

United States of America DEPARTMENT OF COMMERCE	DEPARTMENT ADMINISTRATIVE ORDER <u>217-16</u>	
DEPARTMENT ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE 04-21-16	EFFECTIVE DATE 04-21-16
SUBJECT SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT		
<p><u>SECTION 1. PURPOSE.</u></p> <p>.01 This Order prescribes sustainability and environmental policies and responsibilities for the Department of Commerce (the “Department”).</p> <p>.02 This revision incorporates the policies and requirements of Executive Order (EO) 13693, Planning for Federal Sustainability in the Next Decade, and the associated Council on Environmental Quality (CEQ) implementing instructions. EO 13693 requires Federal agencies to develop and implement sustainability strategies that reduce greenhouse gas emissions, improve energy and water efficiency, reduce waste, use environmentally sustainable practices in all operations, integrate agency planning with local and state planning efforts, and reduce pollution.</p> <p>.03 This revision also: changes the title from Energy and Environmental Management to Sustainability and Environmental Management; retitles Senior Sustainability Officer to Chief Sustainability Officer; reinforces the Secretary’s designation of the Chief Financial Officer and Assistant Secretary for Administration as the Chief Sustainability Officer in accordance with EO 13693 requirements; reinforces the Secretary’s designation of the Director of the Office of Facilities and Environmental Quality as the Department’s Deputy Chief Sustainability Officer; defines new sustainability goals for the Department compliant with EO 13693; and reflects the current office name, Office of Facilities and Environmental Quality.</p> <p>.04 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. Thus it directs that the Department, including 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 so that the Department is a good steward of the environment and a role model for other Federal agencies and the Nation.</p> <p>.05 This Order also provides the Department’s Chief Sustainability Officer with the necessary authority to coordinate across Departmental Offices for the overall management of the Department’s sustainability efforts.</p>		

SECTION 2. APPLICABILITY.

.01 This Order applies to the entire Department, including all Departmental Offices and Operating Units. This Order also applies to Departmental government-owned, contractor-operated facilities and Departmental operations conducted in leased facilities in the United States and its Territories.

.02 Nothing in this Order supersedes an existing or future Department Administrative Order (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 other DAOs and manuals.

SECTION 3. DEFINITIONS.

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

SECTION 4. POLICY.

.01 The Department's policy is to comply, in a fiscally responsible manner, with all applicable Federal, State, and local sustainability, energy and environmental laws, regulations, and EOs. The Department will lead by example and serve as a good steward of the environment through its comprehensive and collaborative sustainability and environmental compliance program, which includes planning, implementation, reporting, and oversight.

a. Sustainability. All Departmental Offices and Operating Units shall pursue life cycle cost-effective sustainability measures to reduce greenhouse gas emissions; increase energy and water efficiency and conservation, on-site clean and renewable energy, energy and security reliability; and maintain high performance sustainable buildings. Sustainability can be pursued through a wide variety of actions, such as awareness campaigns, best management practices, optimal operations and maintenance (e.g., facilities, infrastructure, vehicles, ships, and aircrafts), electronic stewardship, and green procurement.

b. Environmental. All Departmental Offices and Operating Units shall promote comprehensive environmental compliance, pollution prevention, and natural resource conservation, as well as consider environmental impacts in planning, operating, disposition, and budget decisions.

.02 The Energy and Environmental Management Manual articulates additional requirements and instructions as directed by this Order. See Section 7.01.

SECTION 5. VISION AND GOALS.

.01 Vision. It is the Department's vision to establish a culture of sustainability, resource efficiency, and commitment to environmental stewardship as a shared responsibility across the Department's leadership. Leaders must drive organizational change through impactful employee engagement in which every employee is incentivized, empowered, and held accountable for taking actions to affect sustainability performance within their work areas, work products, and personal behaviors; and proactively manage environmental compliance and protect natural resources.

