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	RELATED ACA STANDARDS:	
CHAPTER: 8 - Administration	SUBJECT: ENVIRONMENTAL MANAGEMENT SYSTEM (EMS) DESCRIPTION DOCUMENT	
APPROVED BY THE COMMISSIONER AND EFFECTIVE THIS DATE:		
		
APPROVED FOR PUBIC RELEASE:		

I. **AUTHORITY:** 11 Del. C. 6517 and 29 Del. C. 89 §8917, Environmental Protection Administration Compliance-Focused EMS Guidance (EPA-330-9-97-002R – revised June 2005), International Organization for Standardization’s Environmental Management Systems (EMS) – Specification with Guidance for Use – ISO 14001:2004, Governor’s Executive Order # 1111.

II. **PURPOSE:** This document communicates the vision for the outcomes of the environmental management system (EMS), the core elements and the linkage between the parts of the system and the primary roles and responsibilities within the EMS of the Delaware Department of Corrections (DOC) with locations situated throughout the State of Delaware.

The DOC leadership will understand and appreciate how proactive management of environmental affairs will support achievement of the DOC mission by fostering long-term environmental improvement as well as compliance with all environmental regulations at DOC facilities. All DOC employees, contractors, and other others associated with DOC facilities will support achievement of the environmental objectives and targets through their daily actions and fulfillment of their responsibilities.

The EMS will move the DOC toward maintaining full environmental compliance at all of the DOC locations. In addition, the EMS will also support efforts to further minimize DOC environmental impacts throughout the State.

III. **APPLICABILITY:** The EMS covers all activities, products and services of the DOC headquarters and each of the operating locations (facilities) listed in the table below. Suppliers and contractors operating at these facilities are also included in the scope of the EMS as applicable to the services being provided to the DOC. The DOC EMS will conform to the requirements of the Environmental Protection Administration (EPA) Compliance-Focused EMS (CF-EMS) Guidance (EPA-330/9-97-002R – most recently revised June 2005); Further, guidance from the ISO 14001:2004 EMS standard will also be used to help develop the structure the EMS.

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The following facilities and activities are included in the EMS:

James T. Vaughn Correctional Center (JTVCC)
Howard R. Young Correctional Institute (HRYCI)
Sussex Correctional Institution (SCI)
Delores J. Baylor Women’s Correctional Institution (BWCI)
John L. Webb Correctional Facility (WCF)
Central Violation of Probation Center (CVOP)
Morris Community Correctional Center (MCCC)
Plummer Community Correctional Center (Plummer)
Sussex Community Correctional Center (SCCC)
Sussex Violation of Probation Center (SVOP)
New Castle County Women’s Work Release Center (NCCWWRC)
District #1 through #6 Probation and Parole Offices

IV. DEFINITIONS:

Environmental Requirements – Applicable federal, state and local environmental statutes, regulations, enforceable agreements and permits.

Persons performing tasks on behalf of DOC – Non-DOC employees or organizations such as contractors, vendors or suppliers. Contractors may be resident or temporary.

DOC Facility – This includes DOC headquarters and any of the facilities identified in Section 2.0 of this document

(See additional pertinent definitions listing in specific EMS management procedures and SOPs.)

V. **POLICY:** The DOC has developed a stand-alone document environmental policy that is signed by the Delaware DOC Commissioner. The text of this policy, titled *Environmental Policy* (DOC Policy #8.55), is duplicated below:

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As set forth in Delaware Code and the Governor’s Executive Order, we are committed to protecting the environment and communities. We will reduce and make continual progress toward eliminating the release of any substance that may cause health or environmental damage. We will reduce, and where possible eliminate wastes and releases through source reduction. All waste will be handled and disposed of safely and responsibly.

