public by reducing their exposure to chemicals through such mechanisms as providing state-of-the-art laboratory equipment, personal protective equipment, information, and training.

This program applies to all Agency employees including part-time, seasonal, and temporary who are identified for inclusion in the program based upon working in a laboratory environment.

A hazard assessment must be performed for all chemical and biological agents known to be present in the workplace. For the hazard assessment of chemicals only, it is the Agency's policy to rely on the physical and health hazard evaluations done by chemical manufacturers and importers that are written on MSDS prepared by them and provided to the Agency.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

27. REPORTING HAZARDOUS SUBSTANCE ACTIVITY WHEN SELLING OR TRANSFERRING REAL PROPERTY

The GSA amended the Federal Property Management Regulations (Subchapter H) to provide procedures for reporting excess Government-owned property on which there was hazardous substance activity. This amendment implements the EPA's regulations, Reporting Hazardous Substance Activity When Selling or Transferring Federal Real Property (40 CFR 373). An environmental site assessment may be necessary to meet the requirements.

Summary of Requirements:

- Section 101-47.202-2 of Amendment H-180 to the GSA property regulations was revised to include the following requirements:
 - (1) Agency reports of excess real property are to include information concerning any hazardous substance

activity, as defined by 40 CFR 373, which took place on the property. Hazardous substance activity includes situations where any hazardous substance was stored for 1 year or more, known to have been released, or disposed of on the property.

- (2) The reporting agency must include information on the type and quantity of such hazardous substance and the time at which such storage, release, or disposal took place.
- Section 101-47.203-7(h) requires transferrer agencies to provide to the transferee agency all information held by the transferor concerning hazardous substance activity as outlined in Section 101-47.202-2.
 - Sections 101-47.304-14 and 101-47.307-2(d) require that where the existence of hazardous substance activity has been brought to the attention of the disposal agency, the disposal agency shall incorporate such information into any Invitation to Bid/Offer to Purchase and any deeds, leases, or other instruments executed to dispose of the property.
 - The disposal agency must include a Notice of Hazardous Substance Activity Statement indicating that the Federal Government has taken all remedial action necessary to protect human health and the environment with respect to the hazardous substance activity during the time the property was owned by the United States and that the Federal Government will conduct any additional remedial action found to be necessary, with respect to any substance remaining on the property.
 - For specific details, refer to Chapter II, Disposal of Real Property and Related Personal Property, ARS Manual 245.1, Real Property.

28. LABORATORY WORK PRACTICES

Laboratory workers are often exposed to a great variety and unique types of potential hazards. Therefore, special precautions must be taken in laboratories as opposed to other workplaces. For example, laboratory work can involve the use of chemicals or reactions of unknown hazard potential, or it can involve exposure to substances that are known to be extremely toxic (e.g., carcinogens). However, laboratory workers typically handle only small amounts of material at any one time, and exposure to these substances is usually limited to a short-time

duration. It is obvious that a great need exists for an effective and mutually shared safety and health program in the laboratory.

There are several principles of safe laboratory practices that every laboratory worker should follow:

- prior to the start of any work assignment, learn the safety protocols and procedures necessary for that operation;
- use the personal protective equipment and laboratory coats provided;
- know the emergency evacuation procedures;
- follow proper hazardous waste disposal procedures;
- never pipet by mouth;
- observe all warning signs;
- label all chemicals, reaction containers, test tubes, etc.;
- avoid working alone whenever possible;
- enroll in the Occupational Health Maintenance Program; and
- comply with established dress codes.

If there is ever a question as to the safety or health of a situation, do not proceed without requesting assistance. Ask questions first and avoid accidents.

Supervisors should take disciplinary action when safety/health principles are willfully or continuously ignored by subordinates.

For additional laboratory work practices access the FD-SHEMB Homepage.

29. CHEMICAL STORAGE, HANDLING, AND LABELING

Safe and healthy laboratory work practices begin with proper chemical storage, handling, and labeling. The Agency has established criteria to reduce the hazards associated with chemical storage, handling, and labeling, which can be found at the FD-SHEMB Homepage.

30. RESPIRATORY PROTECTION PROGRAM

A Respiratory Protection Program is required by OSHA. The specific program requirements are stated in 29 CFR 1910.34.

Whenever possible, potential respiratory damage caused by ARS personnel breathing air contaminated with harmful dusts, fumes, mists, gas, or vapors will be controlled. This will normally be accomplished by the use of engineering controls such as general and local exhaust ventilation and substitution of less toxic materials. Appropriate respiratory protection equipment will be used and training provided to ensure protection of ARS personnel when effective engineering controls are not feasible or while they are being instituted. Respiratory protection equipment will, under no circumstances, be issued or loaned to contractors or other non-ARS personnel. These groups/individuals are responsible for obtaining respiratory protection through their own organizations. This policy is standard practice and will reduce ARS liability.

Specific program implementation procedures, as well as specific roles/responsibilities, can be found at the FD-SHEMB Homepage.

