



# United States Department of the Interior

NATIONAL PARK SERVICE  
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Washington, D.C. 20240

## **DIRECTOR'S ORDER #13A: ENVIRONMENTAL MANAGEMENT SYSTEMS**

Approved: Mary A. Bomak  
Effective Date: JAN - 1 2009

**Duration:** This order will remain in effect until amended or rescinded

This Director's Order, together with accompanying Reference Manual (RM) 13A, provides guidance for implementing Environmental Management Systems at the facility and organizational levels Servicewide. This Order supersedes the May 4, 2004, edition and any other conflicting National Park Service guidance that may have been issued previously.

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### **I. BACKGROUND**

The NPS functions in a complex global environment unforeseen by the framers of the 1916 NPS Organic Act. NPS managers today must demonstrate an awareness and understanding of the interdependency of the ecosystems, resources, biodiversity, and aspects of human culture entrusted to our stewardship in order to better preserve, conserve, and protect them for future generations. NPS stewardship requires that we employ the most effective concepts, techniques, equipment, and technology to prevent, avoid, or mitigate impacts that would compromise the

integrity of park resources. Responsible stewardship requires that park managers demonstrate environmental leadership by implementing sustainable practices in all aspects of management, and the active communication of these practices—along with the reasoning behind them—to park employees, contractors, visitors, partners, and other stakeholders. One of the most effective tools we have for meeting our stewardship responsibilities is the application of Environmental Management Systems.

**What is an Environmental Management System?** An Environmental Management System (EMS) is a tool that helps an organization or facility achieve its environmental compliance obligations and broaden its environmental performance goals by properly managing its operations and activities. It is not a stand-alone environmental program or a data management program, but links existing and new organizational responsibilities, programs, and activities. The EMS model of “Plan, Do, Check, Act,” reflects accepted quality management principles and provides rigor to existing operations and programs to further ensure continual improvement, as found in the ISO 14001:2004(E) standard<sup>1</sup>. The true benefit of the EMS model is that it ensures existing or new programs closely link an organization's environmental and energy footprint with legal and other requirements. Activities include planning, training, monitoring and measuring, and reporting. In addition, senior management plays an active role in evaluating status and progress and making decisions towards continual improvement. An EMS does not guarantee environmental compliance, but it provides the framework and tools to achieve and sustain compliance, thereby reducing liability.

## **II. PURPOSE**

The purpose of this Order is to provide the foundation for implementing a Servicewide EMS approach to guide environmental decision-making and actions at all levels. Also, this Order is necessary to bring the NPS into compliance with the requirements of (1) [Executive Order \(EO\) 13423](#) (Strengthening Federal Environmental, Energy, and Transportation Management) January 24, 2007; (2) the Council on Environmental Quality's [Instructions for Implementing Executive Order 13423](#), March 2007; and (3) Part 515, Chapter 4 of the Department of the Interior Manual ([515 DM 4](#)). This Order recognizes and supports actions that have already taken place in parks and Regional Offices, and which have furthered the development and implementation of EMSs. It builds on these successful efforts so that the NPS will have a more systematic and consistent approach to this issue. The Order is supplemented by Reference Manual 13A and other related materials which provide additional guidance on procedures and requirements.

## **III. AUTHORITY and RELATED GUIDANCE**

Authority to issue this Order is contained in the NPS Organic Act (16 U.S.C. 1 - 4) and in delegations of authority found in Part 245 of the Department of the Interior Manual. Other specific authorities pertaining to this Order include 515 DM 4; the Department of the Interior Strategic Greening Plan of 2000; and the statutes, Executive Orders, NPS policies, and Level 3 guidance documents listed in section IX of this Order. This Order is intended only to improve the internal management of the NPS and it is not intended to, and does not, create any right or

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<sup>1</sup> The ISO 14001 series is the world's most recognized EMS, developed by the International Organization for Standardization. For additional information, visit <http://www.iso.org/iso/home.htm>.

benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

#### IV. DEFINITIONS

**Appropriate Facility:** Any building, installation, structure, land, or other property owned or operated by, or constructed or manufactured and leased to the Federal Government where the Federal Government is accountable for compliance under environmental regulation (e.g., permits, reports/records and/or planning requirements), and where activities are conducted that can have a significant impact on the environment, either directly or indirectly, individually or cumulatively. Variables such as number of park visitors, park size, and number of employees can be considered by the Region when determining whether a park is an appropriate facility.

**Appropriate Organization:** An organization that is subject to compliance with environmental regulation or that conducts activities that can have a significant impact on the environment, either directly or indirectly, individually or cumulatively, due to the operations of the organization's mission, processes, or functions. All Regional Offices and the Headquarters Office are considered to be appropriate organizations.

