

CONTROL FORM FOR DOE/ORO DIRECTIVE

PART A (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

1. DIRECTIVE NUMBER, TITLE, AND DATE:

ORO O 450, CHAPTER I, CHANGE 5, GENERAL ENVIRONMENTAL PROTECTION PROGRAM, dated 06/27/2006

2. PURPOSE OF TRANSMITTAL: New Directive Revised Directive Revised Control Form

3. DOES THIS DIRECTIVE CANCEL OR EXTEND ANY OTHER DIRECTIVES? Yes No
If "Yes," list what action (cancel or extend) and list the Directive(s) number(s), title(s), and date(s):

This Directive cancels and replaces ORO O 450, Chapter I, Change 4, GENERAL ENVIRONMENTAL PROTECTION PROGRAM, dated 06/21/2004.

The attached Directive is forwarded for review and action. Complete Part B and forward a completed hard copy of this form to ORO DMG, AD-440, by 07/05/2006.

PART B (To be completed by the DIVISION OF PRIMARY INTEREST [DPI]):

COMPLETE FOR DOE DIRECTIVES ONLY:

4. SUPPLEMENTAL ORO DIRECTIVE REQUIRED?

Is a new or revised supplemental ORO Directive required? Yes No

If "Yes," target date for submission of supplemental ORO Directive is _____.

COMPLETE FOR BOTH DOE AND ORO DIRECTIVES:

5. CONTRACTOR APPLICABILITY.

Does this Directive affect the work performed by ORO Contractors? Yes No

If "Yes," whom? Bechtel Jacobs Company LLC ORAU

UT-Battelle, LLC ISOTEK (Bldg. 3019, ORNL)

FWENC

Other Contractors (list by name)

6. SUBJECT MATTER EXPERT: David Page Environmental Protection Team, SE-322
Name Organization

*Original Signed By
Donna Riggs For*

7. APPROVED BY: D. R. Allen, Dir., Environmental & Quality Management Div., SE-32 06/29/2006
Signature Organization Date

PART C (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH OFFICIAL DIRECTIVE DISTRIBUTION LIST:

Original Signed By
Wayne H. Albaugh

06/29/2006

DMG Team Leader, AD-440

Date

INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED. (Revised 02/10/2006)

U.S. Department of Energy

Oak Ridge Office

ORO O 450 Chapter I Change 5

DATE: 06/27/2006

SUBJECT: GENERAL ENVIRONMENTAL PROTECTION PROGRAM

1. PURPOSE. This Chapter correlates to DOE O 450.1, Change 2, ENVIRONMENTAL PROTECTION PROGRAM, dated December 7, 2005, by assigning responsibility and accountability and providing administrative and/or contractual guidance to Oak Ridge Office (ORO) and its contractors. Nothing in this issuance changes any requirements contained in any Department of Energy (DOE) Directive.
2. CANCELLATION. This Chapter cancels and replaces ORO O 450, Chapter I, Change 4, GENERAL ENVIRONMENTAL PROTECTION PROGRAM, dated June 12, 2004.
3. APPLICABILITY. The provisions of this Chapter apply to ORO Principal Staff and contractors and subcontractors who perform work for the Department as provided by law and/or contract and as implemented by the Contracting Officer.
4. RESPONSIBILITIES. Many ORO contractors have developed Standards/Requirements Identification Documents (S/RIDs) or Work Smart Standards (WSS) Sets that may not include requirements referenced or included in DOE O 450.1, Change 2, or this Chapter. Interpretation and performance of Federal responsibilities outlined below must take into account the approved standards set for each particular contract and must not be deemed to add any requirements to the approved set.
 - 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 included as Attachment 2 of this Chapter.
 - (2) Analyzes, concurs with, and coordinates with HQ, as necessary, the plans and reports submitted by contractors in accordance with Paragraph 6 of the Contractor Requirements Document (Attachment 1 of this Chapter) 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.
 - (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/nonconcur 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 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 in accordance with Paragraph 6 of Attachment 1 of this Chapter 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, and this Chapter.
5. REQUIREMENTS AND PROCEDURES. None.
6. 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.
 - c. ORO M 220.1, OAK RIDGE OFFICE ASSESSMENT PROGRAM, dated June 20, 2006, and any subsequent revisions/replacements.
 - d. ORO O 410, Chapter III, Change 4, QUALITY ASSURANCE, dated March 21, 2006, and any subsequent revisions.
7. DEFINITIONS. None.
8. CONTRACTOR REQUIREMENTS DOCUMENT. See Contractor Requirements Document, Attachment 1 of this Chapter.
9. ATTACHMENTS.
- a. Attachment 1 - Contractor Requirements Document.
 - b. Attachment 2 - Environmental Protection Statement, dated March 22, 2002.

