



# Department of Defense INSTRUCTION

NUMBER 4715.4

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Administrative Reissuance Incorporating Change 1, July 6, 1998

USD(A&T)

SUBJECT: Pollution Prevention

- References:
- (a) DoD Directive 4715.1, "Environmental Security," February 24, 1996
  - (b) *DoD 5025.1-M, "DoD Directives System Procedures," August 1994, authorized by DoD Directive 5025.1, June 24, 1994*
  - (c) [DoD Instruction 4715.5](#), "Management of Environmental Compliance at Overseas Installation," April 22, 1996
  - (d) Overseas Environmental Baseline Guidance Document, October 1992<sup>1</sup>
  - (e) DoD Directive 5000.1, "Defense Acquisition," March 15, 1996
  - (f) through (kk) see enclosure E1.

## 1. PURPOSE

This Instruction:

1.1. Implements policy, assigns responsibility, and prescribes procedures under reference (a) for implementation of pollution prevention programs throughout the Department of Defense.

1.2. Designates Executive Agents to lead DoD implementation of key pollution prevention programs. Executive Agents are specified in enclosure E2.

1.3. *Authorizes the publication of "Guide for Qualified Recycling Programs", in accordance with reference (b)."*

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<sup>1</sup> This reference can be found on the Defense Environmental Network Information Exchange (DENIX) electronic bulletin board.

## 2. APPLICABILITY AND SCOPE

This Instruction:

2.1. Applies to the Office of the Secretary of Defense (OSD); the Military Departments (including the Coast Guard when it is operating as a Military Service in the Navy); the Chairman of the Joint Chiefs of Staff; the Unified Combatant Commands, as appropriate; the Inspector General of the Department of Defense; the Defense Agencies; and the DoD Field Activities; including other integral DoD organizational entity or instrumentality established to perform a governmental function (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force and the Marine Corps.

2.2. Applies to DoD operations, activities, and installations in the United States, Puerto Rico, and territories or possessions over which the United States has jurisdiction, including Government-owned, contractor-operated (GOCO) facilities, and facilities supported by appropriated and non-appropriated funds. Outside the United States, section 4 and paragraph 6.2.3. of this Instruction shall apply, consistent with DoD Instruction 4715.5 (reference (c)), international agreements, status of forces agreements, and Final Governing Standards issued for host nations (or the Overseas Environmental Baseline Guidance Document (reference (d)) where no Final Governing Standards have been issued).

2.3. Applies to Program Executive Officers, Program Managers, and all other Material Developers, consistent with the policies, requirements, and procedures of DoD Directive 5000.1 (reference (e)) and DoD 5000.2-R (reference (f)).

2.4. Does not apply to:

2.4.1. Procurement, use, generation, storage, processing, disposal, or management in any sense of radioactive materials subject to regulation under E.O. 12344 (reference (g)), 42 U.S.C. 7158 (reference (h)); the Atomic Energy Act, 42 U.S.C. 2011 (reference (i)); or the Low Level Radioactive Waste Policy Act, 42 U.S.C. 2021b (reference (j)).

2.4.2. Additional pollution prevention requirements for transportation-related onshore and offshore facilities and vessels that are regulated by the U.S. Coast Guard. See 33 C.F.R. 154-156 (reference (k)) and 33 U.S.C. 1901-1912 (reference (l)).

2.4.3. The civil works function of the Department of the Army.

### 3. DEFINITIONS

To maintain consistency throughout the DoD Components, the terms and definitions in enclosure E3. apply for this Instruction, and shall be used for any supplemental or delegated regulations, instructions, or publications promulgated by the DoD Components.

### 4. POLICY

4.1. It is DoD policy to:

4.1.1. Ensure installations in the United States comply with applicable Federal, State, interstate, regional, and local environmental laws, regulations, and standards, and with relevant Executive Orders; or in the case of installations located outside the United States, with applicable Executive Orders, international agreements, Federal statutes with extraterritorial effect, and either the Final Governing Standards or the Overseas Environmental Baseline Guidance Document (reference (*d*)) where no Final Governing Standards have been issued.

4.1.2. Reduce the use of hazardous materials, the generation or release of pollutants, and the adverse effects on human health and the environment caused by DoD activities.

4.1.3. Reduce pollution through improvements in energy and water efficiency, the use of alternative fuels, and other activities that improve resource utilization.

4.2. It is DoD policy to accomplish the objectives using a management approach that:

4.2.1. Emphasizes pollution prevention, including improvements in energy and resource utilization, as the alternative of “first choice” in achieving compliance with applicable environmental requirements and Executive Orders.

4.2.2. Incorporates pollution prevention at installations, and into all phases of acquisition, operations, maintenance, support and ultimate disposal of weapon systems over the system life-cycle.

