

DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
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ER 385-1-92

CESO

Regulation
No. 385-1-92

1 May 2007

Safety
**SAFETY AND OCCUPATIONAL HEALTH REQUIREMENTS FOR
HAZARDOUS, TOXIC, AND RADIOACTIVE WASTE (HTRW) ACTIVITIES**

1. Purpose. This regulation identifies the safety and occupational health documents and procedures required to be developed and implemented by United States Army Corps of Engineers (USACE) commands and their contractors responsible for executing HTRW response actions, including investigation, design, pilot studies, construction, treatment process operations and maintenance (O&M), and other related activities at HTRW sites. In addition, this regulation defines the systematic execution, review, and approval responsibilities within USACE for the required safety and health documents.

2. Applicability

a. This regulation applies to Headquarters USACE (HQUSACE), major subordinate commands, districts, laboratories, and field operating activities (to be referred to as USACE Commands) performing or contracting HTRW site work, to include Civil Works (CW) projects involving HTRW response actions.

b. This regulation does not apply to Munitions and Explosives of Concern (MEC), explosive media, chemical warfare materiel (CWM), recovered chemical warfare materiel (RCWM) or chemical agent contaminated media (CACM). Projects with potential for containing HTRW and MEC, explosive media, CWM, RCWM or CACM require coordination with the USACE Military Munitions Center of Expertise (MM CX) and the Hazardous, Toxic and Radioactive Waste Mandatory Center of Expertise (HTRW MCX). Projects involving explosive media which are contaminated with explosives but do not present an explosion hazard are covered by the requirements of this ER. The definitions for MEC, explosive media, CWM, RCWM and CACM are in ER 385-1-95.

3. Distribution Statement. Approved for public release, distribution is unlimited.

4. References. See Appendix A.

This regulation supersedes ER 385-1-92, dated 1 July 2003

5. Discussion. USACE places a high priority on protecting the safety and occupational health of employees and contractors. Accordingly, detailed safety and health criteria,

practices, and procedures shall be developed and implemented. These criteria shall provide proper control of and protection against the unique safety, chemical, physical, radiological, or biological hazards associated with the on-site activities. The development and implementation of an Accident Prevention Plan (APP) with a Site Safety and Health Plan (SSHP) appendix is required for HTRW site operations. The SSHP is required to be in compliance with the Occupational Safety and Health Administration's (OSHA) regulations, as published in Title 29 CFR 1910.120 (General Industry) for investigation, engineering design, and O&M or 29 CFR 1926.65 (Construction Industry) for remedial action construction and USACE requirements. The requirements are applicable to all USACE and contractor personnel engaged in on-site activities associated with the Defense Environmental Restoration Program (DERP) (Formerly Used Defense Sites (FUDS), and Installation Restoration Program (IRP)), Base Realignment and Closure (BRAC), Formerly Utilized Sites Remedial Action Program (FUSRAP), Environmental Protection Agency (EPA) Superfund and Brownfields programs, HTRW response actions under Civil Works, Environmental Support for Others (ESFO), and other HTRW projects.

6. Policy. All USACE Commands shall comply with and specify contractor compliance with OSHA standards, especially 29 CFR 1910.120/29 CFR 1926.65, as well as all other applicable safety and occupational health regulations required by USACE and Department of the Army (DA) throughout all site investigation, engineering design, pilot study, remedial action, construction, and treatment process O&M phases of HTRW projects. Title 29 CFR 1910.120 and 29 CFR 1926.65 standards are essentially the same; 29 CFR 1910.120 applies to assessment, investigation, engineering, and design phases, whereas 29 CFR 1926.65 applies to the actual construction phase of the project. As a minimum, the safety and health documents and procedures required by this regulation shall comply with the regulations and appropriate guidance publications referenced above, and other applicable Federal, state, and local government safety and health requirements. If there is a conflict between these standards, regulations, or requirements, the more stringent of the documents shall apply.

7. Definitions and Acronyms. See Appendix B.

8. Responsibilities.

a. HQUSACE.

(1) The U.S. Army Corps of Engineers Safety Office (CESO) has overall responsibility for the USACE Safety and Occupational Health Program, to include HTRW safety and occupational health (SOH) policy, programs, procedures, and oversight. CESO will:

(a) Plan, develop, review and revise USACE-wide HTRW SOH requirements and guidance, including Engineering Regulations, Engineering Manuals and Engineering Circulars in coordination with U.S. Army Corps of Engineers Military Programs, Environmental Community of Practice (CEMP-CE) and Civil Works Construction and Engineering (CECW-CE).