.02 Goals. In furtherance of EO 13693 and CEQ's associated implementing instructions, Operating Units shall support the Department by establishing and implementing a plan that will allow the Department to meet the following sustainability goals:

- a. Reduce Scope 1 and 2 greenhouse gas emissions by 25 percent by fiscal year 2025 relative to a baseline of fiscal year 2008;
- b. Reduce Scope 3 greenhouse gas emissions by 9 percent by fiscal year 2025 relative to a baseline of fiscal year 2008;
- c. Reduce building energy intensity measured in British thermal units per gross square foot by 25 percent by fiscal year 2025 through reductions of 2.5 percent annually through fiscal year 2025 relative to a baseline of fiscal year 2015;
- d. Reduce potable water consumption intensity measured in gallons per gross square foot by 36 percent by fiscal year 2025 through reductions of 2 percent annually through fiscal year 2025 relative to a baseline of fiscal year 2007;
- e. Divert at least 50 percent of non-hazardous solid waste, including food and compostable material but not construction and demolition materials and debris, annually;
- f. Divert at least 50 percent of non-hazardous construction and demolition materials and debris, annually;
- g. Ensure at least 15 percent, by number or total square footage, of the Department's existing buildings above 5,000 gross square feet will, by fiscal year 2025, comply with the revised Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings (Guiding Principles);
- h. Ensure that the percentage of the total amount of building electric energy consumed by the Department that is renewable electric energy is:
 1. not less than 10 percent in fiscal years 2016 and 2017;
 2. not less than 15 percent in fiscal years 2018 and 2019;
 3. not less than 20 percent in fiscal years 2020 and 2021;

4. not less than 25 percent in fiscal years 2022 and 2023; and
 5. not less than 30 percent by fiscal year 2025 and each year thereafter.
- i. Ensure that at a minimum, the following percentage of the total amount of building electric energy and thermal energy shall be clean energy, accounted for by renewable electric energy and alternative energy:
1. not less than 10 percent in fiscal years 2016 and 2017;
 2. not less than 13 percent in fiscal years 2018 and 2019;
 3. not less than 16 percent in fiscal years 2020 and 2021;
 4. not less than 20 percent in fiscal years 2022 and 2023; and
 5. not less than 25 percent by fiscal year 2025 and each year thereafter.
- j. Comply with all other sustainability provisions of EO 13693, such as sustainable acquisition and procurement; electronic stewardship; vehicle fleet management; climate change adaptation; improving stormwater management; and advancing waste prevention and pollution prevention.
- k. Proactively manage environmental compliance and natural resources conservation through implementation of an environmental compliance assessment and reporting system.

SECTION 6. RESPONSIBILITIES.

.01 In accordance with EO 13693, the Secretary of Commerce has designated the position of the Chief Financial Officer and Assistant Secretary for Administration to serve as the Department's Chief Sustainability Officer. The Secretary's designation memorandum identifies duties and responsibilities, and is included as Appendix A and made a part of this Order. The Chief Sustainability Officer is responsible for the overall management of the Department's sustainability efforts and 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.

.02 The Secretary has directed all Directors within the Office of the Secretary and Heads of Operating Units to actively endorse and support the efforts of the Chief Sustainability Officer on matters related to sustainability within their areas of responsibility and as detailed in the Energy and Environmental Management Manual, even if not directly within the Chief Sustainability Officer's immediate chain of command. This Secretarial memorandum identifies OU responsibilities, and is included as Appendix B and made a part of this Order.

a. The Secretary has designated the position of the Director, Office of Facilities and Environmental Quality to serve as the Department's Deputy Chief Sustainability Officer. The Secretary's designation memorandum is included as Appendix A and made a part of this Order. In this capacity the Director, Office of Facilities and Environmental Quality shall develop policy for and oversee the Department's sustainability and environmental efforts; 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 sustainability and environmental management reports.

1. The Associate Director, Office of Sustainable Energy and Environmental Programs, shall assist the Director, Office of Facilities and Environmental Quality in carrying out the responsibilities described in Section 6.02(a) for facility sustainability and environmental program management and oversight.

2. The Associate Director, Office of Real Property Programs, shall assist the Director, Office of Facilities and Environmental Quality in carrying out the responsibilities described in Section 6.02(a) for real property management and oversight, to include real property transactions.

3. The Associate Director, Office of Space and Building Management, shall assist the Director, Office of Facilities and Environmental Quality in carrying out the responsibilities described in Section 6.02(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, Office of Facilities and Environmental Quality for Department-wide reports submitted by the Chief Sustainability Officer.

c. The Director, Office of Acquisition Management shall develop policy for and oversee the Department's green procurement program; provide acquisition advice and assistance to Departmental Offices and Operating Units; and assimilate and submit acquisition input from the Operating Units and Departmental Offices to the Director, Office of Facilities and Environmental Quality for Department-wide reports submitted by the Chief Sustainability Officer.

