



VOSH PROGRAM DIRECTIVE: 02-073B

ISSUED: October 1, 2007

SUBJECT: Inspection Procedures for 29 CFR 1910.120 and 1926.65, Paragraph (q): Emergency Response to Hazardous Substance Releases

A. Purpose.

CHANGE I: This directive transmits to field personnel updated policies and provides clarification to ensure uniform enforcement of paragraph (q) of the Hazardous Waste Operations and Emergency Response Standard (HAZWOPER), §§ 1910.120 and 1926.65, which covers emergency response operations for release of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard. **CHANGE II:** This directive updates enforcement procedures for compliance officers who need to conduct inspections of emergency response operations; defines additional terms and expands on training requirements for emergency responders and other groups such as skilled support personnel; and new guidance is provided on how HAZWOPER may apply to unique events such as terrorist attacks.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

B. Scope.

This directive applies to all VOSH personnel, and specifically to Occupational Health Compliance and Consultation Services personnel.

C. Reference.

OSHA Instruction CPL 020-02-073 (August 27, 2007).

D. Cancellation.

VOSH Program Directive 02-073A (December 15, 1998).

E. Action.

Directors and Managers shall ensure that the policies and procedures established in this directive are implemented by compliance personnel.

F. Effective Date.

October 1, 2007.

C. Ray Davenport
Commissioner

Attachment: OSHA Instruction CPL 02-02-073 (August 27, 2007) or refer to:

http://www.osha.gov/OshDoc/Directive_pdf/CPL_02-02-073.pdf

Distribution: Commissioner of Labor and Industry
Assistant Commissioner – Programs
VOSH Directors and Managers
Cooperative Programs Director and Manager
VOSH Compliance and Cooperative Programs Staff
Legal Support and IMIS Staffs
OSHA Region III and Norfolk Area Offices

When the guidelines, as set forth in this Program Directive, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Regional Administrator

Commissioner of Labor and Industry

Area Director

Region Director

Regional Solicitor

Attorney General or VOSH Office of Legal Support (OLS)

Agency

Department

Compliance Safety and Health Officer (CSHO) and/or Industrial Hygienist

CSHO

OSHA Directives or OSHA Instructions:

VOSH Program Directives:

Field Inspection Reference Manual (FIRM)

VOSH Field Operations Manual (FOM)

OSHA Instruction CPL 02-00-94, OSHA Response to Significant Events of Potentially Catastrophic Consequences (7/22/91)

VOSH Program Directive 02-020, VOSH Response to Significant Events of Potentially Catastrophic Consequences (1/15/94)

OSHA Instruction TED 01-00-015, OSHA Technical Manual (1/20/99)

VOSH Program Directive 02-052A OSHA Technical Manual (3/15/99)

OSHA Instruction CPL 02-00-124 Multi-Employer Citation Policy

VOSH Program Directive 09-003E Administrative Regulations Manual (ARM) for the VOSH Program (9/15/06)