



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Office of the Assistant Secretary
for Health
Washington DC 20201

MAY 13 1982

The Honorable Wallace E. Stickney
Director
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Stickney:

Thank you for your recent letter to Secretary Sullivan reminding HHS of the important seismic safety milestones that are incorporated in Executive Order 12699. We have been working on the implementation plan for HHS and are pleased to furnish the following information on our Seismic Safety Coordinator:

CAPT Joseph J. Corliss
U.S. Public Health Service, HHS
Division of Health Facilities Planning
Office of Resource Management
Room 17-A-10, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
(301)443-6620

CAPT Corliss also represents HHS on the Interagency Committee on Seismic Safety in Construction (ICSSC), and a draft policy for HHS programs is now being developed.

Should your staff have any additional questions, please ask them to contact CAPT Corliss.

Sincerely yours,

Audrey F. Manley, M.D., M.P.H.
Deputy Assistant Secretary for
Health

Department of Housing and Urban Development



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY
WASHINGTON, D.C. 20410-0001

July 31, 1992

Honorable Wallace E. Stickney
Director
Federal Emergency
Management Agency
Washington, DC 20472

Dear Mr. Stickney:

Thank you for your letter of June 30, 1992, concerning reporting requirements of Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction." In particular, you have requested status reports of the Department's procedures, progress toward an implementation plan, and impact of the Order on Departmental operations.

I have requested that HUD's Seismic Safety Coordinator, G. Robert Fuller, provide a separate and thorough report of Departmental actions taken to comply with Executive Order 12699 and the National Earthquake Hazards Reduction Program Reauthorization Act of 1977. He will also provide the requested information on regulatory actions taken or proposed, and on implementation of those regulations and procedures. In that regard, we have already taken steps to incorporate appropriate model building code seismic provisions in the Minimum Property Standards (MPS) for new construction under various HUD programs.

The safety and protection of occupants of residential buildings constructed, assisted or regulated under HUD programs are of utmost concern to me. Therefore, we will continue to adopt cost effective standards as necessary for natural hazard mitigation.

Very sincerely yours,


Jack Kemp



U. S. Department of Housing and Urban Development
Washington, D C 20410-8000

OFFICE OF THE ASSISTANT SECRETARY
FOR HOUSING-FEDERAL HOUSING COMMISSIONER

July 31, 1992

Mr. Gary D. Johnson
Assistant Associate Director
Office of Earthquakes & Natural Hazards
Federal Emergency Management Agency
Washington, DC 20472

Dear Mr. Johnson:

Thank you for your letter of June 10, 1992 relative to activities under the National Earthquake Hazards Reduction Program (NEHRP), and reporting requirements for all Federal agencies under Executive Order 12699. Secretary Kemp has responded separately to Director Stickney's letter of June 30 on the same subject.

As HUD's Seismic Safety Coordinator, I have prepared the enclosed 1992 Progress Report of the Department's actions taken to comply with the Executive Order. If you need any further information on our programs relative to seismic safety of assisted or regulated new building construction, please call me on:

(202) 708-2210; FAX (202) 708-0299.

Respectfully,

A handwritten signature in black ink that reads "G. Robert Fuller". The signature is fluid and cursive, with a long horizontal stroke at the end.

G. Robert Fuller
Director, Manufactured Housing and
Construction Standards Division

1992 PROGRESS REPORT
TO
FEDERAL EMERGENCY MANAGEMENT AGENCY
ON
EXECUTIVE ORDER 12699

AUGUST 1, 1992

OFFICE OF HOUSING - FEDERAL HOUSING ADMINISTRATION
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CHAPTER I

INTRODUCTION

Background

Seismic hazards are a serious threat to both humans and their surroundings. These hazards exist in most of the United States, not just on the West Coast. Therefore, it is important throughout the Nation to design residential structures according to appropriate seismic standards in order to minimize both human and property losses resulting from earthquakes. The Federal Government, mandated by the Earthquake Hazards Reduction Act of 1977, has developed the National Earthquake Hazards Reduction Program (NEHRP) to reduce the risks to life and property from future earthquakes.