4.2.3. Uses the environmental management hierarchy to develop

environmental solutions. In descending order of preference, the Department of Defense will:

4.2.3.1. Prevent pollution at the source to eliminate or minimize adverse health effects while protecting, preserving, restoring, and enhancing the quality of the environment.

4.2.3.2. Reuse pollutants that cannot be eliminated. Recycle, in an environmentally safe manner, pollutants that cannot be reused.

4.2.3.3. Treat, in an environmentally safe manner, pollutants that cannot be eliminated or recycled.

4.2.3.4. Dispose or release pollutants into the environment only as a last recourse and only where such disposal or release can be controlled and conducted in a manner that is safe for human health and the environment and consistent with applicable legal requirements.

4.2.4. Reduces the life cycle costs of weapon systems by avoiding the use of hazardous materials.

4.2.5. Plans, programs and budgets to achieve the policies in this Instruction. Component budgeting procedures shall utilize the environmental quality classes defined in enclosure E3. and the following definitions for environmental compliance and pollution prevention:

4.2.5.1. Environmental compliance includes all activities and projects that utilize end-of-pipe treatment or disposal methods to meet applicable environmental requirements.

4.2.5.2. Compliance-type requirements that are satisfied by source reduction (pollution elimination or reduction), pollutant minimization, or recycling approaches are pollution prevention requirements and shall be funded as "pollution prevention."

4.2.6. Instills knowledge and understanding by all personnel (military and civilian) of pollution prevention requirements through comprehensive education, training, career development, and awareness programs.

4.2.7. Promotes pollution prevention through positive relations and partnerships with Federal, State, Indian tribal, regional, and local government officials

as well as host country, other private, and public stakeholders.

4.2.8. Develops, demonstrates, and implements innovative pollution prevention technologies and business practices.

## 5. RESPONSIBILITIES

5.1. The Deputy Under Secretary of Defense For Environmental Security, under the Under Secretary of Defense for Acquisition and Technology, shall:

5.1.1. Consistent with the policies in DoD Directive 4715.1 (reference (a)), provide guidance, oversight, advocacy, and representation for environmental security pollution prevention programs.

5.1.2. Integrate the Department of Defense's pollution prevention program with other environmental, safety, and health programs.

5.1.3. Coordinate interaction with the Congress and Federal, State, Indian tribal, regional, host country, and local offices on pollution prevention issues.

5.1.4. Serve as the Department of Defense Environmental Executive in accordance with E.O. 12873 (reference (m)).

5.1.5. As the Principal Staff Assistant, ensure that the Defense Environmental Security Corporate Information Management (DESCIM) program management office develops and deploys systems that have the capability to support compliance with all applicable environmental laws and Executive Orders referenced by this Instruction, and allow for inventory management.

5.1.6. Monitor compliance with this Instruction, including progress toward achieving the appropriate measures of merit (enclosure E4.), and periodically review the DoD Component's pollution prevention programs.

5.1.7. Actively participate and support weapon system integrated product teams to ensure environmental, safety, and health (ESH) requirements are adequately addressed.

5.1.8. Advise the Defense Acquisition Board and the overarching integrated product teams on ESH issues.

5.1.9. In coordination with the DoD Components, designate a Service or Defense Agency as lead or Executive Agent for special pollution prevention-related issues or areas.

5.1.10. Develop and promulgate Environmental Security pollution prevention goals and objectives, and approve the means of measurement, in coordination with the DoD Components, for attaining those goals and objectives.

5.2. The Director, Defense Research and Engineering, under the Under Secretary of Defense for Acquisition and Technology, shall:

5.2.1. Develop an integrated, coordinated Science and Technology Program to address the pollution prevention technology requirements defined by the Deputy Under Secretary of Defense (DUSD(ES)).

5.2.2. Issue guidance to the DoD Components concerning pollution prevention Science and Technology Programs.

5.3. The Deputy Under Secretary of Defense for Logistics, under the Under Secretary of Defense for Acquisition and Technology, shall:

5.3.1. Develop policy and guidance to incorporate pollution prevention into all logistics activities, including support of weapon systems and hazardous material management systems.

5.3.2. Ensure that all environmental compliance statutory and Executive Order requirements that apply to DoD non-tactical vehicles are properly reflected in DoD 4500.36-R (reference (*n*)).

5.4. The Assistant Secretary of Defense for Economic Security, under the Under Secretary of Defense for Acquisition and Technology, shall:

5.4.1. Ensure that the DoD Components revise appropriate specifications, standards, and other standardization documents to eliminate or reduce the use of extremely hazardous substances, toxic chemicals, ozone-depleting substances, and other hazardous materials consistent with the safety, health, and reliability requirements of each Component's mission, as required by E.O. 12856 (reference (*o*)).

5.4.2. Promote the use of environmentally preferable products to the maximum extent practicable by revising specifications and standards, as appropriate,

as required by E.O. 12873 (reference (m)).

