

Agenda



Topic	Schedule	Duration
Introductions	9:00 am	15 min
Environmental Compliance and Enforcement	9:15 am	30 min
Environmental Multi-Media Assessment Program	9:45 am	45 min
Break	10:30 am	15 min
Environmental Management Systems Overview	10:45 am	45 min
BIE SharePoint Portal for EMS	11:30 am	30 min
Adjourn	12:00 pm	NA



Introductions / Speakers

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DECRM Mission

- Provide expert advice and oversight on:
 - Environmental and cultural resources laws
- Which apply to, or might affect:
 - Indian trust lands or restricted lands and
 - Federal facilities owned or operated by IA

Environmental Management Major Activities



- Environmental Management Assessment Program (EMAP)
- Environmental Management Systems (EMS) & Sustainable Practices
- NEPA Compliance Activities
- Environmental and Disposal Liabilities (EDL)
- Site Assessment, Remediation, Abatement



EPA Global Settlement Schools and Environmental Compliance – Overview

EPA's Findings: 2005 - 2008



**~200 Violations Under Multiple
Environmental Laws Across the Country
\$1.2 Million Proposed Fines**

- Resource Conservation and Recovery Act
- Asbestos Hazard Emergency Response Act
- Toxic Substances Control Act
- Emergency Planning and Community Right to Know Act
- Clean Air Act
- Clean Water Act
- Safe Drinking Water Act



Extent of Top 3 Violations

- Resource Conservation and Recovery Act
 - 29 schools; 254 violations
- Asbestos Hazard Emergency Response Act
 - 63 schools; 205 violations
- Safe Drinking Water Act
 - 38 schools; 136 violations

What Do Some of the RCRA Violations Look Like?



9/22/2010

EPA Notice of Violations *



- Total # EPA NOVs for schools on audit list
255
- Total # corrected EPA NOVs to date
96
- Total # unresolved EPA NOVs to date
100

* Based upon 2010 3rd Party audit results to date and EPA NOVs to date.



Response to Violations

- Federal Facility Compliance Agreement
- Corrective Actions
- Plan to Maintain Compliance

All School Operations in IA Owned Facilities Must Comply



With all:

- Federal Environmental Statutes (incl. Federal Facility Compliance Act of 1992 – solid & hazardous waste)
- Implementing regulations
- Applicable Tribal, State and Local requirements

Includes: P.L. 100-297 Grant, P.L. 93-638 Contract, or P.L.93-638 Self Governance Compact

EPA Global Settlement Agreement: Proposed Terms



- EMAP Audits
- EMS Conformance Reviews & Audits
- Reporting Requirements (EMS & EMAP)
- Fines
- Penalty for any Settlement Term Violated

Maintaining Compliance Requires Performance Improvement



- Maintain Comprehensive Environmental Management Assessment Program (Audits)
- Implement and Maintain Environmental Management Systems (EMS)
- Fully Integrate EMAP (Audits) and EMS

IA Environmental Management & Assessment Program ABCs



- Assess:
 - ✓ Performance
 - ✓ Potential for violations
 - ✓ Prior audit corrective actions
 - ✓ Possible future corrective actions
- Build a Partnership
 - ✓ Program-level compliance assistance needs & EMS opportunities
- Compliance Performance Improvement

Comprehensive EMAP Audit Program



- Air pollution
- Emergency Planning and Reporting
- Energy and Water Conservation
- Environmental Management Systems
- Green Procurement
- Hazardous Waste Management
- Pesticide Management
- Solid Waste Management
- Miscellaneous Maintenance Waste
- Storage Tank Management
- Toxic Substances Management
- Water Pollution
- Water Quality
- Oil Pollution
- Greenhouse Gas Emissions

EMAP Findings Priority Ranking Details



- **Priority 1:** Actual or potential immediate harm to human health or the environment.
- **Priority 2:** Potential for regulatory liability, or other potential to inhibit meeting the mission of the IA (BIA or BIE).
- **Priority 3:** Executive Orders, official DOI or IA (BIA or BIE) policies.
- **Priority 4:** Good Engineering Practices, Best Management Practices. Require minimal capital expenditure and planning to close.