- A. All facilities and grounds shall conform to applicable laws and safety standards in the storage, handling and disposal of chemicals, waste materials and other potential atmospheric, soil or water pollutants.
- B. Promote environmental awareness and encourage working in an environmentally responsible manner
- C. Ensure a safe and healthy workplace and minimize our potential impact on the environment. We will operate in compliance with all relevant federal, state and local environmental legislation and we will strive to use pollution prevention and environmental best practices in all we do.
- D. Avoid unnecessary use of hazardous materials and products, seek substitutions when feasible, and take all reasonable steps to protect human health and the environment when such materials must be used, stored and disposed of,
- E. Where required by legislation or where significant health, safety or environmental hazards exist, develop and maintain appropriate emergency and spill response programs.
- F. The DOC will routinely seek cost – effective ways to minimize new facility construction and existing facility operational impacts to the environment, utilizing continual improvement methods with input from employees and the community
- G. Risk Management Safety Officer, Chief of Security and Institutional Inspectors will conduct routine inspections and evaluations of our environmental standards.
- H. Strive to continually improve our environmental performance by periodically reviewing our environmental policy in light of our current and planned future activities.

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- VI. **KEY ROLES, RESPONSIBILITIES AND AUTHORITIES:** Roles and responsibilities within the EMS will be defined at each level and function of the DOC. Organization charts that identify upper management, line management, and other individuals having environmental duties and regulatory compliance responsibilities will be maintained. The key roles and responsibilities within the EMS are:
- A. **Commissioner** - The Commissioner is the “top management” of the DOC and therefore administers the EMS. He/she is responsible for implementing the EMS in conformance with requirements, providing appropriate resources to maintain the EMS, and reviewing and improving the EMS as appropriate to maintain compliance with environmental requirements and conformance with the EMS including implementation of the environmental policy and achievement of EMS objectives and targets.
 - B. **Management Representative** - The Management Representative (MR) for the EMS shall be the Risk Management Safety Officer (RMSO). The RMSO is part of the Commissioner’s Office, Security and Inspections Office, which is part of the top management of the DE DOC. The RMSO shall act as top management’s designee to ensure that the EMS is implemented and operating as designed. The two primary EMS responsibilities of the RMSO are:
 - Ensuring that the EMS is established, implemented, and maintained in accordance with this document, the environmental policy, and the requirements of the Environmental Protection Administration Compliance-Focused EMS Guidance (EPA-330/9-97-002R) at all of the DE DOC facilities; and
 - Reporting on the performance of the EMS to the Commissioner and other management staff so a periodic review of the system can be conducted as a basis for improvement of the EMS.
 - C. **DE DOC Senior Management (DSM)** - The DE DOC Senior Management (DSM), led by the Commissioner, is ultimately responsible for the EMS. The DE DOC Senior Management includes staff from the Commissioner’s office, as well as chiefs for the Bureau of Prisons, Community Corrections, and Management Services (see organizational chart at the end of this procedure). The current status of the EMS, including an update on its implementation, maintenance, operation, and performance as reported by the RMSO, shall be a routine agenda item discussed at least quarterly as part of routine DSM meetings. The responsibilities of the DSM for the EMS are:

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KEY ROLES, RESPONSIBILITIES AND AUTHORITIES Cont.:

- Provide adequate resources (i.e. commit staff availability and funding) to ensure the EMS is properly implemented and maintained.
- Evaluate and approve recommendations from the RMSO on EMS objectives and targets, and designate environmental management program champions to achieve set objectives.
- Evaluate the EMS through the management review process and initiate improvements as necessary to improve its effectiveness for environmental compliance.
- Actively and visibly promote the EMS throughout the organization.
- Consider impact on the environment in all operational decision-making and work to minimize the environmental impacts from the organizational activities, especially those related to new construction or updated operations.
- Ensure that DE DOC resources are available to adequately monitor and measure the EMS and all environmental programs
- Monitor identified nonconformity and progress on corrective and preventive action activities.

D. **EMS Coordinators** - The manager of authority at each DE DOC facility shall designate an EMS Coordinator to work with the RMSO to develop, implement, and maintain the EMS at their specific facility. The EMS Coordinator, along with the RMSO, shall enlist the support of other staff at the facility to assist with the implementation of the EMS.

As appropriate and necessary, various staff from different levels and different functions at each facility will form a cross-functional team (CFT) to collectively support the RMSO and EMS Coordinator with implementation, maintenance, operation, and performance of the EMS. The Chief of Security and Inspections (CSI), Institutional Inspectors (II), and Bureau of Management Services Facilities Maintenance staff (whom has operations and maintenance responsibilities for all DE DOC facilities) are key members of the CFT.