Because of the NEHRP, the President on January 5, 1990 signed Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," which calls for Federal agencies to use appropriate seismic design codes and standards for the design and construction of new buildings. To support the implementation of the Order, the Interagency Committee on Seismic Safety in Construction (ICSSC) recommended the use of seismic codes and standards which are substantially equivalent to a "NEHRP Recommended Provisions for the Development of Seismic Regulations for New Buildings." These provisions have now been incorporated into all national model building codes, and can be referenced by Federal agencies in regulations and standards for new construction. Each responsible agency must implement final regulations or procedures by February 1, 1993.

The objectives of Executive Order 12699 are:

to reduce risks to the lives of occupants of buildings owned by the Federal Government and to persons who would be affected by the failures of Federal buildings in earthquakes, to improve the capability of essential Federal buildings to function during or after an earthquake, and to reduce earthquake losses of public buildings, all in a cost effective manner.

Each Federal agency is responsible for developing and implementing its own cost-effective seismic safety program commensurate with their specific program responsibilities. However, Sec.4(a) of the Executive Order charges the ICSSC to use consensus procedures in recommending cost-effective standards. The Department is an active member of the ICSSC, thus meeting Departmental responsibilities under the Executive Order.

In addition to Executive Order 12699, Sec. 947 of the 1990 Cranston-Gonzalez National Affordable Housing Act [Public Law 101-625; 104 Stat. 4416; 42 USC 7704a], enacted November 28, 1990, requires the Secretary of Housing and Urban Development to submit a biennial report to the Congress containing:

- * Statement of findings of a risk assessment study, including risk assessment of properties located in seismic risk zones;**
- * Compilation of seismic safety standards developed pursuant to Sec. 947;**
- * Statement of the activities undertaken by the Secretary to carry out Sec. 947; and amount and sources of any funds expended by the Secretary for such purposes; and**
- * Statement of activities undertaken by the Secretary to carry out requirements of Executive Order No. 12699; and amount and sources of any funds expended by the Secretary for such purposes.**

Executive Order 12699 also requires the Federal Emergency Management Agency (FEMA) to gather and assess information from Federal Agencies on their progress toward implementing the Order. The Director of FEMA is then responsible for reporting such progress of appropriate agencies to the President and to the Congress as part of the biennial report on the National Earthquake Hazard Reduction Program. By statute, the next biennial report is scheduled to be sent to Congress by December 30, 1992 and will cover progress of agency programs from January 5, 1990 through Fiscal Year 1992.

Organization of Report

In compliance with Executive Order 12699, and in response to the requests for information from FEMA, dated June 10 and June 30, 1992, this report contains the following:

- 1. Chapter II - Organizational Structure - Internal structure and interagency cooperative efforts to coordinate activities, as recommended in ICSSC RP 2.1-A, Guidelines and Procedures for Implementation of the Executive Order on Seismic Safety of New Building Construction.**
- 2. Chapter III - Regulatory Actions - Status of rulemaking for seismic safety standards incorporated in HUD's Minimum Property Standards (MPS) and Manufactured Home Construction and Safety Standards (MHCSS).**
- 3. Chapter IV - Budgetary Considerations and Impact on Agency Operations - Appropriations are not required to support regulatory actions described in this Report. However, the Office of Housing's Salaries and Expenses (S&E) budget provides for enforcement testing for manufactured housing and staff resources to coordinate interagency and intra-agency activities.**

CHAPTER II

ORGANIZATIONAL STRUCTURE

HUD Seismic Safety Coordinator

Following the recommendation of ICSSC in RP 2.1-A, **Guidelines and Procedures for Implementation of the Executive Order on Seismic Safety of New Building Construction**, on November 25, 1991 the Assistant Secretary for Housing - Federal Housing Commissioner Arthur J. Hill appointed G. Robert Fuller, Director of Manufactured Housing and Construction Standards Division, as HUD's Seismic Safety Coordinator. Mr. Fuller is the alternate Departmental representative to the ICSSC, liaison to the Committee on Earth and Environmental Sciences (CEES), and also the CEES Subcommittee on Natural Disaster Reduction (SNDR).