The “Root Cause” of an Audit Finding



- Basis or reason for finding.
- If not identified and corrected, the finding is likely to recur even when corrective action is taken.
- Requires analyzing documents & records, operational processes, and organizational structure of school or dormitory.



Root Causes

IA root causes are associated with the standard ISO 14001 EMS implementing and operating requirements

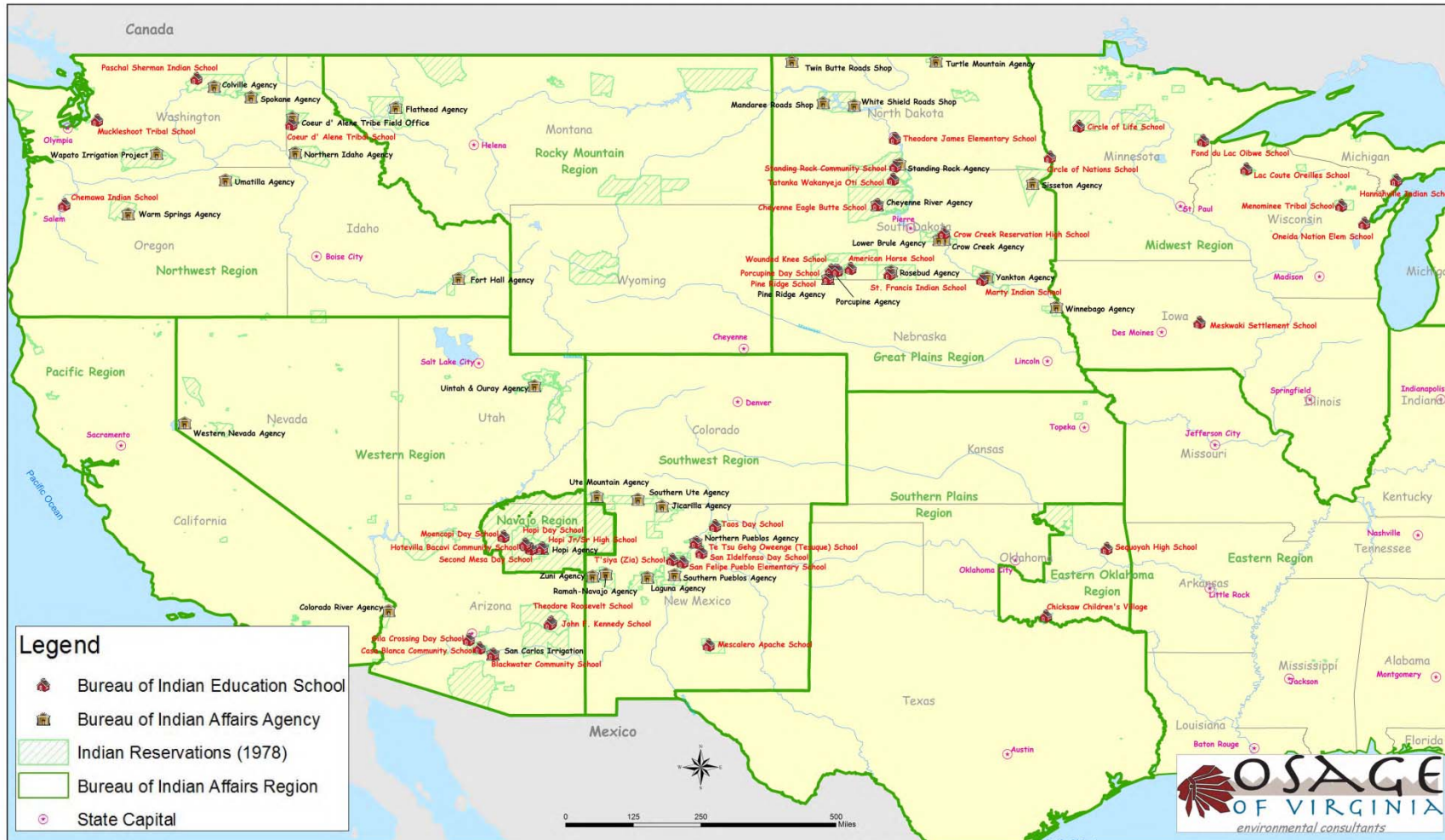
- No Staff Assigned
- Lack of Training
- No Procedures (SOPs) in Place
- Not following procedures (SOPs)
- No Communication
- No Monitoring
- No Emergency Response Procedures
- Not following Emergency Response Procedures

