



ENVIRONMENTAL ASPECTS

Issued by: **EMS Representative**

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This procedure takes the minimalist approach by not requiring an initial environmental review to collect baseline information for identifying environmental aspects. Instead, the procedure relies on a multidisciplinary team of departmental managers, and provides some general guidelines for how and where to look for environmental aspects (Guide in Section VI). This should be sufficient to comply. But companies are encouraged to further define how baseline information about the company's environmental position is established and used in identifying environmental aspects.

Existing environmental impact studies, process hazards reviews, risk analysis, permits and other regulatory documents, and other similar documents should also be reviewed to identify aspects.

I PURPOSE

The purpose of this procedure is to provide for a system and instructions, and to assign responsibilities for identifying and documenting environmental aspects.

II APPLICATION

This procedure applies to the company's activities, products, and services that can interact with the environment; whether they are carried out or generated in-house, purchased, or subcontracted.

III RESPONSIBILITY AND AUTHORITY

A multidisciplinary team representing various departments and functions in the company is responsible for the initial identification of environmental aspects.

On an ongoing basis, the top management and departmental managers are responsible for identifying changes in activities, products, and services that create new environmental aspects, or invalidate previously identified aspects.

The Environmental Representative is responsible for collecting and coordinating information regarding environmental aspects, and for maintaining the Environmental Aspect Log.

IV DEFINITIONS

Environment: Surroundings in which the company operates, including air, water, land, natural resources, flora, fauna, humans and their interrelation (from ISO 14001 Section 3.2).

Environmental aspect: Element of company's activities, products or services that can interact with the environment (from ISO 14001 Section 3.3).

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Environmental impact: Any change to the environment, whether adverse or beneficial resulting from the company's activities, products and services (from ISO 14001 Section 3.4).

V PROCEDURE

1. Initial Identification of Environmental Aspects

1.1 In the initial phase of establishing and implementing the EMS, environmental aspects are identified by a multidisciplinary team including representatives of various departments and functions in the company. The Environmental Representative is responsible for establishing and directing the team.

External consultants and experts may also be included, or assist the team.

1.2 Criteria and guidelines for identifying and selecting environmental aspects are provided in Section VI of this procedure, Guide for Identifying and Selecting Environmental Aspects.

1.3 Each member of the team inventories and reviews relevant activities, products, and services in his or her department or area of expertise and, using the criteria defined in the Guide (Section VI of this procedure) prepares a list of identified environmental aspects. Environmental Representative coordinates the assignment of specific areas and types of activities, products, and services to ensure that everything is covered.

1.4 Environmental aspects identified by the team are discussed at a special meeting chaired by the Environmental Representative. Each member of the team presents his or her aspects and the team evaluates whether the aspects are relevant and fit the definition, guidelines, and criteria provided in Guide in Section VI of this procedure; and that there are no duplications. The Environmental Representative notes all aspects that pass the evaluation and compiles a combined, comprehensive list of all environmental aspects.

1.5 The combined list is then presented to the top management for review and for possible identification of additional aspects that may have been missed.

This review could also include the legal counsel, or someone else with the knowledge of environmental laws and regulations and the environmental compliance history of the company.

1.6 The final list of environmental aspects identified by this initial review is recorded in the Environmental Aspect Log.

2. Ongoing Identification of Environmental Aspects

2.1 Changes and development of new activities, products, or services may invalidate previously identified environmental aspects or require the addition of new aspects to the list. Examples of such changes include:





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- Modification of product design and development of new products;
- Changes in processes and technology, and introduction of new processes;
- Significant expansion or reduction of capacity;
- New suppliers and subcontractors;
- Plant addition or relocation;
- Changes in the surrounding community;
- Changes in laws and regulations (that would promote higher awareness of certain aspects);
- Temporary projects, such as construction, installation of new lines or equipment, and so forth.

Edit this list to reflect the types of changes and developments that would be relevant in your company.

