



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

10 - 3 2004

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

MEMORANDUM

SUBJECT: Memorandum of Understanding (MOU) Between OARM/SHEMD and OSWER
Concerning the Management of USEPA Internal Safety, Health, and
Environmental Management Initiatives

FROM: Dennis J. Bushta, Director
Safety, Health & Environmental Management Division, OAS/OARM

THRU: Rich Lemley, Director
Office of Administrative Services, OARM

TO: Morris X. Wynn, Assistant Administrator

Marianne Lamont Horinko
Assistant Administrator
Office of Solid Waste and Emergency Response

In support of the Administrator's National Approach to Response initiative, the Safety-Health and Environmental Management Division (SHEMD), within the Office of Administration and Resources Management (OARM), and Environmental Response Team (ERT), within the Office of Solid Waste and Emergency Response (OSWER), have developed a Memorandum of Understanding (MOU) which establishes a working agreement for Collaborative Management of the U.S. Environmental Protection Agency (USEPA) Internal Safety, Health, and Environmental Management Initiatives related to Hazardous Waste, Emergency Response, and Weapons of Mass Destruction (WMD) activities. This Memorandum of Understanding sets forth an agreement wherein they will collaborate to manage the USEPA national hazardous waste, emergency response, and WMD health, safety, and environmental management programs for USEPA workers through SHEMD and ERT.

SHEMD retains authority for the overall administration of the USEPA health, safety, and environmental management programs for its workers. ERT shall provide technical assistance and support to SHEMD related to the administration and management of the National Health and Safety Program for Hazardous Waste, Emergency Response, and WMD activities.

This Memorandum of Understanding will provide OSWER, in collaboration with SHEMD, a tool to help meet the health and safety requirements inherent in the National Approach to Response. SHEMD is currently working with the EPA emergency response community to develop specific health and safety programs and implementation manuals for On-Scene Coordinators including health and safety roles and responsibilities and incident command structures.

Attachment

MEMORANDUM OF UNDERSTANDING

Subject

Establishment of a Safety, Health and Environmental Management Division (SHEMD) working agreement within the U.S. Environmental Protection Agency (USEPA) Office of Solid Waste and Emergency Response (OSWER) for Collaborative Management of the USEPA Internal Safety, Health, and Environmental Management Initiatives related to Hazardous Waste, Emergency Response, and Weapons of Mass Destruction (WMD) activities.

Background and Authority

The President, through Executive Order No. 12196, and the Secretary of Labor, through Section 19 of the Occupational Safety and Health Act, require that all Federal agencies establish comprehensive safety and health management programs.

The possibility of future terrorist incidents has pointed out the need for a national approach to response. No longer can we afford to plan and prepare for a single event. Our preparedness and response planning efforts must focus on multiple, simultaneous significant incidents that may occur across several regions.

To that end, the Administrator has decided to implement a multi-faceted mechanism – the National Approach to Response – to manage EPA’s emergency response assets during a nationally significant incident or disaster, in a coordinated manner on a national basis. The National Approach to Response will include mechanisms to ensure a nationally consistent Occupational Health and Safety Program. A nationally consistent program will help to ensure all EPA employees are provided with the best practical means of protection during emergency response activities. The National Approach to Response will require:

- 1) timely, accurate and concise action in a coordinated manner using the Incident Command System/Unified Command (ICS/UC);
- 2) national support for resource allocation and program consistency; and
- 3) clearly defined roles within the affected Region(s) and Headquarters, allowing EPA to speak and act in unison during these incidents.

This Memorandum of Understanding will provide OSWER, in collaboration with SHEMD, a tool to help meet the health and safety requirements inherent in the National Approach to Response. This approach is also consistent with and complements the recently issued Homeland Security Presidential Document-5, “Management of Domestic Incidents,” dated February 28, 2003.

The authority, for administration of the USEPA safety and health programs has been delegated to the Director of SHEMD, Office of Administrative Services (OAS), by the Assistant Administrator for Administration and Resources Management (OARM). Among the implicit responsibilities of SHEMD is the protection of USEPA worker's health and safety related to occupational hazards.

The Assistant Administrator of OSWER has the responsibility for administering the USEPA environmental programs in the Office of Emergency Prevention, Preparedness and Response (OEPPR), Office of Superfund, Remediation, and Technology Innovation (OSRTI), Office of Solid Waste (OSW), Office of Underground Storage Tanks (UST), and Federal Facilities Restoration and Reuse Office (FFRRO).

Within OSRTI, the Environmental Response Team (ERT) has developed a wide range of technical, national, and international expertise related to hazardous waste, emergency response, and WMD activities. ERT has developed national and international technical expertise related to hazardous waste, emergency response, and WMD occupational health and safety.

Agreement

This Memorandum of Understanding sets forth an agreement reached by OARM and OSWER wherein they will collaborate to manage the USEPA national hazardous waste, emergency response, and WMD health, safety, and environmental management programs for USEPA workers through SHEMD and ERT. SHEMD shall retain the authority for the overall administration of the USEPA health, safety, and environmental management programs for its workers.

ERT shall provide technical assistance and support to SHEMD related to the administration and management of the National Health and Safety Program for Hazardous Waste, Emergency Response, and WMD Activities. This program enables the centralized management of information about certain aspects of the USEPA health, safety, and environmental management program. ERT will function as a Technical Advisor for SHEMD in the general area of hazardous wastes, emergency response, and WMD, including, but not limited to, the following specific areas:

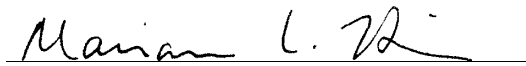
1. Hazardous waste characterization;
2. Site safety;
3. Training;
4. Contingency Planning;
5. Exposure Assessment and Risk Management;
6. Ambient air studies/sampling;
7. Subsurface investigations;
8. Alternative technologies;
9. Groundwater studies;


10. Biosafety;
11. Soil contamination studies;
12. Information management;
13. Analytical support; and
14. Environmental risk assessment,

The program also provides for standardized health, safety, and environmental management training and education for hazardous waste, emergency response, and WMD workers. The program is intended to enhance worker safety and health, and to minimize potential occupational exposures to hazards during hazardous waste, emergency response, and WMD activities.

OARM, through SHEMD, and OSWER, through OSRTI and ERT, shall collaborate to jointly evaluate the effectiveness of the National Health and Safety Program for Hazardous Waste, Emergency Response, and WMD Activities, and shall work together to optimize its positive impact on workers' health and safety through an OSWER/SHEMD Health and Safety Committee. An OSWER Integrated Health and Safety Workgroup, managed by the OSWER-Designated Safety, Health, and Environmental Management Official (DSHEMO), has been established to provide formal management input to the OSWER/SHEMD Health and Safety, Official.

CONCURRENCE:


Marianne Lamont Horinko
Assistant Administrator, OSWER


Morris X. Winn
Assistant Administrator, OARM