2010 Environmental Compliance Audits



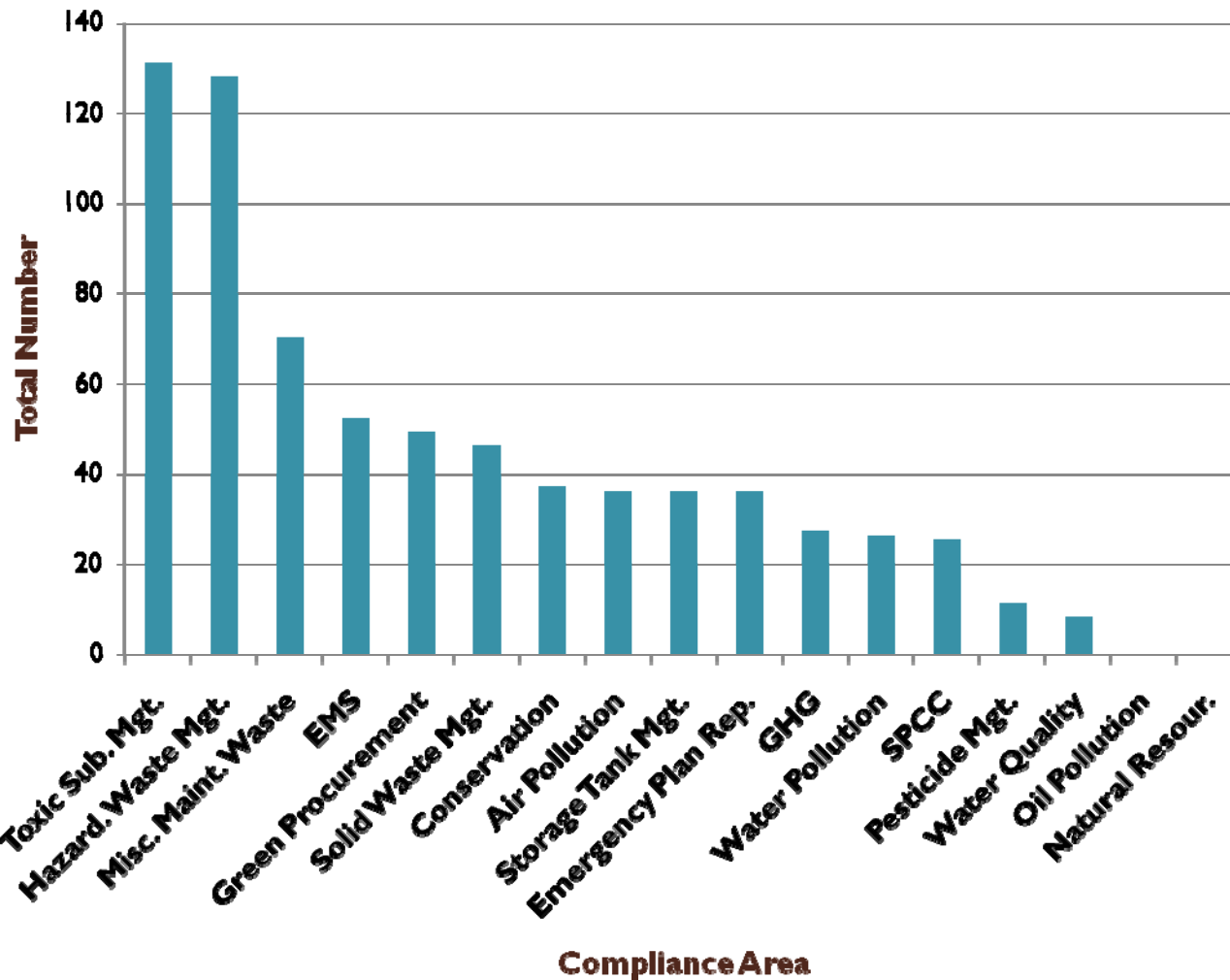
- 80 Audits conducted by independent 3rd party (WRO, NWRO, GPRO)
- 38 Audits conducted by BIA (NRO & ERO)
- Average 20 findings per audit