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

e. The Director, Office of Financial Management shall develop policy for and oversee the Department's sustainable management and disposition of personal property and the vehicle fleet; provide personal property and vehicle fleet advice and assistance to Departmental Offices and Operating Units; and assimilate and submit input from the Operating Units and Departmental Offices to the Director, Office of Facilities and Environmental Quality for Department-wide reports submitted by the Chief Sustainability Officer.

- .03 Heads of Operating Units and Departmental Offices, as applicable, shall be responsible for:
- a. Planning and Implementation. Plan for and implement, within their respective organizations and throughout all their facilities and equipment, all provisions of this DAO, the Energy and Environmental Management Manual, and the responsibilities included in Appendices A and B.
 - b. Reporting. Report on the status of implementation, including planning, programming, budgeting, and executing projects, as well as actual progress toward all sustainability and environmental requirements and goals.
 - 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 legal requirements and mandates, including those detailed in the Energy and Environmental Management Manual. Within the budget year, sustainability and environmental requirements shall be evaluated against risk and other mission and operational requirements and prioritized accordingly for funding and execution. 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 (e.g., energy savings performance contracts, utility energy service contracts, and power purchase agreements).
 - 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 divert waste streams from the landfill, and protect natural resources.

SECTION 7. REFERENCES.

- .01 The Energy and Environmental Management Manual explains 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. See DAO 200-0, "Department of Commerce Handbooks and Manuals." 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 sustainability 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.

.04 Examples of applicable laws related to this Order include the following: 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.); 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 8. EFFECTS ON OTHER ORDERS.

This Order supersedes Department Administrative Order 217-16, dated April 3, 2012.


Secretary for Commerce

Office of Primary Interest:
Office of Facilities and Environmental Quality



UNITED STATES DEPARTMENT OF COMMERCE
The Secretary of Commerce
Washington, D.C. 20230

MEMORANDUM FOR Ellen Herbst
Chief Financial Officer and Assistant Secretary for Administration

FROM: Penny Pritzker
Secretary of Commerce *PSP*

SUBJECT: Designation of the Department of Commerce Chief Sustainability Officer

In accordance with Section 7 of Executive Order (EO) 13693, *Planning for Federal Sustainability in the Next Decade*, dated March 19, 2015, I hereby designate the Chief Financial Officer and Assistant Secretary for Administration as the Department of Commerce Chief Sustainability Officer (CSO). I further designate the Director of the Office of Facilities and Environmental Quality as the Department's Deputy Chief Sustainability Officer.

The CSO's duties and responsibilities include:

- (a) Represent the Department of Commerce on the Federal Sustainability Steering Committee;
- (b) Report annually to the Chair of the Council on Environmental Quality (CEQ) and Director of Office of Management and Budget (OMB) on the Department's progress towards the greenhouse gas emissions goals established in Section 2 of EO 13693 and other related sustainability goals;
- (c) Submit the Department's annual Greenhouse Gas Inventory, Strategic Sustainability Performance Plan, OMB Sustainability Scorecard, and other related sustainability reports to the Director of OMB, the Chair of CEQ, and the Federal Chief Sustainability Officer;
- (d) Prepare and distribute internal performance evaluations that reflect the contribution of Departmental Operating Units against the goals established in EO 13693 and other related sustainability goals;
- (e) Convene quarterly, or more frequent, meetings of Departmental Operating Units that are responsible for the implementation of strategies necessary to meet the goals established in EO 13693 and other related sustainability goals;
- (f) Develop and implement a Department-wide strategic process that coordinates appropriate Department functions and programs to ensure that those functions and programs consider and address the goals established in EO 13693 and other related sustainability goals;