Commissioner Hill also designated John E. Bonkoski, Housing Environmental Review Officer as the Office of Housing's Seismic Safety Liaison Officer. Mr Bonkoski is the Department's representative on the ICSSC Full Committee and the Steering Committee (Representing regulatory and assistance agencies), and also an alternate member of SNDR.

HUD Seismic Safety Committee

Under the direction of HUD's Associate General Counsel for Legislation and Regulations, a Seismic Safety Committee was established on November 26, 1991. The Committee then held its inaugural meeting on January 14, 1992, attended by designated liaison representatives from the offices of: (1) General Counsel for Legislation and Regulations, (2) Public and Indian Housing, (3) Policy Development and Research, (4) Community Planning and Development, and (5) Housing.

The purpose of the first meeting was to discuss rulemaking procedures for adding seismic safety criteria to the Minimum Property Standards (MPS), Housing Quality Standards (HQS), and Manufactured Home Construction and Safety Standards (MHCSS). New construction assisted or regulated under HUD programs will need to be designed and constructed to comply with standards established by the ICSSC, starting on February 1, 1993. Each program office representative to the HUD Seismic Safety Committee will need to assure that all regulations, handbooks and procedures for design and construction of residential structures under HUD programs contain seismic safety criteria.

CHAPTER III

REGULATORY ACTIONS

Background

All housing constructed under Department mortgage insurance, subsidy, assistance, and low-rent public housing programs are required to meet or exceed HUD-established Minimum Property Standards (MPS). The National Housing Act [12 U.S.C. 1701-1750g], authorized the Secretary of HUD to prescribe these standards and also conditions for insuring mortgages covering one- and two-family and multifamily residential structures, hospitals, and group facilities. Regulations for the MPS are contained in the Code of Federal Regulations at 24 CFR Part 200, Subpart S (starting at 200.925).

Provisions governing the health and safety criteria applicable to multifamily housing were then revised in 1984 to rely on criteria already established in nationally recognized model building codes. This revision to the MPS was also extended to care-type housing insured under HUD programs. By a separate rule in 1985, the Minimum Property Standards applicable to one- and two-family dwellings were also revised to rely on State or Local codes or one of the nationally recognized model building codes.

Executive and Legislative Mandates

The Department is subject to three separate directives requiring it to address seismic safety issues in regulations governing programs operated by the Department. The first of these is Executive Order 12699, signed on January 5, 1990. The other two directives are the National Earthquake Hazards Reduction Program Reauthorization Act, approved November 16, 1990 (Pub. L 101-614) (NEHRP Reauthorization Act), and section 947 of the Cranston-Gonzalez National Affordable Housing Act, approved November 28, 1990 (Pub. L 101-625)(NAHA).

Executive Order 12699 is titled, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction." In part, the purpose of this Executive Order is to reduce risks to the lives of persons who would be affected by failures of federally assisted or regulated buildings from earthquakes, and to protect public investments, all in a cost-effective manner. The Executive Order applies only to new buildings being constructed with Federal involvement.

Each Federal agency is made responsible for developing and implementing its own cost-effective seismic safety program commensurate with its specific program responsibilities. However, the Executive Order charges the Interagency Committee on Seismic Safety in Construction (ICSSC) to use consensus procedures in recommending cost-effective seismic design and construction standards that would satisfy the requirements of the Executive Order. The Department has been working with other Federal agencies under the ICSSC to identify and meet responsibilities under the Executive Order.

Although the Executive Order does not create rights that make it privately enforceable, its provisions are made mandatory by Section 8(a) of the NEHRP. Under the NEHRP Act, each Federal agency is required to issue, by February 1, 1993, final regulations that comply with the Executive Order.

Finally, Section 947 of NAHA requires the Secretary to develop Seismic Safety Standards for properties assisted under HUD programs. The Secretary is permitted to defer to local building codes that meet or exceed the seismic safety requirements established by the Agency or by ICSSC.

Referenced Standards for Seismic Design

Since 1984, most of the standards referenced in the MPS have been updated. One recent change to earthquake design standards was adopted by the American Society of Civil Engineers (ASCE) in 1988, and is referenced in the HUD-MPS 4910.1 (24 CFR Part 200) as ANSI Standard A58.1-1982, "Minimum Design Loads for Buildings and Other Structures." Because of the sponsorship change of this standard from the American National Standards Institute (ANSI) to ASCE, and revisions published by ASCE in 1990, the Department is proposing to revise its reference to the new ASCE 7-88 standard. This proposal is also consistent with Section 526 of the National Housing Act, OMB Circular A-119 and the goals of the Department.

