

POLLUTION PREVENTION (P2) PROGRAM

- 1. REASON FOR ISSUE:** This Veterans Health Administration (VHA) Directive assigns responsibility and describes procedures for the implementation and maintenance of Pollution Prevention Programs throughout VHA.
- 2. SUMMARY OF MAJOR CHANGES:** Minor updates to VHACO office titles and updated responsibilities for the Under Secretary for Health, the Deputy Under Secretary for Health for Operations and Management, and the Assistant Deputy Under Secretary for Health for Administrative Operations.
- 3. RELATED ISSUES:** None.
- 4. RESPONSIBLE OFFICE:** The Deputy Under Secretary for Health for Operations and Management (10N) is responsible for the contents of this Directive. Questions may be directed to the Director, Occupational Safety, Health and GEMS Programs (10NA8) at 202-632-7889.
- 5. RESCISSIONS:** VHA Directive 2001-036, dated July 8, 2001, is rescinded.
- 6. RECERTIFICATION:** This VHA Directive is scheduled for recertification on or before the last working day of December 2020.

David J. Shulkin, M.D.
Under Secretary for Health

DISTRIBUTION: Emailed to the VHA Publications Distribution List on 12/23/2015.

POLLUTION PREVENTION (P2) PROGRAM

1. PURPOSE

This Veterans Health Administration (VHA) Directive assigns responsibility and describes procedures for the implementation of pollution prevention (P2) programs throughout VHA. **AUTHORITY:** Executive Order (EO) 13693, EO 13423.

2. BACKGROUND

a. VHA is committed to environmental leadership in creating programs of environmental excellence and will effectively support the national P2 policy through education and training, acquisition and procurement, facility management practices, environmental management and leadership, and VHA encourages innovative P2 practices and technologies.

b. The Pollution Prevention Act of 1990, 42 U.S.C. Chapter 133, Pub. L. 101-508, formally establishes P2 as a national objective and addresses P2 in terms of source reduction and other practices that reduce or eliminate the creation of pollutants. This act establishes a hierarchy of environmental protection consisting of prevention or source reduction, recycling, treatment and disposal into the environment. The most desirable method of pollution abatement is prevention or source reduction. Disposal or other releases into the environment should be done only as a last resort and then in an environmentally safe manner.

c. The Resource Conservation and Recovery Act of 1976 (RCRA), Pub. L. 94-580, covers the generation, treatment, storage, disposal and transportation of both hazardous and non-hazardous waste and emphasizes source reduction as the highest priority. RCRA requires the “cradle-to-grave” management of hazardous waste (HW), encourages recycling and reuse, and further requires HW generators and treatment, storage, and disposal facility owners to certify that the generator has a program in place to “reduce the volume or quantity and toxicity” of waste.

d. The Emergency Planning and Community Right-To-Know Act (EPCRA), title III of the Superfund Amendments and Reauthorization Act (SARA), Pub. L. 99-499, is composed of four distinct parts:

- (1) Emergency planning.
- (2) Emergency notification.
- (3) Community right-to-know.
- (4) Toxic chemical release reporting.

NOTE: *The intent of the community right-to-know provision is to provide protection for emergency responders, the local community and the environment from toxic and hazardous materials and their emissions.*

e. EO 13693, Planning for Federal Sustainability in the Next Decade, establishes policy and federal agency goals to maintain Federal leadership in sustainability and greenhouse gas (GHG) emission reductions. Specific requirements include reduction of agency Scope 1 and 2 GHG emissions by at least 40% by 2025, while broader initiatives include to foster innovation, reduce spending and strengthen communities.

NOTE: EO 13693 Sec 16 states that EO 13423, 'Strengthening Federal Environmental, Energy, and Transportation Management' is revoked. However, 13423 was codified into law on March 11, 2009 by the 2009 Omnibus Appropriations Act, and so remains in effect. EO 13423 mandates sustainability goals for the federal government that match or exceed previous statutory and EO requirements, and supersedes (revokes) EOs 13123, 13101 and 13148. In addition, EO 13514 ("Federal Leadership in Environmental, Energy and Economic Performance", October 2009) ensures that the energy efficiency requirements of EO 13423 remain in effect.

f. VHA staff tasked with the management of the pollution prevention program must also consult and ensure compliance with all VA and VHA Directives related to management of hazardous chemicals, EPCRA, and Directives that cover waste handling and minimization activities ([see paragraph 5](#)).

3. POLICY

It is VHA policy to fully comply with applicable Federal, State, and local environmental regulations, including the Pollution Prevention Act and EO 13693, while continuing to provide high quality health care to our nation's Veterans.

