

NIH Policy Manual

1215 - Relinquishing Use of NIH Owned or Leased Space

Issuing Office: OD/OM/ORFDO/DFP **Phone:** [\(301\) 594-0999](tel:3015940999)

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Transmittal Notice

- 1. Explanation of Material Transmitted:** This Manual Chapter provides the policy, procedures, and organizational responsibilities to ensure timely and safe turnover of the National Institutes of Health (NIH) owned and leased space to the Office of Research Facilities Development and Operations (ORFDO) when use is temporarily or permanently no longer required. This Manual Chapter does not apply to Bio-safety Level 3 (BSL-3) and higher level laboratories.
- 2. Filing Instructions:**

Insert: NIH Policy Manual, Chapter 1215, dated 08/05/2016

PLEASE NOTE: For information on:

- Content of this chapter, contact the issuing office listed above.
- NIH Manual System, contact the Division of Management Support (DMS), Office of Management Assessment (OMA) at 301-496-4606, or enter this URL:
<https://oma.od.nih.gov/DMS/Pages/Manual-Chapters.aspx>

A. Purpose and Scope

This Manual Chapter provides the framework to ensure standard business practices exist for NIH Institutes and Centers (ICs) to identify and release NIH owned and leased space to ORFDO when permanent or temporary use is no longer required. This policy does not apply to BSL-3 and higher level laboratories.

B. Background

ORFDO is the steward of NIH facilities and must ensure efficient, effective, and safe utilization of owned and leased assets.

NIH space temporarily or permanently vacated by ICs must be free of hazards, property, and debris at the expense of the ICs in order to be formally accepted by ORFDO and reassigned to the next occupant, or decommissioned, or to satisfy other requirements.

Space utilization assignments are currently made by the Space Recommendation Board (SRB) in coordination with the ORFDO Division of Facilities Planning (DFP).

C. Policy

This policy applies to space relinquished in part or in whole on a temporary or permanent basis and must be followed prior to finalizing the turnover of space in NIH facilities.

When vacating BSL-3 and above laboratories, ICs shall contact the Division of Occupational Health and Safety (DOHS) Bio-Risk Management Group and adhere to the [Laboratory Clearance Guidelines](#).

D. References

Standards and references, as applicable, include the following:

1. [Appendix 1 – Contact Organizations and phone numbers](#)
2. [Appendix 2 – Rent Assessment Process](#)
3. [NIH Delegations of Authority \(DoA\), Property: Real No. 05 Space Management](#)
4. [NIH Policy Manual 1210 – Utilization of Administrative Space](#)
5. [ORFDO Space Turnover Procedure](#), Division of Facilities Operation and Maintenance ((DFOM)-160-03-01) (for owned facilities)
6. [Clearance Checklist for Authorized Users](#) (AUs), Division of Radiation Safety (DRS), Office of Scientific Resources (SR), Office of Research Services (ORS).
7. [General Services Administration \(GSA\) Acquisition Manual \(GSAM\)](#)
8. [GSA Leasing Desk Guide](#)
9. [GSA Pricing Desk Guide](#)
10. [U.S. Department of Health and Human Services \(HHS\) Contract Closeout Guide](#)
11. [Moving Your Lab Safely Guidance Document](#), DOHS, SR, ORS, NIH.
12. [Laboratory Clearance Guideline](#), DOHS, SR, ORS, NIH.
13. [Waste Management Services](#), Division of Environmental Protection (DEP), ORFDO, NIH.
14. [National Environmental Policy Act \(NEPA\) of 1969](#), as amended, Pub. L. 91-190 (42 U.S.C. 4321). This law prescribes the consideration that must be given to the potential impacts of Federal actions on the human environment.
15. [Resource Conservation and Recovery Act \(RCRA\)](#)
16. [NIH Waste Disposal Guide 2014](#), DEP, ORFDO, NIH.
17. [United States Nuclear Regulatory Commission Multi-Agency Radiation Survey and Site Investigation Manual \(MARSSIM\) \(NUREG-1575\)](#)
18. [10 CFR Part 20 – Standards for Protection against Radiation](#)

E. Definitions

1. **Environmental Decommissioning** – the process of the identification, selective removal, and disposal of contaminants hazardous to human, animal, or plant.

Decommissioning includes identification of hazards, radiological, chemical, and building inherent (asbestos, lead paint, etc.) and may require surveys for each contaminant of concern.