E. **All DOC Personnel** - All personnel, including contractors, play a role in the effective operation of the EMS and are directly responsible for:

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KEY ROLES, RESPONSIBILITIES AND AUTHORITIES Cont.:

- PRACTICING pollution prevention, reducing resource consumption and recycling
- CONTRIBUTING to the achievement of environmental objectives and targets relevant to his/her responsibilities
- TALKING to coworkers about conformance to the environmental policy and EMS requirements
- UNDERSTANDING the environmental policy
- RECOGNIZING the importance of performing their environmental responsibilities consistent with defined procedures
- ENSURING compliance with all environmental regulations and requirements

VII. CORE ELEMENTS OF THE EMS: The core elements of the EMS are identified and described in the following sections. The methods for implementing each core element are typically described in the various policies and procedures that have been developed as part of the EMS or developed previously by DE DOC.

The EMS references several levels of documentation ranging from Level 1 through Level 5 as described below:

- Level 1 Policy that is applicable to the DOC system wide including the environmental policy and the EMS Description Document
- Level 2 Management Procedures that describe how the requirements of the EMS Description Document will be implemented through processes of the core elements of the EMS. The requirements of the processes described are expected to be included in the procedures of each DOC facility/site location
- Level 3 Standard Operating Procedures (SOPs) for use by all DOC facilities as applicable.

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CORE ELEMENTS OF THE EMS Cont.:

- Level 4 Standard Operating Procedures (SOPs) or plans that are specific to a particular facility to address unique environmental requirements or control of environmental aspects of unique operations.

- Level 5 EMS Records to include anything necessary to demonstrate that the EMS is implemented as required and as planned, and is being managed as planned to meet all environmental requirements (such as inspection reports, and other routine documentation).

The methods of implementing each core element may be further described by a Level 2 Environmental Management Procedure (EMP). EMPs may in turn further detail a process in Level 3 and Level 4 Standard Operating Procedures (SOP). References are made in each section as appropriate.

The core elements of the EMS are the primary parts of the system that must be in place before the system can support achieving and maintaining conformance with environmental requirements, and continual improvement in environmental performance.

VIII. ENVIRONMENTAL POLICY

A signed and dated environmental policy that meets the requirements of the EPA CF-EMS and the ISO 14001:2004 standard is maintained by the Commissioner. The text of the policy is contained in Section 5 of this document.

A. Organization, Personnel, and Oversight of EMS

DOC will identify and define specific duties, roles, responsibilities and authorities of key staff in implementing and sustaining the EMS at headquarters and at each facility. Organizational charts shall be developed and maintained which identify units, line management, and other individuals having environmental duties at headquarters and at each facility. The EMR will maintain a Roles Matrix that shows the roles with responsibility in any particular Level 2 EMS Management Procedure.

Further, DOC shall establish a means of communicating environmental issues and information to relevant parties within DOC, and shall also establish a means to receive and address environmental related concerns.

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In addition, management shall ensure the availability of resources and funding essential to establish, implement, maintain and improve the environmental management system. Resources include human resources and specialized skills, organizational infrastructure, technology and financial resources.

The details of this process are included in Level 2 EMS Management Procedure, 8.55B.

B. Accountability and Responsibility

DOC management shall specify accountability and environmental responsibilities for DOC staff at each facility for environmental protection and risk reduction measures. DOC shall also describe the programs to ensure that DOC staff performs in accordance with environmental compliance policies, standards, and procedures. The possible consequences for departure from specified operating procedures, including liability for civil/administrative penalties and fines imposed by the regulators as a result of non-compliance are also presented to ensure that all relevant staff is aware of the importance of compliance. The details of this process are presented in Level 2 EMS Management Procedure 8.55C.

C. Identification of Environmental Requirements

DOC will identify and maintain a list of current legal environmental requirements that apply to processes and activities at each of the DOC facilities. Processes for identifying and tracking new or proposed environmental requirements will also be maintained. This process will include a procedure for periodic communication with regulatory agencies regarding environmental requirements and regulatory compliance. Further, the process for incorporating those changes into the EMS will be established. Knowledge of these legal environmental requirements will be maintained and communicated to those who need the information to effectively pursue their responsibilities.

DOC shall also establish a system for developing, implementing, and maintaining ongoing internal compliance monitoring; including inspections and measurements to ensure that facility activities conform to applicable environmental requirements.

