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OFFICE OF THE SECRETARY
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SECNAVINST 5100.10J
ASN(I&E)
October 26, 2005

SECNAV INSTRUCTION 5100.10J

From: Secretary of the Navy

Subj: DEPARTMENT OF THE NAVY POLICY FOR SAFETY, MISHAP
PREVENTION, OCCUPATIONAL HEALTH AND FIRE PROTECTION
PROGRAMS

Ref: (a) DOD Instruction 6055.1, "DoD Safety and
Occupational Health (SOH) Program," 19 Aug 98
(b) DOD Directive 4715.1E, "Environment, Safety, and
Occupational Health (ESOH)," 19 Mar 05
(c) DOD Instruction 6055.4, "DOD Traffic Safety
Program," 20 Jul 99
(d) DOD Instruction 6055.5, "Industrial Hygiene and
Occupational Health," 10 Jan 89
(e) DOD 6055.5-M, "Occupational Health Surveillance
Manual," May 98
(f) DOD Instruction 6055.6, "DOD Fire and Emergency
Services Program," 10 Oct 00
(g) DOD Instruction 6055.7, "Accident Investigation,
Reporting and Recordkeeping," 3 Oct 00
(h) DOD Instruction 6055.8, "Occupational Radiation
Protection Program," 31 Mar 89
(i) DOD Directive 6055.9E, "DOD Explosives Safety
Management and the DOD Explosives Safety Board,"
19 Aug 05
(j) DOD Instruction 6055.11, "Protection of DOD
Personnel from Exposure to Radiofrequency
Radiation and Military Exempt Lasers," 21 Feb 95
(k) DOD Instruction 6055.12, "DOD Hearing
Conservation Program (HCP)," 5 Mar 04
(l) DOD Instruction 4145.26, "DOD Contractor's Safety
Requirements for Ammunition and Explosives,"
9 Apr 05
(m) DOD 4145.26-M, "DOD Contractors' Safety Manual
for Ammunition and Explosives," Sep 97
(n) SECNAVINST 5211.5D, "Department of the Navy
Privacy Act (PA) Program"
(o) SECNAVINST 5720.42F, "Department of the Navy
Freedom of Information Act (FOIA) Program"

- (p) DOD Military Standard 882D, "Standard Practice for System Safety," 10 Feb 00
- (q) Sections 7101 to 7135 of Title 5, United States Code
- (r) Executive Order 12344, "Naval Nuclear Propulsion Program," 1 Feb 82

Encl: (1) DOD Occupational Safety and Health Protection Program Poster, DD 2272 (Nov 00)

1. Purpose. To implement references (a) through (m) and to provide policy and assign responsibility for the Department of the Navy (DON) safety, mishap prevention, occupational health and fire protection programs afloat and ashore, including guidance on related investigations, reporting and recordkeeping.

2. Cancellation. SECNAVINST 5100.10H.

3. Policy

a. Safety and occupational health are inherent responsibilities of each command. The DON safety, occupational health and fire protection programs shall be implemented for the Secretary of the Navy (SECNAV) through the Assistant Secretary of the Navy (Installations and Environment) (ASN(I&E)) and the appropriate chain of command. Risk management strategies shall be applied to reduce the number of work related mishaps, injuries and illnesses, and to reduce costs related to accidental loss of personnel, facilities, weapons systems and equipment. The necessary responsibilities shall be clearly assigned at all supervisory echelons, including the first line supervisor. Performance evaluations shall reflect personal accountability in this respect, consistent with the duties of the position, with appropriate recognition of superior performance, and conversely, adverse notation or administrative action, as appropriate, for deficient performance.

b. All Navy and Marine Corps commands shall establish, fund and maintain programs, consistent with references (a) through (m), to protect all civilian and military personnel from work-related mishaps, injuries and illnesses. However, under paragraph b2 of reference (a), exemptions from Department of Labor (DOL) oversight include the following:

(1) Military personnel, military equipment, systems and operations that are unique to the national defense mission such as:

(a) Military aircraft and ships including submarines, missiles and missile sites, early warning systems, military space systems, artillery, tanks and tactical vehicles.

(b) Operations involving such military equipment or systems, including field maneuvers, naval operations and military flight operations.

(c) Associated research, test, and development activities.

(d) Actions required under emergency conditions.

