

OFFICE OF EMERGENCY PREPAREDNESS
EXECUTIVE OFFICE OF THE PRESIDENT

WASHINGTON, D.C. 20504

Attachment C-22

OFFICE OF THE DIRECTOR

MAR 18 1969

Mr. John G. Harlan, Jr.
Commissioner
Property Management and
Disposal Service
General Services Administration
Washington, D. C. 20405

Dear Mr. Harlan:

The proposed revisions for pages 5 and 6 of the asbestos section of the Strategic and Critical Materials Storage Manual, forwarded with your letter of February 6, have been reviewed and are approved.

Your letter prompted my staff to double check our manual with your master copy to be sure we had a thoroughly up-to-date book. The above approval of the proposed asbestos change was indicated to your staff orally and informally during this check.

Sincerely,

G. A. Lincoln
G. A. Lincoln
Director

Revised pages 5 & 6 were printed & dated
"March 1, 1969" - Pages 5 & 6 were revised
under date of "January 26, 1969"

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STORAGE OF ASBESTOS

supporting columns, etc.). Individual block stacks will be limited to 3,000 square feet in floor area. A minimum clearance of twenty-four (24) inches will be maintained between stacks and exterior walls, fire walls, fire doors and fire door openings. A clearance of eighteen (18) inches will be maintained between piles and heating appliances, piping, electrical wiring and fixtures, etc. Clearance between stowage piles will be at least four (4) feet except as specified for main transportation aisles. In addition, refer to photograph of typical bag storage in box pallets in Appendix B and General Uniform Standards for Fire Protection Appendix C.

5. Outshipment Procedure

Outshipment orders normally will be issued jointly by Transportation and Communications Service and Property Management and Disposal Service on GSA Form 460 "Shipping Instructions" (See Section III, Storage Manual) or GSA Form 7543 (Formerly DMS 62) "Shipment Order," or by other instructions issued by Property Management and Disposal Service as authorized by Section I of this manual. Outshipment orders will designate type, grade, lot number, contract number, net weight and other information necessary to identify the material to be shipped.

6. Precautions to be taken:

- a. Health - Asbestosis and other serious lung diseases are attributed to the inhalation of asbestos dust, usually over a long period of time. Strict precautions must be taken by personnel exposed to asbestos dust due to handling asbestos in bulk, in unlined burlap bags, or in damaged paper-lined bags. Such personnel shall wear a respiratory protective device in first class condition approved by the Bureau of Mines for asbestos particles. They shall also wear outer work clothes that will not be worn outside the area in which the work is being performed. Personnel must either take showers or wash thoroughly before leaving the premises. Work clothes worn for this purpose should be washed at the depot.

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STORAGE OF ASBESTOS

- b. General - Bags must be kept dry to prevent mildew of the bags and resulting deterioration which might contaminate asbestos with bag particles. Moisture tends to "cake" material, particularly chrysotile, which impairs its usefulness. In other respects ordinary moisture does not harm asbestos except that it must always be removed before processing. Bags of asbestos should be kept reasonably free of dust. Dusty bagged materials like tannins and graphite should not be handled in the vicinity of stored asbestos unless absolutely necessary and then only when precautions are taken to cover the asbestos, followed by vacuum cleaning of the storage section.

7. Storage Factors:

60 to 90 cubic feet per short ton.

630 to 980 short tons per 10,000 barrel tank.

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CHAPTER 11. PROPERTY MANAGEMENT AND DISPOSAL SERVICE

PART 1. DELEGATIONS OF AUTHORITY FROM THE ADMINISTRATOR TO THE COMMISSIONER, PMDS

1. Authorities. The Commissioner, PMDS, in carrying out his assigned program responsibilities, exercises authority, such as, but not limited to, the following:

a. Planning. Cooperates with the Director of the Office of Emergency Preparedness in determining the materials which are strategic and critical and the quantities and qualities of same to be required. (50 U.S.C. 98a)

b. Procurement and contracting.