- (g) Ensure that leases and contracts, entered into on or after October 1, 2015, for lessor or contractor operation of Federally-owned facilities or vehicles, facilitate the organization's compliance with EO 13693, such as requiring a contractor or lessor to take actions to facilitate the organization's sustainability goals;
- (h) Ensure Department policies, plans, and strategies implemented to achieve the goals established in EO 13693 consider the role of Department regional facilities and personnel and are integrated into Department permitting and environmental review policies, programs, and planning;
- (i) Implement opportunities to improve Department fleet sustainability, including vehicle acquisitions, waiver authority, and fleet data management practices, by revising Department fleet management review and approval procedures;
- (j) Consider the development of policies to foster workplace electric vehicle charging for Federal employees, where consistent with Department authority and Federal appropriations law;
- (k) Ensure regional Department actions consider sustainability and climate preparedness priorities of state, local, and tribal communities where Department facilities are located;
- (l) Foster outstanding performance and excellence in Department efforts to implement sustainability mandates through opportunities such as Department leadership award programs;
- (m) Continue implementation of formal environmental management systems (EMSs) where those systems have proven effective and deploy new EMSs where appropriate;
- (n) Apply, where feasible and appropriate, the strategies and plans necessary to achieve the goals established in EO 13693 in whole or in part with respect to fueling, operation, and management of tactical or emergency vehicles and to the activities and facilities of the Department that are not located within the United States;
- (o) Represent the Department in any requests to the Chair of CEQ and Director of OMB to amend or normalize a baseline for goals established in EO 13693 due to changes of greater than 5 (five) percent as a result of Departmental space consolidation, a change in mission tempo, or improved data quality; and
- (p) Perform such other duties relating to the implementation of EO 13693 and sustainability efforts as I deem appropriate.

The Deputy CSO's duties shall be as determined by the CSO. This designation remains in effect until revoked or superseded in writing.



UNITED STATES DEPARTMENT OF COMMERCE
The Secretary of Commerce
Washington, D.C. 20230

MEMORANDUM FOR Heads of Operating Units and Directors of Office of the Secretary Staff Offices

FROM: Penny Pritzker 
Secretary of Commerce

SUBJECT: Compliance with Executive Order 13693 and Designation of Operating Unit Chief Sustainability Officers

On March 19, 2015, President Obama signed Executive Order (EO) 13693, *Planning for Federal Sustainability in the Next Decade*. This new EO challenges all Federal agencies to lead by example in energy, environmental, water, fleet, buildings, and acquisition management in order to drive national greenhouse gas reductions and support preparations for the impacts of climate change. I fully support the President's vision and direct our senior leaders to take steps to increase our energy efficiency and improve our environmental performance. Our efforts will reduce our operating costs and make our facilities more resilient and effective.

EO 13693 requires that I designate a Chief Sustainability Officer (CSO) for the Department to lead our efforts. I have designated the position of Chief Financial Officer and Assistant Secretary for Administration, currently Ellen Herbst, to serve as the Commerce CSO. I have further designated the position of Director of the Office of Facilities and Environmental Quality, currently Richard Townsend, as the Department's Deputy CSO. I request your active endorsement and support of the Commerce CSO and our Department's sustainability program. Please consider incorporating a sustainability objective in your organization's strategic plan.

In accordance with this corporate approach, each Operating Unit (OU) shall designate an OU Chief Sustainability Officer, at the Senior Executive Service level, as the OU's point of contact with regard to the OU's compliance with EO 13693 and the responsibilities stated in this Memorandum.

Within 45 days of the date of this memorandum, please identify in writing your OU CSO to the Department's Deputy CSO, Richard Townsend. Within 90 days of the date of this memorandum, please modify your OU CSO's position description to reflect their new CSO duties. A template position description insert is provided as an attachment. Due to its size and geographic diversity, the National Oceanic and Atmospheric Administration (NOAA) is further instructed to designate a Deputy CSO within every Line Office to actively support the NOAA OU CSO.