- 2.2 On ongoing basis, the top management and departmental managers are responsible for identifying changes in activities, products, and services that either create new environmental aspects or invalidate previously identified aspects.
- 2.3 New environmental aspects may also be identified through the management review or by internal or external audits of the EMS.
- 2.4 New environmental aspects, and requests to delete obsolete aspects, are communicated to the Environmental Representative.
- 2.5 The Environmental Representative reviews the proposed aspects for relevance and conformance with the definitions, guidelines, and criteria provided in the Guide in Section VI; and records the new aspects in the Environmental Aspect Log.

3. Environmental Aspect Log

The Environmental Aspect Log is not explicitly required in the standard. However, as identification of aspects initiates the whole process of selecting significant aspects and defining objectives, targets and management programs for the EMS, auditors will expect this first step to be well controlled.

An alternative system for communicating and recording new environmental aspects could be based on a form similar to those used for requesting changes in engineering documents or for requesting corrective actions. Such form would be filled out by the person who identifies a new environmental aspect, and then be forwarded to the Environmental Representative for further processing. Evaluation of significance of the aspect could be also recorded on the same form.

- 3.1 Environmental Aspect Log is used for recording initial and new environmental aspects, and invalidating previously identified aspects that are no longer valid. The log is in the form of a matrix for recording the following information:
- **Date** – the date on which the aspect is identified (or invalidated)

- **Aspect** – description of the aspect
- **Change** – description of the change that creates the new aspect (write INITIAL if aspect is identified by the initial review)
- **Deletion** – reason why the aspect is invalidated (use only to invalidate aspects)
- **Approval** – signature of the Environmental Representative

VI GUIDE FOR IDENTIFYING AND SELECTING ENVIRONMENTAL ASPECTS

The purpose of this guide is to provide criteria, methods and guidelines for implementing the procedure. Its role is to prepare (train) the environmental team to better understand the concepts and issues related to environmental aspects.

1. General

- 1.1 The purpose of identifying environmental aspects is to create a broad inventory of activities, processes, materials, products, and services — or their elements — that can possibly impact the environment.
- 1.2 At this stage, the significance of an aspect should not be considered. This will be done at the next stage, when significance will be formally evaluated for each individual aspect (refer to Section V PROCEDURE). However, while at this stage we want a broad pool of all possible aspects, we have to avoid trivializing this process. If an aspect is so trivial — in relation to other aspects — that it obviously does not make any sense to even subject it to a formal evaluation of significance, it should not be brought up.

2. Guidelines and Criteria for Identifying Environmental Aspects

- 2.1 The following categories of activities and products are considered and reviewed to identify environmental aspects:

- Production processes and operations
- Storage and handling of materials and products
- Equipment maintenance
- Facilities operation and maintenance
- Transportation and transportation equipment
- Company's products and services (life cycle considerations)
- Purchased (or subcontracted) products and services

Each category is further broken down into specific activities and products, as applicable for individual departments.

Edit this list to reflect the actual types of activities and products in your company.

- 2.2 Activities, products, and services are analyzed for potential impacts on the



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environment by considering the following questions:

- What materials, chemicals, agents, or other substances are used in (or required for) the given activity, process, product, or service? Are these substances used in substantial quantities? What would be the consequence of injecting these substances into the environment (accidental or controlled release, spill, disposal to landfill, etc.)?
- Does the activity, process, product, or service generate any waste (leftover materials, by-products, emissions, contaminated water, sludge, trash, etc.)? Is the waste generated in considerable quantity? What would be the consequence of injecting the waste into the environment (accidental or controlled release, spill, disposal to landfill, etc.)? Is the waste recycled? How is the waste disposed? Is there an environmental impact caused by disposal of the waste?
- Does the activity, process, product, or service generate noise, dust, unpleasant odor, unsightly environment, or other nuisance for neighbors and the surrounding community?
- Does the activity, process, product, or service consume considerable energy, water, or other natural resources? Are these resources renewable? Does extraction of the resources have considerable impact on the environment?
- Is the manufacture of materials used in the product causing depletion of natural resources? Is the packaging of the product recyclable or biodegradable? In service, is the product using excessive energy, or emitting substances that can impact the environment? Can servicing or maintenance of the product cause environmental impact? How is the product disposed at the end of its life? Are materials used in the product recyclable or biodegradable?

