

APPENDIX B

Environmental Management System (EMS) Alternative to Pollution Prevention Plan

This appendix describes the application process for the EMS alternative to Pollution Prevention Plan development and the criteria for remaining in the program once the EMS is approved. The application form attached to this Appendix must be completed and filed by **July 1, 2020**.

Eligibility

A facility required to prepare a Pollution Prevention Plan may meet these requirements through the EMS alternative if:

- 1) It has received and maintains ISO 14000 certification or developed and implemented an EMS for the facility that addresses the criteria below;
- 2) The application for the EMS Alternative is completed and returned to the Environmental Assistance Office (EAO);
- 3) The facility allows EAO to conduct an on-site review of its EMS;
- 4) The facility submits an Annual Progress Report on Pollution Prevention (and applicable fees) due March 31 as required for all facilities subject to planning.

Important Definitions

Environmental Management System (EMS) means the organizational structure, responsibilities, practices, processes and resources for implementing and maintaining environmental management. To be considered for this alternative, EAO has determined that pollution prevention, as defined herein, must be explicitly considered in such a system.

Pollution Prevention means the use of processes or practices that reduce or eliminate the use of hazardous substances and the generation of pollutants or wastes at the source. This contrasts with pollution control which relies on end of pipe treatment. Pollution prevention also includes practices that reduce the use of energy, water or other resources through conservation or more efficient use.

Pollution Prevention Criteria That Must Be Addressed in the EMS To Qualify for the EMS Alternative

The facility must certify in the application form that it has established and maintains an EMS which meets the following criteria. These criteria do not by themselves represent an environmental management system. Rather they are key components of an environmental management system, which, if adequately implemented, will be accepted from a facility in lieu of a Pollution Prevention Plan.

EAO defines pollution prevention in these criteria as the reductions of hazardous substances and pollutants at the source, whereas the ISO standard includes control and treatment options in its definition of prevention of pollution. This distinction is critical, since in order to be accepted as an alternative to a Pollution Prevention Plan, a facility's EMS must address pollution prevention as EAO defines it, in policy and implementation.

Criterion 1: Pollution Prevention Policy

The facility adopts and implements policies that establish pollution prevention as the preferred approach to pollution management and ensure that these policies:

- a) provide for recycling or treatment of hazardous wastes (in that order) where pollution prevention is not technically or economically feasible.
- b) are available to the public upon request.
- c) are actively communicated to employees; and
- d) establish a commitment from top management to implement the policies and to review and evaluate the EMS at periodic intervals.

Criterion 2: Continual Improvement

The facility adopts and implements policies and procedures which ensure ongoing identification, evaluation and implementation of pollution prevention opportunities in all decisions having environmental consequences. Evaluation is defined to include both technical and economic evaluation.

Criterion 3: EMS Implementation - Objectives and Targets

The facility establishes and maintains documented pollution prevention objectives and targets. The objectives and targets should be consistent with pollution prevention criteria and include measurable milestones and time frames for implementation. Objectives and targets should include, whenever possible, both:

- a) identification and implementation of opportunities for reducing hazardous substance use and hazardous waste generation; and
- b) identification and adoption of improvements in the environmental management system which will better allow the facility to identify, evaluate, and implement pollution prevention opportunities in the future.

Criterion 4: EMS Implementation - Roles and Responsibilities

The facility's EMS identifies the responsibilities, resources, and time frame necessary to implement objectives and targets.

Criterion 5: EMS Implementation - Employee Training and Involvement

The facility's EMS provides for employee training in pollution prevention concepts and implementation at each relevant function and level and provides for employee involvement in identification and implementation of pollution prevention opportunities.

Note: "Each relevant function and level" refers to employees whose jobs involve products or activities with a potential to impact the environment.

Criterion 6: Monitoring and Measurement - Periodic Assessment

The facility's EMS provides for a periodic assessment of the implementation of the EMS elements addressed by these criteria and makes this assessment available to EAO for review upon request. The assessment must be conducted at least annually, though it may be conducted more frequently.

The periodic assessment may include an assessment of an entire environmental management system, but must at a minimum address the elements described in these criteria. It must determine that each of these elements is continuing to operate.

Submittal of EMS Alternative Application

The application for the EMS Alternative should be submitted on the application form included in this Appendix. Request for the EMS Alternative should be submitted no later than **July 1, 2020**.

EMS Review by EAO and Withdrawal of Approval

If at any time during the review of an application or review of a facility's EMS it is found by EAO that the facility's EMS does not conform to these criteria, EAO will inform the facility and allow 90 days to correct deficiencies (either through modification of the EMS or submission of a Pollution Prevention Plan).

EMS ALTERNATIVE APPLICATION

The applicant for an EMS Alternative to the Pollution Prevention Plan shall submit the following information and mail to the Environmental Assistance Office. Applications for the EMS Alternative are due on **July 1, 2020**.

Facility Name: _____

Facility Address: _____

Facility Contact: _____

Telephone: _____

E-mail Address: _____

Certification Statement

I certify that this facility has an operating Environmental Management System in place that addresses Criteria 1-6 in Appendix B of the State of Vermont Pollution Prevention Planning Guidance. I understand that this facility's EMS is available for on-site review by staff of the Environmental Assistance Office. I also understand that this facility must submit the Annual Progress Report on Pollution Prevention, due every March 31st.

Signature: _____

Print Name: _____

Title: _____

Date: _____