



## ENVIRONMENTAL MANAGEMENT SYSTEMS: CODE OF ENVIRONMENTAL MANAGEMENT PRINCIPLES (CEMP)

### Background

Executive Order 12856 "Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements," signed on August 3, 1993, required EPA to establish a "Federal Government Environmental Challenge Program." One component of that program is to have Federal agencies "...agree to a code of environmental principles to be developed by EPA in cooperation with other agencies." In September of 1996, the U.S. Environmental Protection Agency (EPA) issued the Code of Environmental Management Principles for Federal Agencies (CEMP), which was developed through the Interagency Pollution Prevention Task Force (IAPPTF), consisting of 16 Federal agencies, that was also created by the Executive Order. The CEMP is a voluntary set of five principles for assisting agencies in improving the effectiveness of environmental activities. DOE was one of the 16 IAPPTF member agencies and has endorsed the principles of the CEMP on an agency-wide basis.

### References:

1. "Code of Environmental Management Principles," Federal Facilities Enforcement Office, USEPA, September 1996.
2. "Code of Environmental Management Principles," *Federal Register* notice, 61 FR 54062, October 16, 1996.
3. "Implementation Guide For The Code of Environmental Management Principles for Federal Agencies (CEMP)," Federal Facilities Enforcement Office, USEPA, EPA-315-B-97-001, March 1997.
4. Section 4-405 of Executive Order 12856, "Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements," August 1993.
5. ISO 14001, "Environmental Management Systems -- Specification with guidance for use," International Organization for Standardization, 1996.
6. "Memorandum of Understanding to Foster the Ecosystem Approach," December 1995.
7. Defense Nuclear Facilities Safety Board, Recommendation 95-2, October 11, 1996.

### What is the Code of Environmental Management Principles (CEMP)?

The CEMP, developed by the EPA in response to Executive Order (EO) 12856, is a set of five broad principles and performance objectives that provide a basis for Federal agencies to be more aware and forward-thinking in their treatment of environmental protection issues. The principles describe state-of-the-art elements of environmental management that should be incorporated into DOE programs at facilities and laboratories. Many CEMP principles are already a part of DOE programs and activities.

The CEMP is not a regulation, it is a voluntary component of the Federal Government

Environmental Challenge Program established by EPA with input from 16 Federal agencies. The CEMP, in accordance with the EO, "...emphasizes pollution prevention, sustainable development, and state-of-the-art environmental management programs...."

Two other elements were part of the original Challenge Program:

- a "Model Installation" Program recognizing individual facilities (now part of the Environmental Leadership Program); and
- encouragement for individuals demonstrating leadership in pollution prevention (now part of the "Closing the Circle" awards).



## What are the five CEMP principles?

The text of the principles, as published in the Federal Register (61 FR 54062, October 16, 1996), is given below. Each of these five principles is supported by several "performance objectives," not repeated here, which are intended to provide additional information on the mechanisms by which the principles are fulfilled.

1. *Management Commitment:* An agency implementing CEMP principles makes a written top-management commitment to improved environmental performance. This is done by establishing policies emphasizing pollution prevention and the need to ensure compliance with environmental requirements.
2. *Compliance Assurance and Pollution Prevention:* The agency implements proactive programs for aggressively identifying and addressing potential compliance problem areas, and uses pollution prevention approaches to correct deficiencies and improve environmental performance.
3. *Enabling Systems:* The agency develops and implements necessary measures enabling personnel to perform their functions consistent with the agency's overall mission and environmental policy, as well as the applicable regulatory requirements.
4. *Performance and Accountability:* The agency develops measures addressing employee environmental performance and ensuring full accountability of environmental functions.
5. *Measurement and Improvement:* The agency develops and implements a program assessing progress toward meeting its environmental goals and using results to improve environmental performance.

