

§ 52b.12 What are the minimum requirements for construction and equipment?

In addition to being subject to other regulations and policies referred to in § 52b.14, the standards set forth in this section have been determined by the Director to constitute minimum requirements for construction and equipment, including the expansion, remodeling, renovation, or alteration of existing buildings, and these standards as may be amended, or any revisions or successors of these standards, shall apply to all projects for which Federal assistance is requested under the applicable sections of the Act. In accordance with 5 U.S.C. 552(a)(1), the publications to which reference is made in this section, unless otherwise indicated, are hereby incorporated by reference and made a part of the regulations in this part. The Director may for good cause shown approve plans and specifications which contain deviations from the requirements prescribed, if the Director is satisfied that the purposes of the requirements have been fulfilled. In addition to these requirements, each project shall meet the requirements of State and/or local codes and ordinances relating to construction.

(a) *Mandatory design and construction standards.* The facility design and construction shall comply with the following standards:

- (1) "Guidelines for Construction and Equipment for Hospital and Medical Facilities" (current edition). American Institute of Architects, 1735 New York Avenue, NW., Washington, DC 20006.
- (2) "Laboratories Chapter, American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Handbook" (current edition). ASHRAE, 1791 Tullie Circle, NE., Atlanta, Georgia 30329.
- (3) "Uniform Federal Accessibility Standards," Federal Standard 795 (current edition). General Services Administration.
- (4) Seismic safety for federally assisted construction—Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.) and Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," dated January 5, 1990. The Executive Order requires that, effective January 5, 1993, new federally assisted or regulated buildings are to be designed and constructed using appropriate seismic standards. The latest edition of the model codes listed below provide a level of seismic safety that is considered appropriate for implementing E.O. 12699 and are applicable to all federally

assisted construction, depending on geographical location. State, county, or local jurisdictional building ordinances adopting and enforcing these model codes in their entirety, without significant revisions in the direction of less seismic safety, are also acceptable.

- (i) 1991 International Conference of Building Officials (ICBO) Uniform Building Code;
- (ii) 1992 Supplement to the Building Officials and Code Administrators International (BOCA) National Building Code;
- (iii) 1992 Amendments to the Southern Building Code Congress (SBCC) Standard Building Code; and
- (iv) "Recommended Lateral Force Requirements and Commentary" of the Seismology Committee, Structural Engineers Association of California.
- (5) "Life Safety Code" (current edition). National Fire Protection Association (NFPA) Publication 101. NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02269.
- (6) "Standards on Fire Protection for Laboratories Using Chemicals" (current edition). National Fire Protection Association (NFPA) Publication No. 45. NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02269.
- (7) "Prudent Practices for Handling Hazardous Chemicals in Laboratories." (National Academy Press (1981)) National Research Council, 2001 Wisconsin Avenue, NW., Washington, DC 20007.
- (8) "National Sanitation Foundation Standard No. 49 for Class II (Laminar Flow) Biohazard Cabinetry" (current edition). National Sanitation Foundation (NSF), 3475 Plymouth Road, P.O. Box 1468, Ann Arbor, Michigan 48106.
- (9) "Industrial Ventilation" (current edition). American Conference of Governmental Industrial Hygienists, 6500 Glenwood Avenue, Cincinnati, Ohio 45211.
- (10) "Health Care Facilities Handbook" (current edition). National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269.
- (11) "Standards for Nonflammable Medical Gas Systems" (current edition). National Fire Protection Association (NFPA) Publication No. 99. NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02269.
- (12) "National Electric Code" (current edition). National Fire Protection Association (NFPA) Publication No. 70. NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02269.
- (13) "Guide for the Care and Use of Laboratory Animals" (current edition). DHHS Publication No. (NIH) 85-23.

(14) "Laboratory Ventilation" standards, ANSI/AIHA (current edition).

(15) "Design Policy and Guidelines" (current edition). Division of Engineering Services, National Institutes of Health.

(b) [Reserved]

§ 52b.13 Additional conditions.

The Director may with respect to any grant award impose additional conditions consistent with the regulations of this part prior to or at the time of any award when in the Director's judgment the conditions are necessary to assure or protect advancement of the approved project, the purposes of the applicable provisions of the Act, or the conservation of grant funds.

§ 52b.14 Other Federal regulations and policies that apply.

Several other Federal regulations and policies apply to grants under this part. These include, but are not necessarily limited to:

(a) *Regulations.*

- 9 CFR part 3—Animal welfare; standards.
- 29 CFR part 1910—Occupational safety and health standards; § 1910.1450—Occupational exposure to hazardous chemicals in laboratories.
- 36 CFR part 1190—Minimum guidelines and requirements for accessible design.
- 42 CFR part 50, subpart A—Responsibility of PHS awardee and applicant institutions for dealing with and reporting possible misconduct in science.
- 42 CFR part 50, subpart D—Public Health Service grant appeals procedure.
- 45 CFR part 16—Procedures of the Departmental Grant Appeals Board.
- 45 CFR part 46—Protection of human subjects.
- 45 CFR part 74—Administration of grants.
- 45 CFR part 75—Informal grant appeals procedures.
- 45 CFR part 76—Governmentwide debarment and suspension (nonprocurement) and governmentwide requirements for drug-free workplace (grants).
- 45 CFR part 80—Nondiscrimination under programs receiving Federal assistance through the Department of Health and Human Services—effectuation of title VI of the Civil Rights Act of 1964.
- 45 CFR part 81—Practice and procedure for hearings under part 80 of this title.
- 45 CFR part 84—Nondiscrimination on the basis of handicap in programs and activities receiving Federal financial assistance.
- 45 CFR part 86—Nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance.
- 45 CFR part 91—Nondiscrimination on the basis of age in HHS programs or activities receiving Federal financial assistance.
- 45 CFR part 93—New restrictions on lobbying.