5.4.3. Promote pollution prevention by assisting the DoD Components to develop programs for energy conservation and use of energy from renewable sources, where cost effective.

5.4.4. Establish programs and policies for DoD-owned or leased buildings and facilities that promote sustainable development goals in accordance with E.O. 12902 (reference (p)), and coordinate policy and implementation oversight with DUSD(ES) to ensure program environmental goals are achieved.

5.5. The Director, Defense Logistics Agency, under the Under Secretary of Defense for Acquisition and Technology, shall:

5.5.1. Establish procedures and controls that ensure that when recyclable materials are consigned for disposal to the Defense Reutilization and Marketing Service (DRMS) on behalf of a qualified recycling program, 100% of any proceeds, less the costs of sales and handling, are returned to installations in accordance with established accounting procedures.

5.5.2. Operate and manage the DoD Ozone Depleting Substances Reserve including preparation of reports if required by Congress, through DUSD(ES), in accordance with 10 U.S.C. 2301 (reference (q)). Establish procedures governing operation of the Reserve.

5.6. The Heads of the DoD Components shall:

5.6.1. Ensure compliance with this Instruction.

5.6.2. Ensure pollution prevention is incorporated into all acquisition phases and across the entire life cycle (from concept exploration through system demilitarization and disposal) of all weapon systems. Pollution prevention for an active acquisition program shall be done in accordance with DoD Directive 5000.1 (reference (e)) and DoD 5000.2-R (reference (f)). Pollution prevention for fielded weapon systems not included within the scope of an active acquisition program shall be done in accordance with this Instruction.

5.6.3. Plan, program, and budget for pollution prevention programs in accordance with DoD guidance and fiscal policies.

5.7. The Secretaries of the Military Departments, the Directors of the Defense

Agencies and the DoD Field Activities shall:

5.7.1. Implement programs to monitor and achieve progress toward the Department's pollution prevention measures of merit. Measures of merit are given in enclosure E4.

5.7.2. Establish an affirmative procurement program in accordance with 42 U.S.C. 6962 (reference (*r*)) and E.O. 12873 (reference (*m*)).

5.7.3. Establish a program to purchase and operate alternative-fueled vehicles to reduce the emission of pollutants associated with non-tactical vehicles, as required by P.L. 102-486 (reference (*s*)), E. O. 12844 (reference (*t*)), and DoD 4500.36-R (reference (*n*)).

5.7.4. Research and develop innovative pollution prevention technologies in accordance with Director, Defense Research and Engineering guidance through partnerships among Federal agencies, Government laboratories, and the private sector.

5.7.5. Establish and execute cost-effective waste prevention and qualified recycling programs to reduce the volume of non-hazardous solid waste in accordance with 10 U.S.C. 2577 (reference (*u*)) and E.O. 12873 (reference (*m*)). Establish procedures governing qualified recycling programs.

5.7.6. Execute strategies to eliminate reliance on Ozone Depleting Substances (ODS) in accordance with E.O. 12843 (reference (*v*)) and 10 U.S.C. 2301 (reference (*q*)).

5.7.7. Provide necessary data to the Defense Logistics Agency so as to allow it to manage the DoD ODS Reserve and meet any reporting requirements, including those in DoD 4160.21-M (reference (*w*)).

5.7.8. Participate in periodic pollution prevention in-progress reviews (IPRs) as required by DUSD(ES).

5.7.9. Carry out the responsibilities of a lead or DoD Executive Agent for specific pollution prevention-related areas when designated by DUSD(ES) under paragraph 5.1.9., above. Designated DoD Executive Agents are in enclosure E2. The lead or Executive Agent shall:

5.7.9.1. Develop a charter outlining functions and responsibilities, to be approved by DUSD(ES) and coordinated with the DoD Components.



5.7.9.2. Report as appropriate, but at a minimum semi-annually, to the appropriate Defense Environmental Security Council (DESC) committee.

5.7.9.3. Ensure all policy issues are coordinated by the appropriate DoD Component and OSD chains of command.

5.7.10. Raise emerging DoD pollution prevention issues through the DESC, the Environment, Safety and Occupational Health Policy Board, or the DESC Pollution Prevention Committee, as established under DoD Directive 4715.1 (reference (a)).

## 6. PROCEDURES

6.1. The Heads of the DoD Components shall establish procedures that ensure that fielded weapon systems, not included within the scope of an active acquisition program, establish and maintain a pollution prevention program. The scope of the pollution prevention program shall, at a minimum, include the requirements that are applicable to active acquisition programs as required in DoD 5000.2-R (reference (f)), paragraphs 3.3.6, 4.3.7.2, 4.3.7.4, and 4.3.7.5.