(b) Coordinate with CEMP-CE, CECW-CE, the HTRW MCX and the MM CX, as applicable, on SOH technical assistance to be provided to the USACE Commands.

(c) Provide policy and program guidance and assistance to USACE Commands to ensure that established SOH requirements are met during investigation, design, construction, operation and maintenance (O&M), and other related activities at HTRW sites.

(d) Provide CECW with SOH technical review and guidance for any HTRW problems encountered in the civil works program, with support from the HTRW MCX.

(e) Serve as USACE focal point for overall resolution of SOH regulatory and technical issue within and outside the USACE.

(f) In coordination with the HTRW MCX, lead and manage the HTRW Safety and Occupational Health Sub CoP (HTRW SOH Sub CoP).

(2) CECW-CE manages all engineering design, construction, and O&M technical aspects of MP and CW projects and has responsibility to ensure that appropriate SOH criteria and procedures are properly planned for, included and implemented on HTRW projects. CECW-CE:

(a) Distributes the USACE HTRW technical criteria and includes safety and occupational health criteria and actions necessary to the execution of the USACE HTRW program in published policy and guidance. These technical criteria include engineering and design as well as remedial action and construction. CECW-CE has delegated proponentcy to CESO for development of all HTRW SOH technical documents.

(b) Serves as the USACE HTRW construction manager and has responsibility to ensure that safety and health criteria and actions needed to execute remedial action construction on HTRW sites are properly implemented. Engineer Pamphlet (EP) 415-1-266 *Resident Engineer Management Guide (REMG) for Hazardous, Toxic, and Radioactive Waste (HTRW) Projects*, provides further details concerning remedial action and construction requirements. CECW-CE will provide technical assistance to USACE Commands involved in HTRW construction activities with technical support from the HTRW MCX and in coordination with CESO. Assist in conducting HTRW

construction program oversight and management evaluations concerning SOH in coordination with CESO. Assure that USACE Commands involved in HTRW construction activities review, comment, and accept SOH submittals by implementing the procedures described in this ER.

(3) U.S. Army Corps of Engineers Director of Contracting Policy serves as the USACE HTRW program for contracting policy and procedures and has responsibility to:

(a) Notify CESO, USACE commands and the HTRW MCX when contracting policy, and procedures for the HTRW program change.

(b) Assists CESO and the HTRW MCX with the development of SOH language to be incorporated into HTRW contract documents.

(c) Provide oversight of SOH requirements by USACE Commands into HTRW contract documents with help from the HTRW MCS and CESO.

b. HTRW Mandatory Center of Expertise (HTRW MCX). The HTRW MCX, has primary responsibility for maintaining and providing SOH expertise concerning execution of the HTRW program and HTRW projects to USACE commands, MSCs and USACE headquarters entities. The HTRW MCX:

(1) Participates on Project Delivery Teams (PDTs) and performs independent technical review of SOH aspects of HTRW documents submitted by USACE commands, MSCs or Headquarters. Documents may include but are not limited to:

(a) Requests for contractor proposal for HTRW investigative, design, construction and operation and maintenance (O&M) services to USACE commands.

(b) Scopes of work and performance work statements (PWS)/statements of objective (SOO) for HTRW investigative, design, construction and O&M tasks.

(c) Quality Assurance Surveillance Plans (QASP) for performance-based HTRW contracts.

(d) Accident Prevention Plans/Site Safety and Health Plan Appendix (APP/SSHP) for HTRW projects with special or unusually complicated safety and health hazards.

(e) Concept designs for remedial action construction and treatment processes. For safety and health purposes concept designs shall include Unified Facilities Guide Specification (UFGS) 01351 edited to meet project specific requirements and the supporting health and safety design analysis (HSDA).

(f) Any other documents (work plans, operation and maintenance plans) selected by the PDT because of special SOH concerns, unusual hazards, or SOH complexity.

(2) Participates on PDTs and provides technical assistance and support to MSC and district commands regarding SOH requirements and procedures for HTRW site investigation, engineering design, remedial action construction, and HTRW treatment process O&M activities. This may also include USACE technical assistance oversight of state lead or principal party of responsibility lead projects performed under the EPA Superfund program.

(3) Identifies and recommends to CESO technical SOH policy and guidance needs, and develops SOH guidance for HTRW site investigations, engineering design, remedial action construction, treatment process and, O&M activities.