(1) Acts as an "agency head" for the purpose of Title III of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended. (Sec. 309(a) (41 U.S.C. 259(a)))

(2) Procures and supplies personal property and nonpersonal services for the use of executive agencies and performs functions related to such procurement and supply and, upon its request, provides these services to any Federal agency, mixed-ownership corporation, or the District of Columbia. (Sec. 201(a)(3), (b) (40 U.S.C. 481(a)(3), (b)))

(3) Negotiates purchases and contracts for property and services without advertising and makes any determinations and decisions required in connection therewith, section 302(c)(1) thru (15) (41 U.S.C. 252(c)(1) thru (15)). In connection with the negotiation of purchases or contracts which should not be publicly disclosed, section 302(c)(12), and purchases or contracts which are to be negotiated to ensure standardization of equipment and interchangeability of parts, section 302(c)(13), the authority to make the determinations and decisions specified in section 302(c)(12) and (13) is not redelegable. In connection with the negotiation of purchases or contracts for experimental, developmental, or research work, or for the manufacture or furnishing of property for experimentation, development, research, or test, section 302(c)(11), the authority to make the determinations or decisions specified in section 302(c)(11) is redelegable only to a chief officer responsible for procurement and only with respect to contracts which will not require the expenditure of more than \$25,000. (Secs. 302(c), 307(b) (41 U.S.C. 252(c), 257(b)))

(4) Makes purchases and contracts for property and services by advertising, and determines that the rejection of all bids is in the public interest. (Secs. 201(a)(3), 302(c), 303(b); (40 U.S.C. 481(a)(3)); (41 U.S.C. 252(c), 253(b)))

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(5) Determines the type of negotiated contract which will promote the best interests of the Government and makes the determinations required in connection with cost, cost-plus-a-fixed-fee, and incentive-type contracts. (Sec. 304(a), (b) (41 U.S.C. 254(a), (b)))

(6) Makes advance, partial, progress, or other payments under contracts for property or services and makes the determinations and decisions required in connection therewith. (Sec. 305(a) (41 U.S.C. 255(a)))

(7) Determines that a contract has a direct and immediate connection with the national defense pursuant to the Renegotiation Board Regulations. This authority is not redelegable. (32 CFR 1453.5(c))

(8) Determines whether articles, materials, or supplies of the class or kind to be used, or the articles, materials, or supplies from which they are manufactured are mined, produced, or manufactured in the United States in sufficient and reasonable available commercial quantities and of a satisfactory quality, and determines, as a condition precedent to the purchase of materials of foreign origin for public use within the United States, that the price of like materials of domestic origin is unreasonable or that the purchase of like materials of domestic origin is inconsistent with the public interest, under the provisions of 41 U.S.C. 10a and Executive Order No. 10582 of December 17, 1954, as amended, and makes the findings pursuant to 41 U.S.C. 10b. (41 U.S.C. 10a, b)

(9) Enters into contracts or into amendments or modifications of contracts heretofore or hereafter made, and makes advance payments thereon, without regard to other provisions of law relating to the making, performance, amendment, or modification of contracts, whenever he determines that any such action would facilitate the national defense, subject to the limitations specified in Public Law 85-804. (50 U.S.C. 1431)

(10) Purchases strategic and critical materials. (50 U.S.C. 98b(a))

(11) Executes the following authorities of the Administrator under Section 303 of the Defense Production Act of 1950, as amended. (50 U.S.C. App. 2093), in accordance with programs certified by the Director of the Office of Emergency Preparedness:

(a) Purchases and makes commitments to purchase metals, minerals, and other materials for Government use or resale. (50 U.S.C. App. 2093(a))

(b) Determines the quantities, terms, and conditions including advance payments, and periods of such purchases, commitments to purchase, and sales. (50 U.S.C. App. 2093 (b))

(c) Makes provision for subsidy payments, determines the amounts, manner, terms, and conditions thereof, and makes findings required in connection therewith. (50 U.S.C. App. 2093 (c))

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(d) Encourages the exploration, development, and mining of strategic and critical metals and minerals, in accordance with policy directives issued by the Director of the Office of Emergency Preparedness, in connection with foreign projects which were under the jurisdiction of the Administrator on November 12, 1954, and in carrying out any program certified to the Administrator by the Director of the Office of Emergency Preparedness. (50 U.S.C. App. 2093); (Executive Order No. 10480 of August 14, 1953, as amended)

(12) Screens and makes recommendations to the Office of Emergency Preparedness on requests for tax amortization and on procurement contracts with respect to the aspects of production and processing of metals and minerals assigned to the Secretary of the Interior by the Office of Emergency Preparedness. (32A CFR ch.I)

(13) Provides for the refining or processing of stockpile materials and, when necessary to prevent deterioration, for the rotation of strategic and critical materials constituting a part of the stockpile. (50 U.S.C. 98b(c), (d))

(14) Provides for processing and refining of procured materials, executing the authority of the Administrator under Section 303 of the Defense Production Act of 1950, as amended, in accordance with programs certified by the Director of the Office of Emergency Preparedness. (50 U.S.C. App. 2093(d))

(15) Stores procured materials, executing the authority of the Administrator under Section 303 of the Defense Production Act of 1950, as amended, in accordance with programs certified by the Director of the Office of Emergency Preparedness. (50 U.S.C. App. 2093(d))

(16) Exercises all functions to be performed by GSA pursuant to agreement between Commodity Credit Corporation and GSA relating to the inspection, handling, importation, storage, etc., of strategic and other materials acquired by CCC through barter of surplus agricultural commodities.