(2) Operations subject to mandatory safety standards deriving from separate, specific statutory authority.

(3) Overseas workplaces where status of forces agreements specify different standards.

c. Per reference (a), Occupational Safety and Health Administration (OSHA) and National Institute for Occupational Safety and Health (NIOSH) officials, acting as representatives of the Secretary of Labor, are authorized to conduct announced or unannounced inspections of all DON workplaces, except: military unique workplaces, as defined in reference (a), non-military unique workplaces that are staffed exclusively with military personnel, and for specific conditions that are governed by other statutory authorities. However, Navy activities shall, at a minimum, apply OSHA and other non-Department of Defense regulatory safety and health standards to military-unique equipment, systems, operations, or workplaces, in whole or in part, insofar as practicable.

d. DON activities shall maintain programs to comply with the prevention, investigation (including all mishaps of severity classification A, B or C as defined in reference (g)), and the recordkeeping and reporting requirements outlined in references (a) through (n).

(1) Mishaps shall be investigated by personnel with the appropriate experience and training.

(2) In workplaces involving civilian employees, employees will be included in the Class A mishap investigations to the maximum extent feasible.

e. DON activities shall implement the instructions regarding organization, inspection and abatement procedures, standards, and safety and health councils, published in reference (a), in a manner consistent with paragraph 3a of this instruction.

f. DON activities shall emphasize an awareness of good safety and health practices among all personnel, both civilian and military. To this end, the following are necessary:

(1) Safety and health hazards shall be identified, evaluated and controlled using risk management strategies.

(2) Medical departments shall implement consistent, meaningful occupational health surveillance programs, both medical and environmental, to ensure that controls adequately protect the health of personnel.

(3) Personal protective equipment, appropriate to the work situation, shall be provided at government expense, per reference (a). In cases where prescribed personal protective equipment is not properly used, management should take disciplinary action as a corrective measure against the offender and the supervisor, as appropriate.

(4) Signs, notices, and warnings shall be displayed in the workplace as required by regulation.

(5) Personnel shall be encouraged to report suspected cases of occupational illness to the immediate supervisor.

g. Safety and occupational health precautions shall be integrated into training and indoctrination programs, technical and tactical publications, and appropriate check-off lists consistent with guidelines issued in reference (a). The Chief of Naval Operations (CNO) and the Commandant of the Marine Corps (CMC) shall also establish special training programs for military unique situations within the DON, as appropriate.

h. An aggressive safety program shall be maintained to prevent mishaps involving the transportation of Defense

munitions and explosives and to minimize the damaging effects of such mishaps when they occur as well as respond as quickly as possible when alerted that a transportation mishap, involving Defense munitions or explosives requires Department of Defense (DoD) response to protect Defense interests or to safeguard the public.

i. System Safety Management and Engineering principles in reference (p) shall be applied to the acquisition of systems and facilities. System safety programs shall be maintained throughout the life cycle as required by references (b) and (p). A safety assessment report shall be prepared prior to each major acquisition milestone using reference (p) guidelines to support the independent safety assessment. For explosive and weapons systems, the Weapons System Explosive Safety Review Board report and the Laser System Safety Review Board will be a major part of the safety assessment report, as appropriate. Periodic safety reviews shall be held throughout the life of the system or facility to identify safety problem areas and proper solutions with the assistance of the program or facility manager or system safety and user personnel. System safety personnel must be properly trained and encouraged to seek certification by an independent agency (e.g., Board of Certified Safety Professionals) in their functional area. To assure that system safety goals and objectives are met in the acquisition process, an independent safety assessment shall be performed as part of the in-house Department of the Navy System Acquisition Review Council (DNSARC) reviews at Milestone I, II and III. The goal of the system safety program is to increase operational readiness by reducing the likelihood of mishaps and unnecessary expenditures of funds to correct hazards identified after deployment. This shall be accomplished through primary management emphasis on the identification, evaluation, and elimination/control of hazards prior to production/construction and deployment. System safety performance goals and objectives that are consistent with other program goals must be established. System safety programs shall be formally planned and executed to reflect proper funding, staffing, scheduling of activities, appropriate and mandated safety design standards and criteria, safety testing, hazard tracking and closeout procedures, hazard analysis, coordination, review and oversight procedures.