6.2. The Secretaries of the Military Departments, the Directors of the Defense Agencies and the DoD Field Activities shall:

6.2.1. Participate in annual pollution prevention reviews as required by DUSD(ES). The review shall include, at a minimum, a progress report on the measures of merit outlined in enclosure E4.

6.2.2. Report to DLA estimates for ODS Defense requirements and provide them the data necessary to prepare any required reports, including those in 10 U.S.C. 2301 (reference (q)).

6.2.3. Ensure that all installations worldwide:

6.2.3.1. Maintain inventory management and control processes that minimize the use of hazardous materials, as appropriate, in the most economical manner.

6.2.3.2. Maintain and execute pollution prevention plans that identify goals and cost-effective management processes or technologies to eliminate or reduce the use and disposal of hazardous materials.

6.2.3.3. Establish recycling programs and procedures that:

6.2.3.3.1. Ensure, where cost effective, that all installations and activities have, or participate in, qualified recycling programs, and that installation recycling programs are available to serve all host and tenant organizations occupying space on the installation, including leased space.

6.2.3.3.2. Ensure, where cost effective, that contracts, awarded after the effective date of this Instruction, that provide for contractor operation of a government-owned or leased facility located within the United States, its territories, or possessions, include provisions that obligate the contractor to participate in a recycling program. Where cost effective, existing contracts covering GOCO facilities should be modified to incorporate recycling provisions. The DoD Components should require participation by contractors operating government-owned or leased facilities overseas where recycling programs are available.

6.2.3.3.3. Ensure that qualified recycling program procedures address recyclable materials, excluded materials, and other qualified recycling program materials. See definitions.

6.2.3.3.4. Divert recyclable materials (see definition) from the non-hazardous solid waste stream where economically feasible. Individual types of recyclable materials that make up a substantial percentage of the non-hazardous waste stream should be included in recycling programs unless doing so will make the overall recycling program unprofitable. Recyclable materials do not require informal screening as defined in DoD 4160.21-M (reference (w)).

6.2.3.3.5. Establish controls that ensure excluded materials (see definition), including those listed in 32 C.F.R. 172.2(b)(3) (reference (x)), are not sold through a qualified recycling program.

6.2.3.3.6. Authorize installation commanders, as appropriate, to sell directly recyclable and other qualified recycling program materials, or to consign them to the DRMS for sale.

6.2.3.3.6.1. Installations must implement Component procedures that ensure U.S. trade security control policies are followed in accordance with DoD Instruction 4160.27 (reference (y)) and DoD 4160.21-M-1 (reference (z)), prior to directly selling firing-range-expended brass or mixed metals gleaned from firing range cleanup that do not require demilitarization and that are Munitions List

Items (MLI) or Strategic List Items (SLI). Expended brass shall be crushed, shredded, or otherwise destroyed prior to public sale.

6.2.3.3.6.2. Reuse Screening: Prior to selling directly other qualified recycling program materials, installations shall implement Component procedures for local reuse screening to consider reutilization, transfer, and donation programs in accordance with DoD 4160.21-M (reference (*w*)).

6.2.3.3.6.3. Ensure that outside the United States, disposition of recyclable and other qualified recycling program materials, derived from goods that have been imported duty-free, is accomplished, if at all, consistent with the provisions contained in status of forces, surplus or excess property agreements, or other international agreements with host nations

6.2.3.3.7. Ensure that distribution of recycling proceeds is consistent with 10 U.S.C. 2577 (reference (*u*)).

6.2.3.3.7.1. Sale proceeds shall first be used to cover the costs directly attributable to all installation recycling programs, including, but not limited to, manpower, facilities, equipment, overhead, and other capital investments. After these costs are recovered, installation commanders may use up to 50% of the remaining proceeds for pollution abatement, pollution prevention, composting and alternative fueled vehicle infrastructure support and vehicle conversion, energy conservation, or occupational safety and health projects, with first consideration given to projects included in the installation's pollution prevention plan. Any remaining proceeds may be transferred to the non-appropriated Morale, Welfare and Recreation account for any approved programs.

6.2.3.3.7.2. An accounting and control system shall be established for recycling programs that provides detailed management and audit information, tracks material quantity handled, calculates sales and handling costs for recycled material, and tracks expenditures made for appropriate projects and Morale, Welfare and Recreation programs. Integrity of the audit trail will be a priority concern.

6.2.3.3.7.3. Materials: Ensure that appropriate management controls are in place for recyclable materials that may be hazardous, such as lead-acid batteries.

6.2.3.4. Operate a composting program or participate in a regional

composting program, if it is practicable to do so.

6.2.4. Ensure all installations in customs territory of the United States and Guam meet the following additional requirements:

6.2.4.1. Comply with the Toxic Release Inventory and Pollution Prevention Act Reporting requirements of section 3-304 of Executive Order 12856 (reference *(o)*).