(17) Accepts transfers to the supplemental stockpile of strategic and other materials acquired by the Commodity Credit Corporation through barter or exchange of agricultural commodities, as provided by section 206 of the Agricultural Act of 1956, as amended. (7 U.S.C. 1856)

c. Lead and zinc mining stabilization program. Pursuant to delegation of authority by the Secretary of the Interior in accordance with the provisions of Public Law 87-347, as amended by Public Law 89-238, establishes and maintains a program of stabilization payments to small domestic producers of lead and zinc ores and concentrates, and makes such determinations as required by sections 2, 3, and 6 of the Act. (30 U.S.C. 681-689; 41 CFR 101-15)

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d. Special programs. Provides direct management and operational support to the Department of Defense and the Department of Health, Education, and Welfare in the receipt, handling, inspection, storage, warehousing, surveillance, testing, maintenance, repair, rehabilitation, processing, release, and distribution of civil defense materials, supplies, and equipment, pursuant to Executive Order No. 11093 of February 26, 1963, and agreements with the Public Health Service, Department of Health, Education, and Welfare and the Defense Supply Agency, Department of Defense.

e. Disaster assistance - natural or enemy caused disasters.

(1) Exercises the following authorities of the Administrator as prescribed by the Disaster Orders issued from time to time by the Office of Emergency Preparedness and exercises functions assigned to the Administrator in any major disaster pursuant to Public Law 875, 81st Congress (64 Stat. 1109) as amended, 42 U.S.C. 1855-1855g, Executive Order No. 10427 of January 16, 1953, as amended, Executive Order No. 10737 of October 29, 1957, as amended, and Executive Order No. 11051 of September 27, 1962:

(a) Enters into and executes memoranda of understanding with duly authorized officials of any State within a major disaster area which has been so designated by the President, and with duly authorized representatives of the Office of Emergency Preparedness, to the end that GSA may appropriately assist in providing surplus supplies and equipment for the relief of small businesses whose places of business have been damaged or destroyed by major disaster.

(b) Carries out and fulfills all commitments properly made and obligations properly undertaken by GSA by virtue of such memoranda of understanding.

(c) Utilizes, or lends to States and local governments, GSA equipment, supplies, facilities, personnel, and other resources (other than the extension of credit).

(d) Distributes medicine, food, and other consumable supplies.

(e) Donates surplus equipment and supplies to States for use and distribution by them.

(2) Performs civil defense responsibilities delegated by the Director of the Office of Emergency Preparedness and the Secretary of Defense and cooperates with the Office of Emergency Preparedness and the Department of Defense pursuant to the Federal Civil Defense Act of 1950, as amended. (50 U.S.C. App. 2251-2297)

(3) Provides GSA personnel, materials, and facilities to the Director of the Office of Emergency Preparedness and to the Secretary of Defense, during the period of any civil defense emergency, for the aid of the States,

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and prepares civil emergency plans, in consultation with the Office of Emergency Preparedness and the Department of Defense pursuant to the Federal Civil Defense Act of 1950, as amended, Executive Order No. 10346 of April 17, 1952, as amended, and Executive Order No. 10952 of July 20, 1961.

f. Management and disposal of real and personal property and strategic and other materials.

(1) Determines property surplus, assumes custody and accountability of surplus property, and performs or provides for the performance of, the care and handling of surplus property and/or materials and disposes of such property. (Secs. 3(g), 203(a), (b), (c), (e), (40 U.S.C. 472 (g), 484(a), (b), (c), (e))); (Secs. 13(d), (g), (h) of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1622(d), (g), (h)))

(2) Assumes custody and accountability with respect to those types of materials which are designated as strategic and critical under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) or which are identical or similar to any materials in the national stockpile, the supplemental stockpile, or the Defense Production Act inventory and performs, or provides for the performance of, the care and handling of, and disposes of such property.

