

United States of America DEPARTMENT OF COMMERCE	DEPARTMENT ADMINISTRATIVE ORDER 217-16	
DEPARTMENT ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE 4-5-12	EFFECTIVE DATE 4-3-12
SUBJECT ENERGY AND ENVIRONMENTAL MANAGEMENT		
<p><u>SECTION 1. PURPOSE.</u></p> <p>.01 This Order prescribes policies and responsibilities for implementing the Energy and Environmental Management Program throughout the Department of Commerce (the "Department").</p> <p>.02 This revision is a general rewrite and changes have been made throughout the Order to incorporate the requirements of Public Laws, Executive Orders (EOs), regulations and all applicable energy and environmental statutes. The responsibilities contained in this Order fall under the term sustainability as used in EO 13514. To the extent that the term sustainability encompasses other programs that relate to environmental stewardship that are traditionally managed by other offices, this Order does not supersede existing guidance. Rather, this Order is meant to work in concert with those programs and thus directs that the Department, its Departmental Offices and Operating Units collaborate across all programs related to or affecting sustainability both at the Office of the Secretary level and within the Operating Units such that the Department is a good steward of the environment and a role model for other Federal agencies and the Nation.</p> <p>.03 This Order also provides the Department's Senior Sustainability Officer with the necessary authority to coordinate across Departmental Offices for the overall management of the Department's sustainability program as defined by the Council on Environmental Quality and the Office of Management and Budget and in accordance with EO 13514.</p> <p>.04 This Order changes the title from Federal Energy Management to Energy and Environmental Management.</p> <p><u>SECTION 2. LEGAL AUTHORITIES.</u></p> <p>This Order is issued under the authority of:</p> <p>.01 Executive Order 13514, <i>Federal Leadership in Environmental, Energy, and Economic Performance</i>, requires Federal agencies to develop and implement sustainability strategies which reduce greenhouse gas emissions, conserve energy and water, eliminate waste, use energy efficient building practices, integrate agency planning with local and state planning efforts, and reduce pollution.</p> <p>.02 Executive Order 13423, <i>Strengthening Federal Environmental, Energy, and Transportation Management</i>, requires Federal agencies to improve energy and water efficiency and use environmentally sustainable practices in all operations.</p>		

.03 This Order directs the implementation of the following statutes: Clean Air Act (42 U.S.C. § 7401 *et seq.*); Clean Water Act (33 U.S.C. § 1251 *et seq.*); Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. § 9601 *et seq.*); Energy Independence and Security Act of 2007 (Pub. L. No. 110-140); Energy Policy Act of 2005 (Pub. L. No. 102-486); Emergency Planning and Community Right-to-Know Act (42 U.S.C. § 11001 *et seq.*); Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. § 136 *et seq.*); Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); National Historic Preservation Act (16 U.S.C. § 470 *et seq.*); Pollution Prevention Act (42 U.S.C. § 13101 *et seq.*); Marine Protection, Research and Sanctuaries Act (33 U.S.C. § 1401 *et seq.* and 16 U.S.C. § 1431 *et seq.*); Endangered Species Act (16 U.S.C. § 1531 *et seq.*); Resource Conservation and Recovery Act (42 U.S.C. § 6901 *et seq.*); and Toxic Substances Control Act (15 U.S.C. § 2601 *et seq.*).

SECTION 3. APPLICABILITY.

.01 This Order applies to the Department, all Departmental Offices, and Operating Units. This Order also applies to government-owned contractor operated facilities as well as operations conducted in leased facilities.

.02 Nothing in this Order supersedes existing or future Department Administrative Orders (DAO) or other manuals specifically related to the topics of workplace safety, real property management, personal property management, vehicle fleet management, procurement, or information technology. Rather, this DAO and its authorized manuals shall be used in coordination with those manuals.

SECTION 4. DEFINITIONS.

Definitions are supplied throughout the *Energy and Environmental Management Manual* and other appropriate manuals. In the event of a conflict, the definition listed in the applicable law, regulation, or EOs takes precedence.

SECTION 5. POLICY.