4. Objective. To establish and maintain effective, aggressive and centrally directed safety, occupational health and fire protection programs that:

a. Are staffed by technically qualified safety, occupational health and fire protection personnel, as defined by Office of Personnel Management (OPM). Staff are encouraged to seek certification by a certifying organization (e.g. Board of Certified Safety Professionals).

b. Enhance operational readiness through risk management strategies to reduce injuries, illnesses, deaths and property damage due to mishaps, overexposures to stressors, and/or fire.

c. Establish uniform procedures to evaluate safety and health risks associated with exposure to chemical, physical, and biological stresses in DON workplaces.

d. Create and maintain safety and healthful working conditions for DON civilian and military personnel by correcting workplace deficiencies to the maximum practicable extent per program and budget guidance.

e. Emphasize an awareness of good safety and health practices among all personnel, both civilian and military.

5. Application and Scope. These programs apply to all DON civilian and military personnel, ashore and afloat. Per paragraph b3 of reference (a), these programs apply to government-owned, contractor-operated facilities only if they involve: (a) the occupational safety and health of DoD personnel; and (b) with respect to the contractor's employees, only those specific occupational safety and health matters over which the DoD exercises statutory authority per the provisions of enclosure (4) of reference (a). In all other matters affecting the safety and health of contractor employees, the contractor is responsible directly to OSHA.

6. Responsibility. Responsibility for ensuring the DON's compliance with references (a) through (m), (p), (o), (r) and enclosure (1) rests with SECNAV.

7. Action

a. The ASN(I&E) is the designated safety and

occupational health official for the DON and shall establish, maintain and modify, as appropriate, safety, occupational health, and fire protection programs and emergency medical services which implement the requirements of DoD policy issuances to provide protection for both civilian employees and military personnel. Such programs shall ensure:

(1) Implementing directives are developed, as necessary, to assist the Secretary of Defense in carrying out his/her responsibilities.

(2) Planning, programming, staffing qualifications and budgeting are appropriate to meet the requirements of the DON safety, occupational health and fire protection programs. The priority for correction of specific deficiencies shall be directed to those workplaces shown to be the most hazardous based upon statistical analyses of mishap, illness, and injury and compensation data.

(3) Policy and procedures are established to prevent transportation mishaps involving conventional munitions and explosives and, in the event a mishap does occur, to ensure proper emergency response measures are followed.

(4) With the assistance of the Deputy Assistant Secretary of the Navy (Civilian Personnel Policy and Equal Employment Opportunity), or a designee, consultations are held with labor organizations holding national consultation rights relating to DON safety and occupational health programs.

(5) The requirements for consultation with civilian employee representatives on safety, occupational health and fire protection matters are implemented throughout the DON per the Navy program for national consultation for labor organizations.

(6) Action is taken during the acquisition process to include system safety management and engineering principles and to assure an independent safety assessment is performed during the DNSARC and Military Construction Program reviews per references (b), (j) and (p).

b. Chief of Naval Operations. The CNO, in support of the SECNAV's programs and in coordination with the CMC with respect to matters of mutual concern, and except as provided in subparagraph 6c, shall:

(1) Issue appropriate directives and ensure implementation by all commands, activities and personnel.

(2) Establish appropriate planning, programming, qualified staffing and budgeting to meet the requirements of reference (a).

(3) Issue criteria for records maintenance and provide to the ASN(I&E) all reports required by the DoD Management Information System (MIS) in a manner conforming with references (g), (n) and (p). These criteria shall ensure:

(a) Development of reporting and recording procedures to provide meaningful statistics concerning mishaps, injuries, occupational illnesses and fire related losses in order to evaluate the effectiveness of the programs. Close coordination among safety offices, personnel departments and medical personnel working worker's compensation cases is essential.

(b) A lower internal DON reporting threshold is considered for shore activity Class C mishaps, as defined in reference (g), than for afloat commands.

(c) A register of personnel occupationally exposed to chemical substances and other hazardous physical or biological stresses, as deemed appropriate by the Bureau of Medicine and Surgery, is maintained.

(d) Employees, or their designated representatives, have access to workplace records regarding individual exposures.

(e) Medical records are maintained, upon termination of employment, per reference (d).

(f) Industrial hygiene workplace monitoring and survey records are kept at least 40 years per reference (d).