6.2.4.2. Comply with the Emergency Planning and Community Right-to-Know Reporting Responsibilities requirements of section 3-305 of Executive Order 12856 (reference *(o)*).

6.2.4.3. Ensure that pollution prevention plans required by subparagraph 6.2.3.2., above, also comply with sections 3-302(d), 5-505, and 5-508 of Executive Order 12856 (reference *(o)*). In addition, the pollution prevention plans shall describe how the installation will contribute to meeting the goals of the Pollution Prevention Measures of Merit contained in enclosure E4.

6.2.5. Ensure all installations in the United States establish and execute a program to reduce the emission of air pollutants by DoD non-tactical vehicles by:

6.2.5.1. Acquiring alternative-fueled vehicles to meet the requirements of P.L. 102-486 (reference *(s)*), Executive Order 12844 (reference *(t)*), and DoD 4500.36-R (reference *(n)*), ensuring that such alternative-fueled vehicles meet mission needs.

6.2.5.2. Ensuring sufficient supporting infrastructure for alternative-fueled vehicles, relying on commercial infrastructure where feasible.

6.2.5.3. Planning placement of alternative-fueled vehicles to obtain maximum air quality benefits, including Clean Air Act credits under 42 U.S.C. 7401-7671 (reference *(aa)*).

6.3. The Director, Defense Logistics Agency, under the Under Secretary of Defense for Acquisition and Technology, shall:

6.3.1. Ensure that a uniform control system is established by the DRMS for recyclable materials consigned for disposal. This system shall be sufficiently detailed to provide management audit information to permit the DRMS to properly calculate sales and handling costs, and reimburse installations and organizations 100% of the

proceeds, net of costs, for materials sold.

6.3.2. Prepare ODS report for DoD submission to Congress as required by 10 U.S.C. 2301 (reference *(q)*). The report control symbol (RCS) is (DD-A&T(Q)1958).

## 7. INFORMATION REQUIREMENTS

7.1. Emergency Planning and Community Right-to-Know Act (EPCRA) Reporting. All DoD facilities within the customs territory of the United States and Guam meeting the 42 U.S.C. 11049(4) (reference *(bb)*) definition of “facility,” regardless of Standard Industrial Classification Code, shall meet all requirements of Executive Order 12856 (reference *(o)*). All DoD facilities exceeding the Section 313 of 42 U.S.C. 11023 (reference *(cc)*) toxic chemical thresholds must file a Toxic Chemical Release Inventory report, Form R, to the Environmental Protection Agency (EPA) and appropriate State regulatory agency for each toxic chemical meeting threshold requirements, even if no releases or off-site transfers have occurred. Each DoD Component shall submit a copy of each Form R from their installations to DUSD(ES).

7.2. Alternative-Fueled Vehicle Reporting. The DoD Components shall provide required information to Department of Energy’s (DoE) Energy Information Administration (Form EIA 886, Part III), the General Services Administration (GSA Standard Form 82), and will prepare an annual report as required by Section 6 of E.O. 12844 (reference *(t)*). Each Component will forward a copy of its annual report to DUSD(ES).

7.3. Alternative Fuels Reporting. The DoD Components shall report directly to the ASD(ES) on DoE's Federal Energy Management Program (DoE Form 6200.2).

7.4. Office of Federal Procurement Policy and E. O. 12873 (reference *(m)*) The DoD Components are required annually to provide data to DUSD(ES) that summarizes their purchases of commodities not purchased through other government agencies meeting the EPA guideline requirements and other actions they are taking to meet the intent of the Executive Order. See 42 U.S.C. 6962 (reference *(r)*) and E.O. 12873 (reference *(m)*).


7.5. Annual Pollution Prevention Review. The DoD Components will present an IPR on their program (per subparagraph 5.7.8., above) to DUSD(ES).

7.6. Executive Order 12856 (reference *(o)*). The DoD Components are required

to provide information annually to DUSD(ES) that summarizes their actions taken to implement the requirements of reference (o).

8. EFFECTIVE DATE

This Instruction is effective immediately.

  
Paul Kaminski  
Under Secretary of Defense  
for Acquisition and Technology

Enclosures - 4

1. References
2. Executive Agents for Environmental Media and Specialty Areas
3. Definitions
4. DoD Pollution Prevention Measures of Merit