2.3 Environmental aspects of activities and processes are also considered in abnormal and unusual operating conditions — for example, start-up, shutdown, cleaning, maintenance, malfunction, accidents and emergencies, etc.

2.4 When identifying environmental aspects, the question is not only whether the activity, product, or service actually impacts the environment, but also whether it can potentially impact the environment. An aspect may be prevented from impacting the environment because of implemented operational controls, such as containment curbs, deployment of special equipment or containers, maintenance and inspection of equipment, alarms and automatic shutdown mechanisms, personnel training, and so forth. However, if these controls are removed or are not properly maintained, the aspect could create an environmental impact. For this reason, environmental aspects must be considered irrespective of existing operational controls. Once the aspect is identified, these controls may be then integrated into the EMS.

3. Degree of Control and Influence Over Environmental Aspects

3.1 Only those environmental aspects that can be controlled by our company and over which the company can be expected to have influence are relevant. Identification of



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aspects that we cannot influence does not make any sense, because our EMS will not be able to do anything about them.

3.2 Typically the types of activities, products, or services that the company cannot control are those that are determined by others, over whom we have no direct influence; and when there is no realistic choice of using alternative materials, products, processes, technologies, or methods. For example:

- Aspects related to product characteristics when the company cannot influence product design and specification.
- Aspects related to the manufacture and delivery of purchased materials, products or services when the company has no influence over the manufacturing or delivery methods and when there are no equivalent alternative materials, products, or services.
- Aspects inherent in a process technology when there are no alternative technologies or when the technology cannot be changed for economic or competitive reasons (in this case the degree of impact of an aspect can be still controllable).

VII ASSOCIATED DOCUMENTS

- Significant Environmental Aspects — Oper. Proc. EOP-31-02
- EMS Management Review — Oper. Proc. EOP-60-01





SIGNIFICANT ENVIRONMENTAL ASPECTS

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I PURPOSE

The purpose of this procedure is to provide for a system and instructions, and to assign responsibilities for evaluating significance of environmental aspects. (The actual criteria and method for evaluating significance of aspects are provided in Section VI, Guide for Evaluating Significance of Environmental Aspects.)

II APPLICATION

This procedure applies to all environmental aspects of company's activities products and services.

III RESPONSIBILITY AND AUTHORITY

A multidisciplinary team representing various departments and functions in the company is responsible for evaluating significance of initial environmental aspects.

For new aspects, evaluation of significance is carried out by the Environmental Representative and at least one other person familiar with the evaluated aspect.

Top management reviews and approves initially selected and new significant environmental aspects.

Formal approval is not required, but it may be appropriate. This issue is further discussed in other notes under relevant sections.

IV DEFINITIONS

Significant Environmental Aspect: An environmental aspect that has or can have significant environmental impact (from ISO 14001 Section 3.3).

V PROCEDURE

1. General

1.1 The purpose of evaluating significance of environmental aspects is to select a group of aspects that will become the focus of the EMS, and for which our company will consider implementing special controls and monitoring systems, and may develop environmental objectives and targets. This group of aspects defines the direction of our environmental effort and allocation of resources for the protection of the environment.

1.2 While the evaluation of significance of environmental aspects is carried out using a systematic and deliberate process, logic and judgment must also be used in the final

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selection. The systematic process alone cannot absolutely guarantee correct results.

2. Evaluation of Significance of Initial Environmental Aspects

- 2.1 In the initial phase of establishing and implementing the EMS, significance of environmental aspects is evaluated by a multidisciplinary team including representatives of various departments and functions in the company. The Environmental Representative is responsible for establishing and directing the team.

