

**Fiscal Year 2009 Environmental Management Systems (EMS) Annual Report
In Accordance with Executive Order 13423
*Strengthening Federal Environmental, Energy, and Transportation Management***

1. Background. This document was developed in coordination with the Interagency Environmental Leadership Workgroup chaired by the EPA with membership consisting of environmental managers from Federal departments and independent agencies. This document reflects the requirements of Executive Order 13423 and does not reflect Executive Order 13514 which was signed after the end of fiscal year 2009.

2. Purpose. The purpose of this document is to assist federal agencies in gathering and reporting the information necessary to address the EMS reporting requirements of Section 3(g) of Executive Order 13423 and Section IV (Reporting) of the EO 13423 Implementation Instructions. Copies of these documents can be found at <http://www.fedcenter.gov/eo13423>.

3. Description. The Report generated by each agency's response to this document is required under E.O. 13423 and the associated *Instructions*. It will provide the data required for the Office of Management and Budget (OMB) to determine Agency-level EMS implementation status scores for the OMB Environmental Scorecard. It will also provide the Office of the Federal Environmental Executive (OFEE) and the Environmental Protection Agency (EPA) with useful information regarding the effectiveness and status of EMS implementation across the government. This fiscal year's report covers the following areas:

- I. Facility/Organization-level Information
- II. EMS External Audit and Declaration of Conformance
- III. EMS Scorecard Metrics
- IV. EMS Relationship to Sustainable Practices
- V. EMS Experiences

Note: Where an agency has requested and received a formal extension from the Office of the Federal Environmental Executive of the time frame for any element of agency EMS implementation or conformance requirements, that agency should explicitly note that approval in the annual report and provide supporting materials such as letters or emails that confirm formal consideration and allowance for deviation from the time frame set forth in the *Instructions*.

4. Due Date. The report is due to EPA by January 15, 2010.

5. Covered Timeframe. All data in this report should only reflect efforts, progress, and accomplishments from October 1, 2008 through September 30, 2009.

6. Report Format. When submitting the report to EPA, use the Agency-Level EMS Report Template ([Attachment A](#)) to ensure your Agency presents its data in a consistent fashion. Paragraph 7 below provides information about the tools available to help Agencies generate reports in this format.

7. Reporting Tools.

FedCenter – To facilitate data collection and submission, the FedCenter web-based EMS reporting module is available for use by all agencies in developing this report. FedCenter provides a secure environment to enter facility/organization-level data (see section 8 below) as

well as automated tools for HQ-level managers to aggregate this data. To take advantage of this data collection and reporting tool, contact the FedCenter database manager, Steve Luzzi at 217-373-5894 or Stephen.T.Luzzi@usace.army.mil as soon as possible to allow sufficient time for customizing and preparing your agency's reporting area on FedCenter for FY09 data input. Mr. Luzzi will work with you to identify your requirements for establishing or updating your: 1) facility/organization EMS list, 2) user accounts, 3) organizational reporting structure (e.g. by department, sub-agency, bureau, region, office, etc.) and 4) any customized options. Please note, any agency using FedCenter will have sole and exclusive access to its FedCenter data (i.e., the EPA will not have access to FedCenter data).

Not using FedCenter – Agencies not using FedCenter may find the Facility/Organization-Level EMS Data Template ([Attachment B](#)) a helpful tool for collecting its facility-level data. Note however, that the FedCenter EMS module is designed to automatically aggregate agency data to support the format required by section 6, above.

8. Content. The following provides more details about each of the EMS reporting elements:

- I. Facility/Organization Information.** For each EMS facility/organization within an agency, data collected will include basic information regarding the facility's/organization's name, location, and contact information. Data collected for this reporting element is based directly on the questions in Part I of the "Facility/Organization EMS Metrics Fiscal Year 2009" document ([Attachment C](#)). Note that this section of the report is NOT an element of the OMB scorecard score and is maintained only by each agency to facilitate proper tracking of EMS information and reporting of EMS changes across an agency.

EO 13423 provides for Agencies to identify new facilities/organizations added to their list. It also provides for Agencies to negotiate with OFEE to determine a date by which these new EMS's must be fully operational. As a result, Agencies will now use this report to identify when they added facilities/organizations to the list.

