



# Energy and Environmental Quarterly

*U.S. Department of Commerce; Office of Facilities and Environmental Quality; Office of Sustainable Energy and Environmental Programs*  
*Volume 6, Issue 1*

## The President's New Executive Order 13693 The Administration Sets Visionary Goals for the Next Decade

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.

This new Executive Order superseded several previous Executive Orders assimilating all sustainability program goals in one place. Also, a few sustainability goals, such as energy intensity reduction and fleet petroleum reduction, had targets that ended in 2015. The timing was perfect for a new Executive Order to establish a vision for Commerce to incorporate into its next annual update of its Strategic Sustainability Performance Plan due by the end of June.

Most notably, the Executive Order establishes greenhouse gas reduction as the macro metric to track progress against several sustainability goals that cross organizational boundaries. The Administration has established a goal to reduce greenhouse gas emissions across the entire Federal government by 40% by 2025. Since greenhouse gas emissions are largely attributed to energy consumption, an aggressive reduction will translate to lower utility and fuel bills, saving the taxpayers up to \$18B in avoided costs.

Specifically, the Executive Order directs Federal agencies to:

- Ensure 25 percent of their total energy (electric and thermal) consumption is from clean energy sources by 2025.
- Reduce energy use in Federal buildings by 2.5 percent per year between 2015 and 2025.
- Reduce per-mile GHG emissions from Federal fleets by 30 percent from 2014 levels by 2025, and increase the percentage of zero emission and plug in hybrid vehicles in Federal fleets.
- Reduce water intensity in Federal buildings by 2 percent per year through 2025.

In addition to setting aggressive new efficiency standards for Federal agencies, the Administration is engaging with major Federal suppliers to encourage them to adopt similar practices. The Administration is encouraging the largest Federal suppliers to make their first-ever corporate commitments to disclose emissions and set new reduction goals. The Department of Commerce is poised to lead by example after receiving its most recent Sustainability Scorecard from the Office of Management and Budget that reflected significant improvements in several areas.

For more information, E.O 13693 can be found [here](#).

### DOC Earth Day....April 22th!



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## Meet A DOC Sustainability Community Member: Byron Adkins

Please meet sustainability spotlight member Byron Adkins. Mr. Adkins serves as the Deputy Director of the Office of Facilities and Environmental Quality (OFEQ).

Mr. Adkins leads and directs five separate offices within OFEQ while supporting the Director. He oversees and directs Departmental policy and programs for a variety of functions, including energy and environmental management and real property program administration. Additionally, he supports the Director in oversight of operations and maintenance of Herbert C. Hoover Building (HCHB) as well as the HCHB Renovation and Modernization Project.

Mr. Adkins has held a number of leadership and senior management roles in several federal agencies. Prior to coming to the Department of Commerce (DOC), he served as the Deputy Director of Administrative and Financial Management at the Department of Agriculture's Research Service (USDA ARS) overseeing the facilities management, acquisitions, and information technology directorates. At USDA ARS, Mr. Adkins managed a recycling program and oversaw several utility and energy saving projects. He has also served in senior leadership roles, both at the Department of the Interior's Interior Business



Center and USDA's Office of Operations. Mr. Adkins is an electrical engineer and a U.S. Army veteran commissioned into the U.S. Army Corps of Engineers. Additionally, he holds two masters degrees, one in public administration and another in business administration.

Adkins' vision for sustainability at DOC is to leverage technology and innovation to increase efficiency and productivity with less impact on the environment. His philosophy concerning sustainability in the federal government revolves around accountability and communication. "I personally believe that sustainability is everyone's responsibility and effectively communicating the importance upholding sustainability mandates is essential to achieving our goals for our federal facilities," he said. Adkins maintains a strong commitment to keeping the Senior Sustainability Officer informed on DOC's progress toward achieving sustainability goals as well as building stronger partnerships across the bureau and ensuring that they are well educated on sustainability resources. He feels that collaboration is paramount to achieving sustainability goals and feels certain that there has never been a more important time to embrace and promote sustainability programs throughout the Department.

