

WASTE MINIMIZATION AND COMPLIANCE REPORT (RCN 10-99-904)

- 1. REASON FOR ISSUE:** This Veterans Health Administration (VHA) directive provides policy for collecting and reporting data required for reports to the Office of the Federal Environmental Executive, the Agency Environmental Executive, and the Environmental Protection Agency on waste generation, waste disposal, and waste handling throughout VHA.
- 2. SUMMARY OF MAJOR CHANGES:** This revised VHA directive updates references and the responsibilities for the Environmental Programs Service Director, Veterans Integrated Service Network (VISN) Director, and VA medical facility Directors.
- 3. RESPONSIBLE OFFICE:** The Environmental Programs Service (10NA7), VHA Office of the Deputy Under Secretary for Health for Operations and Management, is responsible for the content of this directive. Questions may be referred to 312-569-5634.
- 4. RELATED ISSUES:** VA Directive and Handbook 0058, VA Green Purchasing Program; VA Directive and Handbook 0059, VA Chemicals Management and Pollution Prevention; VA Directive and Handbook 0062, Environmental Compliance Management; VA Directive and Handbook 0063, Waste Prevention and Recycling Program; VA Directive and Handbook 0064, VA Environmental Management Systems; VA Directive 0067, VA National Environmental Policy Act Implementation.
- 5. RESCISSIONS:** VHA Directive 2009-065, Waste Management and Compliance Report (RCN 10-99-904) dated December 02, 2009, is rescinded.
- 6. RECERTIFICATION:** This VHA directive is scheduled for recertification on or before the last working day of June 2022. This directive will continue to serve as national VHA policy until it is recertified or rescinded.

Poonam Alaigh, M.D.
Acting Under Secretary for Health

DISTRIBUTION: Emailed to the VHA Publications Distribution List on June 22, 2017.

CONTENTS

WASTE MINIMIZATION AND COMPLIANCE REPORT (RCN 10-99-904)

1. PURPOSE.....	1
2. BACKGROUND.....	1
3. DEFINITIONS.....	1
4. POLICY.....	2
5. COMPONENTS OF VA POLICY.....	3
6. RESPONSIBILITIES.....	5
7. REFERENCES.....	7
APPENDIX A	
ADDITIONAL RESOURCES.....	A-1

WASTE MINIMIZATION AND COMPLIANCE REPORT (RCN 10-99-904)**1. PURPOSE**

This Veterans Health Administration (VHA) directive provides policy for collecting and remitting data required for reports to the Office of the Federal Environmental Executive, the Agency Environmental Executive, and the Environmental Protection Agency on waste generation, waste disposal and waste handling throughout VHA. Waste reduction, recycling, and biopreferred procurement initiatives are to be monitored to ensure compliance with Executive Order (EO) 13693, Planning for Federal Sustainability in the Next Decade. **AUTHORITY:** Title 38 United States Code (U.S.C.) 7301(b); EO 13693

2. BACKGROUND

EO 13693, Planning for Federal Sustainability in the Next Decade, introduces new greenhouse gas (GHG) emissions management requirements, expands water reduction requirements for federal agencies, and addresses waste diversion, local planning, sustainable buildings, environmental management, and electronic stewardship. EO 13693 requires federal agencies to divert at least 50 percent of nonhazardous solid waste, including food and compostable material, but not construction and demolition debris, from landfills annually, and pursuing opportunities for net –zero waste or additional diversion opportunities. Divert at least 50 percent of construction and demolition (C&D) materials and debris from landfills annually.

3. DEFINITIONS

The following definitions are extracted from the 13693 EO Implementing Instructions.

- a. **Acquisition.** The acquiring of supplies and services as defined in Part 2 of the Federal Acquisition Regulation (FAR).
- b. **Appropriate Facility or Organization.** Any Federal facility or organization that is subject to compliance with environmental regulation or conducts activities that can have a significant impact on the environment, either directly or indirectly, individually or cumulatively, due to the operations of that facility's or organization's mission, processes, or functions.
- c. **Divert.** Redirecting materials from disposal in landfills or incinerators to recycling or recovery, excluding diversion to waste-to-energy facilities.
- d. **Environmental Justice Program.** Environmental Justice Program (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. VA integrates EJ into its mission by ensuring that it identifies and addresses programs, policies, and activities with the potential for disproportionately high and adverse human health or

environmental effects on minority, low-income, or tribal populations. Annual Implementation Reports can be found at <http://www.green.va.gov/environment/ei.asp>

e. **Environmental Management System.** A set of processes and practices that enable an organization to increase its operating efficiency, continually improve overall environmental performance and better manage and reduce its environmental impacts, including those environmental aspects related to energy and transportation functions. EMS implementation reflects accepted quality management principles based on the “Plan, Do, Check, Act,” model found in the ISO 14001:2004(E) International Standard and using a standard process to identify and prioritize current activities, establish goals, implement plans to meet the goals, evaluate progress, and make improvements to ensure continual improvement.