Location of 2010 Independent EMAP Audits



2010 Audit Findings *

Findings by Compliance Area



* Based upon 3rd Party Audit results to date.



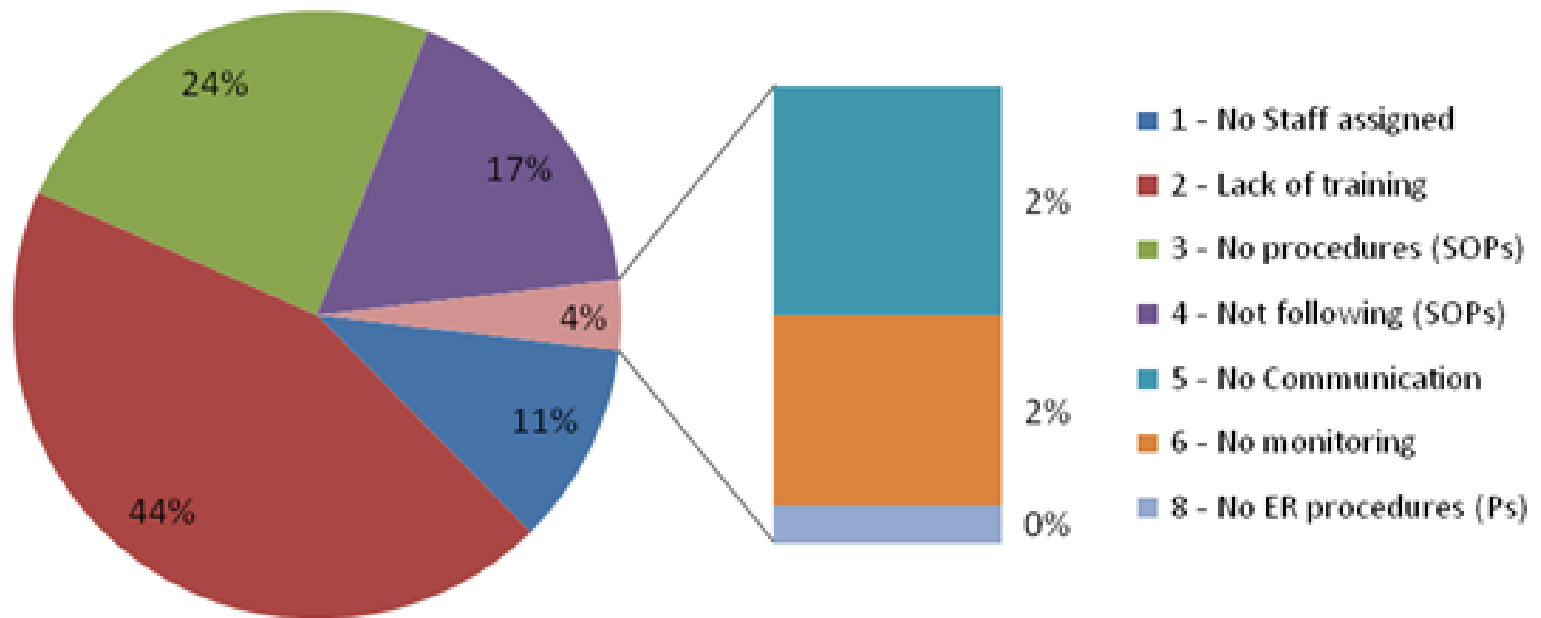
2010 Top 3 Root Causes

- No procedures (SOPs)
- Lack of Training
- Not following procedures (SOPs)

Western Region Combined BIA and BIE Audits



2010 EMAP Findings Percentage by Root Cause



Environmental Management Systems (EMS)



Everybody's Management System!