OCCUPATIONAL HEALTH MANAGEMENT

31. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The purpose of the EAP is to offer assistance to employees who have personal problems that interfere with efficient and safe performance of their assigned duties; motivate employees to accept rehabilitation and treatment so that they may regain their productive capabilities; minimize absenteeism, sick leave, and grievances; reduce the need for disciplinary action; and improve morale.

The range of problems covered by these guidelines include any personal or job-related problems affecting the employee's ability to perform his/her job. It is the responsibility of the Agency to make available to all employees services for prevention, treatment, and rehabilitation which will provide help in dealing with personal problems.

Problems concerning equal employment opportunity, upward mobility, and grievances are not covered under this program; however, these programs should be closely coordinated with the

EAP since personal problems of any type tend to overlap and impact on one another.

The EAP is administered by the Human Resources Division (HRD). Specific program implementation procedures (including confidentiality procedures), as well as specific program roles and responsibilities, can be found at the FD-SHEMB Homepage.

32. OHMP

The purpose of the OHMP is to provide medical monitoring of Agency employees potentially exposed to toxic/hazardous substances/unhealthy work environments associated with Agency operations.

It is the Agency's policy to provide an OHMP for authorized employees considered for assignment or presently assigned to work with qualifying hazards.

The OHMP screens authorized employees to establish health-status baselines and detect work-related changes in health status. Medical records will document screening procedures performed, established baselines, and work-related physiological changes (if any) throughout the employee's career. This is a voluntary program, and procedures are in place to protect the confidentiality of information/data.

This information may be used to determine unusual susceptibility to illness from exposures in the work environment, permit identification of harmful effects of agents used, and provide medical treatment and advice. It also may be used to plan, implement, and evaluate occupational and preventive health programs.

The OHMP is designed only for the detection of occupationally significant medical abnormalities. The limited medical procedures performed are not intended, and should not be construed, to be a substitute for the care provided by the employee's personal physician.

The OHMP is administered by HRD. Specific program implementation procedures, as well as specific program roles and responsibilities, can be found at the FD-SHEMB Homepage.

INDUSTRIAL HYGIENE

33. INDUSTRIAL HYGIENE SURVEY PROGRAM

The Industrial Hygiene Program is the scientific discipline devoted to protecting the health and well-being of people at work by anticipating, recognizing, evaluating, and controlling adverse environmental conditions or stresses in the workplace.

It is the Agency's policy to take appropriate actions to correct hazardous situations, ensure compliance with all appropriate Federal/ARS standards/programs, and optimize the benefits of the OHMP. Industrial hygiene is involved in the monitoring and analysis required to detect the extent or existence of exposure and the engineering, use of personal protective equipment, and other methods used for hazard control. Positive action will be taken at all management levels to ensure this policy is carried out.

Specific program implementation procedures, as well as specific roles and responsibilities, are found at the FD-SHEMB Homepage.

34. ASBESTOS MANAGEMENT PROGRAM

The following unusual properties of asbestos have made it useful in a variety of commercial products; i.e., noncombustibility, high tensile strength, high degree of thermal and noise insulation, resistance to corrosive chemicals and friction; and capacities for adding flexibility to finish coatings of paint and joint compounds. Unfortunately, asbestos is a serious health hazard.

Inhaling asbestos fibers can cause lung disease. Diseases can be asbestosis (a serious fibrotic lung disease), lung cancer, or mesothelioma (a cancer of the lining of the chest cavity). A latency period on the order of 20 years between the first exposure to asbestos and the appearance of the disease may be anticipated.

The Government has established regulations to protect the health of the population from the dangers of asbestos. The EPA and OSHA are the agencies which ensure protection is provided.

It is the policy of the Agency to protect the health of its employees by limiting exposure to asbestos fibers. This policy applies to all Agency employee types including part-time,

seasonal, and temporary. This policy applies to all Agency facilities. Leased facilities and commercial, State, or local facilities used through cooperative agreements may be exempt; however, agreements which will provide the necessary information for protection of Agency employees' health should be reached with the facility owner.

Specific program implementation procedures, as well as specific roles and responsibilities, are found at the FD-SHEMB Homepage.

35. HEARING CONSERVATION PROGRAM

To be developed.

36. CONFINED SPACE PROGRAM

To be developed.

37. OIL POLLUTION PREVENTION PROGRAM

This section describes oil pollution prevention objectives and policies mandated by the Oil Pollution Act of 1990.

The objectives of this program are:

- preventing, or at least minimizing, the likelihood of releases of oil and other petroleum products; and
- ensuring that reporting procedures and response capabilities are in place to minimize damage to property and natural resources in the event of a release.

