

Environmental Compliance at Corps Civil Works Operating Projects



- Army and Corps leaders have mandated that we **“will be a National leader in environmental and natural resource stewardship for present and future generations”**.



Environmental Compliance at Corps Civil Works Operating Projects



1. WHAT IS ENVIRONMENTAL COMPLIANCE ?
2. ENVIRONMENTAL COMPLIANCE AT CORPS PROJECTS, FACILITIES, LABORATORIES.
3. REGULATORY AND POLICY REQUIREMENTS.



Environmental Compliance at Corps Civil Works Operating Projects



1. Federal Facilities Compliance Act
2. Regulatory Fines and Penalties
3. Internal guidance ER200-2-3; Environmental Compliance Policies.

<http://www.usace.army.mil/inet/usace-docs/eng-regs/er200-2-3/entire.pdf>

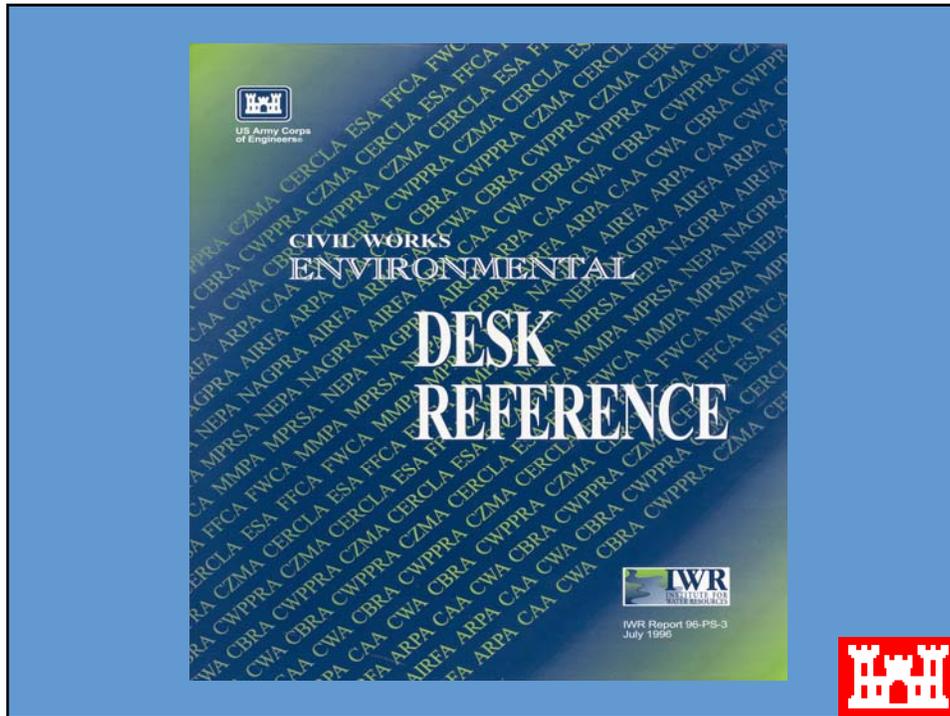


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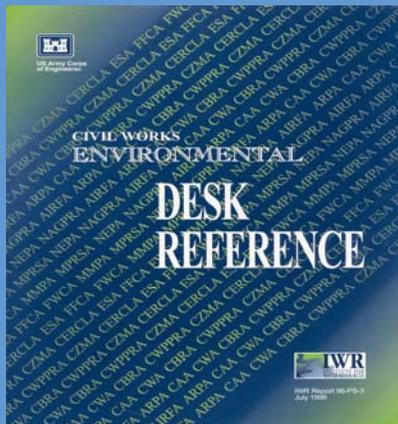
Program Overview

- ❖ Operations Project Managers are responsible and accountable for environmental compliance at their facility, including funding deficiency corrections
- ❖ Program established in 1991 - consistent with DoD and Army environmental compliance policy and guidance
- ❖ Program fundamental elements
 - ✓ Network of Environmental Compliance Coordinators (ECC)
 - ✓ ECCs at MSC, Districts, Projects/Facilities
 - ✓ Annual environmental compliance assessments. External assessments every five years. Internal assessments conducted annually (except the year of the external)