Why Are We Implementing EMS?



- Benefits



- Required



Why Implement EMS?

Benefits of EMS



- Improve environmental performance



- Reduce risk and liability



- Reduce costs



- Enhance internal communication



- More productive workforce



- Capture institutional knowledge



Why Are We Implementing EMS?

Requirements



Required

- **Executive Order 13148:** *Clinton*
 - *Greening the Government through Leadership in Environmental Management*
- **Executive Order 13423:** (superseded 13148) *Bush*
 - *Strengthening Federal Environmental, Energy and Transportation Management*
- **Executive Order 13514:** *Obama*
 - *Federal Leadership in Environmental, Energy, and Economic Performance*
- **Codified requirements**
 - **Energy Independence and Security Act of 2007**
 - **Omnibus Appropriations Act 2009**

Why Are We Implementing EMS?



- BIE is an EPA national compliance and enforcement priority
- EPA will continue to inspect and monitor schools
- Currently negotiating Global Settlement Agreement with EPA
- Federal requirements for compliance program management and formal EMS



EMS (ISO : 14001 Model)



9/22/2010

EMS

- **Management Approves and Signs**
- **Appropriate to Nature and Scale of Your Activities**
- **Must Commit Your Organization to:**
 - **Continually Improve**
 - **Prevent Pollution**
 - **Comply with Environmental Requirements**

Continual Improvement

Review

Checking

Environmental Policy

Implementation and Operation

Training

- **ID Aspects of Operations**
(consume resources / interact with environment)

- **ID Legal/Other Requirements**

- **Objectives, Targets, Programs**

- **Consider Environmental Policy Statement**

Continual Improvement Targets

- Reduce solid waste by 50% by 2015
- Purchased paper products shall contain at least 30% post-consumer recycled content

Management Review

Checking

Environmental Policy

Implementation and Operation
Objectives

Planning

- **Promote Sound Waste Management Activities**
- **Minimize Use of Hazardous Materials**
- **Improve Operational Performance thru Employee Training**

EMS

Continual
Improvement

Management
Review

Checking

Implementation
and Operation

- **Resources, Roles, Resp., Auth.**
- **Competence, Training, Awareness**
- **Communication**
- **Documentation**
- **Records Management**
- **Operational Controls**
- **Emergency Prep./Response**

EMS

Continual
Improvement

Management
Review

Checking

Environmental
Policy

Implementation
and Operation

- **Performance Measures**
- **Monitor**
- **Evaluate Compliance**
- **Nonconformity Corrective and Preventive Action**
- **Control of Records**
- **Internal Audits**