It is the Agency's policy to:

- take all reasonable and required measures to prevent the improper discharge of oil and petroleum products into the environment, particularly into the waters of the United States;
- cooperate fully in efforts to assess or monitor pollutant spread or environmental damage, clean up discharged material and environmental contamination, mitigate environmental harm and restore the environment in the wake of such releases or discharges;
- prepare for such releases or discharges through planning, training, appropriate equipment procurement, exercises, and other appropriate measures; and

- perform such inspections and take such corrective measures as may be needed to comply fully with applicable requirements.

For information on reporting releases or discharges of oil or petroleum products, reference 40 CFR 300, CERCLA Program, of this Manual.

Specific program implementation procedures, as well as specific roles/responsibilities, can be found at the FD-SHEMB Homepage.

ENVIRONMENTAL MANAGEMENT

38. ENVIRONMENTAL FUNCTION GOAL

The Agency's goal is to plan, develop, implement, manage, and evaluate all programs and projects to minimize adverse impacts on the quality of the environment in concert with the overall missions of the Agency and USDA. To achieve this goal, the Agency, its personnel, and others who are present on or using Agency-owned or controlled property or facilities will:

- manage the discharge or disposal of pollutants generated by agency facilities and activities to comply with applicable regulations;
- conserve the use of natural and man-made resources;
- maintain and preserve the aesthetic and normal ecological function, productivity, and relationships of the natural and human environment;
- demonstrate initiative in developing and implementing programs that contribute to the United States goal of protecting human health and welfare while preserving the quality of the environment;
- incorporate environmental, sustainability, and pollution prevention considerations in program development, project planning and implementation, and facility operation at the earliest stages of implementation or action;
- coordinate programs and projects with State and local officials and the public; and

- provide leadership in enacting, adopting, and implementing national, departmental, and Agency environmental goals and concepts.

It is the policy of the Agency to plan, design, construct, operate, and maintain its facilities and programs so as to provide leadership in Agencywide, departmental, and national efforts to protect, maintain, and restore the quality of our air, water, soil, forests, and other natural resources by employing, whenever possible, sustainable and pollution preventing practices. In carrying out this policy, the Agency will comply with E.O. 12088 and the following general policies:

- Consider the effects of any proposed action on the environment, the sustainability of agricultural production, and the availability of cost-effective pollution prevention measures during the planning process. Such efforts will be evaluated in the decisionmaking process, along with technical and economic factors.
- Develop and implement programs and activities within the overall Agency mission in a manner that minimizes environmental pollution, disruption, or degradation and that contributes to the long-term sustainability of agricultural production.
- Review and monitor facilities and activities to ascertain that they are in compliance with applicable Federal, State or local environmental quality standards.
- Coordinate thorough and timely reviews with Federal, State and local pollution control agencies.
- Procure and use material and energy resources in a manner that minimizes pollution, reduces generation of waste, and follows national energy conservation policies.
- Reprocess or reclaim wastes generated for other productive uses to the maximum extent feasible.

Communities, environmental groups, and political leaders are sensitive even about proper storage, use, transportation, and disposal of hazardous substances, pesticides, petroleum products, and hazardous wastes. People may appreciate an Agency activity for its contributions to their local economy, but they will still be concerned about how that location carries out its mission, and they can turn against it if they perceive a threat to their

health, well-being, or environment. If public sensitivities are ignored and public relations are neglected, minor incidents can rapidly expand into major problems and embarrassment for the individuals, location, Area, Agency, and Department, as well as the Government as a whole.

It must also be recognized that portions of the general public and news media are concerned to varying degrees about hazardous substances, hazardous wastes, pesticides, genetic research, ground water contamination, animal rights, emissions of air toxics, medical wastes, and a host of other environmental and ethical issues. It is irrelevant whether the concern is warranted. It is far better for the public, political leaders, and media to find out about a problem or potential problem at Agency facilities from the Agency rather than from other sources.

Each location, Area, and Headquarters office should have written policies and procedures to be followed in the event of contact by someone from the community, an interest group, or the news media. There should be one spokesperson at each level, who, if not the highest management official at that level, has authority to speak for the responsible management official at that level. Contractors should never be allowed to speak on behalf of the Agency. Prior to giving information to the media or public, the next highest line official should be advised.

Additionally, the Information Staff should be contacted for specific guidance.

39. NEPA

Environmental planning is the component of environmental management in which environmental considerations and needs are incorporated into Agency decisionmaking and budgeting. Application of interdisciplinary, state-of-the-art knowledge of the natural/social sciences and environmental design arts results in facilities and actions that minimize, or at least consider, the environmental consequences of Agency action.

NEPA, its implementing regulations, and the USDA and ARS NEPA regulations are the baseline requirements for managers and decisionmakers to evaluate the direct and indirect environmental consequences of their proposed actions at the earliest possible time (i.e., before irreversible commitment of resources). They also specify how managers and decisionmakers are to document their efforts to identify, evaluate, quantify, and consider both the positive and negative environmental effects of their actions. Whenever possible, consideration is given to avoiding or

mitigating the adverse environmental effects of proposed actions.