His commitment to sustainability is evident in his personal life, where he has recently renovated his home by incorporating several energy saving improvements. For relaxation, Mr. Adkins enjoys spending time with his family, cycling, and hunting and fishing.

## How to Manage Empty Containers

The Federal Environmental Protection Agency (EPA) regulations consider empty containers exempt if they are less than 119 gallons and all material was removed using "practices commonly employed to remove the material" from the container (e.g., pumping, pouring and aspirating). Also, no more than 1 inch or 3 percent of the total weight of the container's contents can remain in the container. Some states, such as California, define empty containers differently, and if you followed the federal regulations strictly in California, you would be in violation of California's state environmental regulations.

Containers which previously held acute or extremely hazardous waste, such as chlorinated or halogenated solvents or pesticides, are considered empty only if the container has been triple-rinsed using a solvent capable of removing the material or cleaned by another method equivalent to triple-rinsing. The easiest method is to dispose of containers as hazardous waste or to recycle them with a properly licensed drum recycler.

Empty containers of five gallons or less in capacity are considered empty if the container's scrap value is reclaimed on-site or the container is reconditioned or remanufactured on-site. Containers less than 5 gallons could also be sent to an appropriate solid waste facility that accepts empty unrinsed containers. Generators should check with their local solid waste management agencies before trying to disposing of these containers as solid wastes.

Compressed gas cylinders are exempt from regulation when the pressure in the cylinder approaches atmospheric pressure. Aerosol cans that did not previously hold an acute or extremely hazardous waste are exempt from regulation when the container is emptied to the maximum extent practical under normal use providing the container is not regulated by Federal law under the Resource Conservation or Recovery Act.



*Valley of the Drums* a 23 acre (9.3 hectare) toxic waste site in northern Bullitt County, Kentucky, near Louisville, EPA 1980

## DOC's Newest Tool for Facility Managers to Track Environmental Compliance

The goal of the Department's environmental compliance program is for all facility managers to proactively self-access their facilities and operations at least annually for compliance with applicable federal, state, and local environmental laws and regulations. Not only does this help the Department avoid Notices of Violation (NOV) and/or monetary fines, but it aligns perfectly with the Department's strategic goal specific to environmental stewardship.

We want to lead by example and we know that not all facility managers have expertise in the environmental compliance arena. Therefore, we recently signed an Inter-Agency Agreement with the U.S. Army Corps of Engineers' (USACE) Engineer Research and Development Center (ERDC), Construction Engineering Research Laboratory (CERL) subscribing to their CPTrack system and TEAM Guides. This new corporate platform allows any non-environmentalist to very easily identify the federal and state laws and regulations that apply to their facilities and operations, understand the criteria that must be met, and conduct a self-assessment in advance of a surprise visit from the regulators.

CERL designed CPTrack to easily record and track all environmental noncompliance findings identified during a facility self-assessment and generate a corrective action plan. The system allows the deficiency to be tracked all the way through to completion. A significant benefit of hav-

ing a proactive environmental compliance program and a system in place to identify and correct deficiencies is that it will often mitigate the reaction of a regulator, potentially avoiding monetary fines that detract from other critical operations of the organization.

CPTrack is used by multiple federal agencies. At its core, CPTrack utilizes CERL's U.S. TEAM Guide along with State sup-

materials, hazardous waste, pesticide management, pollution prevention, energy conservation, petroleum, oils and lubricants, storage tanks, solid waste management, toxic substances, and water quality.

For the Department of Commerce, CPTrack will allow DOC facility managers without a strong environmental background to:

- Prepare for and easily conduct a self-assessment of their facilities and operations;
- Identify instances of non-compliance against regulatory criteria;
- Identify the corrective action required to resolve the non-compliance;
- Reduce the cost of the environmental compliance and potentially avoid monetary fines;
- Raise the visibility of persistent non-compliance issues at higher management levels; and
- Become aware of non-compliance trends common to other Commerce facilities.



plements. This guide and supplements are intended to offer federal facility managers a comprehensive and unified approach to environmental compliance assessments. They also reduce duplication through the creation of compliance protocols that help a facility manager develop a corrective action plan.