.01 The Department's policy is to comply in a fiscally responsible manner, through this Order, with all Federal, State, and local energy and environmental laws and applicable Presidential EOs; reduce greenhouse gas emissions; promote energy conservation and pollution prevention; promote comprehensive environmental compliance and natural resource conservation programs, and consider environmental impacts in all planning, purchasing, operating, disposition, and budget decisions related to real and personal property and mission-related operations. The Department intends to lead by example and serve as a good steward of the environment.

a. Environmental Compliance. All Departmental Offices and Operating Units shall comply with all applicable Federal, State, and local environmental, energy, and natural, cultural, and historic resource laws and regulations as well as the requirements of EOs and other Commerce policies, regulations, and requirements.

- b. Energy Efficiency and Conservation. All Departmental Offices and Operating Units shall pursue energy awareness campaigns, energy security and reliability through on-site renewable energy generation, and energy conservation programs; in support of greenhouse gas reductions.
- c. Fiscal Responsibility. All Departmental Offices and Operating Units shall comprehensively plan for and request in their annual budget sufficient funding to ensure compliance with all applicable statutory requirements and Federal mandates articulated in the *Energy and Environmental Management Manual*. Within the budget year, energy and environmental requirements shall be evaluated against risk and prioritized accordingly for funding and execution against other mission and operational requirements. Life cycle costs shall be considered as part of the evaluation. When appropriated funds are limited, Operating Units shall aggressively explore opportunities to employ alternative financing and power purchase agreements. All funding for energy and environmental program requirements, both planned amounts and actual obligated amounts, shall be reported via the Department's *Annual Federal Sustainability Funding Request*.
- d. Community Outreach. Departmental Offices and Operating Units are encouraged to promote the participation of their employees in regional and community programs to the extent practicable and consistent with Departmental or Operating Unit missions, such as Earth Day, energy awareness and community cleanup events, to increase awareness, reduce pollution, and protect natural and cultural resources.

.02 The *Energy and Environmental Management Manual* articulates requirements and provides more detailed instructions for specific energy and environmental topics, and other related programs included under the broader umbrella of sustainability, as directed by this Order.

SECTION 6. GOALS AND VISION.

.01 Goals. In implementing Section 6 of this Order, as applicable, Operating Units shall reduce Scope 1 and 2 greenhouse gas emissions 21 percent by fiscal year 2020 (fiscal year 2008 baseline); reduce Scope 3 greenhouse gas emissions by 6 percent by fiscal year 2020 (fiscal year 2008 baseline); reduce energy intensity by 30 percent by fiscal year 2015 (fiscal year 2003 baseline); reduce water intensity by 26 percent by fiscal year 2020 (fiscal year 2007 baseline); and divert at least 50 percent of non-hazardous solid waste by fiscal year 2015.

.02 Vision. The Department's intent is to encourage the on-site generation and direct purchase of renewable energy to meet its utility demands and hereby establishes a long-range vision of obtaining 25 percent of its electricity from renewable sources by the year 2025. All Operating Units with owned or delegated leased facilities shall develop long-range plans to help the Department achieve this vision. Chapter 26, "Renewable Energy" of the *Energy and Environmental Management Manual* articulates other provisions related to this subject.

SECTION 7. RESPONSIBILITIES.

.01 The Assistant Secretary for Administration, on behalf of the Secretary, in accordance with Department Organization Order 10-5, shall serve as the Department's Senior Sustainability Officer for energy and environment and is responsible for the overall management of the Department's energy and environmental programs. The Senior Sustainability Officer is hereby granted the authority to approve and sign into effect the *Energy and Environmental Management Manual*, and any future updates of the *Energy and Environmental Management Manual*. The Senior Sustainability Officer may re-delegate this authority as deemed appropriate.

.02 All Directors within the Office of the Secretary and Heads of Operating Units shall actively endorse and support the efforts of the Senior Sustainability Officer on matters related to sustainability within their areas of responsibility as detailed in the *Energy and Environmental Management Manual*, even if not directly within the Senior Sustainability Officer's immediate chain of command.

a. On behalf of the Secretary, the Director for the Office of Administrative Services, shall develop policy for and oversee the Department's energy and environmental programs; provide technical advice and assistance to Departmental Offices and Operating Units; and assimilate input from the Operating Units and Department Offices to generate and submit Department-wide energy and environmental management reports external to the Department.