The evaluation required by NEPA (and parallel State laws applicable to Agency action) often requires consultations and coordination with other agencies, such as the Army Corps of Engineers for actions involving wetlands; air pollution control agencies for air quality issues; the U.S. Fish and Wildlife Service (FWS) when endangered species or their critical habitat may be affected; State historic preservation officers when cultural or historical resources are or may be present; and State or local planning agencies and emergency responders such as fire departments. Under authority given them by E.O. 12372, States have established review boards to coordinate their review of Federal proposed actions and documents, including environmental documents, enumerated in their regulations.

In keeping with the intent of NEPA, the views of those affected by, or with a special interest in, a given proposed action are solicited, particularly when the project may be controversial.

It is the Agency's policy to comply with NEPA law and applicable regulations. Environmental effects of proposed construction projects should be considered during the early stages of planning so that alternatives may be considered and documented. As described in the Agency's NEPA policy, it is the responsibility of the AD to ensure that the NEPA process for evaluation of environmental impacts have been considered in the planned activity.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

40. INTERGOVERNMENTAL COORDINATION

Consistent with the Intergovernmental Cooperation Act of 1968 and other laws, the President signed E.O. 12372, Intergovernmental Review of Federal Programs. This E.O. directs Federal agencies to give State and local officials the opportunity to review and comment on projects involving Federal assistance or direct Federal development. It also directs Federal agencies to use the State process for conducting this review as early in the planning process as possible.

In setting up their programs, most States establish review boards to coordinate the E.O. 12372 reviews. They also generally establish criteria and thresholds for the types of projects and documentation to be submitted for review.

It is the Agency's policy to comply with E.O. 12372 and review board procedures on a State-by-State basis. The AD's are to ensure that projects and documents meeting State review board criteria and thresholds are submitted and that consultations are completed in a timely fashion.

41. FEDPLAN

Section 3(a)(3) of E.O. 12088 requires Federal agencies to submit pollution abatement plans annually to EPA for review. This submission forms the basis for approval of pollution abatement projects submitted in agency budgets. The process for developing and maintaining these plans is described in Federal Agency Environmental Protection Planning Guidance (EPA 300-B-45-001, October 1994). Through this process, Federal facilities identify, plan, and submit timely projects, cost estimates, and budgets to ensure continuing compliance with new regulatory requirements or to correct compliance problems or violations, including those identified during EPA or State environmental inspections.

The development of pollution abatement plans provides a mechanism for the Agency to analyze its current/projected funding requirements for pollution abatement projects.

The FEDPLAN process is primarily a system of setting priorities so environmental control projects are completed as required to meet statutory and regulatory requirements. There are never enough funds available to complete all desired projects in 1 fiscal year. The FEDPLAN process is a 5-year plan which prioritizes needed projects over an extended period of time. The primary focus of the process is to give the highest priority to those facilities that are out of compliance or will go out of compliance if project funding schedules are not met.

It is the policy of the Agency to plan, program, and monitor its facilities to effectively achieve compliance with environmental pollution control requirements. ARS Areas will identify the resources necessary to carry out this policy.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

42. ENVIRONMENTAL PROTECTION

This component of environmental management entails recognizing, understanding, managing, preserving, and enhancing natural,

historic, and cultural resources, ecological systems, and relationships, habitats, and environmental resources and values. Examples of the goals of environmental protection include protecting pristine areas and quantity and quality of water supplies, preserving species and genetic diversity, protecting wetlands, preserving archaeological and cultural resources, and maintaining scenic vistas.

Responsible stewardship is a common thread of these efforts in environmental protection. Sustained availability and productivity of natural and domestic ecosystems are among the measures of success.

Whereas environmental planning is concerned with minimizing the environmental effect of proposed actions, and environmental compliance focuses on meeting established standards, environmental protection aims to preserve and protect our natural heritage and resource base.

General Statement

It is the Agency's policy to:

- use good land management practices to preserve and protect the ecological and economic value of property it owns or operates;
- consult with other agencies and qualified individuals to minimize the effect of Agency or Agency-sponsored activities; and
- actively work to prevent or minimize damage to land and water resources resulting from construction or other activities or operations on Agency property.

Wetlands

It is Agency policy to:

- identify, preserve, and protect wetlands on property owned or operated by the Agency;
- consult with the Army Corps of Engineers, EPA, FWS, and State and local agencies when a wetland could be impacted by the Agency or Agency-sponsored activity; and
- actively work to prevent or minimize damage to wetlands resulting from construction or other activities or

operations on Agency property.

Threatened and Endangered Species

It is the Agency policy to:

- identify, preserve, and protect threatened and endangered species and their critical habitat on property owned or operated by the Agency;
- consult with FWS and other agencies having jurisdiction when threatened or endangered species or a critical habitat could be impacted by Agency or Agency-sponsored activity;
- develop, implement, use, monitor, and evaluate management and recovery plans for threatened and endangered species in accordance with the Endangered Species Act, its implementing regulations, and equivalent State or local requirements; and actively work to prevent or minimize damage to critical habitats or taking of threatened or endangered species as a result of construction or other activities or operations on Agency property.