(g) Cross-reference linkages among employment records, medical records and industrial hygiene surveillance data can be developed and implemented as rapidly as possible.

(h) DON activities shall identify buildings, structures, storage areas or other facilities in which radioactive materials (excluding nuclear weapons) are

located and establish records to reflect the location and nature of such materials as specified in reference (h), paragraph 2c(2).

(4) Conduct appropriate research and development to preclude occupational exposures from degrading an employee's health status or work performance.

(5) Develop a program providing for at least annual formal inspections of all workplaces of civilian and military personnel, including notification provisions to employees of inspection results per reference (a). High-risk work areas shall be inspected at least annually, preferably semiannually, or more often if necessary. Oversight inspections shall also be conducted at least triennially to ensure the implementation of the program is accomplished as required by reference (a). Develop a program providing for periodic occupational health surveillance of both personnel and their working environments per reference (d).

(6) Provide for job-related medical support such as immunizations and emergency medical treatment per reference (d) guidance.

(7) Provide assistance, as needed, to maintain and periodically update reference (e).

(8) Ensure that employees are aware of the unsafe/unhealthy working conditions reporting program, including the name or code and telephone number of the person designated to receive such reports. Activities will inform new employees, and all employees annually, of the existence of the unsafe/unhealthy working conditions reporting program, the name and code or telephone number of the person designated to receive such reports, and of the employee's right to make these reports. Activities may use periodic training, newsletters, and/or bulletins to disseminate this information. Enclosure (1) is the Occupational Safety and Health Protection poster approved by OSHA for DoD activities. Activities shall post it in conspicuous locations (such as official bulletin boards) where civilians are employed. It shall be no less than the standard size (8 inch x 16 inch), and it shall not be covered over or defaced.

(9) Continue to update procedures providing for the prompt investigation of reports by civilian and military personnel and others of unsafe or unhealthy working

conditions, and to ensure corrective action is taken, where appropriate, within the time intervals stipulated in reference (a).

(10) Ensure that all civilian and military personnel receive thorough and continuing orientation and training in safety, occupational health and fire protection consistent with their workplace environments, per the instructions issued under reference (a) and references (c) through (m), and with particular emphasis directed to the improvement of hazard awareness and reduction of accidental injury and property damage. Programs should include information applicable to the specific needs and responsibilities of the following groups: no supervisory personnel, first-line supervisors, representatives of civilian employees, commanding officers and other senior managers, as well as collateral duty safety, occupational health and fire protection personnel. An adequate number of up-to-date audiovisual aids in film libraries are essential elements. Records shall be maintained of all safety, occupational health and fire protection training conducted.

(11) Ensure the establishment of safety and occupational health committees or councils per policies established by reference (a).

(12) Ensure guidelines are issued on the appropriate levels within the organization to coordinate matters with OSHA at the regional and local level as required by reference (a).

(13) Ensure full cooperation of all echelons in support of Field Federal Safety and Health Councils and in coordinating mutually beneficial mishap prevention and safety programs with local communities to the maximum extent feasible under reference (n) and other applicable laws and regulations.

(14) Ensure the designation of appropriate officials to consult with representatives of labor organizations recognized under reference (q) with respect to safety, occupational health and fire protection programs.

(15) Ensure employees are aware that they may file, through their appropriate grievance processes, allegations of reprisals for having filed a complaint of unsafe or unhealthful working conditions. Ensure prompt, impartial investigations of reprisal allegations and that appropriate

administrative or disciplinary action is taken when reprisal allegations are substantiated.

(16) Ensure compliance with the requirements of reference (p) and with other applicable Federal Agency safety and health standards or criteria in the procurement of military systems, subsystems, equipment, and related facilities. Ensure that proposed design changes, modifications and procedures do not degrade the inherent safety of a system, subsystem, facility, and associated equipment.

(17) Develop and implement a system safety program to support all phases of the system life-cycle beginning with engineering development through the acquisition process, including an independent assessment/review capability during in-house acquisition reviews at Milestones I, II and III and during the Military Construction Program review.

(18) Identify system safety criteria and technology appropriate for incorporation into updated instructions, specifications, standards and handbooks for various classes of systems and facilities.

(19) Identify safety concerns and benefits of emerging technology, such as composite materials, flight incident recorders and computer software, and disseminate this information to applicable offices and users.