This is normally the same team, or part of the team, that identified the initial aspects, per Procedure EOP-31-01.

- 2.2 Significance of environmental aspects is evaluated using a systematic risk analysis methodology. Aspects are rated with regard to the severity of associated impacts, probability of occurrence, and other relevant factors. The results are entered on the Environmental Aspect Evaluation Chart, and the combined significance rating is calculated using a special formula.
- 2.3 The Guide for Evaluating Significance of Environmental Aspects in Section VI of this procedure explains the rating system, provides a form for the Environmental Aspect Evaluation Chart, and defines the formula for calculating the combined significance rating.
- 2.4 After the evaluation charts are completed and the significance rating is established for each aspect, the team goes over the list again to verify that the results of the analysis make sense and are generally in agreement with the intuitive judgment of the team. The significance rating system is just a tool to help understand different issues related to the aspect. The final classification of the significance of an environmental aspect is a decision that the team members have to make following their own judgment.
- 2.5 Certain categories of environmental aspects are automatically classified as significant aspects, irrespective of other factors. Criteria for this priority significance classification are defined in the Guide in Section VI.
- 2.6 The completed evaluation charts are then presented to the top management for review and for possible identification of additional significant aspects that may be dictated by policy considerations.

This review could also include the legal counsel or someone else with the knowledge of environmental laws and regulations and the environmental compliance history of the company.

- 2.7 The evaluation charts with the final selection of significant environmental aspects are approved and signed off by the Environmental Representative and by the President of the company.

The standard does not require formal approval of the list and does not identify any level of authority for such approval. However, as the whole direction of the EMS, including the environmental policy, will be dictated by the significant aspects, formal approval by the top executive is appropriate.



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3. Ongoing Evaluation of New Environmental Aspects

3.1 New aspects added to the Environmental Aspect Log (refer to Procedure EOP-31-01, Environmental Aspects) are evaluated by the Environmental Representative and at least one other person who is most familiar with the aspect. In complex cases, or when a larger number of diverse aspects need to be evaluated, the Environmental Representative assembles a multidisciplinary team to carry out the evaluation.

3.2 The evaluation is carried out using the Environmental Aspect Evaluation Chart, and the same methods and criteria as defined for the evaluation of initial environmental aspects (refer to the Guide in Section VI).

3.3 The completed evaluation chart is then presented to the top management for review and for evaluation against policy considerations.

This review could also include the legal counsel or someone else with the knowledge of environmental laws and regulations and the environmental compliance history of the company.

3.4 When a new significant aspect is selected, the Environmental Representative and the President of the company approve and sign off the evaluation chart.

The standard does not require formal approval of new significant aspects. However, as the whole direction of the EMS, including the environmental policy, will be dictated by the significant aspects, formal approval by the top executive is appropriate.

4. Significant Environmental Aspect Master List

4.1 Approved significant environmental aspects are listed in the Significant Environmental Aspect Master List maintained by the Environmental Representative.

VI GUIDE FOR EVALUATING SIGNIFICANCE OF ENVIRONMENTAL ASPECTS

Rating systems and mathematical formulas for determining significance of aspects do not work very well and must be very carefully tuned to give reasonable results. The system presented in this procedure is just an example of how a systematic evaluation could be modeled. But the final system must be worked out by each individual company to suit its circumstances.

Do not hesitate to change categories, rating values, and the formula. If you cannot achieve satisfactory results with the mathematical approach, you don't have to use a mathematical formula at all. It is sufficient to just tabulate the aspects and their individual category ratings without calculating results. A graphical presentation of ratings can also be used. The standard only requires that a rational and objective evaluation process be applied.

1. Environmental Aspect Evaluation Chart

1.1 Significance of environmental aspects is evaluated using the Environmental Aspect Evaluation Chart enclosed at the end of this guide.