EMS

Continual
Improvement

Management
Review

Checking

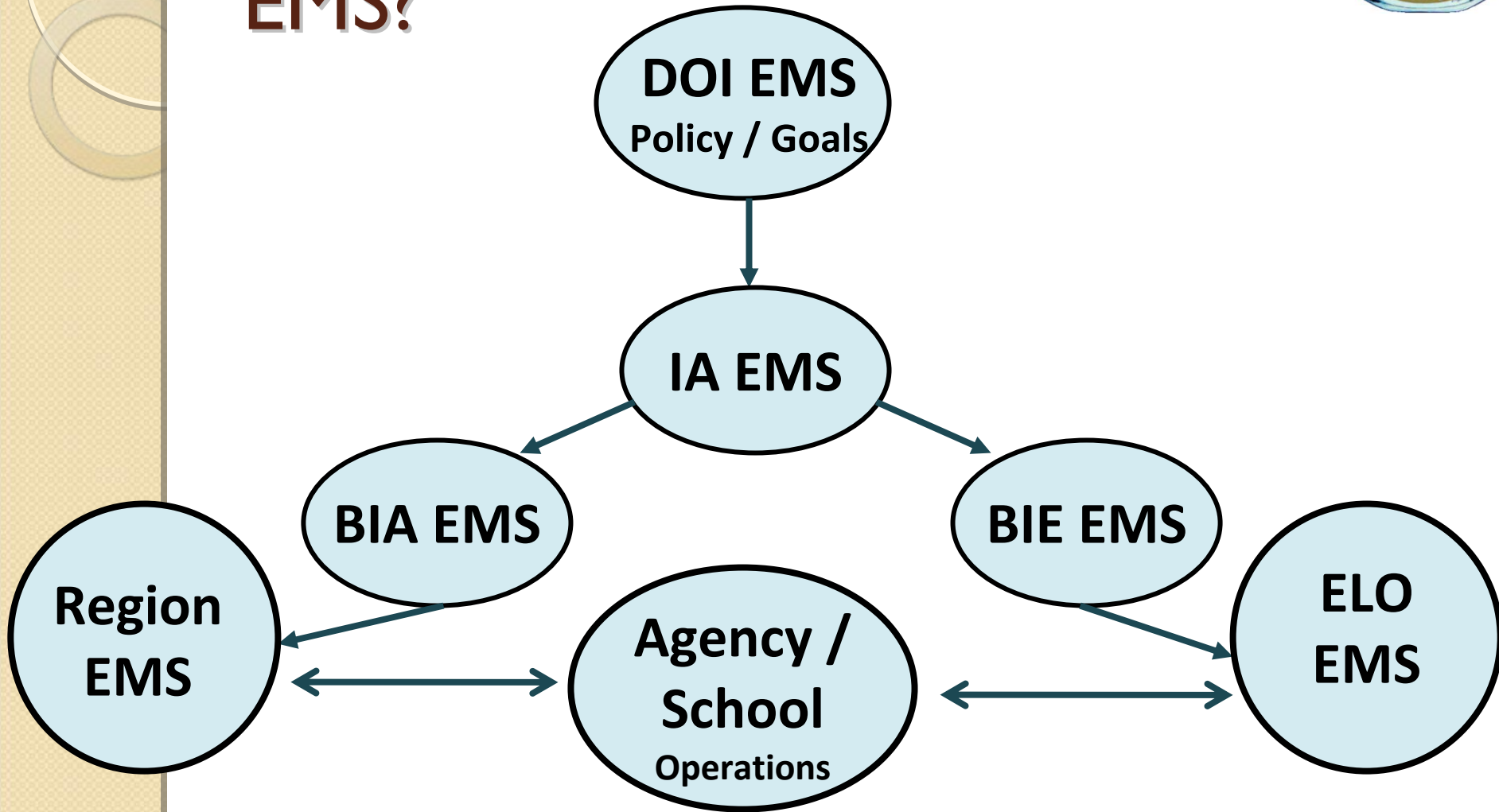
Environmental
Policy

- **Management Leadership**
- **Environmental Policy**
- **Conformance Certifications**
- **Audits, Findings, Corrective Action**
- **Performance Improvement**