Proposed Revision to HUD Minimum Property Standards

In order to revise the applicable Minimum Property Standards (MPS), a Proposed Rule has been drafted and is in Departmental Clearance. It is anticipated that the Proposed Rule will be published in the Federal Register for public comment, in FY '92. Subject to comment, revision, and final review, a Final Rule should be published and implemented by the statutory deadline of February 1, 1993.

This proposed rule would amend the Minimum Property Standards (MPS) in 24 CFR Part 200, Subpart S, to specify that seismic design is a mandatory standard

for applicable housing. In addition, the rule would update a reference to a private sector seismic design standard currently incorporated into the MPS. Similar revisions were recently incorporated into the model building codes, which HUD has adopted by reference. These changes to the MPS are needed to ensure the structural integrity of applicable housing, and protect the Department's insurance fund.

Revision to HUD Manufactured Housing Standards

The Federal Manufactured Home Construction and Safety Standards [24 CFR 3280] are promulgated under a regulatory program mandated by the National Manufactured Housing Construction and Safety Standards Act of 1974 [P.L. 93-383, 42 U.S.C.5401, et seq.]. Therefore, under Executive Order 12699, standards for new construction regulated by the Department are also required to be implemented by February 1, 1993.

In order to provide seismic safety considerations in the design and construction standards for manufactured housing, a Proposed Rule has been drafted for Departmental Clearance and submittal to the Office of Management and Budget (OMB). This proposed revision will follow rulemaking procedures similar to those for the MPS.

Proposed Part for Code of Federal Regulations (CFR)

The Department intends to develop separate regulations at 24 CFR Part 37, to provide a master reference to seismic design and construction provisions of the latest editions of the model building codes. This Part 37 would then be referenced in all affected Departmental program handbooks and regulations, including those for Public and Indian Housing, Community Planning and Development, and Housing. Each program office will need to review respective program regulations to determine applicability of earthquake standards for new construction.

CHAPTER IV

BUDGETARY CONSIDERATIONS AND IMPACT ON AGENCY OPERATIONS

Direct appropriations are not required to support regulatory actions mandated by Executive Order 12699, and described in this Report. The current Housing S & E budget provides for enforcement testing and data collection for manufactured housing, and also limited staff resources to continue to coordinate interagency and intra-agency activities. Monitoring of compliance with proposed regulatory design and construction standards would be conducted under current review and evaluations procedures by Regional and Field Offices.

There should not be a major cost impact on new building construction under HUD programs to comply with the proposed standards. HUD's Minimum Property Standards already reference the major model building codes. Multistory residential construction in high seismic hazard zones have been and are designed and constructed to building code requirements for seismic safety. There may be moderate cost increases for manufactured housing to resist earthquake forces in high seismic risk areas, but several states in earthquake zones have implemented standards for seismic anchors, which should minimize the cost impact.

Total funds expended to date consist of FY'91 funds of \$35,000 from the Office of Housing's Salary and Expenses (S & E) Account for the Preliminary Seismic Risk Assessment Study under an Inter-Agency Agreement with USGS. FY'92 funds of \$40,000 from Office of Housing's S & E Account have been allotted to continue the Seismic Risk Assessment Study with USGS. These studies will not have a direct impact on the design and construction of new residential buildings under HUD programs, but will impact on future standards required for evaluating, strengthening, retrofitting, and rehabilitating the existing multifamily and public housing stock.

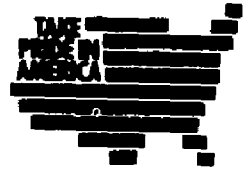
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Department of Interior



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



JUL 27 1992

Honorable Wallace E. Stickney
Director, Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Stickney:

Thank you for your June 30, 1992, letter to Secretary Lujan requesting that the Department of the Interior (Interior) provide information to the Federal Emergency Management Agency (FEMA) regarding Interior's progress on implementing Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," dated January 5, 1990. That information is to be included in FEMA's report to the President on the status of implementing the Executive Order by Federal agencies.