- Any facility/organization EMS initiated after the EO was signed will also enter its negotiated implementation date if that date has been negotiated.
- If the implementation date has not yet been negotiated for a 'new' EMS, the date "01/01/2050" should be entered to indicate pending negotiation.

Please note: For purposes of the OMB scorecard, newly-identified EMSs (i.e. those initiated after January 24, 2007) will remain un-scored until they reach the implementation date agreed upon with OFEE. Once they reach that date, they will be scored exactly the same as all previously existing EMSs and will likewise be rolled-up into the Agency/Department-level score.

Important changes to this section for this year:

Description - Describe the Scope of the EMS:

Identify the facility or organization covered by the EMS, and provide a *brief* description of the scope of the EMS. In the terminology of the EMS "Organizational Levels" Guidance issued by the Federal Environmental Executive in October 2008 ([Attachment D](#)), the EMS may be a "facility EMS" or a "multi-site organization EMS."

For a “facility EMS”:

- Identify the geographic location of the facility.
- Describe the general activities, products, and/or services provided by the organization(s) within the scope of the EMS.
- Identify whether all organizations within that site or “fence line” are covered within the scope of the EMS; if not, identify those organizations or entities on the site which are *not* included in the EMS (contractors? sub-contractors? concessionaires? tenants? co-located organizations?).

For a “multi-site organization EMS”:

- Identify the locations of the headquarters or central office site, and of the other covered sites. (If there are a moderate number of sites, list them; if there are numerous sites, characterize them).
- Describe the general activities, products, and/or services provided by the organization(s) within the scope of the EMS.
- Identify whether all organizations within these sites are covered within the scope of the EMS; if not, identify those organizations or entities on the sites which are *not* included in the EMS (contractors? sub-contractors? concessionaires? tenants? co-located organizations?).

The table below gives some examples for describing the scope of your facility/organization EMS:

Example EMS Descriptions/Scope

Facility EMS	Multi-Site Organization EMS
<p>Example 1</p> <p>The Environmental Management System (EMS) at the Boat Repair Facility (BFR) covers 8 facilities on a 204 acres campus. The EMS includes all activities associated with boat repair, renovation, modifications, updates, and engineering activities on agency vessels and equipment for other govern entities. The EMS includes 6 tenant units (2-non agency) composed of approximately 1600 personnel. A List of tenant units is attached.</p>	<p>Example 1</p> <p>The National Training Service has 15 sites located throughout the country, providing services to local, state and federal organizations. All activities at each of the sites and headquarter building are addressed by the Environmental Management System (EMS). The EMS covers approximately 2200 permanent federal, state, local and contractor personnel located at the sites and headquarters. Students attending any of the various training sites are not covered under the EMS scope but are orientated to emergency and operational activities. Attached is a list of sites and headquarters' addresses.</p>
<p>Example 2</p> <p>The scope of the National Lab Center (NLC) Environmental Management System (EMS) includes 4 government owned/operated facilities (50 acres), tasks, and 219 personnel. The EMS does not include 1 private laboratory facility located in building 12.</p>	<p>Example 2</p> <p>The National Public Assistance Center (NPAC) provides research and direct assistance to the public. There are 57 assistance centers nationwide that fall under the NPAC Headquarters. The centers have vehicles and aircraft to assist the public with advice on property management. The Environmental Management System (EMS) covers 250 federal and contractor personnel working at the centers. The NPAC headquarters operates a separate high-tier EMS that supports the 57 assistance centers.</p>

EMS External Audit and Declaration of Conformance:

The collection of information regarding “*EMS External Audit and Declaration of Conformance*” is now reported under element II, below.

EMS Recognition:

Performance Track is no longer an EPA recognition program and has been removed. The EMS may still be recognized under ISO 14001 or a state program.

- II. EMS External Audit and Declaration of Conformance:** This section has been added to address the new requirement for the *EMS External Audit and Declaration of Conformance* of the EO 13423 Implementing Instructions. The data to be collected for this reporting element is listed in Part II of the “Facility/Organization EMS Metrics Fiscal Year 2009” document ([Attachment C](#)).