2. **Environmental Remediation** – The physical removal of hazardous or non-hazardous chemical contaminants from a defined location.
3. **Environmental Survey** – The investigative process to identify and quantify hazardous or non-hazardous contaminants within a defined location.
4. **Facilities Information Management System (FIMS)** – A Computer Aided Facility Management System (CAFM) to support space management for NIH. The system includes floor plan drawings and reports of NIH facilities via the internet. It allows viewing and printing of CAFM drawings from an intelligent data source; it contains details including but not limited to, room numbers and types, and IC/OD Administrative space assignments shown by the designated IC/OD Program color code.
5. **Facilities Working Group (FWG)** – Advises the NIH Steering Committee, the NIH ICs and the NIH Director on matters pertaining to the planning, acquisition, development, and use of land and facilities for the pursuit of the NIH mission.
6. **NIH Director’s Reserve (DR) Space** – The “NIH Director’s Reserve Space” is space within the NIH space inventory that is available for loan or assignment by the Space Recommendation Board (SRB), on behalf of the NIH Director.
7. **NIH Steering Committee** – A group of NIH officials that provide efficient, transparent, and shared governance at NIH. The Steering Committee’s purview includes corporate governance issues, and in this regard, it will: 1) Maintain stewardship over corporate resources; 2) Provide policy oversight to assure achievement of NIH’s mission; and 3) Assure the mechanisms are in place so that NIH is operating within established standards.
8. **Space Recommendation Board (SRB)** – The SRB is a standing subcommittee of the NIH Facilities Working Group (FWG) with delegated authority to assign space based on strategic facility planning and priorities.

F. Responsibilities

1. **NIH ICs** are responsible for notifying the Division of Facilities Planning, ORFDO of the intent to vacate space via Space Justification Document (SJD), obtaining applicable safety clearances prior to vacating space, removing accountable and non-accountable property, and turning over keys to the NIH Locksmith or designees. Keys for NIH or GSA leases will be turned over to ORFDO Facility Manager or their designee. ICs are also responsible for the costs associated with decommissioning before space is relinquished from the rent assignment. See [Appendix 2](#) for a description of the rent assessment process.
2. **The Division of Facilities Planning (DFP), ORFDO** is responsible for notifying ORFDO Division of Facilities Operations and Maintenance (DFOM) Building Facility Managers (FM) of pending space reassignments within their building by providing a copy of the final signed Decision Memo for the space transaction. The Memo includes links to instructions for the vacating IC office and FM contact information. For all laboratory space, DFP notifies the Division of Radiation Safety (DRS), SR, ORS and

DEP, ORFDO of pending space turnover. DFP is also responsible for consulting with the NIH National Environmental Policy Act (NEPA) coordinator for determination of environmental review requirements.

3. **The Division of Facilities Operations and Maintenance (DFOM), ORFDO** is responsible for contacting the DRS, SR, ORS and DEP to verify whether Environmental Decommissioning is required.
4. **The Division of Environmental Protection (DEP), ORFDO** is responsible for technical oversight of activities that affect the environment, in accordance with the Resource Conservation and Recovery Act (RCRA), to include conducting Decommissioning - Phase I Environmental Surveys, (e.g., historical reviews of activities in the space to document chemical contamination from potentially hazardous activities or material usage); Phase II Characterization Surveys, to document the levels of contamination by chemical contaminants; and, Phase III Remediation Processes, to remove and document the disposal of chemical contaminants within a defined location. DEP serves as the record retention body to ensure environmental compliance to permit clearance of a location for further activities.
5. **The Office of Acquisitions (OA), ORFDO** is responsible for coordinating with the General Services Administration (GSA) and NIH stakeholders to ensure leases are closed out in part or whole as applicable, in accordance with the General Services Acquisition Manual, GSA Leasing Desk Guide, GSA Pricing Desk Guide, Occupancy Agreement, and the HHS Contract Closeout Guide. The ORFDO Realty Specialist will ensure that all applicable invoices pursuant to the lease have been reconciled. The Realty Specialist will support stakeholders during the decommissioning process for laboratory, clinical, and special purpose space.
6. **Project Officer (PO)/Facility Manager (FM), ORFDO** is responsible for verifying with DEP whether an environmental hazard clearance is required for space to be relinquished, and if so, coordinating the associated compliance requirements. When the relinquishing IC is ready for space turnover, the FM (for space not associated with a construction request) or PO (when related to a managed construction request), conducts a space turnover inspection with the IC. Inspection of the space with the IC representative will determine whether the IC has met all requirements/responsibilities for informal acceptance of the space. The FM or PO prepares a Space Turnover Checklist to document the walk-through and formal acceptance. A copy of the completed Checklist and Signature Form is provided to the designated DFP representative.
7. **The Division of Radiation Safety (DRS), SR, ORS** is responsible for determining whether any laboratory space requires a radiation safety clearance, performing a radiation safety clearance accordingly (if required), and placing a radiation safety clearance sticker on each entry door. For lab deactivations, moves, complete renovations, or partial (area-specific) renovations, radiation safety clearances are performed by DRS Area Health Physicists. If the building or lab space is being cleared for major renovations or demolition, a more advanced radiation safety clearance or radiological decommissioning is required. This is stipulated by regulatory guidance and is typically performed by a contractor. The radiological decommissioning process may require U.S. Nuclear Regulatory Commission review and approval and take nine