CONTRACTOR REQUIREMENTS DOCUMENT

Contractors identified in Paragraph 3 of this Chapter will accomplish the following, to the extent as provided by law and/or contract and as implemented by the Contracting Officer:

1. Execute environmental protection programs that comply with the requirements of the General Environmental Protection Program as established in DOE O 450.1, Change 2, this Chapter, and any supplemental guidance issued by Department of Energy (DOE) Headquarters Office of Assistant Secretary for Environment, Safety, and Health (EH-1) to implement DOE O 450.1, Change 2.
2. Take measures such as source reduction, material substitution, recycling, and insofar as practicable, reduction of toxicity and waste volume to prevent generation of contaminants, wastes, and other residual materials requiring disposal.
3. Conduct and/or assist Oak Ridge Office (ORO) in the conduct of community public information and education programs concerning ORO-wide or site-specific environmental protection programs.
4. Originate requests for exemptions from standards in Federal, State, and local laws and regulations, and from internal DOE environmental standards, and forward them to the Cognizant Contracting Officer's Representative (COR) for appropriate action.
5. Establish procedures, as needed, to implement the requirements of DOE O 450.1, Change 2, and this Chapter.
6. Prepare reports identified in DOE O 450.1, Change 2, and forward them to the Cognizant COR for appropriate action.

EXAMPLE

ENVIRONMENTAL PROTECTION STATEMENT DOE OAK RIDGE FIELD OFFICE

It is the policy and practice of the DOE Oak Ridge Field Office (OR) to conduct its operations in a safe and environmentally sound manner, ensuring incorporation of all departmental and national environmental protection goals in the daily conduct of business. These goals are contained in Federal statutes, executive orders, and DOE Orders. A listing of key Federal Statutes and Executive Orders is provided in the attachment. OR and its contractors will make every effort to conduct operations in compliance with the letter and spirit of applicable environmental statutes, regulations, standards, and DOE Orders and to fulfill the requirements of the DOE Environmental Restoration and Waste Management Five-Year Plan, in full cooperation with all State and Federal regulatory organizations.

Even when not required by laws or regulations, appropriate measures will be undertaken to prevent the generation of contaminants, wastes, and other residual materials requiring disposal through source reduction, material substitution, and recycling. Also, the toxicity and volumes of waste will be reduced as much as practicable.

OR and its contractors share responsibility for sound environmental management, limiting the risks to the environment, and protecting public health. To help fulfill these responsibilities, a pollution prevention ethic will be maintained within the workplace through training, special campaigns, and incentive programs. Also contractor award fees will reflect a strong emphasis on environment, safety, and health performance.

Original Signed By

ORO Manager

Date: 03/22/2002

ATTACHMENT TO
ENVIRONMENTAL PROTECTION STATEMENT
DOE OAK RIDGE FIELD OFFICE

LEGISLATION.

- Title 42 U.S.C. §§ 2011, et seq., The Atomic Energy Act of 1954, as amended which authorizes the conduct of atomic energy activities.
- Title 42 U.S.C. §§ 7101, et seq., The Department of Energy Organization Act, which establishes the statutory responsibility to ensure incorporation of national environmental protection goals in the formulation of energy programs, and advance the goal of restoring, protection, and enhancing environmental quality, and assuring public health and safety.
- Title 42 U.S.C. §§ 4321, et seq., The National Environmental Policy Act of 1969, as amended, which establishes broad national environmental policy.
- Title 42 U.S.C. §§ 7401, et seq., The Clean Air Act, as amended, which provides requirements to protect and enhance the quality of the Nation's air resources to promote the public health and welfare.
- Title 33 U.S.C. §§ 1252, et seq., The Federal Water Pollution Control Act, as amended, which provides requirements to restore and maintain the chemical, physical, and biological integrity of the National's waters.
- Title 42 U.S.C. §§ 6901, et seq., Solid Waste Disposal Act of 1965, as amended, which authorizes the U.S. Environmental Protection Agency (EPA) to regulate hazardous and solid waste.
- Title 40 U.S.C. §§ 9601, et seq., The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, which requires the identification, characterization, and cleanup of inactive hazardous waste sites by responsible parties; and imposes certain response and reporting requirements for operations from which hazardous substances have been released.
- Title 42 U.S.C. §§ 300f, et seq., The Safe Drinking Water Act, as amended, which authorizes EPA to promulgate regulations under two specific programs: the first protects the Nation's public drinking water supplies; the second protects subsurface waters.
- Title 16 U.S.C. §§ 1451, et seq., The Coastal Zone Management Act of 1972, as amended, which establishes and supports national coastal zone management policies.
- Title 16 U.S.C. §§ 1531, et seq., The Endangered Species Act of 1973, as amended, which establishes a program for the conservation of endangered species and their ecosystems.