**Best Management Practices (BMP):** Practices that apply the most current means and technologies available to not only comply with mandatory environmental regulations, but to also maintain a superior level of environmental performance. (Concessioners must refer to the Best Management Practices definition contained in their concession contract.)

**Environmental Leadership:** Integrating environmental accountability into day-to-day decision-making and long-term planning processes. Advocating on a personal and organizational level BMPs and the principles of sustainability, and making decisions that demonstrate a commitment to those practices and principles.

**Environmental Commitment Statement:** A statement of a particular facility's commitment to the environment, including the commitment to compliance and incorporation of best management practices. The environmental commitment statement provides the framework for continuous improvement through the setting of goals, objectives, and targets and the actions necessary to achieve the desired performance improvements.

#### V. APPLICABILITY

The principles, policies, and procedures contained in this Order are applicable Servicewide, with the ultimate goal of having an EMS at each appropriate facility and organization. Consistent with the intent of EO 13423 and Departmental guidance, the NPS recognizes four basic levels within the NPS that will be required to develop and implement an EMS:

**A. Headquarters:** Headquarters will develop and maintain an organizational EMS that is consistent with this Order and the Servicewide approach and which encompasses Servicewide activities, practices, procedures and goals.

**B. Regional Office:** Each Regional Office will develop and maintain an organizational-level EMS that is consistent with this Order and the Servicewide approach, and that encompasses its specific regional practices and procedures; incorporating goals, objectives, and targets to support the Servicewide goals developed by Headquarters.

**C. Park:** Each park will be incorporated into the scope of its respective Regional Office's organizational EMS. The Region will make a determination to whether a park is an appropriate facility. If a park is determined not to be an appropriate facility, the park will be expected to conform to the requirements of its respective Region's organizational EMS. If a park is determined to be an appropriate facility, the park will be required to develop its own facility-level EMS that is consistent with the Servicewide approach and that encompasses its specific facility-level practices and procedures, incorporating goals, objectives and targets to support goals developed by its Region. In addition, each park or grouping of parks which are appropriate facilities under the same Superintendent; or grouping of parks which are appropriate facilities in the same geographical area who elect to combine resources; may develop and maintain an EMS that is consistent with this Order and the Servicewide approach, and that reflects park or grouping of park-specific practices and procedures.

**D. Concessioners:** All concessioners operating under a Category I or II Concession Contract are required under Section 6(b) of Standard Concession Contract language to develop and implement an EMS. The NPS Commercial Services Program will apply the standards in this Order to applicable concession operations and facilities. The Standard Concession Contract requirements were published in the *Federal Register* on May 4, 2000 (65 FR 26051-26086). Parks and concessioners must work together and seek coordination and consistency to minimize impacts on NPS resources.

## VI. POLICIES

The NPS will use EMSs to manage and improve environmental performance, including compliance with rules and regulations, sustainable practices, and incorporating the goals identified in [EO 13423, Section II](#). Each NPS EMS will be consistent with the Code of Environmental Management Principles (CEMP) for Federal Agencies developed by the EPA ([61 FR 54062](#)) or another appropriate environmental management system framework (such as that described by ISO 14001).

To achieve environmental leadership through EMS, the NPS adopts the following policies:

**A. Compliance with all applicable laws:** The NPS will comply with all applicable laws covering protection of the environment, public health, and safety.

**B. Demonstrating environmental leadership:** The NPS will develop and adopt an EMS at Headquarters and each appropriate facility and organization as a basis for achieving environmental leadership. The NPS will demonstrate environmental leadership by:

- Implementing sustainable and environmentally sound operational management and practices consistent with the goals described in EO 13423.

- Working with park employees, visitors, contractors, partners, and other stakeholders such as suppliers, and vendors to define and achieve environmental leadership and environmental management goals, targets, and objectives.
- Striving for continual environmental improvement in those areas identified within an EMS.

**C. Consistency and Flexibility:** The NPS will implement a consistent EMS approach throughout the NPS organizational structure, based on a [model](#) that will serve as the standard for EMS activities. However, the NPS will allow for flexibility in implementing this approach by:

- Recognizing the wide variations in the facilities managed, and the need for site-specific management of the affected environmental resources.
- Allowing appropriate facilities and organizations to make adjustments to the NPS EMS [model](#) to take into account site-specific operations and environmental conditions.
- Allowing appropriate facilities and organizations to implement a nationally recognized EMS model if the model and its implementation are consistent with the intent of this Order. (Specific minimum requirements must be incorporated into any EMS to ensure it will return the expected and desired benefits. These minimum requirements are detailed in Section VII, Requirements and Instructions. Parks contemplating an alternative EMS model must submit their intended approach to the Team Leader, Environmental Management Program, for review.)
- Allowing regions to establish criteria for determining whether a park within their regional boundaries is considered to be an “appropriate facility.”

