

## Reclamation Manual Transmittal Sheet

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Effective Date: \_\_\_\_\_

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# Reclamation Manual

Directives and Standards

## **TEMPORARY RELEASE**

(Expires 10/12/2012)

<b>Subject:</b>	Environmental Stewardship Requirements for Certain Water Related Contracts
<b>Purpose:</b>	To set forth the minimum requirements for addressing environmental stewardship in certain contracts. The benefit of this Directive and Standard is to ensure that the subject contracts meet Federal environmental stewardship objectives, as set forth in the authorities cited below.
<b>Authority:</b>	The Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), and acts amendatory and supplementary thereto (Federal reclamation law); the Clean Water Act of 1948, as amended (33 U.S.C. § 1251, et seq.); the Clean Air Act of 1955, as amended (42 U.S.C. § 7401, et seq.); Executive Order 13423, <i>Strengthening Federal Environmental, Energy and Transportation Management</i> ; Executive Order 13514, <i>Federal Leadership in Environmental, Energy, and Economic Performance</i> .
<b>Approving Official:</b>	Director, Policy and Administration
<b>Contact:</b>	Water and Environmental Resources Division, 84-55000

1. **Introduction.** Executive Order 13423 (EO 13423), as amended and supplemented, establishes requirements for Federal agencies to meet environmental stewardship objectives for energy and water conservation, green house gas emission reductions, sustainable buildings, green purchasing, electronics stewardship, fleet management, waste minimization, and chemical reduction. Section 3(e) of EO 13423 directs agencies to:

“ensure that contracts entered into after the date of this order for contractor operation of government-owned facilities or vehicles require the contractor to comply with the provisions of this order with respect to such facilities or vehicles to the same extent as the agency would be required to comply if the agency operated the facilities or vehicles”

This Directive and Standard (D&S) sets forth minimum requirements for such contracts. For more on requirements associated with environmental stewardship, see Reclamation Manual (RM) Policy, *The Bureau of Reclamation’s Commitment to Environmental Stewardship* (ENV P05) and RM D&S, *Environmental Management System (EMS) Implementation* (ENV 05-01).

2. **Applicability.** This D&S applies to contracts made pursuant to Federal reclamation law or the Water Conservation and Utilization Act of 1939, upon their execution, renewal, or amendment, that establish obligations related to the operation and maintenance of Federal facilities or vehicles by parties to the contract other than Reclamation, and to the personnel involved in proposing, approving, negotiating, executing, and administering these contracts.

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3. **Definitions.** See Paragraph 3 of ENV P05.
4. **Responsibilities.**
  - A. **Director, Policy and Administration (Director).** The Director is responsible for establishing D&S setting forth requirements for implementation of environmental stewardship and water-related contracting requirements, and for ensuring that proposed contract actions to be approved by the Commissioner meet the requirements of this D&S.
  - B. **Regional Directors.** Regional directors are responsible for ensuring that this D&S is implemented within their jurisdictions.
5. **Minimum Requirements for Environmental Stewardship Article.** Because EO 13423 sets agency-wide requirements, the opportunities for meeting them will vary among facilities and must be determined on a case-by-case basis. Contracts subject to this D&S, as specified above in Paragraph 2, will:
  - A. expressly acknowledge the requirement stated under section 3(e) of EO 13423 that the contractor comply with the provisions of EO 13423 with respect to the facilities or vehicles for which the contractor will be responsible to the same extent that Reclamation would be required to comply if it operated those facilities or vehicles;
  - B. establish the contractor's responsibilities for developing and implementing environmental stewardship objectives and targets; and
  - C. establish requirements for the contractor to periodically report progress toward meeting the established objectives.