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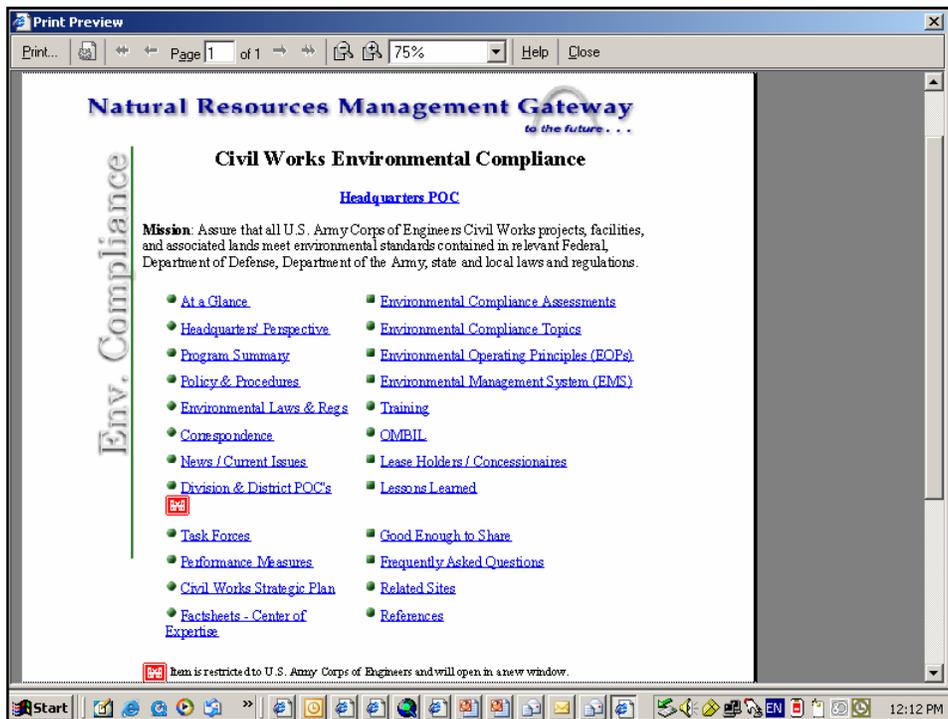


Environmental Compliance at Corps Civil Works Operating Projects



- Institute of Water Resources (IWR)
 - Number -- 96-PS-3
 - Title -- Civil Works Environmental Desk Reference,
 - NTIS Number -- AD-A316929
 - Date -- July 1996

<http://www.usace.army.mil/inet/functions/cw/cecwp/envdref2/index.htm>



Environmental Compliance at Corps Civil Works Operating Projects

OPERATION MANAGERS:



- 1. ARE RESPONSIBLE FOR ENVIRONMENTAL COMPLIANCE AT THEIR INDIVIDUAL PROJECTS,**
- 2. ARE SUBJECT TO POSSIBLE FINES AND PENALTIES FOR NON-COMPLIANCE**



Environmental Compliance at Corps Civil Works Operating Projects

1. RELATIONSHIPS WITH THE REGULATORY COMMUNITY ARE IMPORTANT.



2. THE ECCNet SERVES AS THE EYES AND EARS OF THE OPERATIONS MANAGER.

3. THERE ARE NO SPECIAL \$\$\$ FOR ENVIRONMENTAL COMPLIANCE.

4. THE PERFORMANCE MEASURE FOR ENVIRONMENTAL COMPLIANCE IS BASED ON CORRECTED FINDINGS.



Environmental Compliance at Corps Civil Works Operating Projects Process



- Environmental Management Systems (EMS)
- Planning Documents
 - Spill Prevention and Response Plans
 - Pollutions Prevention Plans
 - Training

<http://www.usace.army.mil/inet/functions/cw/cecwp/envdref2/index.htm>

Environmental Compliance at Corps Civil Works Operating Projects



People



- Environmental Compliance Coordinator (PGL no.7)
 - District
 - Project
- HQ proponent
 - Janice Smith

b. Environmental compliance is an ongoing, daily concern at operational projects. Operational projects shall have a designated and trained project ECC reporting to the Operations Project Manager(OPM), or be served by a regional ECC responsible to two or more OPMs. These individuals will advise the OPM on project environmental compliance issues, promote environmental compliance awareness throughout the project(s) and perform environmental compliance management and other duties, as assigned by the OPM.

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- Every facility of Corps is subject to environmental compliance regulations.



Environmental Compliance at Corps Civil Works Operating Projects



Some (shipyards, and major manufacturing/repair facilities) are included in established categories with specific reporting requirements.



