

Commercial Services WASO

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Subject

Commercial Services Program Impacts from Revised Directors Order 50D – Smoking

ELECTRONIC MEMORANDUM; NO HARD COPY TO FOLLOW

August 14, 2009

(2410)

Memorandum

To: Regional Concession Chiefs

From: Acting Chief, Commercial Services Program /s/ Deborah Harvey

Subject: Commercial Services Program Impacts from Revised Directors Order 50D – Smoking

The latest revision to NPS Directors Order #50D: Smoking Policy (DO 50D) was released on June 29, 2009. This updated edition replaces the version that was approved December 1, 2003.

This revised policy establishes new procedures regarding smoking in shared quarters and maintains several other requirements that have a direct impact on Commercial Services operations (concessions, commercial use authorizations, and leases). The policies and procedures in DO 50D supersede those in NPS 48, Chapter 33, Section C, Smoking in Public Places. The following outlines these key requirements as they relate to Commercial Service operations.

Smoking in Shared Quarters

DO 50D has been updated to prohibit smoking in shared quarters (see section 4.1.1, first “bullet”). For Commercial Services, this change establishes clear policy that smoking is not allowed in concessioner dormitories and other shared housing in the park. Prior to the update of DO 50D, smoking in shared quarters may have been specified for concessioners through regional or park policies, or contract

requirements. Note that this does not establish policy for non-NPS concessioner housing outside the park.

Other Smoking Policies

DO 50D restates several NPS smoking policies that impact Commercial Services-managed operations. Key policies include the following:

“Generally, all concession facilities will be smoke free. The only exceptions – which the Service does not encourage – will be specifically designated smoking areas and rooms, if allowed by state and local law.” (Sec. 3, Management Policies) Note that these allowances typically address facilities such as smoking allowed rooms in lodging, designated areas in restaurants or bars.

Smoking is prohibited “within 25 feet of any entrance or exit primarily accessed by the visiting public.” (Sec. 4.1.1) Note that this would include entrance and exits for concessioner managed facilities.

Smoking is prohibited “within 25 feet of any entrance or exit not generally accessed by the public, where smoking would result in smoke traveling through doorways, windows, air ducts or other openings.” (Sec. 4.1.1) Note that this could include non-public entrance and exit areas to concessioner facilities such as back entrances to lodges or restaurants and dormitories.

Site managers are responsible for ensuring “each concessioner is in compliance with their contract provisions relating to smoking. Generally, all NPS concession facilities will be smoke-free except in specifically designated smoking areas. Where these are provided, they must be properly signed and ventilated to ensure that the smoke does not migrate into non-smoking areas.” (Sec 4.3.3) Note that these are specific items that should be evaluated by the park during the concession evaluation.

Conclusions

DO 50D establishes new and restates existing smoking policies that have impacts for Commercial Services operations and supersede those in NPS-48. NPS Commercial Services personnel are encouraged to read the complete revised DO 50D which is attached for reference purposes. Commercial Services managers should notify their operators of the revised policies and procedures and review those operations to ensure that they are meeting all applicable requirements.

If you have any questions or comments on this matter please contact Kurt Rausch in the NPS WASO Commercial Services Program at Kurt_Rausch@nps.gov or 202/513-7202.