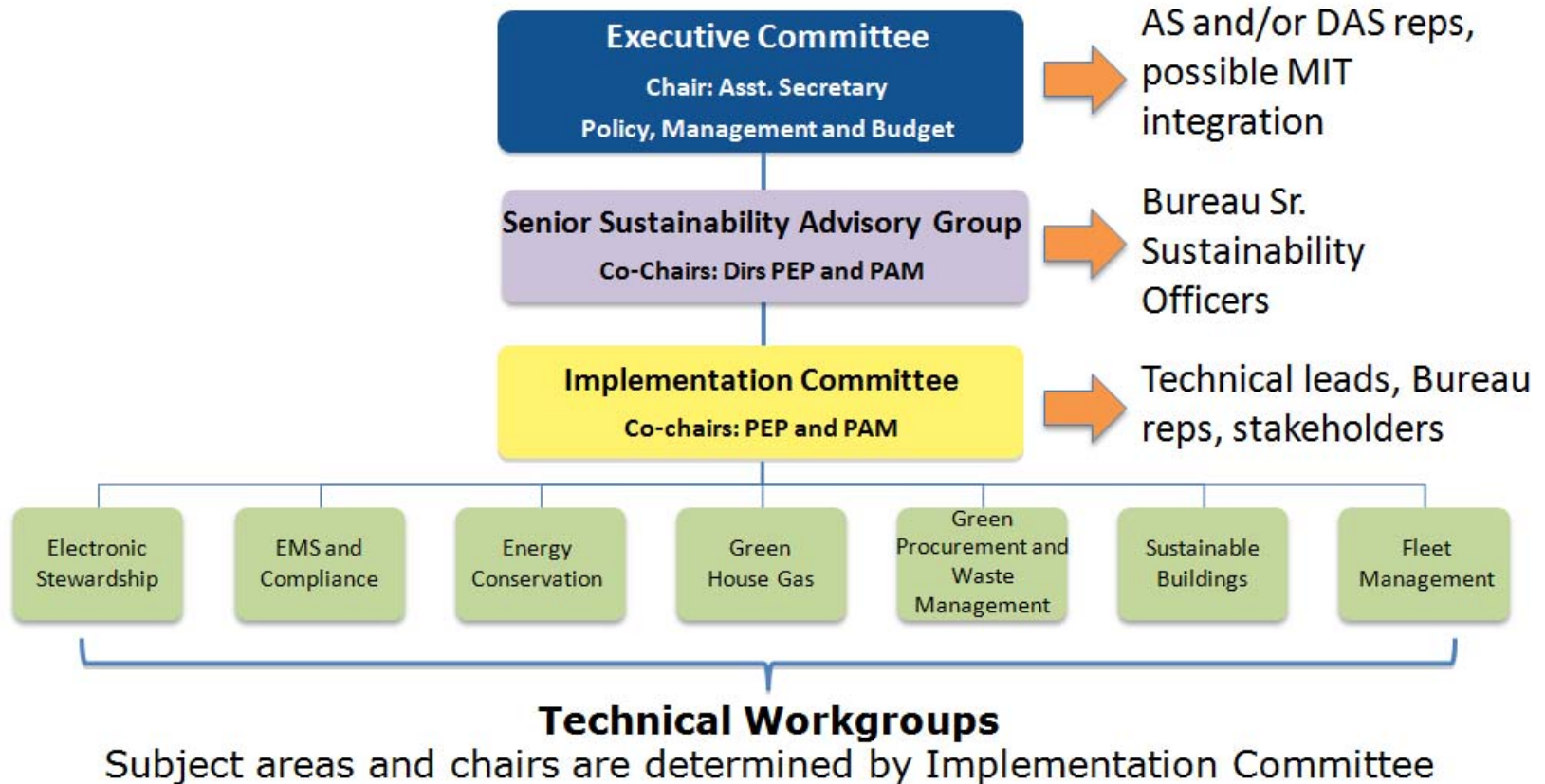
Implementation

Planning

How Are We Developing EMS?



DOI EMS: Sustainability Council



Bureau Minimum Expectations



DOI facilities must implement a formal EMS

- Departmental Manual (DM) Part 515 Chapter 4: effective 8/13/2008
 - “All bureaus and offices will, at all appropriate organizational levels and/or facilities, develop, implement, and maintain an EMS.”
- Leverage EMS implementation work at the Bureau-level
- ‘Align with’ Department level



Indian Affairs EMS

- Align with Departmental EMS, while supporting IA's mission and stakeholders
- Implement a streamlined EMS with limited resources
- Make the EMS understandable and “actionable” for end users at facility level – e.g., agencies, tribal schools
- Leverage technology - DOI SharePoint Portal and commercially available tools