## E1. ENCLOSURE 1

### REFERENCES

- (f) DoD 5000.2-R “Mandatory Procedures for Major Acquisition Programs (MDAPS) and Major Automated Information System (MAIS) Acquisition Programs, March 15, 1996
- (g) Executive Order 12344, “Naval Nuclear Propulsion Program,” February 1, 1982
- (h) Section 7158 of title 42, United States Code
- (i) Section 2011 of title 42, United States Code
- (j) Section 2021 of title 42, United States Code
- (k) Title 33, Code of Federal Regulations, Section 154-156
- (l) Sections 1901-1912 of title 33, United States Code
- (m) Executive Order 12873, “Federal Acquisition, Recycling, and Waste Prevention,” October 20, 1993
- (n) DoD 4500.36-R “Management, Acquisition, and Use of Motor Vehicles,” March 29, 1994
- (o) Executive Order 12856, “Federal Compliance With Right-to-Know Laws and Pollution Prevention Requirements,” August 3, 1993
- (p) Executive Order 12902, “Energy Efficiency and Water Conservation at Federal Facilities,” March 8, 1994
- (q) Section 326 of Public Law 102-484, section 2301 of title 10, United States Code, note <sup>2</sup>
- (r) Section 6962 of title 42, United States Code
- (s) Public Law 102-486, “Energy Policy Act of 1992,” October 24, 1992<sup>3</sup>
- (t) Executive Order 12844, “Federal Use of Alternative Fueled Vehicles,” April 21, 1993
- (u) Section 2577 of title 10, United States Code
- (v) Executive Order 12843, “Procurement Requirements and Policies for Federal Agencies for Ozone Depleting Substances,” April 21, 1993
- (w) DoD 4160.21-M, “Defense Reutilization and Marketing Manual,” March 23, 1990, authorized by DoD Directive 4160.21, December 5, 1980
- (x) Title 32, Code of Federal Regulations, Part 172
- (y) DoD Instruction 4160.27, “Demilitarization of Materiel,” December 14, 1988
- (z) DoD 4160.21-M-1, “Defense Demilitarization Manual,” October 21, 1991, authorized by DoD Directive 4160.21, December 5, 1980

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<sup>2</sup> 10 U.S.C. 2301 has been repealed, but the requirement remains in the note and still applies.

<sup>3</sup> Refers to multiple parts of the law.

- (aa) Sections 7401-7671 of title 42, United States Code
- (bb) Section 11049 of title 42, United States Code
- (cc) Section 11023 of title 42, United States Code
- (dd) Section 6374 of title 42, United States Code
- (ee) Section 1401 of title 19, United States Code
- (ff) Sections 4321-4370 of title 42, United States Code
- (gg) Title 40, Code of Federal Regulations, Part 302
- (hh) Section 7671 of title 42, United States Code
- (ii) Federal Register, Volume 57, page 33753, July 30, 1992
- (jj) Sections 13101-13109 of title 42, United States Code
- (kk) Section 6903 of title 42, United States Code



E2. ENCLOSURE 2

EXECUTIVE AGENTS FOR ENVIRONMENTAL MEDIA AND SPECIALTY  
AREAS

E2.1.1. Navy-Ozone Depleting Substances

### E3. ENCLOSURE 3

#### DEFINITIONS

E3.1.1. Acquisition Program. A directed, funded effort that is designed to provide a new, improved, or continuing weapons system or automated information system (AIS) capability in response to a validated operational need. Acquisition programs are divided into categories, which are established to facilitate decentralized decision-making and execution and compliance with statutory requirements. (DoD Directive 5000.1 (reference *e*)).

E3.1.2. Alternative Fuel. A fuel as defined in 42 U.S.C. 6374 (g)(2) (reference *dd*)).

E3.1.3. Alternative Fueled Vehicle. A vehicle as defined in Section 6374 (g)(3) of reference *dd*).

E3.1.4. Composting. A controlled process for managing the degradation of plant and other organic wastes to produce a useful product that can be used as mulch or soil conditioner.

E3.1.5. Customs Territory. "All Territories and possessions of the United States except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, Johnston Island and the Island of Guam." (from 19 U.S.C. 1401(h) (reference *ee*))).

E3.1.6. Environment. The term "environment" includes water, air, and land and the interrelationship which exist among and between water, air, and land and all living things. (from 42 U.S.C. 11049(2) (reference *bb*))).

E3.1.7. Environmental Security. A program that enhances readiness by institutionalizing the Department of Defense's environmental, safety and occupational health awareness, making it an integral part of the Department's daily activities. Environmental Security is comprised of cleanup, compliance, conservation, pollution prevention, safety, occupational health, explosives safety, fire and emergency services, pest management, environmental security technology and international activities.

E3.1.8. 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, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service. (from Executive Order 12873, section 201 (reference (*m*))).

E3.1.9. Environmental Quality Classes. This includes the following designations:

E3.1.9.1. Class 0 - Includes activities needed to cover the recurring administrative, personnel and other costs associated with managing environmental programs that are necessary to meet applicable compliance requirements (Federal, State, and local laws, regulations, E.O.s, DoD policies, and Final Governing Standards overseas or the “Overseas Environmental Baseline Guidance Document” (reference (*d*)) or which are in direct support of the military mission. Also, includes environmental management activities associated with the operation of facilities, installations and deployed weapon systems. Recurring costs consist of manpower, training, supplies, hazardous waste disposal, operating recycling activities, permits, fees, testing and monitoring and/or sampling and analysis, reporting and record keeping (e.g., Toxic Release Inventory reporting), maintenance of environmental equipment, and compliance self assessments.