Environmental Compliance at Corps Civil Works Operating Projects



Others (locks, dams, hydropower plants, and maintenance yards) are subject to sections of different laws and regulations



CIVIL WORKS TRAINING GUIDE

Topic	Applicability	Who Must Be Trained	When Must Training Occur	Record-keeping	Statute/Regulatory Citation
Air Emissions Management					
Air Conditioner Servicing	Facilities with personnel who perform air conditioning services	Those who service motor vehicle air conditioners. Those who service, maintain, or repair appliances, and persons who dispose of appliances, except for small appliances, room air conditioners, MVACs, and MVAC-like appliances	Prior to beginning work	Training/certification records on file	<i>Clean Air Act</i> 40 CFR 82.34(a) and 82.42 40 CFR 82.161
Large Boilers	Facilities with large boilers for energy production	Boiler operators	Prior to beginning work	Training records on file	<i>Clean Air Act</i> State regulations
Cultural Resources Management					



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Environmental Compliance at Corps Civil Works Operating Projects



- COMPLIANCE AT OUTGRANTS.
 - Corps is responsible for protecting and enhancing the natural, cultural and developed resources on the lands and waters on our projects.



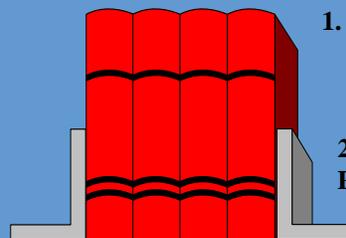
Environmental Compliance at Corps Civil Works Operating Projects



- **COMPLIANCE AT OUTGRANTS.**
 - Since the activities of any lessee or person to whom the use of Corps managed lands could be damaging or destructive to the environment, Real Estate Division representatives inspect all major outgrants (marinas and limited hotel/motel resorts) every year.



Environmental Compliance at Corps Civil Works Operating Projects



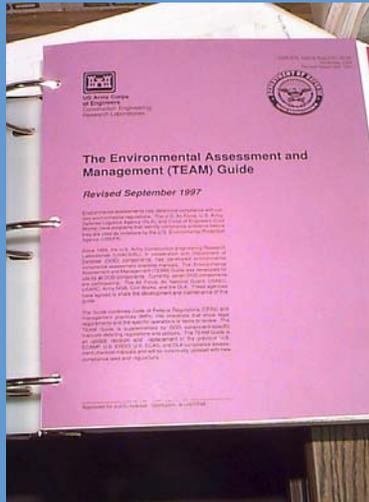
1. TEAM / ERGO MANUALS

2. THE ASSESSMENT
PROCESS

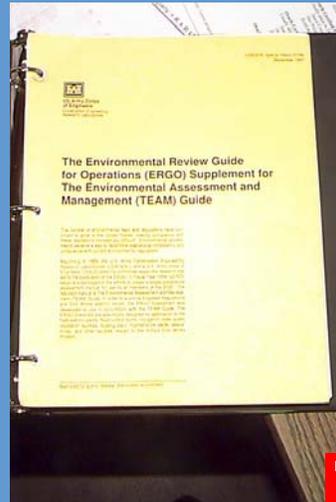
3. FINDINGS AND CORRECTIVE ACTION PLANS (CAPS)



TEAM Guide



ERGO Manual



ERGO Protocols

- Air Emissions Management
- Cultural Resources Management
- Hazardous Materials Management
- Natural Resources Management
- Other Environmental Issues
- Pesticides Management
- Petroleum, Oils and Lubricants (POL) Management
- Solid Waste Management
- Storage Tanks Management
- Toxic Substances Management including Asbestos, PCBs, radon, and noise
- Wastewater Management
- Water Quality Management

Table 1
ERGO PRE-VISIT QUESTIONNAIRE (PVQ)

This questionnaire will provide background information necessary to plan and conduct an environmental compliance assessment. Additionally it provides insight for properly designing the composition of expertise on the assessment team.

Name of Facility: _____
 Environmental POC: _____
 Telephone Number: _____

Section 1. Air Emissions Management	RESPONSE	REFERENCE IN TEAM
1. Does the facility have any air permits to maintain with state regulatory authority (i.e. boilers, pathological incinerators, operating or construction permits, paint spray booths, POL tank vents, etc.)? Inclusively list the types and numbers of each: Type of Permit Quantity _____ _____ _____	_____	If YES, see TEAM checklist item AE.1.3 and state regulations.



ERGO PROCESS



- An on-site inspection follows the protocol reviews to validate the compliance level.



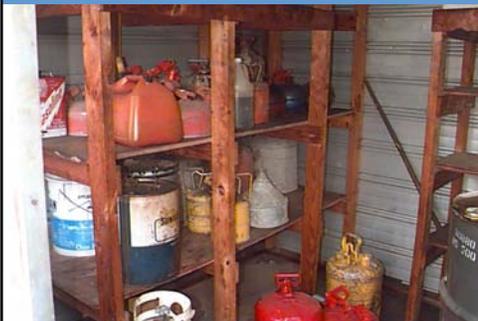
ERGO PROCESS



- Environmental deficiencies and favorable items are included in the final report.