1) The Associate Director, Office of Sustainable Energy and Environmental Programs, shall assist the Director for the Office of Administrative Services in carrying out the responsibilities described in Section 7.02(a) for facility energy and environmental programs.

2) The Associate Director, Office of Commerce Services, shall assist the Director for the Office of Administrative Services in carrying out the responsibilities described in Section 7.02(a) for personal property management and disposition, and fleet vehicle energy management.

3) The Associate Director, Office of Real Property Programs, shall assist the Director for the Office of Administrative Services in carrying out the responsibilities described in Section 7.02(a) for real property management.

4) The Associate Director, Office of Space and Building Management, shall assist the Director for the Office of Administrative Services in carrying out the responsibilities described in Section 7.02(a) as the Secretary's facility manager for the Herbert C. Hoover Building.

b. The Chief Information Officer shall develop policy for and oversee the Department's electronic stewardship program; provide technical advice and assistance to Departmental Offices and Operating Units; and assimilate and submit input from the Operating Units and Departmental Offices to the Director for the Office of Administrative Services for Department-wide reports external to the Department, on behalf of the Secretary.

c. The Director of Acquisition Management shall develop policy for and oversee the Department's green procurement program; provide technical advice and assistance to Departmental Offices and Operating Units; and assimilate and submit input from the Operating Units and Departmental Offices to the Director for the Office of Administrative Services for Department-wide reports external to the Department, on behalf of the Secretary.

d. The Director of the Office of Budget shall develop policy and a formal process for the collection and verification, with the assistance of the Office of Administrative Services, of sustainability budget programming and execution amounts for the Office of the Secretary and all Operating Units.

.03 Heads of Operating Units and Departmental Offices, as applicable, shall be responsible for:

a. Implementing all provisions of this DAO as well as the *Energy and Environmental Management Manual* within their respective organizations and throughout all their facilities; and

b. Reporting on the status of implementation; planning, programming, budgeting, and executing projects in furtherance of program goals and in compliance with environmental regulations; and reporting on planned and actual progress toward all energy and environmental requirements and sustainability goals.

SECTION 8. REFERENCES.

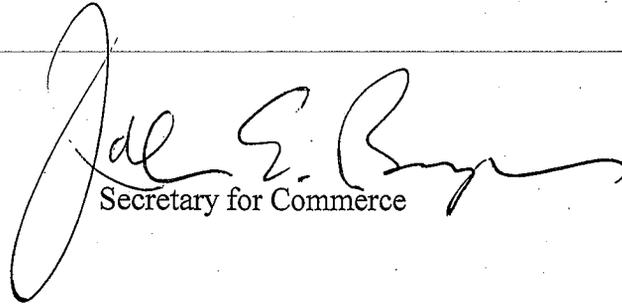
.01 The *Energy and Environmental Management Manual* articulates roles and responsibilities in greater detail. It shall be considered an extension of this Order and carry the same weight and authority afforded to a DAO. Technical publications authorized within the *Energy and Environmental Management Manual* shall provide examples, approaches, and/or templates for the benefit of all Operating Units.

.02 As appropriate, Department Offices and Operating Units are encouraged to provide organization-specific guidance to supplement this Order or the *Energy and Environmental Management Manual*.

.03 Guidance contained in other Department manuals, such as the *Commerce Acquisition Manual*, the *Real Property Management Manual*, and the *Information Technology Management Handbook* may contain information related to energy and environmental programs; therefore this Order encourages coordination between appropriate Departmental and Operating Unit Offices. Since these other manuals derive their authority from separate Orders and laws, any perceived conflicts between this Order and other manuals shall be resolved by following the guidance contained within the other manuals.

SECTION 9. EFFECT ON OTHER ORDERS.

This Order supersedes Department Administrative Order 217-16, dated June 15, 2005.



Secretary for Commerce

Office of Primary Interest:
Office of Administrative Services