(4) Provides SOH technical expertise concerning the HTRW aspects of projects involving or suspected to involve HTRW MEC, explosive media or CACM in accordance with ER 385-1-95 and this ER.

(5) Leads the HTRW SOH Sub Community of Practice (CoP) in coordination with CESO.

c. Military Munitions CX. The MM CX provides SOH technical expertise concerning the MEC, explosive media and CACM aspects of the project involving or suspected to involve HTRW and MC, explosive media or CACM in accordance with ER 385-1-95 and this ER.

d. Major Subordinate Commands (MSCs). The MSC will perform the following tasks to assure SOH quality in HTRW programs:

(1) Promote and coordinate sharing of health and safety staff resources located at the districts and HTRW-MCX to assure that PDTs for HTRW projects are appropriately staffed.

(2) Coordinate resolution of all disputed SOH technical review comments provided by HTRW MCX and the Geographic District Command to the HTRW Design District. Assure that all safety and health comments are resolved satisfactorily and retain final acceptance authority if there is a conflict.

(3) Conduct annual HTRW SOH management evaluations of the Major Subordinate Command HTRW program execution and implementation of SOH requirements.

e. HTRW Design District Commands. These are responsible for site investigations and engineering design and construction planning phases of HTRW projects. HTRW Design districts will:

(1) Ensure qualified USACE SOH professionals are included on HTRW project delivery teams to do the following:

(a) Perform technical analysis of HTRW contract and project objectives to assure that SOH requirements are managed correctly during HTRW site investigations, engineering design, field pilot studies, remedial action construction and, HTRW treatment process and O&M implementation. Radiation safety support can be obtained from the USACE Radiation Safety Support Team (RSST) if in-house health physics personnel are not available. Support from the RSST is available by contacting the HTRW MCX.

(b) Develop SOH aspects of request for proposals and aid in selecting contractors.

(c) Ensure that contract management procedures and advanced agreements require that contractors involve qualified SOH personnel on project delivery orders, that appropriate SOH technical analysis is done, and that appropriate SOH documents are developed.

(d) Ensure that contractors cost effectively account for SOH requirements when developing work plans.

(e) Incorporate SOH technical requirements into scopes of work, performance work statements/statements of objective and, quality assurance surveillance plans.

(2) Develop, through in-house or contracted resources, SOH documents that are appropriate to project phase and contract type. SOH documents include:

(a) APP/SSHP for investigations, predesign, and pilot studies.

(b) APP/SSHP for remedial action construction.

(c) APP/SSHP for HTRW Treatment Process O&M.

(d) UFGS 01351, *Safety, Health and Emergency Response (HTRW/UST)*, edited to meet project-specific circumstances.

(e) Health and Safety Design Analysis (HSDA) to support project specifications.

(3) Coordinate preparation of APP/SSHP developed for in-house investigations, predesign, and pilot study activities with the Safety and Occupational Health (SOH) office at the geographic district command.

(4) Ensure that all HTRW designs, cost and technical proposals, work plans, specifications, and APP/SSHPs for remedial action construction and HTRW treatment process O&M activities are provided to the SOH Office at the geographic district command for review and input.

(5) Comprehensively review of HTRW project designs (especially treatment process designs) to assure that the project can be safely constructed and operated.

(6) Provide technical review of construction APP/SSHP when requested by the geographic construction district.

(7) Coordinate with the MM CX for projects where the potential to encounter MEC, explosive media, CWM, RCWM or CACM exists, and proceed according to ER 385-1-95 requirements.

f. Geographic District Command. The Geographic District Command is responsible for assuring that SOH requirements are implemented during execution of HTRW response actions. The geographic district will:

(1) Provide qualified USACE SOH staff to participate on HTRW project delivery teams assembled by the HTRW design district. If necessary, use the MSC to coordinate SOH staff support from other MSC districts or the HTRW-MCX. Radiation safety support can be obtained from the USACE RSST if in-house health physics personnel are not available. Support from the RSST is available by contacting the HTRW MCX.

(2) Identify local SOH issues to be incorporated into scopes of work, performance work statements/statements of objective, project specifications, work plans and, quality assurance surveillance plans by the HTRW design district.

(3) Review and accept APP/SSHPs for remedial action construction and HTRW treatment process O&M.

(4) Oversee remedial action construction and HTRW treatment process O&M to assure compliance with the accepted APP/SSHP and, the SOH aspects of project specifications, scopes of work, performance work statements and quality assurance surveillance plans.