E3.1.9.2. Class I - Projects and activities needed that are currently out of compliance (have received an enforcement action from a duly authorized Federal, State, or local authority; have a signed compliance agreement or received a consent order; and/or have not met requirements based on applicable Federal, State, and local laws, regulations, E.O.s, DoD policies, and Final Governing Standards overseas or the Overseas Environmental Baseline Guidance Document (reference (*d*)). This class also includes projects and activities needed that are not currently out of compliance (deadlines or requirements have been established by applicable requirements, but deadlines have not passed or requirements are not in force) but shall be if projects or activities are not implemented within the current program year. Those activities include the preparation of plans (e.g., National Environmental Policy Act, 42 U.S.C. 4321-4370(d) (reference (*ff*)), documentation, master plans, emergency response plans, integrated natural and cultural resource management plans, pollution prevention plans; etc.), opportunity assessments and inventories. The preferred approach is to use pollution prevention projects or activities, if cost effective, to bring a facility into compliance. Overseas, that class includes projects and activities necessary to alleviate the human health threats to ongoing operations or necessary to comply with applicable treaties and agreements.

E3.1.9.3. Class II - Projects and activities needed that are not currently out of compliance (deadlines or requirements have been established by applicable Federal,

State, and local laws, regulations, E.O.s, DoD policies and Final Governing Standards overseas or reference (*d*), but deadlines have not passed or requirements are not in force) but shall be if projects or activities are not implemented in time to meet an established deadline beyond the current program year. The preferred approach is to use pollution prevention projects or activities, if cost effective, as the means of maintaining or bringing a facility into compliance. Overseas, that class includes projects and activities identified using risk based prioritization practices that meet the long term objective of full implementation of the Final Governing Standards for each foreign country where DoD maintains substantial installations.

E3.1.9.4. Class III - Includes projects and activities that are not explicitly required by law but are needed to address overall environmental goals and objectives.

E3.1.10. Excluded Materials. Excluded Prohibited materials may not be sold through a qualified recycling program, and the proceeds from their sale SHALL NOT be returned to a qualified recycling program. Excluded items USC 2577 and 32 CFR 172 include, but are not limited to:

- E3.1.10.1. Government-furnished material;
- E3.1.10.2. Precious metal bearing scrap;
- E3.1.10.3. Hazardous waste (including household hazardous waste);
- E3.1.10.4. Ozone depleting substances;
- E3.1.10.5. Electrical components;
- E3.1.10.6. Unopened containers of solvents, paints, or oil;
- E3.1.10.7. Fuels;
- E3.1.10.8. Material that can be sold (as is) as a usable item;
- E3.1.10.9. Repairable items that may be used again for their original purposes or functions; e.g., used vehicles, vehicle or machine parts, etc.;
- E3.1.10.10. Ships, aircraft, weapons, and other material required to be demilitarized or mutilated, and scrap resulting from demilitarization;
- E3.1.10.11. All Munitions List Items (MLI) and Strategic List Items (SLI) as

defined in DoD 4160.21-M-1 (reference (z)), except firing range expended brass and mixed metals gleaned from firing range cleanup;

E3.1.10.12. Types of surplus personal property whose sales proceeds must be deposited to accounts other than a qualified recycling program per 32 CFR 172, Appendix B (reference (x)).

E3.1.10.12.1. Scrap generated from Defense Business Operations Fund (DBOF) activities;

E3.1.10.12.2. Usable personal property purchased by DBOF activities;

E3.1.10.12.3. Property purchased with commissary surcharge funds;

E3.1.10.12.4. Automatic data processing equipment owned by the General Services Administration;

E3.1.10.12.5. Property purchased for the Military Assistance Program or purchased with Foreign Military Sales Administrative funds;

E3.1.10.12.6. Coast Guard property;

E3.1.10.12.7. Property owned by nonappropriated fund activities;

E3.1.10.12.8. Lost, abandoned, or unclaimed privately owned personal property;

E3.1.10.12.9. Property owed by a country or international organization;

E3.1.10.12.10. Bones, fats, and meat trimmings generated by a commissary.

E3.1.11. Extremely Hazardous Substances. A substance as defined 42 U.S.C. 11049(3) (reference (bb)).

E3.1.12. GOCO. Government-owned/contractor-operated facility that is owned by the Federal Government but all or portions of which are operated by private contractors.

E3.1.13. Government Furnished Material. Property that may incorporated into or attached to a deliverable end item or that may be consumed or expensed in performing a contract. It includes assemblies, component parts, raw and processed

materials and small tools and supplies that may be consumed in normal use in performing a contract.

