

CHAPTER 16

OCCUPATIONAL SAFETY AND HEALTH STANDARDS

1601. Discussion

a. Heads of Federal agencies must establish procedures for the development of agency occupational safety and health (OSH) standards. Agencies must also comply with the standards issued for the private sector by the Secretary of Labor, under Section 6 of the Occupational Safety and Health Act (OSH Act).

b. The Department of Defense (DoD) and Navy follow the Occupational Safety and Health Administration (OSHA) standards; however, reference 16-1 contains provisions for alternates to the OSHA standards, supplemental standards, other special standards and exceptions for military unique equipment, systems and operations.

c. This chapter provides guidance and direction for the development and application of standards within the Navy Occupational Safety and Health (NAVOSH) program.

1602. NAVOSH Standards

NAVOSH standards consist of the following:

a. OPNAV instructions and Chief of Naval Operations (CNO)(N45)-approved instructions issued by commands having specific technical cognizance or assigned technical responsibility in reference 16-2. NAVOSH standards include national consensus and proprietary standards referenced in the instructions. OPNAV instructions based on OSHA standards may simply refer to a specific OSHA standard (e.g., 29 CFR 1910.95) or may paraphrase, transpose or otherwise adopt the standard without altering the basic criteria (unless the alteration applies to more stringent criteria, such as lower exposure limits, increased monitoring frequency, etc.). The CNO instruction may also refer to or adopt the latest edition of an OSHA reference standard. See appendix 16-A for a current listing of approved NAVOSH standards not elsewhere invoked. See reference 16-3 for NAVOSH standards for forces afloat.

b. OSHA standards, including emergency temporary standards OSHA issues under the provisions of the OSH Act. This includes national consensus standards specifically referred to in OSHA standards.

NOTE:

When both the Navy and OSHA have standards applicable to a given situation, activities shall use the more stringent of the two.

c. Navy occupational exposure limits (OEL) for chemical contaminants that include:

(1) 1989 OSHA permissible exposure limits (PELs) found in 29 CFR 1910.1000 Tables Z-1, Z-2 and Z-3

(2) Substance specific regulations issued by OSHA under section 6(b) of the

Occupational Safety and Health Act of 1970

(3) Navy developed standards. When there is no OSHA PEL or Navy developed standard, the American Conference of Governmental Industrial Hygienists (ACGIH) threshold limit value (TLV) shall be used as the Navy OEL. When the OEL is based on a limit derived from the OSHA Z-1, Z-2 or Z-3 Tables, reports of data shall include the ACGIH TLV as additional guidance.

d. Alternate OSHA standards that the Deputy Under Secretary of Defense (Environmental Security) (DUSD(ES)) authorizes, subject to Department of Labor (DOL) approval. See appendix 16-A for a current listing of approved alternative standards.

e. Special DoD or Navy standards, rules and regulations or technical publications that govern on-the-job safety and health applicable to military-unique equipment, systems and operations.

f. Nationally recognized sources of OSH guidance (such as the ACGIH, the American National Standards Institute (ANSI) and the National Fire Protection Association (NFPA)) will be used when there is no OPNAV instruction or OSHA standard.

NOTE:

National Institute for Occupational Safety and Health (NIOSH) criteria documents are proposals only and not mandatory unless adopted by one of the sources listed above.

1603. Alternate Standard Approval

The cognizant headquarters command must make the determination to modify a NAVOSH standard for application to its operations. The headquarters command shall submit proposed alternate standards to CNO (N45), who in turn, shall submit the alternate standard to DUSD(ES) for approval, through the Assistant Secretary of the Navy (Installations and Environment) (ASN(I&E)).

NOTE:

Activities shall not submit NAVOSH standards developed according to section 1602e to DUSD(ES) for approval.

The proposed alternate standard must provide protection at least equivalent to the NAVOSH standard it replaces. The following procedures apply:

a. Prior to forwarding to DUSD(ES), CNO (N45) shall forward alternate standards proposals to the Deputy Assistant Secretary of the Navy (DASN) (CP/EEO). DASN will forward the standards to civilian employee organizations having national consultation rights with the Navy for review and comment.

b. After receipt of comments from employee organizations, or after a 45-day response period has elapsed, CNO (N45) will forward the alternate standard to DUSD(ES) through ASN(I&E). The alternate standard shall include a summary statement that delineates the

differences between the applicable NAVOSH standard and the proposed alternate standard, a justification for the change and a summary of comments from civilian employee organizations.

1604. Application

Activities shall apply NAVOSH standards in Navy workplaces, worldwide, with the following exceptions:

a. In the case of uniquely military equipment, systems and operations, activities shall apply Navy rules and regulations consisting of specialized standards, specifications and procedures to minimize hazards and prevent mishaps. The Navy shall review and strengthen these special rules and regulations continuously, and include appropriate provisions of the NAVOSH standards consistent with military design configuration and the requirement to develop and maintain combat capability.

b. Certain operations are subject to mandatory safety standards or rules derived from separate or specific statutory authority (e.g., explosive safety standards issued under the authority of 10 U.S.C. 172 (1970) and Nuclear Safety and Health Standards issued under the authority of 42 U.S.C. Sections 2012, 2021, 2121(b), and 2201(b) (1976)). Provided there is no substantive conflict, the application of these special functional standards does not exempt any workplace from other NAVOSH standards that address conditions not specifically covered by the special rules. For example, a naval weapons station is subject to special explosive safety standards and is also subject to NAVOSH standards for machine guarding, eye protection, etc.

c. In overseas workplaces, where status of forces agreements (SOFAs) specify different standards, those standards take precedence, subject to the same limiting rationale set forth in paragraph 1604b.

d. Where personnel of different DoD components, or of DoD components and other Federal agencies work in the same installations, host-agency standards shall govern the DoD components and other Federal agencies involved. When other agency standards conflict with OSHA standards, DoD components shall refer the matter to DUSD(ES).

Chapter 16

References

16-1. DOD Instruction 6055.1 19 Aug 1998, DOD Occupational Safety and Health Program (NOTAL)

16-2. OPNAVINST 5100.8G of 2 July 1986, Navy Safety and Occupational Safety and Health Program

16-3. OPNAVINST 5100.19D CH-1 of 30 Aug 01, Navy Occupational Safety and Health (NAVOSH) Program Manual for Forces Afloat (NOTAL)

Appendix 16-A

**Approved NAVOSH Standards from Headquarters Commands
Having Technical Cognizance**

<u>Document</u>	<u>Governing Area</u>
SPAWARINST 5100.9D	Electronic Safety Ashore
OPNAVINST 5100.27	Navy Laser Hazards Control Program
MIL-HDBK 1025/10	Safety of Electrical Transmission and Distribution Systems
OPNAV P-45-117-6-98	Electrical Safety Field Guide

Approved NAVOSH Alternative Standards

NAVSEA S6740-AA-SAF-010	Alternative standard for certification of gas-free engineering used in maintenance operations.
NAVFAC P-307	Alternative standard for third party certification cranes used in longshoring.