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1.2 After ratings for individual attributes and the total significance rating for an aspect are calculated, the actual significance designation for the aspect is marked in the first column, Aspect Significance Designation.

2. Significance Rating

2.1 Significance rating of an aspect is determined by calculating the associated risk (R) and combining it with ratings of other factors:

$$\text{Significance Rating} = R + E + F + G + H + I$$

2.2 There is no threshold defined for significance rating above which an environmental aspect would be automatically classified as significant. The rating is only a tool for better understanding issues related to the aspect. The final classification of the significance of an environmental aspect is a decision of the evaluators and the top management.

3. Priority Significance Classification

3.1 Three categories of significant aspects are automatically classified as significant, irrespective of other factors. These categories are:

- **High severity of environmental impact:** When the aspect can cause long term or permanent damage to the environment extending outside the facility (A = SIG).
- **High legal/regulatory priority:** When laws or regulations pertaining to the aspect require periodical reporting of performance or operational data, operating permits, or contingency planning (E = SIG).
- **Policy priority:** When the top management decides that the aspect has a special relevance with policies and aspirations of the company (I = SIG).

4. Risk Rating

4.1 Every environmental aspect is first rated with regard to the risk it poses to the environment. The risk is calculated as a product of severity of impact and probability of occurrence.

4.2 Severity of an impact has two components: severity of impact on the environment and severity of impact on human health and safety.

4.3

The remainder of this significance rating method is not included in the DEMO version of the software. The missing portion instructs how to determine ratings related to:





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- Severity of environmental impact
- Severity of impact on humans
- Probability of occurrence
- Complexity of operational controls
- Legal/Regulatory Requirements
- Nuisance
- Views of interested parties
- Lack of information
- Policy issues

VII ASSOCIATED DOCUMENTS

- Significant Aspect Evaluation Chart — QF-31-01-1
- Environmental Aspects — Oper. Proc. EOP-31-01
- EMS Management Review — Oper. Proc. EOP-60-01





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This procedure is designed for small and medium size service or light manufacturing facilities where there are no in-house experts in environmental law, but the issues may be sufficiently simple to be handled by a non-expert.

In facilities where there is either in-house expertise on environmental law, or where the management decides right away to retain an environmental attorney or contract this project to an expert consultant, the procedure may be greatly simplified. In this case there is no need for the initial identification of compliance programs, preliminary research, preliminary research survey, and management review to determine how to proceed (although the same steps will probably be taken by the consultant). Instead, the procedure should specify how attorneys/consultants are selected and who coordinates the work of outside experts. Sections instructing on how to document the list of applicable regulations and how to track changes in activities or laws must be retained in any circumstance.

I PURPOSE

The purpose of this procedure is to provide for a system and instructions, and to assign responsibilities for identifying federal, state, and local environmental legal and regulatory requirements that apply to the facility, and other requirements to which the company subscribes.

Other requirements may include voluntary agreements or standards, codes of practice or guidelines published by industrial associations or consumer groups, laws of other countries, internal company standards, etc.

II APPLICATION

This procedure applies to all activities, products, and services that may be regulated by environmental laws, or by other requirements to which the company subscribes.

III RESPONSIBILITY AND AUTHORITY

The Environmental Representative is responsible for conducting preliminary research and inventory to determine the general extent and complexity of environmental regulations and other requirements that may apply to the facility.

Based on the Environmental Representative's recommendation, the top executive management is responsible for deciding whether in-house resources and expertise are sufficient to identify legal, regulatory, and other requirements that apply, or whether outside assistance of an attorney, consultant, or other expert is required.

The Environmental Representative is responsible for identifying the applicable regulatory and other requirements, and/or for coordinating internal or external experts engaged to identify these requirements.