f. **Environmentally Preferable.** Products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, product, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service.

g. **Life-Cycle Cost.** The sum of the present values of capital costs, installation costs, operating costs, maintenance costs, and disposal costs over the lifetime of the project, product, or measure.

h. **Life-Cycle Cost-Effective.** The life-cycle costs of a product, project, or measure are estimated to be equal to or less than the base case (i.e., current or standard practice or product).

i. **Pollution Prevention.** “Source reduction” as defined in the Pollution Prevention Act of 1990 (42 U.S.C. 13102), and other practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources, or the protection of natural resources by conservation.

j. **Recycling.** The series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use in the form of raw materials in the manufacture of new products other than fuel for producing heat or power by combustion.

k. **Sustainable.** Of or pertaining to creating and maintaining conditions under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic, and other requirements of present and future generations of Americans.

4. POLICY

It is VHA policy that all facilities must monitor and report their waste management, recycling, hazardous material, and biopreferred procurement activities to ensure compliance with environmental requirements and the goals set forth in EO 13693.

5. COMPONENTS OF VA POLICY

a. **Green Purchasing.** VA Directive 0058, VA Green Purchasing Program, establishes policy, roles, and responsibilities with respect to green purchasing in support of VA's mission and goal. VA Directive 0058 facilitates the development of consistent internal procedures across Administrations and staff offices. Specific procedures may be found in VA Handbook 0058.

b. **Chemicals Management and Pollution Prevention.** VA Handbook 0059, "VA Chemicals Management and Pollution Prevention," establishes VA policy, roles, and responsibilities with respect to chemicals management and pollution prevention in support of VA's mission and goals. VA Handbook 0059 applies to all Administrations and staff offices that purchase, store, handle, use, or dispose of toxic and hazardous chemicals/materials. Specific procedures may be found in VA Handbook 0059.

c. **Environmental Compliance.** VA Directive 0062, Environmental Compliance Management, establishes policy, roles, and responsibilities to ensure that VA meets or exceeds the requirements of all applicable executive orders and Federal, State, and local environmental laws and regulations. VA will make every effort to ensure environmental compliance is optimized through robust environmental management systems (EMS), with the ultimate goal of becoming a fully sustainable organization. Specific procedures may be found in VA Handbook 0062.

d. **Waste Prevention and Recycling.** VA Directive 0063, "Waste Prevention and Recycling Program," establishes VA policy, roles, and responsibilities for implementing the environmental compliance requirements with respect to waste prevention and recycling in support of VA's mission and goal. This Directive facilitates the development of uniform internal procedures for waste prevention and recycling across the Department. Specific procedures may be found in VA Handbook 0063.

e. **Environmental Management Systems.** VA Directive 0064, "VA Environmental Management Systems," establishes VA policy, roles, and responsibilities, with respect to environmental management systems (EMS) in support of VA's mission and goals. The directive establishes policies for Administrations and staff offices for implementing EMS requirements. This directive requires implementation of EMS at all appropriate facilities and organizational levels. It ensures the use of EMS as the primary management approach to environmental compliance. Specific procedures may be found in VA Handbook 0064.

f. **National Environmental Policy Act Implementation.** VA Directive 0067, "VA National Environmental Policy Act Implementation," establishes VA policy, roles, and responsibilities with respect to the National Environmental Policy Act (NEPA), 42 U.S.C. 4321-4370 and VA's NEPA Implementing Regulations (38 Code of Federal Regulations (CFR) Part 26). This directive also facilitates development of uniform internal procedures across Administrations and staff offices. It applies to any VA action with the potential to affect the quality of the environment of the United States, its territories, or its possessions. VA actions include, but are not limited to: VA

operations; promulgation of regulations; acquisitions and procurements; construction, renovation, and asset management; research and development; and grants programs.