ERGO PROCESS



- Each deficiency is identified by severity:
 - Major Finding
 - Minor Finding
 - Management Practice (MP)



Section (Air, Haz Mat, etc.): _____ Question Number: _____

Type of Finding (+ or -): _____ Location: _____

Finding Category: Significant _____ Major _____ Minor _____ Management Practice _____

Basis of Finding (Citation or Regulation): _____

(Reference applicable Federal, state and local regulations)

CRITERIA: (What is the actual requirement?) _____

CONDITION: (What did you find?) _____

Sampling Results: Universe: _____ Sample Size: _____
 Number of Discrepancies: _____ % of Discrepancies: _____

Is this a repeat finding (ERGO, NOV etc) ? _____

PREPARED BY: _____ DATE: _____

SUGGESTED SOLUTION(S): _____

REMEDIAL ACTION REQUIRED: _____

ACTION OFFICE: _____

SCHEDULED COMPLETION OF REMEDIAL ACTION: _____ ACTUAL COMPLETION DATE: _____

FUNDING AMOUNT TOTAL \$ _____ NOV: _____ DATE: _____

FY _____ APPROPRIATION _____
 FY _____ APPROPRIATION _____

COMMENTS: _____



ENVIRONMENTAL REPORTING

FINDING SUMMARY
 ERGO INDIVIDUAL FINDING SHEET
 Manual Edition Date: _____ (mo/yr)

Section (Air, Haz Mat, etc.): _____ Question Number: _____

Type of Finding (+ or -): _____ Location: _____

Finding Category: Significant _____ Major _____ Minor _____ Management Practice _____

Basis of Finding (Citation or Regulation): _____

(Reference applicable Federal, state and local regulations)

CRITERIA: (What is the actual requirement?) _____

CONDITION: (What did you find?) _____

Sampling Results: Universe: _____ Sample Size: _____
 Number of Discrepancies: _____ % of Discrepancies: _____

Is this a repeat finding (ERGO, NOV etc) ? _____

PREPARED BY: _____ DATE: _____

SUGGESTED SOLUTION(S): _____

REMEDIAL ACTION REQUIRED: _____

ACTION OFFICE: _____

SCHEDULED COMPLETION OF REMEDIAL ACTION: _____ ACTUAL COMPLETION DATE: _____

FUNDING AMOUNT TOTAL \$ _____ NOV: _____ DATE: _____

FY _____ APPROPRIATION _____
 FY _____ APPROPRIATION _____

COMMENTS: _____

- All findings - both of non-compliance and of noteworthy management practices - are reported on Individual Findings sheets (IFs).



ENVIRONMENTAL REPORTING

FINDING SUMMARY
ERGO INDIVIDUAL FINDING SHEET
Minimal Edition Date: _____ (mm/yy)

Section (Air, Haz Mat, etc.): _____ Question Number: _____
Type of Finding (+ or -): _____ Location: _____

Finding Category: Significant Major Minor Management Practice

Basis of Finding (Citation or Regulation): _____
(Reference applicable Federal, state and local regulations)

CRITERIA: (What is the actual requirement?) _____
CONDITION: (What did you find?) _____

Sampling Results: Universe: _____ Sample Size: _____
Number of Discrepancies: _____ % of Discrepancies: _____

Is this a repeat finding (ERGO, NOV etc)? _____
PREPARED BY: _____ DATE: _____

SUGGESTED SOLUTIONS:
REMEDIAL ACTION REQUIRED: _____
ACTION OFFICE: _____

SCHEDULED COMPLETION OF REMEDIAL ACTION: _____ ACTUAL COMPLETION DATE: _____

FUNDING AMOUNT TOTAL \$ _____ NOV: _____ DATE: _____
FY: _____ APPROPRIATION: _____
FY: _____ APPROPRIATION: _____

COMMENTS: _____

- The facility has 30 days to prepare a Corrective Action Plan (CAP) indicating:

- how the violation will be corrected.
- when the violation will be corrected.
- How much money it is expected to cost.
- The name of the facility manager who will take action.



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EMPHASIS AREAS:



1. POLLUTION PREVENTION (P2)
2. NPDES PERMITS
3. HAZARDOUS WASTE DOCKET
4. SPILL PLANS



Environmental Compliance at Corps Civil Works Operating Projects Pollution Prevention

- Facility-specific Pollution Prevention (P2) Plans were developed to identify pollution causing products (called “waste streams”) and replace them with less hazardous substances.