Each OU is responsible for the following:

- (a) Report annually to Commerce's CSO on the OU's progress towards the greenhouse gas emissions goals established in Section 2 of EO 13693 and other related sustainability goals;

- (b) Submit the OU's input to the Department's annual Greenhouse Gas Inventory, Strategic Sustainability Performance Plan, OMB Sustainability Scorecard, and other related sustainability reports to the Commerce CSO;
- (c) Prepare and distribute internal performance evaluations that reflect the contribution of subordinate units/offices against the goals established in EO 13693 and other related sustainability goals;
- (d) Ensure that leases and contracts, entered into on or after October 1, 2015, for lessor or contractor operation of Federally-owned facilities or vehicles, facilitate the OU's compliance with EO 13693, such as requiring a contractor or lessor to take actions to facilitate the OU's sustainability goals;
- (e) Ensure that the OU's policies, plans, and strategies implemented to achieve the goals established in EO 13693 consider the role of regional facilities and personnel and are integrated into permitting and environmental review policies, programs, and planning;
- (f) Implement opportunities to improve the OU's fleet sustainability, including vehicle acquisitions, waiver authority, and fleet data management practices, by revising OU fleet management review and approval procedures;
- (g) Consider the development of policies to foster electric vehicle workplace charging for the OU's employees, where consistent with OU authority and Federal appropriations law;
- (h) Ensure regional OU actions consider and are consistent with sustainability and climate preparedness priorities of state, local, and tribal communities where OU facilities are located;
- (i) Foster outstanding performance and excellence in the OU's efforts to implement sustainability mandates through opportunities such as leadership award programs;
- (j) Continue implementation of formal environmental management systems (EMSs) where those systems have proven effective and deploy new EMSs where appropriate;
- (k) Apply, where feasible and appropriate, the strategies and plans necessary to achieve the goals established in EO 13693 in whole or in part with respect to fueling, operation, and management of tactical or emergency vehicles and to the activities and facilities of the OU that are not located within the United States;
- (l) Perform such other duties relating to the implementation of EO 13693 and sustainability efforts as I, or the Commerce CSO, deem appropriate.

Attachment

Secretary of Commerce Memorandum Compliance with Executive Order 13693 and Designation of Operating Unit Chief Sustainability Officers

Attachment: Template Operating Unit (OU) Chief Sustainability Officer (CSO) Position Description Insert

The [position] shall serve as [OU] CSO to lead the [OU] sustainability program in accordance with Executive Order (EO) 13693 and other related sustainability goals set forth in, and mandates required by, all present and future applicable Federal laws, regulations, EOs, and policies.

The [OU] CSO's specific responsibilities include:

- (a) Report annually to Commerce's CSO on the OU's progress towards the greenhouse gas emissions goals established in Section 2 of EO 13693 and other related sustainability goals;
- (b) Submit the OU's input to the Department's annual Greenhouse Gas Inventory, Strategic Sustainability Performance Plan, Office of Management and Budget Sustainability Scorecard, and other related sustainability reports to the Commerce CSO;
- (c) Prepare and distribute internal performance evaluations that reflect the contribution of subordinate units/offices against the goals established in EO 13693 and other related sustainability goals;
- (d) Ensure that leases and contracts, entered into on or after October 1, 2015, for lessor or contractor operation of Federally-owned facilities or vehicles, facilitate the OU's compliance with EO 13693, such as requiring a contractor or lessor to take actions to facilitate the OU's sustainability goals;
- (e) Ensure that the OU's policies, plans, and strategies implemented to achieve the goals established in EO 13693 consider the role of regional facilities and personnel and are integrated into permitting and environmental review policies, programs, and planning;
- (f) Implement opportunities to improve the OU's fleet sustainability, including vehicle acquisitions, waiver authority, and fleet data management practices, by revising OU fleet management review and approval procedures;
- (g) Consider the development of policies to foster electric vehicle workplace charging for the OU's employees, where consistent with OU authority and Federal appropriations law;
- (h) Ensure regional OU actions consider and are consistent with sustainability and climate preparedness priorities of state, local, and tribal communities where OU facilities are located;
- (i) Foster outstanding performance and excellence in the OU's efforts to implement sustainability mandates through opportunities such as leadership award programs;
- (j) Continue implementation of formal environmental management systems (EMSs) where those systems have proven effective and deploy new EMSs where appropriate;

Secretary of Commerce Memorandum Compliance with Executive Order 13693 and Designation of Operating Unit Chief Sustainability Officers

(k) Apply, where feasible and appropriate, the strategies and plans necessary to achieve the goals established in EO 13693 in whole or in part with respect to fueling, operation, and management of tactical or emergency vehicles and to the activities and facilities of the OU that are not located within the United States;

(l) Perform such other duties relating to the implementation of EO 13693 and sustainability efforts as Secretary, the head of the OU, or the Commerce CSO deem appropriate.