Historical, Cultural and Archaeological Sites, Districts, and Objects

It is the Agency's policy to:

- identify, preserve, and protect historical, cultural, and archaeological sites, districts, and objects on property owned or operated by the Agency;
- consult with the State Historical Preservation Officer Advisory Council on Historical Preservation, and other experts, including local Indian tribes, when an historical, cultural, or archaeological site, district, and object could be impacted by the Agency or Agency-sponsored activity; and
- actively work to prevent or minimize damage to any known or unknown historical, cultural, or archaeological site, district, or object resulting from construction or other activities or operations on Agency property.

Coastal Zone Management (CZM) Act

The CZM Act of 1972 authorized coastal States to establish programs and plans to protect their coastal resources. Federal actions in the coastal zone must be coordinated with the State

CZM office and a determination made that the action is consistent with the State plan.

Fish and Wildlife Populations and Habitats

It is the Agency's policy to:

- identify, preserve, and protect fish and wildlife populations and habitats on property owned or operated by the Agency;
- consult with the FWS and State fish and game agencies in developing, implementing, managing, and evaluating plans for fish and wildlife management, habitat management, and improvement of Agency property;
- consult with FWS and State fish and game agencies before taking actions that could affect fish and game populations or their habitats; and
- actively work to prevent or minimize damage to fish and wildlife populations and their habitats resulting from construction or other activities or operations on Agency property.

Outdoor Recreation

It is the Agency's policy to:

- provide outdoor recreational opportunities in accordance with an outdoor recreation plan developed in coordination with Federal and State recreation agencies;
- minimize the effect of outdoor activities on the Agency's mission and the natural environment; and
- actively work to prevent or minimize damage to Agency property, facilities, and natural and other resources resulting from outdoor recreational activities or operations on Agency property.

Exotic Organisms

It is the Agency's policy to:

- restrict the introduction of exotic organisms into the natural environment in accordance with E.O. 11987, Exotic Organisms.

Pest Management

- employ, to the maximum feasible extent, pest management practices that target specific pests and do not threaten or harm nontarget organisms, human health or welfare, drinking water supplies, ground water, or the functioning of natural ecosystems; and
- actively work to prevent, minimize, mitigate, or repair damage to the environment resulting from activities or operations on Agency property.

Departmental policy for pesticide use includes voluntarily complying with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Agency policy and procedures, which are published in P&P 600.12, closely follow the FIFRA implementing regulations.

Specific program implementation procedures for all the above-mentioned environmental protection components, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

43. ENVIRONMENTAL COMPLIANCE

This component of environmental management entails meeting or exceeding minimum standards promulgated or established in Federal, State, and local statutes, laws, ordinances, regulations, orders, permits, and other applicable environmental requirements. It is aimed directly at achieving the goal of operating within the constraints of these environmental requirements, thereby helping to advance the resource-stewardship objective developed during environmental planning and protection activities.

Environmental compliance focuses on meeting or exceeding standards, while environmental planning and protection aim primarily at procedures, resources, and environmental values.

Failure to comply with legal requirements or to follow Executive branch policy statements and guidance documents concerning environmental compliance can have serious consequences for the Agency and the responsible individuals. These consequences can include enforcement actions and civil and criminal sanctions, including substantial fines and imprisonment. Even though the AD is responsible for overall compliance with a specific Area, the handler, supervisor, or manager of a location, facility, unit, or

operation has facility compliance responsibility and can be prosecuted in cases of willful violations of environmental laws and regulations.

All Agency personnel must act within the scope of their duties to be eligible for the legal protection of the Agency. Violation of any Federal, State, or local law or regulation is not within the scope of any employee's duties.

Noncompliance with, or violation of, any environmental requirement may, as provided in the governing law, result in the regulatory agency (e.g., EPA, DOJ, State or local government) taking any of the following actions:

- issuance of a warning letter;
- issuance of an administrative order;
- assessment of an administrative civil penalty;
- a permit action;
- institution of a civil action; and
- institution of a criminal action.

In most laws, the monetary sanctions for noncompliance or violation depend on the potential for harm and the extent and frequency of deviation from the requirement.

As clarified for the RCRA in the Federal Facilities Compliance Act of 1992, the Agency can be tried in Federal or State civil court for violations of RCRA. Depending on the circumstances of a given case, DOJ representation may be available to Agency employees, and the Agency could be substituted for that individual in civil proceedings. However, if found to be acting outside the scope of their duties, Agency officials or employees can be civilly or criminally prosecuted without Agency or DOJ support or representation. Clearly, self interest dictates operating and managing facilities within the terms of applicable requirements.

