SUBCHAPTER G—NATIONAL CONSTRUCTION SAFETY TEAMS

PART 270—NATIONAL CONSTRUCTION SAFETY TEAMS

Subpart A—General

Sec.
270.1 Description of rule; purpose; applicability.
270.2 Definitions used in this part.

Subpart B—Establishment and Deployment of Teams

270.100 General.
270.101 Preliminary reconnaissance.
270.102 Conditions for establishment and deployment of a Team.
270.103 Publication in the Federal Register.
270.104 Size and composition of a Team.
270.105 Duties of a Team.
270.106 Conflicts of interest related to service on a Team.

Subpart C—Investigations

270.200 Technical conduct of investigation.
270.201 Priority of investigation.
270.202 Coordination with search and rescue efforts.
270.203 Coordination with Federal, State, and local entities.
270.204 Provision of additional resources and services needed by a Team.
270.205 Reports.
270.206 Public briefings and requests for information.

Subpart D—Collection and Preservation of Evidence; Information Created Pursuant to an Investigation; and Protection of Information

270.300 Scope.
270.301 Policy.

Collection of Evidence

270.310 Evidence collected by investigation participants who are not NIST employees.
270.311 Collection of evidence.
270.312 Voluntary submission of evidence.
270.313 Requests for evidence.
270.314 Negotiations.
270.315 Subpoenas.
270.316 Public hearings.

Entry and Inspection

270.320 Entry and inspection of site where a building failure has occurred.
270.321 Entry and inspection of property where building components, materials, artifacts, and records with respect to a building failure are located.
270.322 Voluntary permission to enter and inspect property where building components, materials, artifacts, and records with respect to a building failure are located.
270.323 Requests for permission to enter and inspect property where building components, materials, artifacts, and records with respect to a building failure are located.
270.324 Negotiations.
270.325 Notice of authority to enter and inspect property where building components, materials, artifacts, and records with respect to a building failure are located.

Preservation of Evidence

270.330 Moving and preserving evidence.

Information Created Pursuant to an Investigation

270.340 Information created by investigation participants who are not NIST employees.

Protection of Information

270.350 Freedom of Information Act.
270.351 Protection of voluntarily submitted information.
270.352 Public safety information

Source: 68 FR 4694, Jan. 30, 2003, unless otherwise noted.

Subpart A—General

§ 270.1 Description of rule; purpose; applicability.

(a) The National Construction Safety Team Act (the Act) (Pub. L. 107–231) provides for the establishment of investigative teams to assess building performance and emergency response and evacuation procedures in the wake of any building failure that has resulted in substantial loss of life or that posed significant potential of substantial loss of life.

(b)(1) The purpose of the Act is to provide for the establishment of investigative teams to assess building performance and emergency response and evacuation procedures in the wake of any building failure that has resulted.
in substantial loss of life or that posed significant potential of substantial loss of life. The role of NIST in implementing the Act is to understand the factors contributing to the building failure and to develop recommendations for improving national building and fire model codes, standards, and practices. To do this, the Teams produce technical reports containing data, findings, and recommendations for consideration by private sector bodies responsible for the affected national building and fire model code, standard, or practice. While NIST is an active participant in many of these organizations, NIST’s recommendations are one of many factors considered by these bodies. NIST is not now and will not become a participant in the processes and adoption of practices, standards, or codes by state or local regulatory authorities.

(2) It is not NIST’s role to determine whether a failed building resulted from a criminal act, violated any applicable federal requirements or state or local code or regulatory requirements, or to determine any culpability associated therewith. These are matters for other federal, state, or local authorities, who enforce their regulations.

(c) This part is applicable to the establishment and deployment of Teams and the conduct of investigations under the Act.

[68 FR 4694, Jan. 30, 2003, as amended at 68 FR 66704, Nov. 28, 2003]\n
§ 270.100 General.

(a) Based on prior NIST experience, NIST expects that the Director will establish and deploy a Team to conduct an investigation at a frequency of approximately once per year or less.

(b) For purposes of this part, a building failure may involve one or more of the following: structural system, fire protection (active or passive) system, air-handling system, and building control system. Teams established under the Act and this part will investigate these technical causes of building failures and will also investigate the technical aspects of evacuation and emergency response procedures, including multiple-occupant behavior or evacuation (egress or access) system, emergency response system, and emergency communication system.

(c) For purposes of this part, the number of fatalities considered to be