**D. Building Capacity for Successful Environmental Management Systems:** The NPS will build capacity for successful EMSs through:

- Senior level managers explicitly and actively endorsing strategies to support environmental leadership programs, policies, and procedures.
- Placing high priority on obtaining funding and resources needed to implement recommendations from environmental management system audits.
- Incorporating EMS performance measures in facility audit protocols.
- Providing EMS training to NPS employees, volunteers, and contractors so they will acquire a comprehensive understanding of their role regarding this Order. Facilities can use training materials, as well as the Model EMS, in outreach and awareness initiatives with employees, volunteers, and contractors. Other internal NPS environmental training programs and communication initiatives (e.g., hazardous materials management, pollution prevention, and greening) should acknowledge the Model EMS and the role of the Servicewide EMS program.
- Monitoring, measuring and tracking environmental compliance and overall environmental performance through the use of environmental audits at all parks. Audits will ensure compliance with EMS requirements, environmental compliance, recommend and emphasize best management practices, and educate employees at all levels about their environmental management responsibilities. Substandard conditions found by an audit will

be corrected in an expedited manner. Audit results will be used as one means to improve EMS effectiveness.

- Concessioner operations (i.e., facilities and services) are also subject to environmental audits to ensure compliance; minimize environmental liability; promote awareness regarding environmental management; and identify opportunities to incorporate best management practices.

## **VII. REQUIREMENTS and INSTRUCTIONS**

This section details the minimum requirements that must be included in an EMS, based on the policies contained in section VI, above. The specific content of each individual requirement must be tailored, however, to reflect the conditions at each appropriate facility and organization. More information on the EMS elements, including the variances between a facility-level and organizational-level EMS, can be found in [RM 13A](#)

### **A. Environmental Commitment Statement**

- Each appropriate facility and organization will develop and document an environmental commitment statement affirming the intent to strive for exemplary environmental management.
- The environmental commitment statement should be specific to the facility and/or organization that is undertaking an EMS as well as incorporate appropriate broader regional and Servicewide objectives, as available.

### **A. Facility Interactions and Environmental Impacts**

- Each appropriate facility will establish, implement, and document a procedure which identifies how its activities, products and services interact with and impact the environment.
- Each appropriate facility will establish, implement, and document a procedure which identifies its applicable legal and other requirements.
- Selected interactions and their significant environmental impacts, as well as legal and other requirements, will establish the basis for developing operational controls, monitoring, and setting specific environmental objectives, and targets.
- The EMS approach will be used to move the NPS beyond compliance and to encourage environmental leadership in all aspects of a facility's environmental interactions, including impacts on climate change.

### **B. Goals, Objectives, and Targets**

- Each appropriate facility and organization will establish, implement and document procedures to identify specific goals, objectives, and targets based on and relating to significant environmental impacts and the goals identified in EO 13423, Section II will be developed, documented, and then implemented.
- Identified goals, objectives, and targets will be quantified, and a timeframe proposed for their achievement.

- Assessment of the timely achievement of goals, objectives, and targets will be used by NPS leadership during management review.
- Continual improvement includes a requirement for an annual or more frequent review of the relevance and achievement of documented goals, objectives, and targets. After these reviews, additional goals, objectives, and targets will be chosen and documented as applicable.
- New goals, objectives, and targets can be added at any time. New goals, objectives, and targets will always be set when previous goals, objectives, and targets have been accomplished or are otherwise determined to no longer be relevant.

### **C. Roles, Responsibilities, and Accountability**

- Each appropriate facility and organization will assign roles and responsibilities to employees, volunteers, and contractors that allow for the goals, objectives, and targets to be achieved. Identified responsible parties must be responsible for the environmental performance of the identified activity.
- Personnel, budget, and organizational considerations, among others, will be included in assigning roles and responsibilities in order for the EMS to function effectively.
- Each appropriate facility and organization should engage appropriate stakeholders, including concessioners, in identifying goals, objectives, and targets. The Contracting Officer and NPS Commercial Services Program Chief will ensure that contract documents and evaluation criteria and standards identify and incorporate legal and other requirements as well as appropriate park EMS goals, targets, and objectives.
- Personnel with responsibilities identified above will have performance evaluation elements added to their position descriptions and/or annual performance plans and will have their performance in carrying out such responsibilities assessed as part of the annual review of their job performance.

