

ES&H RESPONSIBILITIES

DATED: 11/06/2008

SUBJECT: GENERAL ENVIRONMENTAL PROTECTION PROGRAM

1. PURPOSE. This document addresses responsibility and accountability and provides administrative guidance to the Oak Ridge Office (ORO).
2. APPLICABILITY. The provisions of this document apply to ORO Principal Staff.
3. RESPONSIBILITIES.
 - a. Manager, ORO.
 - (1) Transmits requests for exemptions from standards in Federal, State, and local laws and regulations to the cognizant authority, and notifies the Assistant Secretary for Environment, Safety, and Health (EH-1), the Office of General Counsel (GC-1), and the Cognizant Secretarial Officer (CSO) of the disposition of the request.
 - (2) Transmits requests for temporary and permanent exemptions from internal DOE environmental standards to EH-1, with copies to the CSO.
 - (3) Approves/disapproves requests for field-level exemptions from internal DOE environmental standards to be enforced during the period of time in which a temporary or permanent exemption request is being processed by DOE Headquarters (HQ).
 - b. Assistant Manager for Environment, Safety, Health.
 - (1) Concurs in requests for field-level exemptions to Federal, State, and local environmental laws and regulations.
 - (2) Conducts, when requested by the ORO Manager or the Contracting Officer's Representative (COR), oversight activities of contractor environmental programs.
 - (3) Concurs with the COR in such actions as may be appropriate, including curtailment and suspension of operations, when such operations may result in undue risk to the public and the environment.
 - c. Director, Environmental and Quality Management Division, (EQMD).
 - (1) Issues and revises, as necessary, the ORO Environmental Protection Statement.
 - (2) Analyzes, concurs with, and coordinates with HQ, as necessary, the plans and reports submitted by contractors that address multiple sites, programs, or organizations. These analyses and concurrences ensure that the subject documents are technically correct, adequately address current and upcoming environmental issues, meet DOE requirements, and cover the breadth and scope of the ongoing Environmental Protection Program.
 - (3) Maintains a qualified and trained staff, which provides technical and regulatory support to the COR, to accomplish Environmental Protection Program objectives and to assist in communications and negotiations with regulatory agencies, HQ, and the public.

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- (4) Maintains liaison with appropriate Federal, regional, State, and local environmental officials to facilitate effective environmental management by:
 - (a) Attending meetings involving Federal, regional, State, and local environmental officials (e.g., monthly Tennessee Oversight Agreement meetings with the State of Tennessee, quarterly Environmental Restoration/Waste Management meetings, and U.S. Environmental Protection Agency Region IV Annual Federal Agency Forum).
 - (b) Providing a point of contact for the City of Oak Ridge Environmental Quality Advisory Board (EQAB) and coordinating with the COR to provide requested information to EQAB.
 - (5) Coordinates with the Director, Public Affairs Office, all public information (including press conferences) and public involvement activities relative to the Annual Site Environmental Report for the Oak Ridge Reservation (ORR), including coordination of notifications to respective stakeholders, elected officials, and others.
 - (6) Serves as the point of contact for ORO on environmental monitoring issues and coordinates reports for the ORR.
 - (7) Maintains current awareness of changes to DOE policy and environmental regulations, and communicates such changes and relevant guidance on implementation to line management and contractors.
 - (8) Performs coordination activities on environmental issues between ORO and HQ.
 - (9) Coordinates the ORO review and compilation of comments on supplemental guidance issued by the HQ Offices of the Deputy Assistant Secretary for Environment (EH-4) to implement DOE O 450.1, Change 2, as requested.
 - (10) Provides technical advice to the ORO Manager and the COR, as requested, and concurs/nonconcurr with requests for exemptions from standards in Federal, State, and local laws and regulations; requests for temporary and permanent exemptions from internal DOE environmental standards; and requests for field-level exemptions from internal DOE environmental standards to be enforced during the period of time in which a temporary or permanent exemption request is being processed by HQ.
- d. Director, Planning and Budget Division.
- (1) Establishes Office of Management and Budget Circular A-106 guidance for ORO.
 - (2) Coordinates submittal of a consolidated ORO A-106 report to HQ.
- e. Office of Chief Counsel.
- (1) Advises the ORO organizations on interpretation of proposed and existing environmental laws and regulations; participates in the negotiation of and/or reviews compliance agreements with a state agency or Environmental Protection Agency; and reviews other

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environmental documents and communications with regulatory agencies, HQ, contractors, and the public.

- (2) Coordinates ORO environmental litigation activities with GC-1 and the U.S. Department of Justice. Assists in the development of ORO responses to Notices of Violation (NOV), Notices of Deficiency, and other administrative complaints. Represents ORO in hearings and administrative proceedings (e.g., hearings on NOV and hearings on appeals of permit conditions).

f. Director, Public Affairs Office.

- (1) Develops community public information and education programs concerning ORO environmental protection programs, consistent with the requirements of environmental regulations and national security interests.
- (2) If deemed necessary, arranges a press conference for the public release of the ORR Annual Environmental Report.

g. Contracting Officer's Representatives.

- (1) Perform those tasks identified in DOE O 450.1, Change 2.
- (2) As appropriate, provide those reports submitted by contractors that address multiple sites, programs, or organizations to the EQMD for analysis and concurrence. In addition, provide other information, as requested by the EQMD, to complete reports and other submittals to regulators or HQ.
- (3) Keep the EQMD updated on all significant site or program environmental issues.
- (4) Coordinate with the Director, Public Affairs Office, on those environmental protection programs that are likely to become matters for public forum and discussion or matters on which public information and education programs are appropriate.
- (5) Originate requests for exemptions or approve/disapprove contractor requests for exemptions from standards in Federal, State, and local laws and regulations at contractor-operated facilities.
- (6) Approve/disapprove contractor requests for exemptions from internal DOE environmental standards.
- (7) Develop requests for field-level exemptions from internal DOE environmental standards to be enforced during the period of time in which a temporary or permanent exemption request is being processed by HQ.
- (8) Coordinate the submittal of exemption requests within ORO and HQ, and to appropriate Federal, State, and local regulatory agencies.
- (9) Establish procedures, as needed, to implement the requirements of DOE O 450.1, Change 2.

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4. REFERENCES.

- a. Executive Order (EO) 12088, FEDERAL COMPLIANCE WITH POLLUTION CONTROL STANDARDS, dated October 13, 1978.
- b. Office of Management and Budget (OMB) Circular No. A-106, "*Reporting Requirements in Connection with the Prevention, Control, and Abatement of Environmental Pollution at Existing Federal Facilities,*" dated December 31, 1974.