Indian Affairs EMS

- Provide environmental program support to ELOs and schools to improve compliance
- Identify educational opportunities to promote and improve environmental performance
- Further integration of Environmental Management Assessment Program (EMAP) into EMS
- BIA and BIE SharePoint hosting
 - BIA hosted on Department's SharePoint Portal
 - BIE - separate SharePoint hosting environment on BIE computer network
- Contractor (Solution Foundry) provides EMS development and support to ASIA, BIA and BIE

BIE EMS



<http://emssp.bie.edu>

Live Demo

U.S. Department of the Interior | Welcome Tell, Joseph | My Site | My Links | All Sites | Advanced Search

Indian Affairs

INDIAN AFFAIRS | ENVIRONMENTAL MANAGEMENT SYSTEM | ENVIRONMENTAL AREAS | AS-IA | BIA | BIE | DOI EMS HOME

Site Actions

Introduction

The Environmental Management System (EMS) for Indian Affairs (IA) is being implemented in accordance with Executive Order (E.O.) 13423, *Strengthening Federal Environmental, Energy, and Transportation Management*. The EMS meets the requirements for implementing an EMS in accordance with the Indian Affairs Manual, Part 59 Chapter 1 (*pending*), The Department of the Interior Policy, Part 515: *Environmental Management*, Chapter 4; Policy of Indian Affairs, Number NPM-ENV-1: *Environmental Management Systems*; and the International Organization for Standardization (ISO) Standard on Environmental Management Systems (ISO 14001.) This EMS reflects the EMS elements and framework referenced in the ISO 14001:2004(E) International Standard.

In accordance with the Executive Environmental Council's "[Guidance on Implementing Environmental Management Systems At All Appropriated Organizational Levels of a Federal Agency pursuant to E.O. 13423](#), October 31, 2008, IA has developed a multi-tiered EMS that provides for management of environmental responsibilities at all organizational levels within IA referenced in Exhibit 1.

Exhibit 1. IA Organizational Levels for a Tier EMS

- Highest Level. IA and DOI organizational level, the level where procedural guidance to address certain environmental aspects related to all programs, operations, and activities concerning environmental compliance, energy use, acquisition and procurement, fleet

Environmental Tracker

IX. Environmental Tracker

Assignments are developed and tracked for corrective actions involving operations and activities for IA. The assignment has instructions for completing assigned tasks and is generated to achieve a specific target. Assignments are generated in the Environmental Tracker System and provide a timeline for completion, tracking, completion of tasks, and funding if required. If assignments are not completed on time, the Supervisor is notified immediately for action. If no action is taken, the Tracker System notifies the next official in the chain of command and DECRM. The timeline for completion may be broken into phases, dependent upon the assignment.

Planning



Microsoft SharePoint

- Microsoft® SharePoint®: website hosting and content management technology platform
- Centralized information management and collaboration portal
- Manage and communicate organization data and documents
- Often used for large organization Intranets – internal websites
- Integrates with MS Office e.g., Word, Excel, PowerPoint, etc.
- Integration with existing computer network accounts : single sign-on



Microsoft SharePoint

- Managed with standard web browser
- No programming experience necessary
- Role-based permissions allow various levels of access and control
- Existing documents and data easily uploaded and managed by broad base of users
- Easily create lists used to manage data and documents including: document libraries, calendars, contacts, surveys
- Notifications via organization e-mail system

Compliance Tracker



- Task assignments for internal audits, training, reporting . . . any action item
- Automatic notifications via email
- Reporting system documented
- EMAP audit findings and corrective actions
- Can go beyond environmental at ELOs & Schools
- Role-based permissions
 - Super User
 - Level Manager
 - Level Coordinator
 - Basic User

<http://ems.bie.edu>

Key EMS Implementation Strategies



- Cross Functional Teams: Appropriately staffed teams that add value to the process
- Aspects – just do it!
- Objectives – realistic, achievable, aligned with EOs
- Document control – keep it simple
- Operational controls – leverage what you have
- Communication – focused, simple, need to know, make it interesting
- Corrective actions – follow up!
- Leverage technology