## Is the CEMP an Environmental Management System (EMS) standard?

No, the CEMP is a set of principles to help an organization improve its environmental performance and increase environmental protection. While EMSs were examined during CEMP development, and the CEMP reflects its EMS origins, it is not an EMS standard. The CEMP is more explicitly compliance oriented than most EMSs and has no provision for third party certification.

## How does the CEMP compare to ISO 14001?

E.O. 12856 directed the CEMP to emphasize "state of the art" environmental management programs. ISO 14001 was a key source reviewed for "state of the art" elements. However, EPA does not believe that ISO 14001 by itself puts enough emphasis on regulatory compliance. The CEMP stresses compliance assurance.

EPA has specifically stated that an agency that implements an EMS (such as ISO 14001) will have addressed the major elements of the CEMP so long as its system includes an explicit compliance assurance component. However, EPA requested that Federal agencies implementing an EMS describe how their facilities plan to incorporate the five CEMP principles into the EMS.

## What is DOE's position on the CEMP? What actions will DOE take?

DOE endorsed the CEMP principles in a letter from Principal Deputy Assistant Secretary for Environmental Management Richard Guimond to EPA Assistant Administrator for Enforcement Steve Herman (October 21, 1996). In its response, the Department recognized that a variety of implementing strategies will be needed to address the range of its programs, facilities, and laboratories. As a first step, a copy of the CEMP has been included in guidance for sites as they update pollution prevention plans, and the guidance will "encourage its use in all site environmental management planning." In the



**DNFSB Recommendation 95-2 states that DOE should:**

- 1. Institutionalize the process of incorporating into the planning and execution of every major defense nuclear activity involving hazardous material those controls necessary to ensure that environment, safety, and health objectives are achieved.**
- 2. Require the conduct of all operations and activities within the defense nuclear complex...that involve radioactive and other substantially hazardous materials to be subject to Safety Management Plans that are graded according to the risk associated with the activity.**
- 3. Establish a new list of facilities and activities prioritized on lines of hazard and importance to defense and cleanup programs.**
- 4. Promulgate requirements and associated instructions which provide direction and guidance for this process including responsibilities for carrying it out.**
- 5. Take such measures as are required to ensure that DOE itself has or acquires the technical expertise to effectively implement the streamlined process recommended.**

longer term, the CEMP will be part of the Integrated Safety Management System, developed to answer Defense Nuclear Facilities Safety Board (DNFSB) Recommendation 95-2 (see box).

Both DOE and EPA also recognize that the CEMP is compatible with other initiatives now underway, including:

- performance-based contracting incentives to use an EMS consistent with ISO 14001, such as those in the Fluor Daniel contract at Hanford; or
- developing plans for guiding land and facility use decisions based on ecosystem management and sustainable development.

## What will be the impacts on DOE programs?

Endorsement of the CEMP should not result in additional burdens being imposed on programs, facilities, or laboratories. Principles of the CEMP were endorsed because they are consistent with Departmental policies and goals for environmental protection. They should not add operational or reporting requirements. By adopting the CEMP, DOE facilities will be:

- complying with E.O. 12856;
- demonstrating environmental leadership;
- taking advantage of ISO 14001 -- EPA recognizes that ISO 14001 can help implement the CEMP;
- showing continuing commitment to environmental protection and compliance management;
- fostering collaboration with EPA; and
- broadening the basis for discussing flexibility in regulatory interpretation.

## How can I get more information?

The Department and other Federal agencies worked with EPA in developing the principles of the CEMP. The EH Office of Environmental Policy and Assistance (EH-41) and the EM Office of Pollution Prevention (EM-77) are now working with other DOE offices in coordinating and facilitating DOE's approach to CEMP implementation. For more information, contact Larry Stirling (EH-41) at (202) 586-2417 or Susan Weber (EM-77) at (301) 903-1388. In addition, EPA's Federal Facilities Enforcement Office (FFEO) has prepared a guide on CEMP implementation. Andrew Cherry of FFEO is the EPA contact for the CEMP and can be reached at (202) 564-5011.