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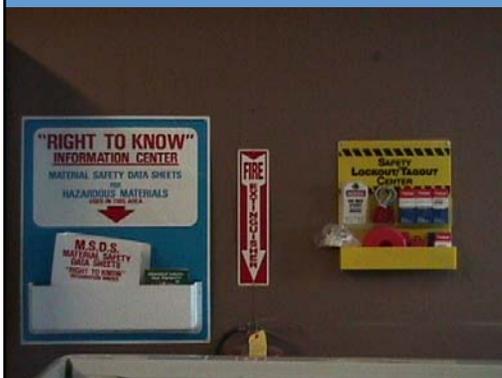


HAZARDOUS WASTES DOCKET.

- Something you don't want to be on - locations of all major hazardous waste disposal sites (creosote plants, etc).
- Sites are identified by size, severity, persistence, and potential for additional damage to the environment.



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SPILL PLANS

- Lists all potential sources of pollutants and identifies what measures - in what order - will be performed to immediately effect the clean up. Includes employees, training, equipment and materials.



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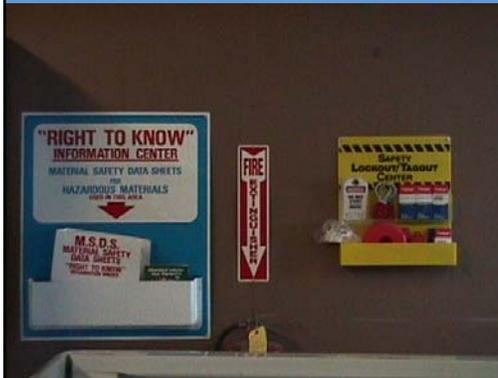
SPILL PLANS (Employee Right to Know)

- Includes MSDSs (Material Safety Data Sheets) and Employee Right-To-Know requirements
- Spills of certain sizes must be reported to state and/or federal hotlines.



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SPILL PLANS



- Ultimate disposal of waste products, contaminated materials, and containers included
- * **Anyone involved has to help pay for clean-up (remediation and restoration) ***



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Outgrant/Leasee Compliance

- ❖ Activities of lessee/outgrantee using Corps-owned lands could be damaging or destructive to the environment
- ❖ Environmental Compliance Assessments are required for major outgrants.
- ❖ Outgrant assessments may be done in conjunction with Real Estate inspections. (recommended whenever possible)
- ❖ Data/results of Outgrant Assessments also entered into OMBIL EC Module

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- NO SPECIAL FUNDS FOR ENVIRONMENTAL COMPLIANCE

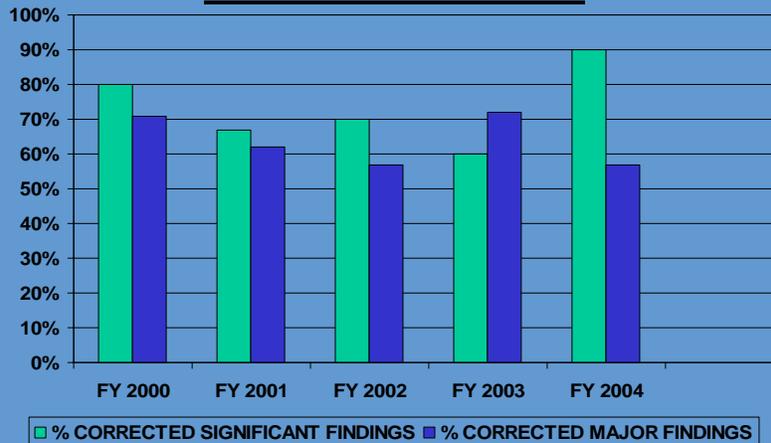


Environmental Compliance at Corps Civil Works Operating Projects

Performance Measure & Indicator

- ❖ Performance Measure - Correction of Significant & Major compliance findings/deficiencies
- ❖ Performance Indicator - Completion of Assessments
- ❖ Results rolled up in OMBIL

Environmental Compliance at Corps Civil Works Operating Projects Performance Measure Results FY 2000-2004



Performance Targets are 100% for Significant Findings - 75% for Major Findings
Excludes Findings on Outgrants/Leased Areas

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Environmental Compliance at Corps Civil Works Operating Projects EMS Implementation

- ❖ EMS Implementation at Civil Works *Appropriate* Facilities by 31 December 2005 (as per E.O. 13148)
- ❖ E.O. 13148 – April 2000 states in Section 401(a) ...
 - By December 31, 2005, each agency shall implement an environmental management system at all appropriate agency facilities based on facility size, complexity, and the environmental aspects of facility operations
- ❖ 36 Civil Works facilities designated *Appropriate*

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