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PROMOTING SUSTAINABLE ENVIRONMENTAL STEWARDSHIP THROUGHOUT THE FEDERAL GOVERNMENT

MEMORANDUM

SUBJECT: EMS Self-Declaration Protocol

FROM: John Howard
Federal Environmental Executive

TO: Agency Environmental Executives

DATE: January 27, 2004

This memorandum formally transmits for your implementation the Environmental Management System (EMS) Agency Self-Declaration Protocol for Appropriate Federal Facilities (Protocol), dated September 10, 2003. This document was prepared by the Executive Order 13148 Interagency Environmental Management Workgroup in accordance with their responsibilities under Section 306 to develop guidance for implementing the Order. The Protocol establishes the framework to be used by each agency in formulating the process and guidance for its facilities to self-declare compliance with the EMS requirements of the Order. The deadline for implementation of the Protocol is December 31, 2004.

Implementation of the Protocol will ensure that each agency's guidance for declaring conformance to that agency's selected EMS framework reflects accepted EMS principles and that facility or organization EMSs have been properly developed and effectively implemented. Further, the document will allow review of the entire Federal government's progress in achieving the EMS goals in the Order while maintaining flexible conformance criteria that can be adapted for unique application by each agency. The Protocol must be implemented by December 31, 2004 to support each agency's facility-level implementation of the EMS requirement prior to the December 2005 deadline established in the Order. I encourage agencies to share their agency self-declaration guidance with EPA or my office as soon as it is available. The E.O. 13148 annual report request for calendar year 2004 will also ask each agency to supply a copy of its self-declaration guidance.

I appreciate the continued efforts of the E.O. 13148 Workgroup to provide the tools to streamline progress towards our goal of environmental leadership in the Federal government. As your agency prepares guidance for facility or organization self declaration, please follow the guidance in the Self-Declaration Protocol. Thank you for your continued support.

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Environmental Management Systems
Agency Self-Declaration Protocol for Appropriate Federal Facilities
Final Version September 10, 2003

Introduction and Purpose:

The process used by federal agencies and their facilities or organizations to self-declare conformance with their selected environmental management systems (EMS) must ensure credibility. In order to meet this goal, agencies must develop a process that provides for effective and objective assessment of these systems in a manner that not only ensures the system is conformant, but is also designed for ongoing evaluation and continual improvement. Such a process must not only verify that appropriate documentation is developed, but affirm that the facility or organization is actually implementing their EMS as defined in their documentation and doing what they say they are doing. This process must also include the degree of transparency and objectivity necessary to make the self-declaration credible.

This protocol outlines procedures for federal agencies developing processes that will ensure the credibility of self-declaration of EMS for their appropriate facilities as set forth in Executive Order 13148. Specifically, this protocol is designed to satisfy the following principles:

1. Result in accurate and reliable information on federal facilities' progress as they adopt improved business practices associated with EMS implementation.
2. Focus responsibility for initial EMS verification and on-going quality assurance at the agency / bureau level.
3. Provide agencies / bureaus flexibility to implement EMS in ways that support their overall public mission.
4. Provide an independent basis for verifying the status of a facility or organization EMS, and appropriately communicating that status to internal and external stakeholders.
5. Ensure that system verification is more than a documentation review, and that the effectiveness of implementation is also reviewed.
6. Use existing EMS elements where possible so that self-declaration becomes an integral part of the organization's EMS.

Protocol:

Agencies / bureaus shall direct their facilities or organizations to use one or more EMS evaluation guide(s) in conducting EMS self-declarations. Examples of evaluation guides are included in:

- Appendix A, The Global Environmental Management Initiative (GEMI) "ISO 14001 Environmental Management System Self Assessment Checklist" [Hotlink title text to document]
- Appendix B, "Oregon Green Permits Program Guide -- Attachment B: EMS Description and References." [Hotlink title text to document]
- Appendix C, The National Aeronautics and Space Administration's "Environmental Functional Review Checklist." [Hotlink title text to document]

1. In directing use of the selected evaluation guide, agencies / bureaus shall establish a procedure including the following:
   a) direction on the use of the chosen evaluation guide(s).

b) direction on the frequency of self-declaration internal evaluations; the frequency of agency / bureau independent reviews, makeup of the independent review team (e.g., Headquarters, other facility, other agency, or contractor), and qualifications of independent reviewers, a requirement for facility or organization management to make a self-declaration statement that the EMS is in place when that conclusion is reached.

c) direction on documenting and using the results of EMS evaluations. This shall include steps for acknowledging adequate facility EMSs, follow-up actions to address inadequacies in the EMSs, and reporting results of evaluations for inclusion in agency-wide annual EMS reviews.

d) a schedule for reviewing agency / bureau EMS Self-Declaration Procedures. This review shall consider changes in agency / bureau programs and missions when appropriate but on a schedule that does not exceed five years. This is designed to allow a phased approach and continual improvement. An example of an agency EMS Self-Declaration Procedure is included in Appendix D, The National Aeronautics and Space Administration's "Environmental Functional Review Standard Operating Procedure." [Hotlink title text to document]

2. Agencies / bureaus shall communicate their choice of guide(s) and procedures described above in accordance with their internal and external EMS communication procedures.

3. Agencies / bureaus shall establish their procedures for EMS self-declaration as soon as practical but not later than NLT December 31, 2004.

4. Agencies / bureaus shall include appropriate guidance to ensure that facilities desiring to participate in a Federal or state EMS recognition program (e.g., National Environmental Performance Track, Oregon Green Permits Program, New Jersey Silver Track Program) reflect the respective requirements in their self declaration procedures.

5. Facilities or organizations that wish to self declare their EMS before agency procedures are in place may:
   a) adopt a recognized independent review process such as third-party registration to ISO 14001 or

   b) document the information described in protocol item1(b), (c) and (d) above and communicate that information to external parties in accordance with their EMS communication procedures.