(3) Provides for the storage, security, and maintenance of strategic and critical materials for stockpiling purposes. (50 U.S.C. 98b(b))

(4) Prescribes and utilizes appropriate terms and conditions for disposals of surplus property and materials by GSA and grants credit and takes security in connection with any disposal of surplus real and personal property and/or materials authorized. (Sec. 203(c) (40 U.S.C. 484(c)))

(5) Determines the fair value of excess property, and obtains excess property from other agencies, and provides for transfers of excess property among Federal agencies, and to mixed-ownership Government corporations, the District of Columbia and certain non-Federal agencies, and with the approval of the Director of the Bureau of the Budget, prescribes the extent of reimbursement therefor. (Sec. 202(a) (40 U.S.C. 483(a)))

(6) Disposes of any stockpile materials which are no longer needed because of revised determinations by the Office of Emergency Preparedness and sells or otherwise disposes of materials released from the stockpile for use, sale, or other disposition for the purposes of common defense, or in the time of war or during a national emergency. (50 U.S.C. 98b(e)); (50 U.S.C. 98d); (Executive Order No. 11051 of September 27, 1962)

(7) Disposes of materials from the supplemental stockpile, as provided by 68 Stat. 456, as amended by 73 Stat. 607, and any other statute which authorizes the disposal of materials from the supplemental stockpile.

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(8) Provides for transportation and handling, within the United States (including charges at United States ports), storage, security, and maintenance of strategic and other materials acquired for or transferred to the supplemental stockpile. (68 Stat. 456, as amended by 73 Stat. 607)

(9) Approves or disapproves requests by holding agencies for the withdrawal of agency excess or surplus property. (Secs. 202, 203(a) (40 U.S.C. 483, 484 (a)))

(10) Authorizes abandonment, destruction, or donation of property to public bodies, and makes any determinations and findings incident thereto. (Sec. 202(h) (40 U.S.C. 483(h)))

(11) Directs agencies to delay or discontinue the disposal of any item of surplus property and determines that such action is in the interest of the Government. (Sec. 203(a) (40 U.S.C. 484(a)))

(12) Qualifies, retains, inactivates, and reinstates private auctioneers and auction service organizations for the sale of Government-owned surplus property: Provided, That such authority shall not include the authority to decide appeals to the Administrator against nonqualification or inactivation. (Sec. 203(a), (c) (40 U.S.C. 484(a) (c)))

(13) Approves payment of sums in lieu of taxes. (Secs. 703, 704 (40 U.S.C. 523, 524))

(14) Executes certificates of title covering transfers of surplus personal property, including motor vehicles and motorcycles. (Sec. 203(c) (40 U.S.C. 484(c)))

(15) Transfers surplus agricultural products, etc., to the Secretary of Agriculture. (Sec. 203(h) (40 U.S.C. 484(h)))

(16) Accepts transfers from owning agencies of strategic and critical materials deemed surplus to the needs and responsibilities of said agencies. (50 U.S.C. 98e)

(17) Accepts strategic or critical materials in lieu of cash in connection with the lease, sale, or other disposition of surplus property. (Sec. 204(f) (40 U.S.C. 485(f)))

(18) Donates surplus personal property for purposes of education, public health, or civil defense, or for research for any such purpose, and donates certain surplus property to the American National Red Cross. (Sec. 203(j)(1), (1) (40 U.S.C. 484(j)(1), (1)))

(19) Disapproves, or notifies that GSA will interpose no objection to actions proposed to be taken by any agency to reform, to correct, or to amend instruments of transfer; and to enforce compliance with, or grant releases from, terms and conditions thereof. (Sec. 203(k)(2) (40 U.S.C. 484(k)(2)))

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(20) Utilizes, transfers, or disposes of, abandoned and other unclaimed property, and includes the authority to make the determinations incident thereto. (Sec. 203(m) (40 U.S.C. 484(m)))

(21) Exercises authority of the Administrator covering the disposition of abandoned or forfeited personal property, under the Act of August 27, 1935 (49 Stat. 879), as amended (40 U.S.C. 304f-m), and sections 5862(b) and 5688(a) of the Internal Revenue Code of 1954 (26 U.S.C. 5862(b), 5688(a)): Provided, That such authority shall not include the authority to require reports from other agencies, to make rules and regulations, and to apply for a court order.

(22) Acts as an agent for the United States when purchasing real property or related personal property of a debtor sold on execution at the suit of the United States (31 U.S.C. 195)

(23) Administers and disposes of any real property and related personal property assigned, set off, or conveyed to the United States in payment of debts, and has charge of all trusts created for the use of the United States in payment of debts due them, pursuant to section 3750 of the Revised Statutes, as amended (40 U.S.C. 301) and reconveys such property to the debtor from whom it was taken, or to his heirs or devisees, pursuant to 3751 of the Revised Statutes, as amended. (40 U.S.C. 306)

