

## Key Questions Regarding Environmental Management System (EMS) Implementation

**What is an EMS?** An EMS is a globally embraced management practice that allows an organization to strategically address its environmental impacts. An EMS consists of standardized planning, implementing, measuring, and reporting processes targeted to increase management control, decrease liability, and foster continuous improvement. The recommended methodology for EMS implementation reflects ISO 14001:2004(E) model of “Plan, Do, Check, Act” or an equivalent model.

**The EMS uses terminology that I’m not familiar with. What is an environmental aspect, significant environmental impact, and an appropriate organization?** The following are some key definitions from Reclamation Manual Directive and Standard ENV 05-01 below:

- **An Environmental Aspect.** An element of a Reclamation activity, operation, or function that can or does interact with the environment. A significant environmental aspect is an element of a Reclamation operation, activity, function, or service that management has deemed a priority based on criteria that, at a minimum, addresses current or potential environmental impacts.
- **Environmental Impact.** Any change to the environment, whether adverse or beneficial, resulting from a bureau or office activity, operation, or function.
- **Appropriate Organization.** Any Reclamation facility, area office, program office or region required by management to implement EMS to address potential significant environment impacts of its operations and activities. Appropriate organizations shall be defined at the level that best addresses the organization’s significant environmental aspects and the operational, administrative, and business needs of management.

**Is EMS implementation a requirement?** Development of an EMS in the private sector is voluntary. In the Federal Government, however, it is not. With issuance of Executive Order (E.O.) 13148, *Greening the Government Through Leadership in Environmental Management* [April 2000] and then E. O. 13423, *Strengthening Federal Environmental, Energy, and Transportation Management* [January 26, 2007], the President directed Federal agencies to implement EMS at all appropriate organizational levels to ensure the use of EMS as the primary management approach for:

- addressing environmental impacts of internal agency operations and activities, including the environmental aspects of energy and transportation functions;
- establishing agency objectives and targets to ensure implementation of the E.O. 13423 sustainable practices; and
- collecting, analyzing, and reporting information to measure performance in the implementation of the E.O.

The Council on Environmental Quality (CEQ) has also issued mandatory *Implementing*

*Instructions and Requirements for E.O. 13423*, March 29, 2007 (Implementing Instructions); the Department of Interior requires implementation of EMS in its Departmental Manual Part 515 Chapter 4. Reclamation's Directive and Standard, *Environmental Management System (EMS) Implementation*, (ENV 05-01), describes the process, roles and responsibilities, and requirements for meeting E.O. 13423 and the Departmental Manual.

**Reclamation already has processes in place for ensuring compliance with environmental laws and regulations. Isn't EMS just reinventing the wheel?** Many of the processes required under an EMS to properly manage environmental impacts are already occurring within Reclamation and should be the starting point of any EMS. However, an EMS attempts to increase management control over those activities by consolidating information and efforts into one system. Also, an EMS goes beyond compliance by identifying other areas for environmental improvement, which may result in new non-regulatory activities and processes (i.e. recycling, pollution prevention) to reduce potential environmental impacts and meet environmental objectives. In other words, EMS is the framework within which existing and new organizational responsibilities, programs, and activities to manage environmental responsibilities are linked.

**There are approximately 15 specific sustainability goals in E.O. 13423. Must all of these goals be included in the EMS to obtain conformance?** CEQ Implementing Instructions requires that EMS objectives be created for all of the E.O. 13423 goals. Additionally, the Office of Management and Budget (OMB) has created an Environmental Scorecard and will include criteria to measure progress in meeting this requirement. However, there is recognition that an initial EMS should start small with two to three environmental objectives and that it will take time to include all of the goals in an EMS. An organization may be in conformance with the EMS requirements without having included all of the E.O. 13423 goals in the EMS as long as they were considered as part of the EMS planning process and there is sound rationale as to why they are not being addressed. An organization without E.O.13423 goals in the EMS may also be able to score green on the OMB scorecard as long as all of the other required elements are met to the highest level of performance. Because E.O. 13423 requires that all the goals be included in an EMS, an organization should be prepared to continually improve its environmental performance by addressing all of the applicable sustainable practices in the EMS over time.

**Are contractors affected by the EMS requirement? Do they need to develop an EMS?** Contractors do not need to develop their own EMS, but may, however, be required to implement certain activities and operational procedures to support Reclamation's EMS objectives and targets. E.O. 13423 requires agencies to ensure that all new and renewed agreements, permits, leases, licenses, contracts, concessions, or other legally binding obligations define contractors' roles and responsibilities in support of EMS objectives, goals, and targets. Additionally, the CEQ Implementing Instructions state that "where tenant, contractor, and concessionaire activities affect an agency's environmental, energy or transportation issues, those activities shall be addressed in the development, implementation, and maintenance of the EMS." As such, Reclamation must address tenant, lessee, contractor, and concessionaire activities that affect its significant aspects in any Reclamation EMS.

**Is there funding for EMS implementation?** Currently, there is not a separate line item for EMS implementation and funding must come from current budget sources. However, there are

discussions in the Department of the Interior on the need to fund EMS. Because EMS directly impacts the day-to-day facility activities, it may be considered as project cost and, therefore, be reimbursable. Additional management decision and guidance is needed on this issue.