

**U.S. Environmental Protection Agency
ENVIRONMENTAL SCIENCE CENTER, FORT MEADE, MARYLAND**

**Environmental Management System ESC EP02.03
Procedure for:**

Determination of Legal and Other Requirements

Effective Date: February 23, 2007

Issued by:

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EMS Co-coordinators

Review Date:	EP02.03
By:	
Changes:	

1 Purpose

This procedure has been developed to ensure that the EMS incorporates compliance with regulatory and other requirements. Environmental Science Center (ESC) personnel shall identify and/or apply these legal requirements through experience, knowledge and/or formal training. Local regulatory requirements as well as Federal Executive Orders will be incorporated into the EMS. Employees shall have access to the legal and other requirements that are applicable to the significant environmental aspects of their tasks or assignments.

2 Scope

This procedure covers the means by which the ESC will identify and determine the legal requirements that are related to and how they apply to its environmental aspects. This procedure will also determine the means by which employees will be kept informed of new regulations and or/subsequent revisions to those regulations. All aspects shall be reviewed to identify applicable laws and these shall be included in "Legal and Other Requirements" master list sorted by aspect. Any additional aspects identified after the initial batch shall be reviewed at that time for applicable legal requirements. This information shall be added by the EMS Coordinator as necessary.

3 Procedures

a) Specific Procedure

- Environmental legal requirements from Federal, State, Local Government and Federal Executive Orders are determined using the knowledge of the Safety Health and Environmental Management (SHEM) Manager and the EMS team as well as various publications and EPA Headquarters' personnel.
- The list of state and federal regulations for each aspect shall be kept on file in the office of the SHEM Manager. The EMS Coordinator will also keep a copy of the list on the J:\EMS -Environmental Management Systems\Legal and Other Requirements.
- Included with each legal requirement in the "Legal and Other Requirements" master list is a notation as to how it applies to the environmental aspects. The EMS Team and SHEM Manager will make these determinations based on their knowledge of the regulations and the EMS.
- The SHEM Manager is responsible for notifying organizational management and staff that existing legal or regulatory requirements have changed, or new regulations are forthcoming, that will affect the existing EMS or environmental compliance procedures. The SHEM Manager utilizes e-mail messages and facility meetings (EMS Team meetings, ESC Board meetings, Safety Committee meetings, Waste Committee meetings, etc.) and the subsequent meeting minutes to communicate to organizational management and staff the legal or regulatory

requirement changes. If the changes require that existing procedures be amended, or new procedures be created, the SHEM Manager will communicate the new procedures using the aforementioned mechanisms, or will conduct additional training sessions as needed.

- Local requirements shall be identified through locally mandated permits and correspondence or meetings with local regulatory contacts. Local permits may dictate to the federal and state requirements.
- The legal requirements and the ESC's list of aspects will be reviewed at least annually by the SHEM manager and the EMS Team to ensure agreement with new laws. The EMS Coordinator will document the review, each year, in the Legal Review Tracking Form found on J:\EMS -Environmental Management Systems\Legal and Other Requirements\Current Legal and Other Requirements directory. (see Attachment 1)
- As new aspects are identified, the EMS Team shall consult with the SHEM Manager so that the following legal review can be performed:
 - Ensure proper research to determine if any laws apply to the new aspect. All other applicable requirements including those generated by contract, our clients, or the ESC shall be considered and added as appropriate to the EMP.
 - The EMS Team will be kept up to date on any revisions or changes to legal requirements by the SHEM Manager so they can be incorporated into environmental management programs as revised targets and objectives.

b) The following compliance evaluations are performed at the ESC facility:

- Annual evaluation of compliance as part of the internal safety, health, and environmental internal annual audit performed by ESC SHEM.
- Tri-annual evaluation of compliance performed by SHEMD EPA Headquarters.
- Random evaluation of compliance performed by Dept. of Defense.

c) Responsibilities

The responsibility for ensuring that legal and other requirements are identified and made available to ESC employees rests with the EMS Coordinator and the SHEM Manager as described above. The SHEM Manager will keep the EMS Team informed of any new or changing regulatory requirements that may have an impact on our significant environmental aspects and project plans. The EMS coordinator will remind the SHEM Manager as time for the annual review approaches each year.

The list of legal requirements pertaining to applicable significant aspects and the regulatory summary shall be kept up-to-date by the EMS Coordinator and SHEM Manager, and will be accessible to all on the LAN as described above. Hard copies of the legal requirements shall also be kept on file at the SHEM Manager's office at the ESC and will be made available to all employees.

Attachment 1: **Environmental Science Center EMS “Legal and Other Requirements” Update and Review Documentation**

Date of Review	Reviewer	Changes/Additions	Actions Needed?