44. CLEAN AIR PROGRAM

The objectives of Clean Air Program are to:

- identify, control, and monitor air pollution sources owned, operated, or otherwise under the control of Agency facilities;
- determine the types and quantities of pollution emissions from these sources and applicable requirements;
- control pollution levels in compliance with applicable regulations;
- procure commercial equipment and vehicles that meet applicable regulations;
- ensure that facilities are designed, operated, and maintained to meet Clean Air Act (CAA) program standards and requirements, including those in State Implementation Plans;
- monitor ambient air quality in the vicinity of ARS activities in accordance with applicable regulations, if necessary;
- control emissions from mobile sources under Agency control through good maintenance and compliance with applicable regulations;
- cooperate with EPA and State and local authorities to achieve the objectives of the CAA;
- develop and utilize maintenance schedules, operating procedures, and monitoring systems for specific facilities and other Agency activities in coordination with other Federal, State, and local authorities; and
- obtain permits for regulated air pollutant sources and use trained/licensed operators as necessary.

All facilities owned, operated, or otherwise under Agency control will comply with all applicable Federal, State, interstate, regional, and local requirements, permits, administrative orders, processes and sanctions regarding the control and abatement of air pollution and compliance with State Implementation Plans. This applies to both substantive and procedural requirements. This also applies to the payment of fees which are directly related to the facility review or permitting process and that are generally applicable.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

45. HAZARDOUS WASTE DETERMINATIONS

In order to determine which rules and regulations apply to the wastes generated at a facility, a determination must be made as to whether or not the waste is hazardous. This is done by identifying and evaluating the physical and health hazard of the waste using knowledge of the substance or process or by chemical or other analyses (refer to 40 CFR 260-261).

For additional information concerning the hazardous waste determination process and additional details about the questions, access the FD-SHEMB Homepage.

46. SOLID AND HAZARDOUS WASTE MANAGEMENT PROGRAM

The primary objective of this program is to procure, use, and dispose of materials in a manner that complies with all applicable regulations, minimizes waste production, conserves natural resources, and prevents adverse effects on health or the environment. Materials should be reused, recycled, or reprocessed to the maximum extent feasible, and pollution prevention measures should be utilized. Specific objectives include:

- Procurement of material to allow the end product or its components to be economically restored, reconstituted, or converted to other uses.
- Disposal of unserviceable or excess material through procedures that will enable these products to be recovered and reintroduced into the manufacturing process or reclaimed for other purposes. This would include use as an energy source or sale through property disposal channels.
- Recycling and reusing solid waste and hazardous substances to the greatest extent feasible; proper disposal of wastes that cannot be economically recovered in a manner that will prevent or minimize pollution of the environment.

It is the Agency's policy to comply with all applicable regulations and standards regarding solid and hazardous waste management. Quantities of solid waste will be reduced at the source whenever possible. This will include the following:

- solid waste will be recovered and recycled to the maximum extent feasible;
- use of joint or regional resource recovery facilities is encouraged;
- contracts for waste disposal services will include provisions for recycling, where markets exist; and
- Agency facilities and activities will participate in recycling programs conducted by local communities to a practicable extent.

Nonhazardous solid waste will be disposed in permitted sanitary landfills or through treatment by incineration in permitted facilities.

Agency-owned or controlled facilities and property will not be used to dispose of toxic, hazardous, radioactive, or medical wastes that were generated at facilities other than those owned or controlled by the Agency.

In the absence of published standards or for information on those standards, guidance on acceptable methods and maximum concentrations and quantities of hazardous substances to be discharged or disposed of, should be obtained from proper authorities.

Specific program implementation procedures, as well as specific roles and responsibilities, are found at the FD-SHEMB Homepage.

47. SAFE DRINKING WATER PROGRAM

The primary objective is to provide safe drinking water for the public and all Agency personnel through compliance with all standards established by the EPA and all applicable State and local agencies.

It is the Agency's policy to adopt all measures consistent with applicable laws, regulations, and orders to provide safe and protected drinking water for both the public and Agency personnel. Where facilities are not in compliance, corrective measures shall be applied, including technical solutions and management actions which may result in making drinking water unavailable for human consumption.

Specific program implementation procedures, as well as specific roles and responsibilities, are found at the FD-SHEMB Homepage.

48. CLEAN WATER PROGRAM

The Agency's water resources management goal is to conserve water resources and protect them from contamination. To achieve this goal the Agency will:

- control and abate all sources of pollutants according to applicable Federal, State, and local requirements; and
- contribute to the attainment of the national goal to eliminate the discharge of pollutants.

It is the Agency's policy to adopt all measures consistent with applicable laws, regulations, and orders to prevent or control the discharge of pollutants into ground or surface waters. Agency wastewater treatment facilities and nonpoint source activities will be managed to avoid creating health hazards and nuisance conditions, to restore or maintain the quality of characteristics of water resources, and to prevent future pollution or degradation of surface or ground waters. Where facilities or activities are not in compliance, corrective actions will be applied, including technical solutions and management actions which provide for restricted use, temporary closure, or permanent closure.