Interior appointed Mr. Charles E. Anderson of the Bureau of Reclamation as Seismic Safety Coordinator on February 18, 1992. Mr. Anderson has coordinated Interior's response for the progress report with the nine Interior bureaus affected by the Executive Order, and has provided that information under a separate letter to Mr. Gary D. Johnson of your staff. If additional information is required, Mr. Anderson can be contacted at (303) 236-9114.

Interior recognizes the potential danger to life and facilities from the threat of earthquakes. Collectively, the Interior bureaus will take appropriate measures to reduce risks to the lives of occupants of Federal buildings and preserve the investment in our facilities.

Sincerely,

JOHN E. SCHROTE
Assistant Secretary

Policy, Management and Budget



United States Department of the Interior



IN REPLY REFER TO:

D-3130

BUREAU OF RECLAMATION
Denver Office
P.O. Box 25007
Building 67, Denver Federal Center
Denver, Colorado 80225-0007

EXPRESS MAIL

JUL 15 1992

Mr. Gary D. Johnson
Office of Earthquakes and Natural Hazards
Federal Emergency Management Agency
Washington, D.C. 20472

Subject: Progress Reports on Executive Order 12699 - Seismic Safety
(Seismic Safety)

Dear Mr. Johnson:

In response to your letter dated June 10, 1992, enclosed are the progress reports from the Department of the Interior (Interior) agencies regarding implementation of Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction." As Interior's Seismic Safety Coordinator, I have gathered the information from the nine agency representatives.

The mission of several of the Interior agencies does not include a construction program of any kind, either directly or indirectly through loan programs or through regulatory activities. The issue of an appropriate seismic safety program for these agencies can be expanded as Departmental Manual provisions are developed in the near future. For the agencies which have an active construction program, seismic safety has been and will continue to be a priority concern.

Interior recognizes the potential danger to life and facilities from the threat of earthquakes. Collectively, the Interior agencies will continue to implement the appropriate portions of the Executive Order to reduce risks to the lives of occupants of and preserve our investment in Federal facilities.

If you require additional information, please contact me at (303) 236-9114.

Sincerely,

Charles E. Anderson
Department of the Interior
Seismic Safety Coordinator

Enclosures

Copy to persons on next page

cc: Charles E. Anderson, D-3130, Bureau of Reclamation, PO Box 25007,
Denver CO 80225
Joe Galetovic, Office of Surface Mining, 1020 15th Street, Brooks Tower,
Denver CO 80202
Paul W. Johnson, MS-2150, Bureau of Mines, 810 Seventh Street NW.,
Washington DC 20241
Earl Markwell, Office of Safety and Health, Fish and Wildlife Service,
PO Box 25207, Denver CO 80228-0207
Dave K. Newcomb, Division of Safety Management, Bureau of Indian Affairs,
PO Box 2816, Albuquerque NM 87103
L.J. Porter, SC-673, Branch of Building Engineering, Bureau of Land
Management, PO Box 25047, Denver CO 80225-0047
Kenneth Rueff, DSC-S, National Park Service, PO Box 25287,
Denver CO 80225-0287
Dr. Erdal Safak, Office of Earthquake, Volcanoes, and Engineering,
U.S. Geological Survey, 922 National Center, Reston VA 22092
Charles Smith, MS-4700, Research Program Manager, Minerals Management
Service, 381 Eldon Street, Herndon VA 22070-4817
(w/encl to each)



IN REPLY REFER TO:

D-3130

United States Department of the Interior



BUREAU OF RECLAMATION
Denver Office
P.O. Box 25007
Building 67, Denver Federal Center
Denver, Colorado 80225-0007

JUN 29 1992

Memorandum

To: Seismic Safety Coordinator, Department of the Interior

From: Assistant Commissioner - Engineering and Research

Subject: Reclamation's 1992 Seismic Safety Progress Report on the Implementation of Executive Order (EO) 12699 (Federal Emergency Management Agency (FEMA) Letter Dated June 10, 1992) (Safety Activity Report)

The following information is provided in response to the subject letter requesting a report on progress of Reclamation actions responding to the requirements of EO 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction."