(5) Actively participate in negotiations to modify APP/SSHPs or the SOH aspects of other contract documents when changes are proposed by contractors.

(6) Assist the HTRW design district in preparing APP/SSHPs developed for in-house investigations, predesign activities, and pilot studies.

(7) Ensure that USACE personnel involved in on-site activities have received appropriate training, medical surveillance, and personal protective equipment required by the APP/SSHP, contract specifications, OSHA regulations, and USACE policies.

(8) Coordinate with the MM CX when MEC, explosive media or CACM is encountered and preceded according to ER 385-1-95 requirements.

9. Documents. All contracted and in-house HTRW activities shall require development of the following documents, as appropriate to project phase (i.e., site investigation, engineering design, pilot studies, remedial action construction, and HTRW treatment process O&M).

a. Site Safety and Health Plan Appendix to the Accident Prevention Plan (APP/SSHP).

(1) All contractors shall develop and implement a Site Safety and Health Plan (SSHP) that shall be attached to the APP as an appendix. The APP/SSHP shall address all occupational safety and health hazards (traditional construction as well as contaminant related hazards) associated with HTRW activities. The APP/SSHP shall cover each SSHP element in section 28.A.02 b. of EM 385-1-1 and each APP element in Appendix A of EM 385-1-1. SSHP appendix elements that overlap with APP elements need not be duplicated in the APP/SSHP, provided each SOH issue receives adequate attention and detail and is documented in the APP/SSHP. In-house activities (performed by government personnel) do not require development of an APP, but do require development and implementation of an SSHP covering each element in Section 28.A.02 b. in EM 385-1-1 and must comply with local district policies for in-house work.

(2) The APP/SSHP shall be developed under the direct supervision of a qualified Safety and Health Manager (SHM). (See the definitions section of this ER for SHM qualifications.)

(3) On-site implementation and enforcement of the APP/SSHP shall be managed by a qualified Site Safety and Health Officer(SSHO). (See the definition section of this ER for SSHO qualifications.)

(4) Projects that are anticipated to involve both HTRW and MEC, explosive media, CWM RCWM or CACM shall have an APP/SSHP developed per the requirements of this regulation and shall incorporate the additional requirements specified by ER 385-1-

95. This APP/SSHP must be coordinated with both the MM CX and HTRW MCX before on-site work begins.

b. Health and Safety Design Analysis.

(1) All designs for remedial action construction and HTRW treatment process O&M shall include a Health and Safety Design Analysis (HSDA) as a chapter of the project design analysis. The HSDA shall address each element in section 28.A.02 in EM 385-1-1 and any other design aspect affecting the safe construction or operation of the project. This HSDA shall justify the SOH requirements to be specified in the remedial action or HTRW treatment process O&M project specifications.

(2) The HSDA shall be developed under the direct supervision of a qualified Safety and Health Manager (SHM) (See the definitions section of this ER for SHM qualifications).

c. SOH project specifications.

(1) All plans and specifications for remedial action construction and HTRW treatment process O&M shall contain a section that delineates minimum safety, health, and emergency response requirements to which the remedial action construction or HTRW treatment process O&M contractors shall adhere. SOH requirements shall be justified in the HSDA and incorporated into the project design package by editing Unified Facility Guide Specification (UFGS) 01351 and any other project specification sections as appropriate. The site-specific, task-specific, and hazard-specific procedures, precautions, and equipment necessary for the protection of SOH shall be clearly biddable and enforceable.

(2) The SOH project specifications shall be developed under the direct supervision of a qualified Safety and Health Manager (SHM) (See the definitions section of this ER for SHM qualifications).

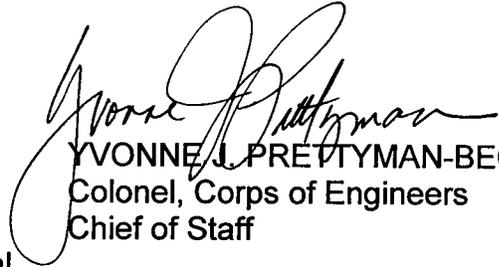
10. Unanticipated Discovery of Ordnance and Explosives. If, during the course of any HTRW response action (site investigation, removal action, or remediation activity) or remedial action construction, an unanticipated or unplanned discovery of MEC,

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explosive media CWM, RCWM or CACM occurs, all work shall cease, personnel shall withdraw from the affected area, and the MM CX shall be contacted for further information and direction. See ER 385-1-95 for specific details.