Specific program implementation procedures, as well as specific roles and responsibilities, are found at the FD-SHEMB Homepage.

49. HAZARDOUS AND TOXIC MATERIALS PROGRAM

The primary objective of this program is to control hazardous and toxic materials so as to minimize hazards to health and damage to the environment.

The following measures are necessary to achieve the objective:

- Products and facilities developed, constructed, and procured by the Agency will be managed to minimize health and environmental hazards during:
 - (1) research,
 - (2) development,
 - (3) testing,
 - (4) production,

- (5) use,
 - (6) storage, and
 - (7) disposal.
- Use of toxic or hazardous materials will be limited to the maximum extent feasible.
 - Procedures that provide the utmost safety during storage, use, and disposal of hazardous and toxic materials will be used. This is especially true where less toxic or hazardous substitutes are not available.
 - Safe and environmentally acceptable methods will be developed and used to store and ultimately dispose of substances inherently hazardous or potentially dangerous.
 - Proper training will be provided for persons who manage, use, store, and dispose of hazardous and toxic materials.

It is the Agency's policy to adopt all measures consistent with applicable laws, regulations, and Executive orders; to control hazardous and toxic materials and substances; to implement best management practices in the research, development, procurement, production, use, handling, storage, and ultimate disposal of hazardous and toxic materials; to give priority to establishing measures required to protect health or control pollution; to use nonhazardous or nontoxic substitutes to a practicable extent; and to conserve resources and manage hazardous and toxic materials by reprocessing, recycling, and reusing. Where facilities or activities are not in compliance, corrective actions shall be applied which may include technical solutions and management actions that effectively control hazardous and toxic materials in the environment.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

50. CERCLA

The primary objectives of this program are to provide Agency support of the national policy to prevent the uncontrolled release of oil and hazardous substances and provide for a prompt, coordinated response to contain and clean up releases should they occur. The following measures are necessary to achieve the objective:

- Transport, store, handle, and dispose of oil and other petroleum products and hazardous substances in a safe and environmentally acceptable manner.
- Develop a responsive alert and reporting procedure for use when a spill occurs; be prepared to rapidly respond to contain and clean up spills.
- Cooperate with other Federal, State, regional, interstate and local government agencies to ensure the public's health and welfare are adequately protected from uncontrolled releases of oil and hazardous substances. This will be accomplished through Department and Agency participation on national and regional response teams.

It is the Agency's policy to identify and evaluate potential problems associated with inactive hazardous waste disposal sites at Agency facilities; to prevent or mitigate the release of hazardous substances from such facilities; to minimize potential hazards to health, safety, and the environment that may result from these facilities; and to comply with the National Contingency Plan in reporting and responding to releases or threatened releases from hazardous substances from any Agency facility.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

51. UNDERGROUND STORAGE TANK (UST) MANAGEMENT PROGRAM

A tank is considered to be a UST for the purposes of this program if:

- More than 10 percent of its volume (including connected underground piping) is beneath the ground.
- Its capacity is greater than 110 gallons.
- It contains a regulated substance. This includes any substance defined as hazardous in Section 101(14) of CERCLA, with the exception of those substances regulated as a hazardous waste under Subtitle C of RCRA. It also includes petroleum; e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure.

- A State or local regulatory authority has a more stringent definition of a UST.

Examples of tanks that are NOT considered UST's for the purposes of this program include: septic tanks; surface impoundments, pits, ponds or lagoons; storm-water or wastewater collection systems; pipeline facilities; emergency overflow containment systems that are expeditiously emptied after use; flow-through process tanks; and systems that contain a de minimis concentration of regulated substances. Additionally, tanks situated in an underground area (such as a basement, cellar, mineworking shaft, or tunnel) are not considered UST's if they are situated upon or above the surface of the floor.

Requirements for UST's that are used to store substances regulated as hazardous wastes under Subtitle C of RCRA can be found in 40 CFR 264 and 265.

It is ARS policy to protect human health and the environment by:

- monitoring/testing storage tanks to ensure that they are not leaking;
- removing, repairing, or replacing storage tanks found to be leaking;
- correcting conditions caused by overfills or leaking systems;
- removing, replacing, or upgrading storage tanks to meet established regulatory requirements;
- identifying storage tanks and maintaining all records related to the storage tank program;
- educating and training personnel on the storage tank program; and
- complying with Federal, State, and local legislation, orders, rules, and regulations pertaining to storage tanks.

Specific program implementation procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

52. POLLUTION PREVENTION

On August 3, 1993, the President signed E.O. 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements. Section 3-301 of the E.O. requires each Federal agency to develop and implement a written pollution prevention strategy to achieve:

- toxic chemical reduction goals,
- acquisition and procurement goals,
- Toxic Release Inventory/Pollution Prevention Act reporting, and
- Emergency Planning and Community Right-to-Know.

The Department, in their November 4, 1993, memo, subject: E.O. 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements, directed all USDA agencies to develop and submit pollution prevention policies/strategies.