g. **Electronics Stewardship.** In managing the Department's electronic assets, VA shall buy Electronic Product Environmental Assessment Tool (EPEAT)-registered electronic products. VA shall enable the Energy Star features on agency computers and monitors. VA shall establish and implement policies to extend the useful life of its electronic equipment. VA shall also employ environmentally sound practices with respect to the disposition of excess or surplus electronic products and equipment.

h. **Related Programs.** Along with the VHA Waste Management Program, EPS integrates related green programs that have overlapping areas of responsibility and compliance. This management approach helps achieve sustainability objectives, captures interdisciplinary synergy, and provides better services to our Veterans, increasing value to the taxpayer. Details regarding the following related programs may be found in paragraph 7, References, and include:

- (1) Environmental Justice Program.
- (2) Energy and Water Management Program.
- (3) Sustainable Buildings Program.
- (4) Climate Change Adaptation Planning.
- (5) Sustainable Buildings Locations.
- (6) Green Purchasing.
- (7) Green Environmental Management Systems.
- (8) Safety Data Sheet/Chemical Inventory System.
- (9) Sanitation.
- (10) Textile Care.
- (11) Interior Design.

i. **Reporting Requirements.** The VISN and appropriate facility level staff shall respond to VHA data calls to provide information needed for Department-level consolidated reports related to the content of this Directive.

j. **Management Tools.** VA will employ a variety of management tools to implement the policies in this directive. These include, but are not limited to:

(1) **VHA Waste Management and Environmental Directives and Handbooks.** A complete list of the VA Environmental directives and handbooks can be found at <http://www.va.gov/vapubs>.

(2) **Department-Level Green Management Advisory Committee.** The Green Management Advisory Committee was established in 2009 and was reauthorized in 2014. It is composed of headquarters and field representatives from VHA and appropriate staff offices who provide advice, coordination, and recommendations related to the implementation of VHA's waste management and recycling programs. .

(3) **Department-Level Recycling Guide.** The Recycling Guide is a detailed process for developing and implementing recycling of mandatory items and material. It is updated as needed.

(4) **Training and Recognition Programs.** There are many training and awards programs across VA. A partial listing can be found at <http://www.green.va.gov/awards/index.asp>

6. RESPONSIBILITIES

a. **Director, Environmental Programs Service.** The Director, EPS is responsible for:

(1) Using the Waste Minimization Compliance Report (RCN 10-99-904) to generate for publication an annual Waste Minimization Report based upon the data collected from the preceding year. This report will cover the following topical areas:

(a) Municipal Solid Waste (MSW).

(b) Construction and Demolition Materials (C&D).

(c) Regulated Medical Waste (RMW).

(d) Hazardous Waste.

(e) Recycling Activities.

(f) Financial Data (Cost & Revenues).

(g) Diversion Rates.

(h) Procurement of green (i.e., biobased, biopreferred, and recycled content) products as required for Resource Conservation Recovery Act RCRA, Section 6002 reporting.

(2) Publishing a quarterly Recycling Report extracted from quarterly data provided from the Waste Minimization Compliance Report.

(3) Determining whether any national waste diversion and financial trends require action.

(4) Providing periodic review of report data and follow-up with the Deputy Under Secretary for Health for Operations and Management, as requested.

b. **Veterans Integrated Service Network Director.** The VISN Director is responsible for:

(1) Ensuring that adequate staffing is provided at the facility level to accomplish the following tasks:

(a) Assessing facility activities and processes to determine the introduction of hazardous materials/chemicals and quantities, and to identify the composition of the facility's waste streams and the facility's pollution prevention opportunities.

(b) Collecting data on waste generation, disposal costs, recycling, environmentally preferable procurements, and other data as required by law or VA/VHA policy.

(c) Identifying organization(s) and individual(s) responsible for the Waste Minimization Report at their respective facilities.

(d) Submitting requested data for the Waste Minimization Report (RCN 10-99-904) to EPS on a quarterly basis, in accordance with the guidance provided by EPS through the designated electronic report system and/or Web site interface.

(2) Ensuring that chemical inventories are performed twice yearly and managed in accordance with VA and VHA policy to identify opportunities that promote use of environmentally preferable procurements and to reduce the use of toxic materials throughout the VISN.

(a) Establishing VISN-wide policy to encourage the procurement of biopreferred products whenever practicable and cost effective.