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IV PROCEDURE

1. General

1.1 The process of identifying legal, regulatory, and other requirements is developed in the following phases:

Phase 1: Initial identification of current compliance programs and activities;

Phase 2: Preliminary research of activities and products and their scope that could potentially be subject to environmental regulations, and preliminary review of these regulations;

Phase 3: Management review to determine whether in-house expertise and resources are sufficient to identify all applicable laws, regulations, and other requirements;

Phase 4: Initial identification and documentation of specific laws, regulations, and other requirements that apply to the facility (with or without assistance of external experts);

Phase 5: Ongoing identification of new or modified activities, products, and services that could potentially be subject to environmental regulations;

Phase 6: Ongoing review of new environmental regulations and changes in regulatory and other requirements that may apply to the facility.

1.2 The company recognizes that environmental laws and regulations and their application can be very complex, and that in-house expertise may not be sufficient to properly identify all applicable laws and regulations. To address this concern, our process starts with preliminary review of the issues (Phase 1) and evaluation of their complexity (Phase 2) to enable the top management to make an informed decision whether in-house expertise and resources are sufficient or not (Phase 3). Based on this decision, the initial identification of specific legal and regulatory requirements (Phase 4) is carried out either by the Environmental Representative or external experts.

1.3 The process is similar for new or modified activities, products, and services (Phase 5). Depending on the scope of the changes and the anticipated complexity of regulatory issues, the Environmental Representative may first conduct preliminary research for the top management to decide whether in-house expertise and resources are sufficient to identify associated regulatory requirements.

1.4 The Environmental Representative tracks relevant legislative and regulatory developments (Phase 6) to identify, and prepare for, any new laws, regulations, and other requirements.

2. PHASE 1: Identification of Current Compliance Programs

2.1 The process of identifying legal, regulatory, and other requirements applicable to the





facility starts with the review of current compliance programs. The purpose of this first phase is to create a list of those regulatory requirements that are already being addressed at the facility.

- 2.2 The Environmental Representative identifies and catalogs all current documents and activities in the facility that have, or may have, regulatory relevance. For example:
- Records of communication with regulatory agencies or other relevant authorities;
 - Facility operating permits;
 - Policies, procedures, instructions, posted notices, etc.;
 - Emission and discharge monitoring systems;
 - Sensors, alarms, and other detection devices;
 - Effluent treatment equipment and plants;
 - Filters, scrubbers, and other equipment to control emissions;
 - Equipment, devices, and other controls for preventing or limiting the impact of releases, spills, etc.;
 - Special containers, labeling schemes, containment arrangements, etc., for control of specific substances;
 - Inventories and logs of stock levels and use of specific substances, emissions and discharges, and other such data and records.
- 2.3 For each document, record, or activity, the Environmental Representative investigates whether there is a regulatory relevance, and if so, which specific laws, regulations, or other requirements are involved.
- 2.4 For each relevant law, regulation, or other requirement, the Environmental Representative ensures that copies of the regulations are available, or can be easily accessed (for example, on the internet or through an attorney or consultant).

3. PHASE 2: Preliminary Research

- 3.1 The second phase of the project consists of collecting data about discharges, emissions, wastes, materials, products, and activities that may have regulatory relevance. The purpose of this phase is to identify the types of substances and activities involved and their quantity and scope, to determine whether certain regulatory thresholds are met. Another purpose of this phase is to start the process of associating specific substances and activities with specific regulations, and to assess the scope and complexity of applicable regulations.
- 3.2 This phase is carried out using the “Legal and Other Requirements – Preliminary Research Survey” included in Section V of this procedure.
- 3.3 When there is no sufficient data or knowledge to answer a question from the Preliminary Research Survey, the Environmental Representative researches the issue,





or the pertinent regulations, to answer the question completely and with full confidence. This may require review of purchasing and/or production records, inventorying of materials and products, carrying out chemical and other analysis, setting up monitoring programs, and conducting other such investigations and inspections. This may also require preliminary review of pertinent laws and regulations, and especially their scope of application, definitions, and exclusions.