To the maximum extent possible, it is ARS policy to identify, evaluate, and incorporate pollution prevention, energy/water conservation, life-cycle cost analysis, and total cost accounting concepts and considerations into:

- the design and execution of program, mission, and mission-related activities;
- the design, construction, and maintenance of ARS facilities;
- the acquisition, procurement, and use of equipment, materials, services, and supplies;
- the acquisition, procurement, use, and release to the environment of extremely hazardous substances and toxic chemicals; and
- the disposal or offsite transfer of wastes resulting from procurement and use of toxic chemicals.

ARS is committed to using source reduction as the means of choice for pollution prevention and compliance with applicable Federal, State, and local environmental requirements. Where pollution prevention/source reduction activities are discretionary, the Agency will strive to minimize the acquisition, procurement, use

and disposal of extremely hazardous substances and toxic chemicals. Where source reduction is impractical, the Agency will follow the hierarchy of pollution prevention; namely, environmentally safe recycling, treatment, and, as a last resort, responsible disposal or other releases to the environment.

ARS will work closely with the public and local emergency planning committees to provide them with the information they need both to protect the public and inform the public about toxic and hazardous chemicals and hazardous substances used by and stored at facilities in their communities. The public will be afforded ready access to all strategies, plans, and reports that are required to be prepared under this E.O. associated with the release of such substances, pollutants, or contaminants.

ARS will reduce the use of energy and related environmental impacts by promoting the use of energy efficiency and renewable energy technologies.

ARS will conserve and protect water resources by reducing water use where possible.

ARS will make each employee aware of what they need to do to comply with the E.O.

This policy shall be fully integrated into other policy and guidance issued for administration and program operations in ARS.

Specific program procedures, as well as specific roles and responsibilities, can be found at the FD-SHEMB Homepage.

53. ENVIRONMENTAL PROGRAM EVALUATIONS

This component of environmental management entails periodically checking that environmental aspects of organizational programs and functions are recognized, addressed, and documented. The tools of this checking are inspections and audits.

It is the Agency's policy to identify and address deficiencies and conditions at Agency-owned or controlled facilities that actually or potentially violate applicable environmental standards, impede or interrupt the Agency's mission, or bring adverse publicity. An inspection and audit protocol has been established in support of this policy.

Contractors, cooperators, and others present on facilities owned or controlled by the Agency are also subject to these policies and evaluations.

Specific implementation procedures, as well as roles and responsibilities, can be found at the FD-SHEMB Homepage.

54. PERSONAL PROTECTIVE EQUIPMENT PROGRAM

Annually, millions of employees receive disabling work-related injuries. More than one-fourth of these injuries will involve head, eyes, hands, or feet. Title 29 CFR, Part 1960, Safety and Health Provisions for Federal Employees, established by E.O. 12196 and Section 19 of P.L. 91-596, Occupational Safety and Health Act, requires the Agency to provide equipment and clothing for protection from physical injury or occupational disease in the performance of assigned tasks.

It is ARS' policy to provide a safe and healthful workplace for employees by applying engineering controls or work practices which prevent worker exposure to levels of materials considered dangerous to the health and safety of employees.

In cases where the manipulation of the work environment or administrative controls do not provide adequate worker protection or are not feasible, ARS will provide, maintain, and require the use of personal protective equipment and clothing, according to OSHA 1910, Subpart 1, Personal Protective Equipment.

Specific program implementation procedures, as well as specific roles/responsibilities, can be found at the FD-SHEMB Homepage.

55. SARA TITLE III - EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Title III of SARA is the Emergency Planning and Community Right-to-Know Act. It is intended to encourage and support emergency planning efforts at the State and local levels. It provides citizens and local governments with information concerning potential chemical hazards present in their communities. It provides a mechanism for responding to releases of acutely hazardous materials which may endanger the surrounding community. Compliance with the Act is required by E.O. 12856.

Specific requirements for emergency planning, release notification, hazardous chemical reporting, and toxic release inventory reporting under the act may be found at the FD-SHEMB Homepage.

56. PESTICIDE WORKER PROTECTION PROGRAM (PWPP)

On August 21, 1992, the EPA issued its final rule for the PWPP, affecting 40 CFR, Parts 156 and 170. This rule was modified on May 3, 1995. The PWPP resulted in major changes in pesticide labeling requirements, training, re-entry into pesticide application areas, decontamination, personal protective equipment, and notification of pesticide applications.

Pesticide programs are implemented at the State and/or local level; and, therefore, the requirements vary greatly. It is Agency policy to comply with all applicable Federal, State, tribe, and local regulations so as to minimize risks to employees, the general public, domestic animals, wildlife, and the environment.

Agency policy and implementation guidelines for the PWPP are found in P&P Number 600.12, "Guidelines and Precautions to Be Taken by Personnel in Storing, Using, Handling, and Disposing of Agricultural Chemical Pesticides," and at the FD-SHEMB Homepage.