(b) Reviewing of the annual Waste Minimization Report and recycling reports published by EPS to:

1. Assess VISN waste minimization, recycling, waste diversion, cost avoidance, and green procurement program status.

2. Enhance VISN programs and progress in the following areas:

a. Municipal Solid Waste (MSW).

b. Construction and Demolition Materials (C&D).

c. Regulated Medical Waste (RMW).

d. Hazardous Waste.

e. Recycling Activities.

f. Electronic Waste.

g. Financial data (cost and revenues).

h. Procurement of green (i.e., biobased, biopreferred, and recycled content) products as required for RCRA, Section 6002 reporting.

(3) Annually monitoring data collected and entered by the facility into the electronic report system and/or Web site Waste Minimization Report system to ensure accuracy.

c. **VA Medical Facility Director.** The VA medical facility Director is responsible for designating appropriate facility organizations or individuals to:

(1) Collect and generate waste poundage and cost data required by the Waste Minimization Report (RCN 10-99-904). Data required include:

(a) Municipal Solid Waste (MSW).

(b) Construction and Demolition Materials (C&D).

(c) Regulated Medical Waste (RMW).

(d) Hazardous Waste.

(e) Recycling Activities.

(f) Electronic Waste.

(g) Financial data (cost and revenues).

(h) Procurement of green (i.e. biobased, biopreferred, and recycled content) products as required for RCRA Section 6002 reporting.

(2) Ensuring that collected data is entered into the EPS electronic report and/or Web site designated for collection of Waste Minimization Report data in accordance with the deadlines established by EPS.

(3) Ensuring that chemical inventories are performed twice yearly and managed in accordance with VA and VHA policy, to reduce the use of toxic materials footprint reduction throughout the facility.

(4) Ensure contractor reporting. In addition, in contracts providing for contractor performance at Federal facilities, each agency shall include a requirement that the contractor provide the information needed by the Federal facility to comply with EPCRA and the E.O.

NOTE: See EPA's Web site on EPCRA at: <http://www2.epa.gov/epcra>.

7. REFERENCES

a. Executive Order 13653, Preparing the United States for Impacts of Climate Change, dated November 1, 2013.

- b. Preparing Federal Agency Climate Change Adaptation Plans in Accordance with Executive Order 13653, dated December 19, 2013.
- c. Executive Order 13693, Planning for Federal Sustainability in the Next Decade, dated March 19, 2015.
- d. Implementing Instructions for Executive Order 13693, Planning for Federal Sustainability in the Next Decade, June 10, 2015.
- e. Executive Order 13783, Promoting Energy Independence and Economic Growth, dated March 28, 2017.
- f. 42 U.S.C. § 7401 et seq, Clean Air Act of 1970, as amended.
- g. 33 U.S.C. § 1251 et seq, Clean Water Act of 1977.
- h. 42 U.S.C. § 9601 et seq, Comprehensive Environmental Response, Compensation and Liability Act of 1980.
- i. 42 U.S.C. 11011 et seq, Emergency Planning and Community Right-to-Know Act of 1986.
- j. 7 U.S.C. 8102, Section 9002, Farm Security and Rural Investment Act of 2002.

ADDITIONAL RESOURCES

1. 42 U.S.C. § 4321 et seq, National Environmental Policy Act (NEPA).
2. 42 U.S.C. §§13101-13109, Pollution Prevention Act of 1990.
3. 42 U.S.C § 321 et seq, Resource Conservation and Recovery Act of 1976.
4. 42 U.S.C. § 300f et seq, Safe Drinking Water Act of 1974.
5. 42 U.S.C. § 9601 et seq, Superfund Amendments and Reauthorization Act of 1986.
6. 42 U.S.C. § 2601 et seq, Toxic Substance Control Act of 1976.
7. 40 CFR Parts 1-1500, Protection of the Environment.
8. 38 CFR Part 26, VA NEPA implementing regulation.
9. 48 CFR, Federal Acquisition Regulations.
10. VA Directive 0055, VA Energy and Water Management.
11. VA Directive 0056, VA Sustainable Buildings Program.
12. VA Directive 0065, Climate Change Adaptation Planning.
13. VA Directive 0066, Sustainable Building Locations.
14. VA Directive 0637, VA Vehicle Fleet Management Program.
15. ISO 14001:2004(E) International Standard.
16. Memorandum of Understanding – Promoting Sustainable Environmental Stewardship of Federal Electronic Assets (2004).
17. Office of Management and Budget Circular A-11.