FOR THE COMMANDER:

3 Appendices
APP A – References
APP B – Definitions and Acronyms
APP C - HAZWOPER Training and Medical
Surveillance Exemption Criteria



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Chief of Staff

APPENDIX A References

- a. PL 96-510, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- b. PL 98-212, DOD Appropriation Act, Environmental Restoration.
- c. PL 99-190, DOD Appropriation Act, Environmental Restoration.
- d. PL 99-499, Superfund Amendments and Reauthorization Act (SARA).
- e. 10 CFR 19 - 171, Nuclear Regulatory Commission.
- f. 29 CFR 1910, Occupational Safety and Health Administration (OSHA), Occupational Safety and Health Standards.
- g. 29 CFR 1910.120, OSHA, Hazardous Waste Site Operations and Emergency Response.
- h. 29 CFR 1926, OSHA, Safety and Health Regulations for Construction.
- i. 29 CFR 1926.65, OSHA, Hazardous Waste Site Operations and Emergency Response.
- k. 29 CFR 1960, OSHA, Federal Employee Safety and Health Programs.
- l. 49 CFR Subpart C, Department of Transportation (DOT), Hazardous Materials Regulations.
- m. NIOSH/OSHA/USCG/EPA, Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, October 1985.
- n. FAR 52.236-13, Accident Prevention.
- o. AR 40 series.
- p. AR 200-1, Environmental Quality, Environmental Protection and Enhancement.
- q. AR 385 series.

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- r. ER 385 series.
- s. ER 385-1-95, Health and Safety Requirements for Ordnance and Explosive Response Actions.
- t. ER 1110-1-8158, Corps-Wide Centers of Expertise Program
- u. ER 1165-2-132, Hazardous, Toxic and Radioactive Waste (HTRW) Guidance for Civil Works Projects
- v. EP 415-1-266, Resident Engineer Management Guide (REMG) for Hazardous, Toxic, and Radioactive Waste (HTRW) Projects
- w. EM 385-1-1, USACE, Safety and Health Requirements Manual
- x. CEMP-RT Memorandum, subject: Environmental Cleanup and Protection Management Plan for Military Programs, dated 17 January 1996
- y. CEMP-RT Memorandum, subject: Changes in HTRW Technical Roles and Responsibilities Due to Division Laboratory Closures, dated 24 July 1996
- z. CESO-I Memorandum, subject: HTRW Medical Surveillance Program Inclusion and Frequency Criteria, dated 29 September 1999

APPENDIX B Definitions and Acronyms

B-1. Definitions. The following definitions are provided to help users fully understand the various requirements of this regulation. In addition, considering the large number of acronyms used herein, a roster of acronyms has been provided.

a. **HTRW Activities.** HTRW activities include those activities undertaken for the Defense Environmental Restoration Program (DERP), including Formerly Used Defense Sites (FUDS) and Installation Restoration Program sites at active DOD facilities, Formerly Utilized Sites Remedial Action Program (FUSRAP), Environmental Protection Agency's (EPA) Superfund program, HTRW actions associated with Civil Works projects, and any other mission or non-mission work done for others at HTRW sites. Such activities include, but are not limited to, Preliminary Assessments/Site Inspections (PA/SI), Remedial Investigations (RI), Feasibility Studies (FS), Engineering Evaluations/Cost Analyses (EE/CA), RCRA Facility Investigations/Corrective Measures Studies/Corrective Measures Implementations/Closure Plans/Part B Permits, or any other investigations, design activities, remedial construction or HTRW treatment process O&M at known, suspected, or potential HTRW sites. HTRW site activities shall also include those conducted at "Containerized" HTRW sites, such as leaking Polychlorinated Biphenyls (PCB) transformers, leaking or suspected leaking Underground Storage Tanks (USTs), that contain hazardous substances, hazardous wastes, or hazardous materials as defined by 29 CFR 1910.120(a)(3)/29 CFR 1926.65(a)(3).

b. **Safety and Health Manager (SHM).** This is a safety and occupational health professional meeting one of the three definitions below, with 3 years SOH management experience in hazardous waste site cleanup activities, and with the knowledge and skills to assure that on-site work is safely conducted. SHM credentials must reflect an ability to control and manage the primary contaminant related hazards (Certified Industrial Hygiene for chemical hazards, Certified Safety Professional for safety hazards, and Certified Health Physicists for ionizing radiation hazards) on the project. Projects with multiple contaminant related hazards (chemical, ionizing radiation, and safety) require the SHM to seek assistance from SOH professionals with appropriate credentials, knowledge, and skills to address secondary hazards. In-house operations do not require the SHM to have or seek support from certified SOH professionals.