(24) Acts as Contracting Officer for and in connection with the Memorandum of Agreement, dated April 19, 1951, between Hughes Tool Company and Reconstruction Finance Corporation (predecessor in function to General Services Administration), and the Amendatory Agreement relative thereto, effective as of the close of December 31, 1960 (Plancor 1424, Hughes Flying Boat), and exercises the authority of the Administrator to manage, administer, inspect, and dispose of all property transferred to the Administrator by Reorganization Plan No. 1 of 1957. (Sec. 2, 71 Stat. 647)

(25) Converts into money, at the best terms available, any gift of tangible property made on condition that it be used for a particular defense purpose, or transfers to any other Federal agency, without reimbursement, such property as he may determine usable for the particular purpose for which it was donated. (50 U.S.C. 1152)

(26) Sells exchange-sale type items of personal property for, and makes proceeds of sales available to Federal agencies and authorizes transfers of personal property proposed for disposal under the exchange-sale authority among Federal agencies, and to mixed-ownership Government corporations, the District of Columbia, and certain non-Federal agencies. (Sec. 201(c) (40 U.S.C. 481(c)))

(27) Approves or disapproves the making available to State surplus property distribution agencies for their use of surplus personal property which has been approved for donation for purposes of education, public

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health, or civil defense, or for research for any such purpose, and approves or disapproves the vesting in such State agencies of title to such surplus property. (Sec. 203(n) (40 U.S.C. 484(n)))

(28) Exercises authority of the Administrator to approve or disapprove disposal of any surplus property to any State, political subdivision, municipality, or tax-supported institution, for public airport purposes, upon appropriate determination of the Administrator of the Federal Aviation Administration, Department of Transportation, in accordance with section 13(g) of the Surplus Property Act of 1944, as amended. (50 U.S.C. App. 1622(g))

(29) Exercises authority of the Administrator to approve or disapprove disposal of surplus real property and related personal property to any State, political subdivision, instrumentalities thereof, or municipality, for use as a public park, public recreational area, or historical monument, upon appropriate determination of the Secretary of the Interior in accordance with section 13(h) of the Surplus Property Act of 1944, as amended. (50 U.S.C. App. 1622 (h))

(30) Administers the contracts of sale of the Government-owned rubber producing facilities made pursuant to the Rubber Producing Facilities Disposal Act of 1953 (67 Stat. 408), as amended, and administers the national security clause contained in said contracts of sale, including necessary inspections of such facilities. (Public Law 87-190, 75 Stat. 418)

(31) Administers and manages leases and permits, where disposal has been by lease or permit, and deferred payment sales: Provided, That such authority shall not apply to (a) collections or security servicing and (b) any legal action to adjust, enforce, and settle any claim arising thereunder. (Sec. 204(g) (40 U.S.C. 485(g)))

(32) Authorizes the maintenance, repair, rehabilitation, and reclamation of inuse and excess personal property except operating automotive and other motorized equipment. (Secs. 201(a) and 202(a) (40 U.S.C. 481(a) and 483(a)))

(33) Exercises authority of the Administrator to approve or disapprove requests of holding agencies to sell specific types and/or quantities of surplus personal property. (Sec. 203(c) (40 U.S.C. 484(c)))

(34) Exercises authority of the Administrator to make contracts and provisions for the preservation, sale, or collection of any property, or the proceeds thereof, which may have been wrecked, abandoned, or become derelict within the jurisdiction of the United States and which ought to come to the United States. (Sec. 3755, Revised Statutes, as amended (40 U.S.C. 310))

(35) Grants interim rights for use and occupancy of surplus real property and disapproves or notifies that no objection will be interposed to holding agencies granting such rights. (Sec. 203(c) (40 U.S.C. 484(c)))

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(36) Assigns, or disapproves requests for assignment of, surplus real property and related personal property to the Secretary of Health, Education, and Welfare for disposal for school, classroom, or other educational use, or for use in the protection of public health, including research. (Sec. 203(k)(1) (40 U.S.C. 484(k)(1)))

(36.1) Makes surveys of Government property and property management practices. (Sec. 206(a)(1) (40 U.S.C. 487(a)(1)))

(36.2) Gives reasonable notice of prospective sales of real property to the unit of local government having jurisdiction over zoning and land-use regulations in the geographic area within which the property is located to afford the government the opportunity of zoning for the use of such land in accordance with local comprehensive planning. (Sec. 803(a) (40 U.S.C. 532(a)))

(36.3) Furnishes, to the extent practicable, to all prospective purchasers of real property, full and complete information concerning (1) current zoning regulations and prospective zoning requirements and objectives for such property when it is unzoned and (2) current availability to such property of streets, sidewalks, sewers, water, street lights, and other service facilities and prospective availability of such services if such property is included in the local government's comprehensive planning. (Sec. 803(b) (40 U.S.C. 532(b)))

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