### **D. Document Control, Recordkeeping and Reporting**

- EMS-related documents and records will be used to demonstrate compliance with applicable laws and standard operating procedures, and adoption of applicable best management practices in operational and management activities, including emergency response.
- Each appropriate facility and organization will develop records management procedures that will demonstrate that it has carried out all the elements necessary for implementation of the chosen form of the EMS.

More information on required record keeping and document control may be found in Director's Order #19 and in [RM 13A](#).

### **E. Communication**

- Internal Communication - The NPS will work to make sure employees and supervisors stay involved with environmental management, understand the environmental commitment

statement, and provide a consistent message about the facility's commitment to environmental performance and leadership.

- Each appropriate facility will develop and document a system to provide for communication of all information necessary to implement the EMS to employees, volunteers, and contractors.
- The communication system will consider facility interactions and their environmental impacts that are the current focus of the EMS.
- The communication system will recognize parks' unique relationship to partners, including concessioners, commercial use authorization holders, lessees, special use permittees, cooperating associations, and volunteers, by both seeking their input to, and informing them of, EMS issues and developments.
- External Communication - The NPS will work with communities, the public, and other external stakeholders to seek, develop, and share outstanding environmental accomplishments through appropriate media such as wayside exhibits, brochures, and educational materials.
- To go beyond merely informing those who can contribute to a successful EMS, additional public participation and involvement guidance can be found in Director's Order 75A: Public Participation and Involvement.

#### **F. Training**

- Training on environmental leadership issues will acknowledge the critical role established for the Servicewide EMS process, including the Model EMS.
- Each appropriate facility and organization will establish, develop and implement documented procedures based on significant impacts to ensure that training requirements for individual competence and responsibility are identified, and all individuals who have a role or responsibility within the EMS understand, and are competent to carry out, their role or responsibility.
- All environmentally-related training requirements must be identified, documented, and training requirements must be monitored, revised and refresher training provided, as appropriate, to maintain competence.

#### **G. Operational Control and Monitoring**

- Each appropriate facility and organization will establish, develop, and implement procedures to monitor and measure, on an annual basis or more frequently, whether or not the EMS is achieving its stated goals, objectives, and targets, including the goals identified in EO 13423, Section II. As referenced in VI.A, compliance with applicable laws is required.
- Each appropriate facility will establish, develop, and implement procedures to ensure that each facility has identified operations and activities associated with selected facility interactions and their significant interactions and planned these activities in a manner that minimizes their environmental effects. The conditions under which these activities are conducted in order to minimize environmental effects will be captured in documents such

as a standard of procedure (or work instruction), plan, checklist/site inspection, or engineering controls. Operational controls will be reviewed on an annual or more frequent basis, and updated as appropriate.

- Each appropriate facility will develop operational controls relating to significant aspects and interactions of activities performed by contractors at the facility. These requirements and resulting operational controls will be communicated to contractors through contract language and training, as necessary.
- Each appropriate facility will develop and implement procedures to monitor concessioner environmental performance, and to review and accept concessioner EMS on an annual or more frequent basis.

**H. Evaluation and Corrective Action:** Procedures will be established, developed and implemented to--

- Evaluate the EMS to ensure that it has been developed and implemented, and that it conforms with NPS EMS protocol. The EMS should be evaluated at least once every three years by a qualified auditor outside the control or scope of the EMS.
- Ensure the periodic evaluation of compliance with legal and other requirements. The result of these evaluations will be documented.
- Provide for corrective action to remedy those elements of the EMS that have failed to achieve established goals, objectives, and targets.

**I. Management Review:** Management review requires the documented review on an annual or more frequent basis of the direction and intent of an EMS, including progress in achieving goals, objectives and targets, and to determine whether it is achieving the intent of the environmental commitment statement. Each appropriate facility and organization will develop procedures to provide for corrective actions to be taken if the intent of the environmental commitment statement is not being achieved.

## **VIII. RESPONSIBILITIES and ROLES**

Each employee of the NPS is responsible for doing their part to implement this Order. Further, all contractors and partners (including concessioners and volunteers) have a responsibility to implement the principles of environmental leadership and support the goals, targets, and objectives established by the facility EMS. Employees who make decisions that have an impact on facility resources, fiscal assets, contractual relationships, or visitor services are accountable for taking all steps available to incorporate environmental leadership and EMS principles.

Additional responsibilities are identified below.

### **A. NPS Director**

1. Sets NPS EMS policies and goals and the goals identified in EO 13423, Section II and establishes a system of accountability for implementing those policies and accomplishing the goals.