Note that data collected for this newly added section will affect each Agency’s EMS status score on the OMB Environmental Scorecard. See reporting element III. EMS Scorecard Metrics below for details.

- III. EMS Scorecard Metrics.** This section of the report will provide the data OMB uses to determine each Agency’s EMS status score on the Environmental Scorecard. Data to be collected for this reporting element is based directly on the questions in Part III of the “Facility/Organization EMS Metrics Fiscal Year 2009” document ([Attachment C](#)). The Agency’s EMS status score will be determined by the aggregate scores of each of its individual EMSs.

Facility/Organization-Level Scoring

The data for each individual EMS is used to determine a green/yellow/red score for that EMS. It is based on an “A” through “D” rating system that is meant to show a progression in implementing each metric element. An “A” indicates the minimum amount of implementation and a “D” indicates full implementation. The individual EMS score is based on a roll-up of the 8 criteria listed in Part III of the “Facility/Organization EMS Metrics Fiscal Year 2009” document ([Attachment C](#)), and, beginning in FY09, two (2) additional factors (Declaration of Conformance and External Audits). The chart below illustrates how individual EMSs will be scored based on their responses to the 8 criteria and the additional factors:

Facility/Organization Level Score Criteria	
Green	-At least 4 D's, -No more than 1 B, -No A's at all; and a current “Declaration of Conformance”, and an external audit within the past 3 years from initial declaration date
Yellow	-At least 4 C's (or D's) -No more than 1 A
Red	-Neither Green nor Yellow

Note that beginning with FY09 reporting, in order for a facility/organization EMS to receive a “Green” score, it must satisfy 3 conditions:

- 1) the 8 criteria responses must evaluate to a Green rating, and
- 2) the EMS must have a current Declaration of Conformance, and
- 3) if the date of the initial Declaration of Conformance was more than 3 years ago, then the EMS has been audited within the past 3 years by a qualified party outside the control or scope of the EMS.

Agency/Department-Level Scoring

The Agency’s total EMS scorecard status rating is then based on a roll-up of all of its individual EMS scores. The chart below illustrates how an Agency will be scored based on the aggregate of its individual EMSs:

Agency Level Score Criteria	
Green	-At least 80% of facilities/orgs are Green, -No more than 5% are Red
Yellow	-No more than 10% of facilities/orgs are Red
Red	-Neither Green nor Yellow

IV. EMS Relationship to Sustainable Practices. Note that this section of the report is NOT an element of the OMB scorecard score. Rather, the purpose is to capture data related to the success of EMS implementation with respect to the new key requirements of Executive Order 13423 on sustainable practices. This section of the report is based directly on the questions in Part IV of the “Facility/Organization EMS Metrics Fiscal Year 2009” document ([Attachment C](#)). In preparing the agency report, agencies should provide the distribution of EMS responses for each question. (See the Report Template in [Attachment A](#).)

V. EMS Experiences. Note that this section of the report is NOT an element of the OMB scorecard score. Rather, the purpose is for facilities/organizations to convey their EMS experiences including best practices/lessons learned, challenges, external communication, highest priority aspects, and benefits to mission. This section of the report is based directly on the questions in Part V of the “Facility/Organization EMS Metrics Fiscal Year 2009” document ([Attachment C](#)). In preparing the agency/department EMS annual report, agencies may provide whatever summary of this information they deem appropriate and informative.

9. Report Submission. Please provide an electronic copy of your completed report to Mr. David Kling, Director, Federal Facilities Enforcement Office, kling.dave@epa.gov. Printed copies of the report may be sent to: David Kling, Director, Federal Facilities Enforcement Office (MC 2261A), 1200 Pennsylvania Avenue, Washington, District of Columbia, 20460. If you have any questions, please feel free to contact Mr. Will Garvey, at garvey.will@epa.gov.

Thank you for your continued support in making the Federal community a leader in environmental stewardship and protection!

Reporting Guidance Attachments:

- Attachment A – Agency-Level EMS Report Template

- Attachment B – Facility/Organization-Level EMS Data Template (optional)

- Attachment C – Facility/Organization EMS Metrics Fiscal Year 2009

- Attachment D – OFEE Guidance on EMS Organizational Levels issued October 2008