months or more to complete. The DRS uses NRC guidance, NUREG-1575, and the radiological hazards contractor designs and conducts Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM)-style Final Status Surveys for the NIH to demonstrate compliance with provisions specified in Part 20 of Title 10 of the US Code of Federal Regulations (10 CFR 20) for releasing buildings or spaces slated for decommissioning for unrestricted use.

8. **The Division of Occupational Health and Safety (DOHS), SR, ORS** is responsible for conducting a lab safety survey with the IC and upon satisfactory completion of the survey, placing a safety clearance sticker on each entry door. This survey is conducted for all lab spaces (after the space has been cleared by ORS DRS, if applicable).

G. Procedures

The procedures below list general guidelines for each organization involved in an IC permanently vacating space in part or in whole. ORFDO requirements are performed by DFOM and the FM for the respective building. Procedures for vacating marketable lease space in part may have additional requirements pursuant to terms and conditions of the Occupancy Agreement and/or SRB.

These procedures also apply to vacating space on a temporary basis (e.g., for construction, renovations and/or alteration activities). In those situations, the ORFDO requirements are performed by the Division of Design and Construction Management and the PO for the respective project.

See [Appendix 1](#) for a list of contact organizations and phone numbers.

Note that the procedures below are not listed in the order performed. See [ORFDO Space Turnover Procedure](#) for chronological instructions for vacating space and also for the NIH Space Acceptance Signature Form and the ORFDO Space Turnover Checklist.

1. Vacating IC

Using the Space Justification Document ([SJD](#)) process, the IC notifies ORFDO DFP of its intent to vacate NIH owned or leased facilities. Once the SJD is approved, the IC takes the following actions:

1. Remove:

1. All accountable and non-accountable NIH property. This includes items such as biological safety cabinets, chemicals, office furniture, point-of-use water systems, etc. Such items may only remain if the past and future occupants reach an agreement on transferring such items.
2. All trash, debris, or similar loose items. This includes leaving floors broom-cleaned or vacuumed; drawers, cabinets, and shelves completely empty; and, partitions and doors free of papers, posters, and other non-permanent wall hangings. Consult with DEP, Waste and Resource Recovery Branch [[Waste Management Guide](#)] to determine appropriate

service levels for recycling and solid waste management.

2. Do Not Remove:

1. Laboratory casework (including chemical fume hoods). Laboratory casework is considered part of the laboratory facility and transfers with the space. Removal of such laboratory casework is only allowed with permission from DFP. Additional requirements may be necessary for leased laboratory space.
 2. Anything permanently attached to walls.
 3. Lock cylinders.
3. Obtain applicable signatures required prior to ORFDO acceptance of space using the *NIH Space Acceptance Signature Form* (Attachment C in [ORFDO Space Turnover Procedure](#)). Obtain the following clearance stickers, if required:
1. Radiation Safety Clearance (see “2. Division of Radiation Safety (DRS), SR, ORS” below).
 2. Occupational Hazard Clearance (see “3. Division of Occupational Health and Safety (DOHS), SR, ORS” below).
 3. Environmental Safety Clearance (see “4. Division of Environmental Protection (DEP), ORFDO” below).
4. Return or transfer all keys, as appropriate, to the NIH Locksmith in Building 13 Room 1405, to the FM, or to future occupants, using approved methods through the Locksmith Database. For leased facilities, the IC returns keys to the FM or other ORFDO representative(s) identified.