2. Carries out EMS responsibilities as delegated by the Secretary of the Interior.
3. Designates the Authorized Official to represent the NPS EMS Program.
4. Designates the persons within different operational areas of NPS responsible for developing, implementing, and maintaining Headquarters' organizational EMS.

**B. NPS Associate Director, Park Planning, Facilities, and Lands**

1. Develops and manages the EMS Program to implement NPS policies.
2. Serves as the Authorized Official to represent the NPS EMS Program. Re-delegates Authorized Official responsibilities to Regional Directors, as appropriate.

**C. NPS WASO Environmental Management Program Team Leader**

1. Coordinates the development and implementation of the NPS Servicewide Model EMS for parks through Park Planning, Facilities, and Lands, Washington Area Support Office.
2. Coordinates development of all EMS training modules for park management and staff, EMS presentations and informational modules, and is responsible for facilitating all management and staff EMS training.
3. Coordinates the development and operation of the NPS EMS web site and all formal communications related to the Servicewide EMS.

**D. Regional Director**

1. Maintains responsibility for the overall management of EMS activities in the Region.
2. Reports regional EMS progress to the Associate Director, Park Planning, Facilities, and Lands.
3. Designates the persons within different operational areas of NPS responsible for developing, implementing, and maintaining the Region's organizational EMS.

**E. Park Superintendent**

1. Complies with all provisions of this Order.
2. Develops, implements, and supports EMS activities at the park level.
3. Reports park EMS progress to the Regional Director and the Environmental Management Program Team Leader.

**F. NPS Assistant Director, Business Services**

1. Maintains responsibility for the overall management of EMS activities in the NPS Commercial Services Program.
2. Reviews and approves implementation activities carried out by the NPS Commercial Services Program Chief.

## **G. NPS Commercial Services Program Chief**

1. Coordinates the development of appropriate EMS resource materials for distribution to concessioners required to develop and implement EMS.
2. Ensures that contract documents and evaluation criteria and standards identify and incorporate the appropriate park EMS goals, objectives, and targets.
3. Provides oversight and support to concessioners and assists parks, as requested, in reviewing and accepting concessioner EMS.
4. Communicates the importance of concessioner EMS and its benefits to concessioners and parks.
5. Reports concessioner EMS progress to the Assistant Director, Business Services, and others, as appropriate.

## **IX. REFERENCE MATERIALS**

**A. Guidance Documents:** The following is a list of other guidance documents pertaining to the sections above. It is ultimately the responsibility of each manager to be familiar with the information provided in each of these documents. This Order seeks to keep the NPS in compliance with a number of legal authorities, whether in force or amended, enacted, or promulgated in the future. These include Federal, State and local laws, rules, regulations, requirements, policies, and EOs covering protection of the environment and protection of public health and safety. Additional information is available through the Environmental Management Program website at <http://inside.nps.gov/waso/waso.cfm?prg=157&lv=3>.

### **B. Statutes**

- Comprehensive Environmental Response, Compensation and Liability Act ([42 USC 9601 – 9675](#))
- Endangered Species Act of 1973 ([16 USC 1531 – 1544](#))
- Clean Air Act ([42 USC 7401 – 7671q](#))
- Federal Water Pollution Control Act, commonly known as the Clean Water Act ([33 USC 1251 – 1387](#))
- Energy Policy Act of 1992 ([42 USC 13201 – 13556](#))
- Pollution Prevention Act of 1990 ([42 USC 13101 – 13109](#))
- Safe Drinking Water Act ([42 USC 300f – 300j-26](#))
- Toxic Substances Control Act ([15 USC 2601 – 2692](#))
- Marine Mammal Protection Act of 1972 ([16 USC 1361 – 1423h](#))
- Migratory Bird Treaty Act of 1918 ([16 USC 703 – 712](#))
- National Environmental Policy Act of 1969 ([42 USC 4321 – 4370d](#))
- National Park Service Concessions Management Improvement Act of 1998 ([16 USC 5951 – 5966](#))
- National Parks Omnibus Management Act of 1998 ([16 USC 5901 – 5966](#))
- Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, ([42 USC 6901 – 6992k](#))

**C. Executive Orders**

- [Executive Order 13423](#), Strengthening Federal Environmental, Energy, and Transportation Management

**D. NPS Director's Orders (and associated handbooks).**

- [2006 NPS Management Policies](#)
- Director's Order #48A - Concession Management

**E. NPS Level III Guidance Documents**

- NPS Environmental Audit Program Operating Guide, January 2006
- NPS Concession Environmental Audit System Operating Guide
- [NPS Environmental Management System Tool Kit and Guidance Documents](#)

----- *End of Director's Order* -----