Introduction

Reclamation's design and construction program for buildings has, in the past, included a variety of structures ranging from large powerplants and pumping plants, visitor centers, and storage buildings. These buildings have typically been designed by the Denver Office engineering staff and built by private contractors under Reclamation construction supervision. Some of our facilities are designed by private A&E firms and smaller structures have been designed by engineers in our regional offices.

On June 17, 1992, Reclamation announced a new Strategic Plan which will shift our emphasis from large water project development to water resource management. This new direction for Reclamation will result in a significant reduction in construction of major new facilities and will instead focus on efficient management of our existing structures.

Both in our current construction program and in any future construction, Reclamation recognizes the importance of our responsibility to assure compliance with EO 12699.

Status of Agency Procedures

On February 18, 1992, in accordance with the ICSSC guidelines, a Reclamation structural engineer was appointed as Seismic Safety Coordinator (SSC) for the Department of the Interior (Interior). On March 30, 1992, the SSC requested the designation of a seismic safety contact person for each of the Interior agencies. By May 14, 1992, each agency had appointed a person to represent

their position on seismic safety issues. These representatives will be meeting in July 1992 to begin development of provisions for the Departmental Manual which will provide consistent management instruction on responsibilities for a seismic safety program and implementation of EO 12699.

The SSC and the agency contacts will provide the means for collecting and documenting seismic safety information and for providing the information to FEMA. A list of agency contacts, with addresses and telephone numbers is enclosed.

Within Reclamation, the Denver Office and each Regional Office has a Safety Officer with responsibility for our ongoing safety programs. During the June 1992 meeting of Reclamation safety officials, the requirements of EO 12699 were discussed. A safety newsletter is also available for dissemination of seismic safety information to all Reclamation employees.

Our present method of implementing EO 12699 depends on consistent use of our existing design standards for all Reclamation facilities. Those design standards have traditionally included, as a minimum, conformance with the seismic provisions of the current ICBO Uniform Building Code (UBC). This standard meets the seismic design recommendation published in ICSSC RP 2.1A, "Guidelines and Procedures for Implementation of the Executive Order on Seismic Safety of New Building Construction." When our buildings are located in close proximity to a major dam, we take advantage of site specific seismotectonic studies done for the design of our dam to establish the design earthquake for the associated buildings. In all cases the result is a design for earthquake loads which meets or exceeds UBC requirements.

Each Regional Engineer is being provided with a copy of ICSSC RP 2.1A to assure that all new building construction initiated by our regional offices also complies with the requirements of EO 12699.

Progress on Implementation Plan

By the end of Fiscal Year 1992, every office responsible for initiation of new building construction will have been informed of the importance of complying with the requirements of EO 12699. The development of seismic safety provision for the Departmental Manual will be in progress.

Staff, budget, and organizational adjustments required for implementation of a Reclamation Seismic Safety Program will be determined as the instructions for the Departmental Manual are finalized.

Impact on Agency Operations

Since Reclamation designers have consistently given a high priority to seismic design considerations, EO 12699 has been effectively implemented for new construction with the design standards currently in place.

Reclamation engineers have been and will continue to be provided training opportunities, through workshops, seminars, and formal courses, in order to maintain their proficiency in current seismic design techniques and to maintain an awareness of recent improvements derived from actual earthquake performance data. Since Reclamation serves the 17 western states, which include the most seismically active areas in the country, seismic design will continue to be a key design consideration.

William A. Fraser

Enclosure

cc: D-3000, D-3100, D-3130, D-3600, D-3610 (MacDonald)
(w/o encl to each)

June 30 1992

Memorandum

To: DOI Seismic Safety Coordinator

From: OSM Seismic Safety Coordinator

Subject: FEMA Request for Seismic Safety Progress Report

As requested by the DOI Seismic Safety Coordinator, attached is the Office of Surface Mining Reclamation and Enforcement 1992 Progress Report to FEMA.

Should you have any additional questions, you may contact Joe R. Galetovic at (303) 844-2594.