2. Division of Radiation Safety (DRS), SR, ORS

For spaces requiring radiological decommissioning:

1. DRS shall:

1. Conduct a historical site assessment, based on MARSSIM guidance, to identify potential radiological contaminants in the building or space slated for decommissioning.
2. Develop a survey plan describing the scanning, sampling, and analytical approach of the survey.
3. Identify survey units and classifications for impacted areas.
4. Determine the number of samples and/or measurement locations required for non-parametric statistical hypothesis testing.
5. Conduct the survey and analyze the results.
6. Submit a stand-alone, technically defensible, report of the radiological status of the building or space.

2. If the survey results demonstrate no residual contamination in excess of applicable limits, DRS shall submit a report to the NRC for review and approval, if required. If limits are exceeded, actions are taken to decontaminate the area or remove the source of the contamination consistent with the NRC guidelines.
3. Upon NRC approval of above report, IC access to the space is prohibited and DRS shall:
 1. Return all keys to the Locksmith.
 2. Notify the DFOM Facility Manager that the space is returned to DFOM.

3. Division of Occupational Health and Safety (DOHS), SR, ORS

For all owned and leased space (after clearance by DRS, if applicable) DOHS shall conduct a safety survey with the IC. Upon satisfactory completion of the survey, DOHS shall place an occupational hazard clearance sticker on each entry door.

4. Division of Environmental Protection (DEP), ORFDO

DEP conducts the following environmental activities to ensure the safety of laboratory spaces (and other space, if required):

1. A historical review of activities within the location with the IC (Phase 1 Environmental Survey).
2. A chemical survey (Chemical Characterization; Phase 2 Environmental Survey). [This requires the tenant vacate the space.]
3. Remediation activities identified by the Phase 2 Environmental Survey necessary for environmental compliance (Phase 3 Environmental Remediation). [This requires the tenant to vacate the space.]
4. Placement of environmental hazard clearance notification sufficient to permit access to the space for additional activities.

5. Division of Facilities Planning (DFP), ORFDO

1. Assists the IC and the NIH Space Recommendation Board to identify and acquire or relinquish space, document the results, and inform DFOM of its actions.
2. Ensures all permanent space transfers are evaluated under the NIH Director's Reserve program and follow the SJD process.

6. Project Officer (PO)/Facility Manager (FM), ORFDO

The FM (for space not associated with a construction request) and the PO (for space associated with a construction request), assist the IC and formally accepts the vacated NIH space by:

1. Providing the occupants with written Instructions for Vacating NIH Space and the NIH Space Acceptance Signature Form with the appropriate requirements for signature checked. [The IC must obtain the required signatures prior to ORFDO

acceptance of the space.]

2. Conducting a kick-off meeting with the IC to ensure the occupants understand their responsibility for space conditions in order for the space to be formally accepted.
3. Tracking the progress of the vacancy and report any delays related to turnover of the space to DFP.
4. Ensuring that after the space is vacated, existing fire protection systems operate properly without impairment (sprinklers and fire alarm notification appliances are free from damage and ceiling tiles are in place). For leased space, this is the Lessor's responsibility.
5. Ensuring that where the removal of equipment or other property leaves unsealed penetrations through fire rated floors, ceilings or wall assemblies, these penetrations are properly sealed with an Underwriters Laboratories (U.L.) listed fire stopping material. For leased space, this is the Lessor's responsibility.
6. Conducting a space turnover walk-through with an IC representative, completing the ORF Space Turnover Checklist, and reporting to DFP the acceptance of the space in owned facilities. In leased space, conduct turnover walk-through with ORFDO's OA Real Estate Contracting Branch Contracting Officer and/or the GSA Facility Manager and IC representative(s), and completes the GSA condition survey report. If only a portion of the space is being turned over, additional requirements are applicable.
7. For unassigned space:
 1. Ensuring the space is properly secured and monitored to prevent unauthorized access, use, and dumping.
 2. Working with the NIH Locksmith to ensure the door key cylinders are changed to an "NIH Director's Reserve cylinder" that is accessible only by the Facility Manager or Locksmith (and ORS, if applicable).