CPTrack's compliance checklists and guidance documents are based on environmental regulations addressing air quality, cultural and natural resources, environmental management systems, hazardous

CPTrack also captures data on day-to-day activities and equipment used at Commerce facilities which might impact the environment. With CPTrack, facility managers will be able to easily identify and track requirements for wastewater and stormwater permits, air permits, spill prevention, control, and countermeasure (SPCC) plans, underground storage tanks, treatment of drinking water, and generation and storage of hazardous waste. CPTrack will help the Department implement and sustain a proactive environmental compliance posture at all Commerce facilities.

### On Detail....James Murphy



For many years, I've heard of colleagues "going on detail" and it sounded like something out of a mystery novel. I recently had the opportunity to be detailed to the Department's Office of Sustainable Energy and Environmental Programs. It was not anything I've read in a mystery novel, but more like a whole new world. The tempo and pace at the Office of the Secretary is unlike that at the Bureau of Economic

Analysis. I was accustomed to responding to OSEEP data calls (annual sustainability data call or quarterly dashers) and taking part in workgroups and team efforts, such as serving on the Green Grant Program panel. From the other side, the detail side, I had a chance to see the hustle and bustle of getting the resources and people in place to conduct an effective data call, perform analysis, and produce a final report ready for the Secretary to transmit to the Office of Management and Budget or the Council on Environmental Quality. Through my detail experience, my appreciation for my talented and brilliant co-workers has only increased. I hope other Sustainability Coordinators from other Bureaus will consider an opportunity to "go on detail" and operate at the Office of the Secretary level.

## Environmental Compliance Violations

The Environmental Protection Agency (EPA) performs a variety of federal research, monitoring, standard-setting, and enforcement activities to protect people and the environment. The EPA performs inspections throughout a variety of industries and has accumulated a list of their top most prevalent environmental violations encountered.

### 1. Identification of hazardous waste.

This violation could stem from the improper testing, identification, and/or sampling of hazardous waste stored or staged for disposal.

**2. Universal waste.** This includes failure to ensure that special storage, handling, and/or landfill disposal restrictions for specific types of waste to include batteries, pesticides, mercury-containing equipment, and bulbs (lamps) are properly implemented.

**3. Container management.** This includes lack of proper storage space for hazardous waste containment, which can lead to overcrowding and lack of segregation of potentially incompatible materials to prevent incidents before any accident occurs.

**4. Labeling.** This violation stems from a failure to clearly label and mark satellite accumulation containers with the words "hazardous waste" and a description that identifies the contents of the containers, such as the chemical name and the date upon which the accumulation of waste commenced in each container.

**5. Hazardous chemical release.** This stems from a requirement in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), for the immediate reporting of a chemical release to the National Response Center.

**6. Storing hazardous waste without a permit.** A permit is required to store hazardous waste for more than 90 days.

**7. Emissions of hazardous air pollutants.** Hazardous air pollutants (HAP) are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The USEPA maintains a [list](#) of 187 pollutants. If emissions exceed regulated amounts, known as National Ambient Air Quality Standards (NAAQS), violations can be incurred.

**8. Management of waste at hazardous waste facilities.** Storage is the holding of waste for a temporary period of time prior to the waste being treated, disposed, or stored elsewhere. Hazardous waste is commonly stored prior to treatment or disposal, and must be stored in containers, tanks, containment buildings, drip pads, waste piles, or surface impoundments that comply with the Resource Conservation and Recovery Act (RCRA) regulations.

**9. Failure to have a hazardous waste permit.** This violation refers to the requirement to obtain a [permit](#) prior to any construction activities or to receiving waste for storage, treatment, or disposal.

**10. Training employees.** This refers to the RCRA requirement to ensure that

employees who are responsible for handling hazardous waste are properly [trained](#).

**11. Discharge of pollutants into waterways.** This refers to the requirement under the National Pollutant Discharge Elimination System to obtain a [permit](#) prior to discharging to surface waters of the United States.

**12. Effluent limitations.** This violation typically stems from non-compliance with [effluent limitations](#) under the Clean Water Act.

**13. Permit or compliance schedule violations.** This includes filing reports required by a permit to discharge storm water under the Clean Water Act to ensure that human health and the environment is protected.



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