(1) Industrial Hygienists. These are personnel meeting the Office of Personnel Management Standards for the Industrial Hygiene Series GS-0690-11/12 or Pay Band 2, personnel certified by the American Board of Industrial Hygiene, and military personnel identified as being a qualified Industrial Hygienist by the Surgeon General of the individual Uniformed Services. In addition, it is expected that these personnel, by virtue of their education, special studies, and training, have acquired competence in the practice of Industrial Hygiene.

(2) Health Physicists. These are personnel meeting the Office of Personnel Management Standards for the Health Physicist Series GS-1306-11/12 or Pay Band 2; personnel certified by the American Board of Health Physicists; and military personnel identified as being a qualified Health Physicist by DA or the other Uniformed Services. In addition, it is expected that these personnel, by virtue of their education, special studies, and training, have acquired competence in the practice of Health Physics.

(3) Safety Professionals. These are personnel meeting the Office of Personnel Management Standards for the Occupational Safety and Health Manager Series GS-0018-11/12 or Pay Band 2 and personnel certified by the Board of Certified Safety Professionals. In addition, it is expected that these personnel, by virtue of their education, special studies, and training, have acquired competence in the practice of safety and occupational health.

c. Site Safety and Health Officer. This is a person with a minimum of 1 year of experience implementing and enforcing SSHP requirements at hazardous waste site cleanup activities.

B-2. Acronyms.

APP/SSHP	Accident Prevention Plan/Site Safety and Health Plan
AR	Army Regulation
BRAC	Base Realignment and Closure
CACM	Chemical Agent Contaminated Media
CECW	Corps of Engineers Civil Works
CEMP	Corps of Engineers Military Programs
CEPR	Corps of Engineers Assistant Principle Responsible for Contracting
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESO	Corps of Engineers Safety and Occupational Health Office, HQUSACE
CFR	Code of Federal Regulations
CHP	Certified Health Physicist
CIH	Certified Industrial Hygienist
CSP	Certified Safety Professional
CX	Center of Expertise
CW	Civil Works

CWM	Chemical Warfare Materiel
DA	Department of the Army
DERP	Defense Environmental Restoration Program
DOD	Department of Defense
EM	Engineering Manual
EP	Engineering Pamphlet
EPA	Environmental Protection Agency
ER	Engineering Regulation
FAR	Federal Acquisition Regulation
FS	Feasibility Study
FUDS	Formerly Used Defense Site
FUSRAP	Formerly Utilized Sites Remedial Action Program
GS	General Schedule
HQUSACE	Headquarters U. S. Army Corps of Engineers
HSDA	Health and Safety Design Analysis
HTRW	Hazardous, Toxic and Radioactive Waste
IRP	Installation Restoration Program
MSC	Major Subordinate Commands
NIOSH	National Institute for Occupational Safety and Health
NRC	Nuclear Regulatory Commission
O&M	Operation and Maintenance
OSHA	Occupational Safety and Health Administration
PA	Preliminary Assessment
PDT	Project Delivery Team
PL	Public Law
PPE	Personal Protective Equipment
PRP	Potentially Responsible Party
RCRA	Resource Conservation and Recovery Act
RCWM	Recovered Chemical Warfare Materiel
RI	Remedial Investigation
RSST	Radiation Safety Support Team
SI	Site Inspection
SOH	Safety and Occupational Health
SHM	Safety and Health Manager
SSHO	Site Safety and Health Officer
USACE	U. S. Army Corps of Engineers
UST	Underground Storage Tank

APPENDIX C
29 CFR 1910.120/29 CFR 1926.65 (HAZWOPER)
Training and Medical Surveillance Exemption Criteria

C-1. Employee training and medical surveillance requirements in OSHA's HAZWOPER standard do not have to be applied to cleanup tasks that will not expose employees to contaminant-related hazards. For the purposes of this ER, this means:

a. Cleanup tasks where the task or operation creates a barrier eliminating employee exposure to contaminant-related hazards.

b. Cleanup tasks that can be managed, without the use of engineering controls or PPE, so that employees will not be exposed to contaminant-related hazards.

C-2. All decisions to exempt HAZWOPER training and medical surveillance requirements from cleanup tasks shall be made by qualified SOH staff and shall be justified in project work plans.