7. **The NIH Locksmith** provides and affixes a sticker/decal on each door of the vacated owned space they are responsible for indicating that the space has been secured by NIH ORFDO and who to contact for access. Stickers are red, measuring 11" X 8-1/2", with white lettering to read as follows, "THIS SPACE HAS BEEN SECURED BY ORFDO/DFOM, FOR ACCESS PLEASE CONTACT, ORFDO FACILITY MANAGEMENT, 301-435-8000." For NIH or GSA leased space, follow procedures for returning space to the Lessor or GSA. If the space is partially returned to DFP, there will be other conditions as stated herein.

H. Records Retention and Disposal

All records pertaining to this chapter must be retained and disposed of under the authority of [NIH Manual 1743](#), "Keeping and Destroying Records," Appendix 1, "NIH Records Control Schedules" (as amended), Section 1300, Station Management. These records must be maintained in accordance with current NIH Records Management and Federal guidelines. Contact your [IC Records Liaison](#) or the NIH Records Officer for additional information.

I. Internal Controls

The purpose of this chapter is to provide guidance to an NIH IC for the safe turnover of space to ORFDO on a temporary or permanent basis.

1. Office Responsible for Reviewing Internal Controls Relative to this Chapter:

Through this manual issuance, the Division of Facilities Planning (DFP), Office of Research Facilities Development Operations (ORFDO) is responsible for the method used to ensure that controls are implemented and working.

2. Frequency of Review (in years): Ongoing review

3. Method of Review: The ORFDO DFP and DFOM will maintain oversight and ensure implementation and compliance with this policy through the space utilization policies and guidelines and the day-to-day management of NIH facilities.

4. Review Reports are sent to: Review reports are sent to the ORFDO Director and the Deputy Director for Management (DDM). Reports will indicate that controls are in place and working. Issues of concern will be brought to the attention of the ORFDO Director.

Appendix 1: Contact Organizations and Numbers

| Organization | Telephone Number |
|--|---|
| Division of Environmental Protection (DEP): | |
| Environmental Compliance Branch - Decommissioning | 301-496-7775 |
| Waste and Resource Recovery Branch | |
| • Assistance | 301-496-7990 |
| • Recycling and Waste Pick-up | 301-496-4710 |
| Division of Design and Construction Management (DDCM): | |
| • Project Officers | 301-496-4895 |
| Division of Facilities Operations and Maintenance (DFOM): | |
| • ORFDO Facility Managers | Facility Management Webpage |
| • Housekeeping | 301-451-9292 |
| Division of Facilities Planning (DFP): | 301-496-5037 |
| Division of Occupational Health and Safety (DOHS): | |
| Safety Operations Support Branch - Clearance Scheduling | 301-496-3457 |
| Bio-Risk Management Group BSL-3 and – 4 Laboratories | 301-496-2960 |
| Division of Radiation Safety (DRS): | |
| Radiation Safety Operations Branch | 301-496-5774 |

Appendix 2: Rent Assessment Process

1. Rent assessments for a given fiscal year are determined by using the ORFDO Space Database (NIH Facilities Information Management System (FIMS)) to take a snapshot of space assigned to or occupied by an Institute or Center (IC) as of June of the previous fiscal year.
2. Space snapshots capture the quantity and type of space occupied by each IC.
3. Different types of space cost more than others. As an example, laboratory space costs more per square foot to rent than office space.
4. The rentable square feet (RSF) identified for each IC is multiplied by a weighted (W) factor that reflects the type of space occupied.
5. The product of the RSF identified for an IC and the weighted (W) factor, yields a weighted rentable square feet (WRSF).
6. An IC's rent assessment is a factor of the WRSF assigned to or occupied by the IC at the time of the annual space snapshot in June.
7. If an IC relinquishes space into Director's Reserve (as approved by the Space Recommendation Board) during the fiscal year, and if the space remains in Director's Reserve for the duration of that fiscal year, the IC would not receive a rent credit until the following fiscal year.
8. If the space is subsequently assigned from Director's Reserve to another IC during the fiscal year, the IC acquiring the space must reimburse the relinquishing IC on a per diem basis.
 - a. As an Example: If IC ABC relinquishes space to the Director's Reserve and effective April 1st, IC XYZ acquires the space, then IC XYZ owes IC ABC for six months of rent.