4. RESPONSIBILITIES

a. **Under Secretary for Health.** The Under Secretary for Health, or designee, is responsible for:

- (1) Overseeing VHA Occupational Safety and Health (OSH) Programs and policies.
- (2) Establishing OSH Program performance standards for the Deputy Under Secretary for Health for Operations and Management.

b. **Deputy Under Secretary for Health for Operations and Management.** The Deputy Under Secretary for Health for Operations and Management is responsible for:

- (1) Overseeing the development and implementation of the VHA OSH Programs and policies.
- (2) Establishing OSH Program performance standards for the Assistant Deputy Under Secretary for Health for Administrative Operations.

c. **Assistant Deputy Under Secretary for Health for Administrative Operations.** The Assistant Deputy Under Secretary for Health for Administrative Operations is responsible for:

(1) Establishing and overseeing the Office of Occupational Safety, Health, and Green Environmental Management Systems (GEMS) Programs.

(2) Ensuring that staffing and funding are adequate to maintain the Pollution Prevention Program.

d. **Director, Office of Occupational Safety, Health, and GEMS Programs.** The Director, Office of Occupational Safety, Health, and GEMS Programs is responsible for:

(1) Coordinating with the Office of Environmental Programs to ensure analysis is conducted to determine if there are national trends that have opportunities for improvement.

(2) Coordinating with all applicable offices within VHA and VA in the development of action plans to address identified opportunities for improvement.

(3) Providing for periodic review and follow up with the Assistant Deputy Under Secretary for Health for Administrative Operations.

(4) Developing recommendations for correction to the Assistant Deputy Under Secretary for Health for Administrative Operations and the Deputy Under Secretary for Health for Operations and Management.

e. **Veterans Integrated Service Network Directors.** Veterans Integrated Service Network (VISN) Directors must ensure that VA medical facilities:

(1) Develop a facility-specific P2 plan to be reviewed annually and include, as a minimum; a statement of management commitment to P2, a listing of measurable goals for hazardous waste reduction, procurement of recycled products and recycling and budgetary requirements for implementation. Plan goals should be focused on the reduction of toxic and hazardous chemical releases and off site transfer by 10 percent annually between calendar years 2015 and 2019.

(2) Implement P2 into all phases of the acquisition and procurement processes, as well as the management operations of the facility by:

(a) Purchase environmentally preferable products when possible.

NOTE: *Environmentally preferable products include, but are not limited to, products that can be reprocessed and revised, products that have recycled content; can be recycled after use; are less toxic or hazardous and can be substituted for existing more toxic or hazardous products; are energy efficient or otherwise protect the environment.*

(b) Develop facility guidance, policies, and operating procedures to implement pollution prevention into all aspects of facility operations, but with emphasis on those elements that involve toxic or hazardous substances.

(3) Implement source reduction measures including, but not limited to, the substitution of materials that are less hazardous and/or toxic to the maximum extent feasible.

(4) Promote pollution prevention through employee training, outreach and awareness programs.

(5) Include environmental costs in life-cycle and other cost estimation done in conjunction with the acquisition of goods and services.

i. **VA Medical Facility Directors.** VA medical facility Directors are responsible for:

(1) Ensuring that P2 data reporting requirements are incorporated into the waste minimization report, as needed.

(2) Incorporating P2 and applicable requirements of EO 13693 and 13423 into the Facilities Management/Engineering, GEMS, and Environmental Management Service guidance, practices, procedures, standards and specifications at VA medical facilities within their VISN e.g., environmentally and economically beneficial landscaping, environmentally preferable products and life-cycle costing.

(3) Conducting an facility-level environmental management system review that emphasizes pollution prevention as it relates to the Code of Environmental Management Principles for Federal Agencies developed by the Environmental Protection Agency published at 61 FR 54062 (October 16, 1996) and/or another appropriate environmental management system framework.

(4) Developing and administering a VHA-wide P2 awards program for innovative programs and outstanding environmental leadership.

(5) Encouraging, reviewing, and supporting the development of pilot projects for P2 and waste reduction.

5. REFERENCES

- a. EO 13693, Planning for Federal Sustainability in the Next Decade
- b. EO 13423, Strengthening Federal Environmental, Energy, and Transportation Management.
- c. Pollution Prevention Act of 1990, Pub. L. 101-508.
- d. Resource Conservation and Recovery Act of 1976, Pub. L. 94-580.
- e. The Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499, sections 302-304 and 311-313.
- f. VHA Directive 7705, Management of Hazardous Chemicals.

g. VHA Directive 7709, Emergency Planning and Community Right-To-Know Program.

h. VHA Directive 7707, Green Environmental Management System (GEMS).