(20) Establish and maintain a formal hazard tracking system to ensure that significant hazards identified during system safety program reviews are properly documented, tracked and resolved. Ensure that the hazard log generated is passed to respective new program managers.

(21) Ensure adequate fire protection programs and emergency medical services are established and staffed, as well as equipment and training provided, per reference (f). Fire prevention programs shall emphasize fire prevention and public fire education as a means to reduce and eliminate fire loss.

(22) Act as the executive agent to maintain and update periodically the DoD Fire Incident Reporting procedures, reference (f). Commander, Naval Safety Center shall institute, manage and maintain the National Fire Incident Reporting System (NFIRS). Provide uniform data to

assist fire protection program managers in assessing the Navy and Marine Corps fire problems.

(23) Prescribe procedures and assign responsibilities for preventing mishaps involving transportation of conventional munitions and explosives, and develop procedures for responding as rapidly as possible, when alerted that such a transportation mishap has occurred to protect DoD interests and to safeguard the public. Actions shall be taken to prevent loss of life, injury and property damage, to maintain security, and to minimize public inconvenience consistent with all applicable references pertaining to DoD policy to "help first and solve institutional issues later."

(24) Ensure a comprehensive traffic safety program is developed and maintained per reference (c). Special emphasis shall be placed on occupant restraint device use and alcohol prevention programs.

(25) Ensure the development of an effective, coherent off-duty safety program, involving sports, home-related hazards, water sports and activities, etc.

(26) Ensure a comprehensive Naval Weapons and Explosives Safety Program is developed and maintained per reference (i). Special emphasis shall be given to combat system safety, lithium battery safety, the mandatory use of standard operating procedures for explosives operations, qualification and certification of explosive workers, and certification of equipment that is used in explosives operations.

(27) Ensure risk management techniques are applied in the planning of all readiness training to ensure training is realistic, but does not exceed an acceptable level of risk for a noncombat situation per reference (a). Risk decisions must be at the appropriate level of command based on the level of risk, hazard involved, exposure and worst-case scenario.

(28) Develop contingency plans and organizations to ensure the expeditious evaluation of requests from defense contractors for variations, tolerances and exemptions to any safety or health provision of Public Law 91-596 (Occupational Safety and Health Act), as may be necessary, to avoid serious impairment of mobilization efforts during times of national emergency per reference (a). These plans

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and organizations shall be developed for each of the following conditions:

(a) The present variations, tolerances and exemption procedures specified in Section 16 of the Occupational Safety and Health Act.

(b) The premise that the review and approval authority of Defense contractors' requests for variations, tolerances and exemptions will be transferred from the Secretary of Labor to the Secretary of Defense, and the requirement for a hearing is waived.

c. Commandant of the Marine Corps (CMC). The CMC in support of the SECNAV's programs, and in coordination with the CNO with respect to matters of mutual concern, shall, for areas within the Commandant's responsibilities, perform the same duties assigned to the CNO in paragraph 6b of this instruction except for those covered by subparagraphs 6b(3)(c), (6), (7), and (22).

d. Director, Naval Nuclear Propulsion Program. Per reference (p), the Director, Naval Nuclear Propulsion Program is responsible for the safety of reactors and associated naval nuclear propulsion plants, and control of radiation and radioactivity associated with naval nuclear propulsion activities, including prescribing and enforcing standards and regulations for these areas as they affect the environment and the safety and health of workers, operators and the general public.

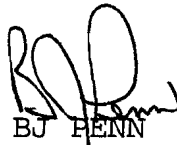
8. Form. DD 2272 (Nov 00), DoD Occupational Safety and Health Program Poster, is available through normal Navy supply channels per NAVSUP P-2002.

9. Reports. The reporting and recordkeeping requirements of this instruction have been assigned the following Interagency and Internal Report Control Symbols and are approved per SECNAVINST 5214.2B.

a. Interagency Report Control Symbol 1146-DOL-XX(5100) has been assigned for the DoD mishap reporting requirements of reference (g).

b. Report Control Symbol DD-FM&P(AR)1765(5100) has been assigned for the DoD fire reporting requirements of reference (f).

c. Report Control Symbol DD-A&T(AR)1020(5100) has been assigned for reporting Selected Explosive and Chemical Agent Mishaps to the Defense Explosive Safety Board as required by reference (g).



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