



U.S. Department of Labor/ Occupational Safety and Health Administration

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GENERAL

The U.S. Department of Labor (DOL), through its Occupational Safety and Health Administration (OSHA) has authority to conduct safety and health inspections of hazardous waste sites to assure that employees are being protected. OSHA also determines if the site is in compliance with:

- Safety and health regulations promulgated by OSHA or the states in accordance with section 126 of the Superfund Amendments and Reauthorization Act (SARA) and all other applicable standards
- Regulations promulgated under section 18 of the OSH Act and its general duty clause.

On request, OSHA will provide advice and consultation to EPA and other NRT/RRT agencies regarding hazards to persons engaged in response activities. OSHA may also take any other action necessary to assure that employees are properly protected at such response activities. Any questions about occupational safety and health at these sites may be referred to the OSHA Regional Office.

Mission and Goals

OSHA's mission is to promote the safety and health of America's workers by setting and enforcing standards, providing training, conducting outreach and education, establishing partnerships, and encouraging continual process improvement in workplace safety and health.

Worker safety and health resources under the National Response Framework's Worker Safety and Health Support Annex are activated through Emergency Support Function (ESF) #5. This assistance may include 24/7 site safety monitoring, airborne worker exposure sampling and analysis, critical incident stress monitoring, development and oversight of the site-specific health and safety plan, personal protective equipment selection and distribution and training, and respirator fit-testing. The Worker Safety and Health Support Annex provides additional information on worker safety and health technical assistance. The DOL/OSHA support is also directly available to NRT agencies under the NCP and under ESF #10 through a request by the primary agency.

Role/Responsibility

During a response, under the National Oil and Hazardous Substances Contingency Plan, under the Stafford Act for presidentially declared disasters or emergency, or under the National Response Framework, DOL/OSHA plays a significant role in the federal response. Their primary strategic role of OSHA is to provide technical support to RRT agencies regarding hazards to workers engaged in response activities.

Laws/Authorities Governing their Response

- The Occupational Health and Safety Act of 1970
- The National Oil and Hazardous Substances Pollution Contingency Plan (NCP)
- National Response Framework (NRF)
- Executive Order 12656 — Assignment Of Emergency Preparedness Responsibilities
- The Robert T. Stafford Disaster Relief and Emergency Assistance Act
- The National Emergencies Act
- HSPD-5 - Management of Domestic Incidents
- HSPD-7 - Critical Infrastructure
- HSPD-8 - National Preparedness
- HSPD-9 - Defense of United States Agriculture and Food



Response Requirements

During times of national threat or a Presidential Declaration, the Department of Homeland Security serves as the planning integrator for the President for a more robust federal incident management capability and in order to coordinate all Federal incident Management Activities in support of our State and local partners. All Federal departments and agencies may play significant roles in incident management and response activities, depending on the nature and size of an event. The Federal Emergency Management Agency (FEMA) coordinates response support from across the Federal Government and certain non-governmental organizations (NGOs) by calling up, as needed, one or more of the 15 ESFs.

Each of these functions are coordinated by a single agency (Primary ESF Coordinating Agency) but may rely on other agencies (Support Agencies) to provide resources for each functional area. The mission of the ESFs is to provide the greatest possible access to capabilities of the Federal Government regardless of which agency has those capabilities. Under the National Response Framework (formerly known as the National Response Plan), the DOL and its member offices and services play a role (either as the Primary or as a Support agency) for the following ESFs:

| ESF # | Primary Agency | Support Agency |
|-------|--|----------------|
| 1 | Transportation | |
| 2 | Communications | |
| 3 | Public Works & Engineering | X |
| 4 | Firefighting | |
| 5 | Emergency Management | X |
| 6 | Mass Care, Emergency Assistance, Housing, and Human Services | X |
| 7 | Logistics Management and Resource Support | X |
| 8 | Public Health and Medical Services | X |
| 9 | Search and Rescue | X |
| 10 | Oil and Hazardous Materials Response | X |
| 11 | Agriculture and Natural Resources | X |
| 12 | Energy | X |
| 13 | Public Safety and Security | |
| 14 | Long-Term Community Recovery | X |
| 15 | External Affairs | X |