E3.1.14. Hazardous Substance. Any substance listed in Table 302.4 of 40 CFR Part 302 (reference (*gg*)).

E3.1.15. Other Qualified Recycling Program Materials. Materials that fit neither the definition of recyclable materials nor the definition of excluded materials are classified as other qualified recycling program materials.

E3.1.16. Ozone Depleting Substances. Means the substances controlled internationally under the Montreal Protocol and nationally under Title VI of the Clean Air Act Amendments (reference (*hh*)). This includes both Class I and Class II substances as follows:

E3.1.16.1. "Class I substance" means any substance designated as Class I in 57 FR 33753 (reference (*ii*)), including chlorofluorocarbons, halons, carbon tetrachloride, and methyl chloroform and any other substance so designated by the Environmental Protection Agency (EPA) by regulation at a later date.

E3.1.16.2. "Class II substance" means any substance designated as class II in 57 FR 33753 (reference (*ii*)), including hydrochlorofluorocarbons and any other substance so designated by the EPA by regulation at a later date.

E3.1.17. Pollution and/or Pollutants. The terms "pollution" and "pollutant" refer to all nonproduct outputs, irrespective of any recycling or treatment that will or may reasonably be anticipated to cause deleterious affects to the public health or the environment.

E3.1.18. Pollution Prevention. "Pollution prevention" means "source reduction," as defined in the Pollution Prevention Act (PPA) of 1990, 42 U.S.C. Sections 13101-13109 (reference (*jj*)), and other practices that reduce or eliminate the creation of pollutants through: (a) increased efficiency in the use of raw materials, energy, water, or other resources; or (b) protection of natural resources by conservation. (Also See "Source Reduction.")

E3.1.19. Procurement. The acquiring by contract with appropriated funds for supplies or services by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated and evaluated.

E3.1.20. Qualified Recycling Program (QRP). Organized operations that require concerted efforts to divert or recover scrap or waste, as well as efforts to identify, segregate, and maintain the integrity of the recyclable materials in order to maintain or enhance their marketability. If the program is administered by a DoD component, a QRP includes adherence to a control process providing accountability for all materials processed through program operations.

E3.1.21. Recovered Material. Waste materials and by-products that have been recovered or diverted from solid waste, but such term does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process. (42 U.S.C. 6903(19) (reference (*kk*))).

E3.1.22. Recyclable Materials. Recyclable materials can include, but *are not limited to*: high-quality paper and paper products; mixed paper; newspaper; cardboard; plastic; metal cans; glass; used oil (except when hazardous waste); batteries; and *tires*. In addition, scrap (including ferrous and non-ferrous scrap) and firing range expended brass and mixed metals gleaned from firing range cleanup that do not require demilitarization may be included in a qualified recycling program.

E3.1.23. 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 (from Executive Order 12873, Section 207 (reference (*m*))).

E3.1.24. Source Reduction. As defined in the Federal Pollution Prevention Act (reference (*jj*)), source reduction is "any practice that a.) reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment, and disposal; and b.) reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants. The term includes equipment or technology modification, process or procedure modification, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control. " Source reduction does not entail any form of waste management (e.g., recycling and treatment).

E3.1.25. Standardization Document. A generic term for a document used to standardize on an item of supply, process, procedure, method, data, practice, or

engineering approach. Standardization documents include military specifications, standards handbooks and bulletins; Federal specifications and standards; guide specifications; Commercial Item Descriptions; and Non-Government Standards.

E3.1.26. Toxic Chemical. A chemical as defined in 42 U.S.C. 11023(c) (reference (cc)).

E3.1.27. Waste Minimization. Source reduction and the following types of recycling: (a.) beneficial use/reuse and (b.) reclamation. Waste minimization does not include recycling activities whose uses constitute disposal and burning for energy recovery.



#### E4. ENCLOSURE 4

##### DoD Pollution Prevention Measures of Merit

E4.1.1. By the end of Calendar Year (CY) 1999, reduce total releases and off-site transfers of toxic chemicals 50% from the 1994 toxic release inventory baseline. The amount of toxic releases and off-site transfers will be measured and reported in pounds.

E4.1.2. By the end of CY 1999, reduce the disposal of hazardous waste 50% from the 1992 baseline. The amount of hazardous waste disposal will be measured and reported in pounds.

E4.1.3. By the end of CY 1999, reduce the disposal of non-hazardous solid waste 50% from the 1992 baseline. The amount of solid waste disposal will be measured and reported in pounds.

E4.1.4. By the end of CY 1999, ensure that 50% of non-hazardous solid waste generated will be recycled. The amount of non-hazardous solid waste recovered and sold DoD-wide for reuse will be measure and reported in pounds.

E4.1.5. By the end of CY 1999, ensure that 75% of DoD Acquisitions of new, non-tactical vehicles are alternatively fueled vehicles.