- Title 42 U.S.C. §§ 662, et seq., The Fish and Wildlife Coordination Act, as amended, which authorizes the Secretary of the Interior to provide assistance to and cooperate with public and private organizations in the development and protection of the Nation's fish and wildlife.
- Title 16 U.S.C. §§ 470, et seq., The National Historic Preservation Act of 1966, as amended, which establishes the policy of the U.S. Government to protect and preserve historical structures, sites, and artifacts.
- Title 15 U.S.C. §§ 2601, et seq., Toxic Substances Control Act, as amended, which provides requirements to safely regulate the manufacture, processing, distribution in commerce, use or disposal of chemical substances and mixtures which may present an unreasonable risk to either the public health or the environment.
- Title 42 U.S.C. §§ 1996, et seq., The American Indian Religious Freedom Act, as amended, which establishes a policy of the U.S. government to protect and preserve for American Indians their inherent right of freedom of religion, including access to sites.
- Title 7 U.S.C. §§ 136, et seq., The Federal Insecticide, Fungicide, and Rodenticide Act, as amended, which authorizes EPA to promulgate regulations governing the use and disposal of pesticides.
- Title 42 U.S.C. §§ 4901, et seq., The Noise Control Act of 1972, as amended, which establishes a means for coordination of federal noise control research, setting noise emission standards, and providing information to the general public.
- Title 33 U.S.C. §§ 1401, et seq., The Marine Protection, Research, and Sanctuaries Act, as amended, which regulates the dumping of materials into ocean waters.
- Title 16 U.S.C. §§ 1271, et seq., The Wild and Scenic Rivers Act, as amended, which establishes a national wild and scenic rivers system to preserve and protect selected rivers of the Nation.
- Title 42 U.S.C. §§ 10101, et seq., The Nuclear Waste Policy Act of 1982, as amended, which provides for the development of repositories for the disposal of high-level radioactive waste and spent fuel, and to establish a program of research, development, and demonstration regarding the disposal of high-level radioactive waste and spent nuclear fuel.
- Title 42 U.S.C. §§ 2021, et seq., The Low-Level Radioactive Waste Policy Act, as amended, which establishes procedures for the implementation of compacts providing for the establishment an operation of regional disposal facilities for low-level radioactive waste.
- Title 42 U.S.C. §§ 7901, et seq., The Uranium Mill Tailings Radiation Control Act of 1978, as amended, which provides for a remedial action program at selected inactive uranium mill tailings sites.
- Title 42 U.S.C. §§ 13101, et seq., The Pollution Prevention Act of 1990, which establishes prevention or reduction of pollution at the source as a national policy and requires EPA to establish a source reduction program.

EXECUTIVE ORDERS.

- Executive Order 11991, "*Protection and Enhancement of Environmental Quality*," of May 7, 1970, including its amendment, Executive Order 11991 of May 24, 1977, which requires that the federal government shall provide leadership in protecting and enhancing the quality of the Nation's environment to sustain and enrich human life.
- Executive Order 12088, "*Federal Compliance with Pollution Control Standards*," of October 13, 1978, which requires that all federal facilities and activities comply with applicable pollution control standards.
- Executive Order 13016, "*Superfund Implementation*," of August 28, 1996, which delegates to various federal officials the responsibilities vested in the President for implementing the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) and the Superfund Amendments and Reauthorization Act of 1986 (SARA). [The Order delegates most of these responsibilities to the Administrator of the Environmental Protection Agency (EPA), but several are delegated to the heads of federal agencies, including DOE.]
- Office of Management and Budget (OMB) Circular No. A-106, "*Reporting Requirements in Connection with the Prevention, Control, and Abatement of Environmental Pollution of Existing Federal Facilities*," of December 31, 1974.