Attachment

1992 PROGRESS REPORT TO FEMA
ON
EXECUTIVE ORDER 12699

Introduction:

As a regulatory agency charged with implementation of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), The Office of Surface Mining Reclamation and Enforcement (OSM) does not have a program or parts of a program regulating construction of new buildings. Furthermore, OSM does not have, nor is it planning a new building construction program for its own facilities. All of OSM facilities leasing arrangements are accomplished through GSA in already existing structures.

Status of Agency Procedures:

Agency procedures are governed by SMCRA (Public Law 95-87), Code of Federal Regulations, Chapter VII of Title 30, Departmental Manual and Agency Directives. The major part of agency activities are grants for Program Development and Administration of Enforcement (as authorized by Title V of SMCRA), and grants authorized under Title IV of SMCRA; the new building construction or supervision of such is not a part of agency regular grant activities.

Progress on Implementation Plan:

Agency Seismic Coordinator has been appointed. Completed the review of the Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction", as it relates to OSM programs and activities. Participated in the FEMA Workshop on Implementing Executive Order 12699 on Seismic Safety of New Construction. Participating in the DOI Seismic Safety Contact Group interacting with Interagency Coordinator for Seismic Safety in Construction. The Agency will rely on regulations and procedures developed by the Department.

Impact on Agency Operations:

Agency is reviewing the grant programs to State Regulatory Agencies particularly in the areas of State Reclamation Grants and Subsidence Insurance Program Grants to identify any potential areas where federal funds, matching federal funds or partial federal funds may be used by the State Regulatory Authorities for new building construction.

At the same time the Agency is compiling a list of state building code regulations in the states having SMCRA primacy (recipients of the above mentioned grants) to ensure that those states comply with enforcement of the latest seismic provisions of one of the three model building codes (UBC, NBC or SBC) to ensure substantial equivalency to the current NEHRP Recommended Provisions for new buildings.

As it relates to the employee earthquake awareness and preparedness training, the safety training materials have been ordered from FEMA. In addition, the illustrative brochure "Safety and Survival in an Earthquake" was obtained from USGS, and the seismic safety coordinator is providing those to the agency safety managers for incorporation in the safety training seminars.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR
FISH AND WILDLIFE SERVICE

JUL 6 1992

Memorandum

To: Department of the Interior Seismic Coordinator
From: Assistant Director - Policy, Budget and Administration
Subject: Progress Report on Executive Order 12699 Seismic Safety

Attached is the Fish and Wildlife Service response to FEMA's questionnaire.

If you have any questions or comments, please contact Paul Rafalski at (303) 236-2076.


Jay L. Gerst

Attachment

**1992 Progress Report To FEMA
On
Executive Order 12699**

1. Introduction

Briefly describe your agency's seismic safety responsibilities and jurisdictions. If yours is a regulatory agency, describe the authority the agency has to enforce compliance with the order.

The Fish and Wildlife Service (FWS) is responsible for the design and construction of buildings within FWS owned and leased properties. The FWS Division of Engineering and each Regional Engineering section are responsible for the design and construction of facilities within their designated areas. FWS responsibility is defined in the Fish and Wildlife Manual 360.

The FWS is not a regulatory agency for the purpose of seismic safety.

2. Status of Agency Procedures

Provide information on the progress on regulations and procedures implementing the Order. What is the planned schedule for having the regulations and procedures in place? Identify Order requirements not implemented and describe the impediments to progress.

The EO 12699 is currently implemented by the FWS Manual 360 and the Office of Safety and Health (OSH) has the lead on ensuring that the FWS complies with EO 12699. The pamphlet entitled Guidelines and Procedures for Implementation of the Executive Order on Seismic Safety of New Construction has been distributed. A survey was made to determine what regulations and procedures were being implemented in the FWS and it was found that all engineering entities were using the requirements as indicated in the Guideline.

There are no impediments to implementing EO 12699.

Describe actions taken in response to the July 1991 Guidance and Procedures for Implementation of the Executive Order on Seismic Safety of New Construction, prepared by the Interagency Committee on Seismic Safety in Construction.

Responses from the responsible parties revealed that all FWS engineering activities are using the NEHRP Recommended Provisions that includes 1991 ICBO Uniform Codes, 1992 Supplement to the BOCA National Codes, and 1992 Amendments to the SBCC Standard Building Code.