4. PHASE 3: Management Review

- 4.1 The third phase of the project is a review of the results from the first two phases. The purpose of this phase is to render a decision whether the process can be completed with in-house expertise and resources, or whether external expertise is required. The top management is responsible for making this decision.
- 4.2 Upon completing the initial identification of current compliance programs and the preliminary research, the Environmental Representative meets with the top management to present the preliminary results and to discuss the status of the project.
- 4.3 The following questions should be raised at the meeting:
- Are there any compliance-related activities (programs) that could not be associated with specific permits, regulations or other requirements?
 - Are there sufficient data and information about the facility's operations to answer all questions from the Preliminary Research Survey (Section V)? Is the information readily available? Is it now compiled, assembled, or otherwise documented?
 - Is there sufficient information and knowledge of environmental laws and regulations to answer all questions from the Preliminary Research Survey (Section V)? Is the information readily available? Are copies of relevant laws and regulations available? Are regulations understandable?
 - Have all relevant regulatory agencies and other bodies on federal, state, and local levels been identified? Have any of these agencies been contacted? Is it easy to get through and get answers?
 - At this point, is there any reason to believe that the facility does not comply with any applicable laws or regulations?
- 4.4 The meeting concludes with a plan on how the project of identifying legal, regulatory, and other requirements should be completed, and what personnel, resources, and expertise will be required.

5. PHASE 4: Identification of Legal and Regulatory Requirements

- 5.1 The fourth phase is completion of the project and documenting its results. Depending on the top management decision, this phase is carried out by the Environmental Representative, the corporate counsel, an environmental attorney or consultant, or a team of internal and external experts. The objective of this phase is to identify all applicable laws, regulations and other requirements; to establish a complete library of





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relevant laws, regulations, and standards (or ensure access to these documents); and to document results in a matrix that will help in managing compliance programs and in evaluation of compliance status (refer to Procedure EOP-51-02, Legal and Regulatory Compliance).

- 5.2 All applicable laws, regulations and other requirements are listed in the Regulatory Requirements Matrix (a form for the matrix is included at the end of this procedure). The matrix includes the following information:

Law/Regulation: Identification of the law, regulation, or other requirement that applies to the facility; and location where a copy of the regulation is available. This should be as specific as possible, including identification of particular clauses, paragraphs, sections, etc. The location may be, for example, the document library, the Environmental Representative's office, corporate counsel, an internet site (specific site address), and so forth.

Regulator: Identification of the agency, regulatory body or other authority that administrates the regulation, and the level of this authority (federal, state or local). In some cases there may be several bodies and more than one level of authority.

Requirements: Listing of the main requirements in a regulation that must be complied with. For example, need for operational permits, reporting, record keeping, inspections, labeling, training, maximum concentrations or quantities of specific substances, etc. This should be for quick verification that corresponding compliance programs address all relevant requirements.

Activity/Product: Activities and/or products affected by the regulation. This should be as specific as possible, naming the affected processes, equipment, products, substances, emission and discharge points, etc. There often will be more than one activity/product type affected by certain regulations.

- 5.3 The Regulatory Requirements Matrix is established and maintained by the Environmental Representative.

6. PHASE 5: New and Modified Activities, Products, and Services

- 6.1 Changes to, and development of new, activities, products, or services may change the facility's legal and regulatory obligations. Examples of such changes include:
- Modification of product design and development of new products;
 - Changes in processes and technology, and introduction of new processes;
 - Increase, reduction, or modification of point sources of emissions and discharges;
 - Changes in the inventory of chemicals and other regulated substances;
 - Changes of drainage pattern of the site and introduction of new activities in drainage areas;
 - Significant expansion or reduction of capacity;



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- Plant addition or relocation;
- Temporary projects, such as construction, installation of new lines or equipment, and so forth.

Edit this list to reflect the actual types of activities and products that are relevant in your company.

