

DEPARTMENTAL REGULATION		Number: 1058-001
SUBJECT: USDA Sustainable Operations Council – Implementing Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management	DATE: January 16, 2009	
	OPI: Departmental Administration	

1. PURPOSE

This Departmental Regulation (DR) permanently authorizes the Sustainable Operations Council (SOC) to provide additional emphasis, senior-level leadership, and coordination on sustainable operating policies department-wide.

The DR sets forth the policy, roles, and responsibilities in Secretary's Memorandum 5500-002, Implementing Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management.

2. BACKGROUND

On January 24, 2007, President George W. Bush signed Executive Order (EO) 13423, "Strengthening Federal Environmental, Energy, and Transportation Management." The order establishes goals in the areas of energy efficiency, acquisition of biobased and other environmentally preferable products, renewable energy, reducing the use of toxic and hazardous chemicals, recycling, sustainable buildings, electronics stewardship, alternative fuels, fleet management, and water conservation. In order to provide leadership to USDA agencies in conducting these types of activities and implementing policies that assist USDA in complying with the EO, Secretary's Memorandum 5500-002 was issued on September 17, 2007 to establish the United States Department of Agriculture Sustainable Operations Council.

EO 13423 requires the Department of Agriculture (USDA) to conduct its environmental, transportation, and energy-related activities under the law in support of its respective missions in an environmentally, economically, and fiscally sound, integrated, continuously improving, efficient, and sustainable manner.

The EO requires USDA to develop and implement environmental management systems (EMS) and sustainable practices that adhere to the requirements specified in the EO. The collective involvement and support of all USDA agencies and staff offices through the SOC are required to support these goals.

- a. The EO requires that the head of each executive branch department and agency implement the policy cited above by taking the following actions:
 - (1) Designate a senior civilian officer to be responsible for implementation of the EO within the agency and assign the designated official the authority and duty to monitor and report to the head of the agency on implementation activities;
 - (2) Implement sustainable practices for: energy efficiency and reductions in greenhouse gas emissions; renewable energy, including bioenergy; water conservation; acquisition of green products and services; waste prevention and recycling; reduced use of toxic and hazardous chemicals and materials; high performance/sustainable design buildings; vehicle fleet management including use of alternative fuel vehicles and fuels and reductions in petroleum consumption; and electronics stewardship;
 - (3) Implement EMS at all appropriate organizational levels within the Department;
 - (4) Use EMS as the primary management approach for addressing environmental aspects of internal agency operations and activities, including environmental aspects of energy and transportation functions; and
 - (5) Establish within the agency programs for: environmental management, training, environmental compliance review and audit, and leadership awards.
- b. The EO directs the Chairman of the Council on Environmental Quality (CEQ) and the Director of the Office of Management and Budget (OMB), in consultation with the Steering Committee on Strengthening Federal Environmental, Energy, and Transportation Management, to issue implementing instructions to the heads of agencies.
- c. Three OMB scorecards—Environmental Stewardship, Energy Management, and Transportation Management—measure USDA (and other federal department and agency) progress towards the goals of the EO
- d. Pursuant to EO 13423 and the OMB scorecards, USDA must use EMS as the primary management approach to address environmental aspects of internal agency operations, including the collection, analysis, and reporting of information to measure performance in the implementation of the EO.
- e. Secretary's Memorandum 5500-002 designated the Assistant Secretary for Administration (ASA) as the Senior Official accountable for the effective implementation of EO 13423 within the Department. The ASA is the designated official for all information and communications regarding EO

13423 and USDA's responsibilities under the EO. The ASA, through the SOC, will develop and implement policies, procedures, processes, reporting mechanisms, and required actions that meet the goals and requirements established by EO 13423 and the implementing instructions issued by the CEQ and OMB.

- f. It shall be USDA's policy to comply with the goals and requirements established by EO 13423 and the implementing instructions issued by the CEQ and OMB consistent with the actions ordered below.

3. ACTIONS ORDERED

The following actions are hereby ordered:

- a. The Sustainable Operations Council (SOC) is reauthorized and the ASA shall continue to chair the SOC. The SOC shall advise the ASA and provide ongoing senior management involvement and coordination to agencies' EMS and sustainable operations programs.
- b. The Council shall meet quarterly to provide ongoing senior management involvement in sustainable operations programs, such as energy efficiency, fleet management, BioPreferred procurement, chemical reduction plans, and other areas as appropriate.
- c. The ASA will determine the membership of the SOC Executive Committee (Voting Members). Current members include (but are not limited to) the following:
 - Assistant Secretary for Administration, Chair
 - Deputy Under Secretary for Conservation, Natural Resources and Environment
 - Deputy Administrator for Management, Agricultural Research Service
 - Deputy Under Secretary, Rural Development
 - Deputy Administrator for Marketing and Regulatory Programs, Animal and Plant Health Inspection Service
 - Deputy Chief for Business Operations, Forest Service
 - Director, Global Change Program Office, Office of the Chief Economist
 - Director, Office of Procurement and Property Management
 - Director, Office of Operations, Departmental Administration
- d. The efforts of the Council are supported by the following staff-level working groups: Facilities, Green Purchasing, Environmental Management, and Transportation. The composition and content of the working groups may be changed as need necessitates.

- e. USDA shall establish and implement environmental, energy, and transportation management performance measures and begin data collection to meet EO and OMB scorecard reporting requirements, utilizing EMS as the primary management approach.
- f. USDA shall develop a timeline for, and implement, environmental management systems at all appropriate organizational levels as directed by the ASA and the SOC.
- g. Each landholding agency shall, in the three-year rolling timeline established under EO 13327, include in its building block plan, which is incorporated into the USDA Asset Management Plan, a description of how the EO 13423 goals and performance measures applicable to design, construction, and operation of real property facilities will be met.
- h. USDA agencies shall manage Departmental real and personal property assets consistent with the goals and objectives of EO 13423 and the Department's implementing instructions.

4. ABBREVIATIONS

ASA	Assistant Secretary of Agriculture for Administration
CEQ	Council on Environmental Quality
DR	Departmental Regulation
EMS	Environmental Management Systems
EO	Executive Order 13432, Strengthening Federal Environmental, Energy, and Transportation Management
OMB	Office of Management and Budget
SM	Secretary's Memorandum
SOC	Sustainable Operations Council

5. CANCELLATION

This Departmental Regulation (DR) replaces Secretary's Memorandum 5500-002, Implementing Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management dated September 17, 2007.

6. EFFECTIVE DATE

The provisions of this DR are effective immediately.