- 6.2 On ongoing basis, the top management and departmental managers are responsible for identifying changes in activities, products, and services that may change the facility's legal and regulatory obligations, and to communicate the changes to the Environmental Representative.
- 6.3 Relevant changes may be also identified by the EMS Management Review or by internal or external audits of the EMS.
- 6.4 The Environmental Representative reviews the reported changes and determines their legal and regulatory impact. When the change triggers new regulatory requirements, or requires modification of current compliance programs, the Regulatory Requirements Matrix is updated accordingly.
- 6.5 For significant changes — such as installation of major new equipment, expansion of the facility, or construction of new buildings or treatment systems — environmental attorneys or consultants may be called to identify applicable laws and regulations. The process is similar to that for the initial identification: The Environmental Representative conducts preliminary research and the top management decides what resources and expertise are required to complete the project (refer to Section 3 and 4 of this procedure).

7. PHASE 6: Review of Regulatory Changes and Developments

- 7.1 On an ongoing basis, the Environmental Representative tracks legislative and regulatory developments applicable to the industry and area where the facility is located. The information is acquired from such sources as the internet; environmental and industry magazines and other publications; contacts with industry groups, regulators, and community representatives; input from attorneys, consultants, and other experts; communication with interested parties; and participation in external training, conferences, and seminars.
- 7.2 The Environmental Representative responds to applicable changes by updating the Regulatory Requirements Matrix and implementing, or modifying, relevant compliance programs.
- 7.3 When required, environmental attorneys or consultants are called to assist with the interpretation of new laws and regulations.





V LEGAL AND OTHER ENVIRONMENTAL REQUIREMENTS – PRELIMINARY RESEARCH SURVEY

This survey does not cover laws and regulation pertaining to special facilities, such as treatment, storage, or disposal facilities; chemical plants; mines; large heavy industrial establishments; federal facilities; agricultural establishments; facilities located in costal zones, wetlands, endangered species habitats, etc.; and other facilities which, because of their character, location, or size, may be subject to special regulatory requirements. The checklist is intended for service and light manufacturing facilities located in developed areas with compatible land uses.

This survey does not identify any specific laws or regulations being addressed, and does not provide any definitions of terms used. This is intentional, to force the user to identify and research the corresponding laws and regulations on all levels (federal, state, and local). The purpose of the survey is to highlight issues and direct the research rather than provide answers whether a particular regulation applies or not.

This is consistent with the phase of the identification process for which the survey is to be used. It is a trial run to evaluate complexity of the issues, scope of the required information, accessibility of the regulations, and the degree of difficulty in interpreting these regulations. Conducting the survey should provide the experience necessary to determine whether in-house resources and expertise are sufficient to fully identify all laws, regulations, and other requirements that apply to the facility.

1. Air

- 1.1 Are there currently any air emissions permits? Which sources are covered by the permits? What are the conditions of the permits?
- 1.2 What point sources (discharge stacks) of air emissions are there in the facility? What is being emitted ? Criteria Pollutants? Toxic Pollutants? Hazardous Air Pollutants? VOCs? How much? Chemical composition?
- 1.3 What fugitive sources (fuel or solvent dispensing stations, paint booths, etc.) of air emissions are there in the facility? What is being emitted ? How much? Chemical composition?
- 1.4
- 1.5
- 1.6
- 1.7
- 1.8

The remainder of this survey (11 sections listed below) is not included in the DEMO version of the software. Following sections are missing:





LEGAL AND OTHER REQUIREMENTS

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2. Surface Water
3. Groundwater
4. Drinking Water
5. Hazardous Waste
6. Contamination Remediation (CERCLA or Superfund)
7. Underground Storage Tanks
8. Above-ground Storage Tanks
9. Emergency Planning and Community Right to Know (EPCRA)
10. Toxic Substances
11. Specific Substances

VI ASSOCIATED DOCUMENTS

- Regulatory Requirements Matrix — QF-32-01-1
- Legal and Regulatory Compliance — Oper. Proc. EOP-51-02
- EMS Management Review — Oper. Proc. EOP-60-01