The details of this process are presented in Level 2 EMS Management Procedure 8.55D.

D. Assessment, Prevention, and Control

DOC shall assess all on-going operations for the purposes of preventing, controlling, or minimizing reasonably foreseeable releases, environmental process hazards, and risks of non-compliance with environmental requirements. DOC shall further identify operations at each facility where documented standard operating procedures (SOPs) or other

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ASSESSMENT, PREVENTION AND CONTROL CONT.:

documents are needed to prevent non-compliance with environmental regulations, and shall also establish a formal procedure for developing, approving, and implementing the necessary SOPs and documents

DOC shall also establish a system for conducting and documenting routine, objective, self-inspections by DOC staff, especially at locations identified by the process described above, to check for malfunctions, deterioration, and worker adherence to operating criteria, unusual situations, and unauthorized or unplanned releases.

Finally, DOC shall also establish a process to ensure identification and consideration of environmental requirements during planning, design, and operation of new and/or changing buildings, processes, equipment, maintenance activities, and products. The details of this element are presented in the Level 2 EMS Management Procedure, 8.55E.

E. Environmental Incident and Non-Compliance Investigations

All employees and others performing tasks on behalf of the DOC will have the ability to identify and report nonconformity with the requirements of the EMS and environmental requirements. Responsibility will be assigned to appropriate personnel to develop action plans to implement corrective and preventive action. This process will be applied to environmental incidents and accidents. A problem solving approach will be pursued that includes an appropriate level of root cause analysis so repeat deficiencies will be avoided. Corrective and preventive actions will be assessed and tracked to verify effectiveness. The details of this process may be seen in the Level 2 EMS Management Procedure, 8.55F.

F. Environmental Training, Awareness, and Competence

Training, education, and experience requirements will be identified for any person performing tasks for or on behalf of the DOC that have environmental requirements. In addition, EMS awareness training will be provided to all relevant personnel that work under the EMS. The list of significant environmental aspects will be used to identify personnel working in positions where they can potentially create a significant impact on the environment. Persons in these job positions will be provided job specific training to ensure their competency and to identify potential environmental issues or concerns. A process will be maintained to ensure that those needing training will receive the training needed, and all training will be documented. Annual performance evaluations will be conducted to ensure competence of personnel. The details of this process may be seen in the Level 2 EMS Management Procedure, 8.55G.

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G. Environmental Planning and Organization Decision Making

The environmental aspects of all DOC activities will be identified and assessed to determine which are considered significant to the DOC. Once established, environmental planning will be integrated into organizational decision-making, including plans and decisions on capital improvements, product and process design, and maintenance activities. The list of environmental aspects will be kept up-to-date

Using the significant environmental aspect list, and other pertinent information, performance improvement and system improvement objectives and targets will be set annually at appropriate levels within the organization. Specific responsibility to achieve a set objective will be designated and the designee will develop action plans to achieve the objective. The details of this process may be seen in the Level 2 EMS Management Procedure, 8.55H.

H. Maintenance of Records and Documentation

The DOC EMS is intended to take on a “life of its own” and operate effectively regardless of the people involved. To achieve this, the DOC will maintain this EMS Description Document to describe the scope of the EMS and the core elements of the EMS and their interaction. EMS documentation will reference to related documents and be created and maintained with in the structure described below:

- Level 1 Policy that is applicable to the DOC system wide including the environmental policy and the EMS Description Document
- Level 2 Management Procedures that describe how the requirements of the EMS Description Document will be implemented through processes of the core elements of the EMS. The requirements of the processes described are expected to be included in the procedures of each DOC facility/site location
- Level 3 Standard Operating Procedures (SOPs) for use by all DOC facilities as applicable.
- Level 4 Standard Operating Procedures (SOPs) and other documents that are specific to a particular facility to address unique environmental requirements or control of environmental aspects of unique operations.
- Level 5 EMS Records to include anything necessary to demonstrate that the EMS is implemented as required and as planned, and is being managed as planned to meet all environmental requirements.

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MAINTENANCE OF RECORDS AND DOCUMENTATION CONT.:

The creation of all EMS documentation will be controlled by ensuring appropriate approval of newly created documents and modified documents. Documents will be periodically reviewed to ensure that they are still applicable to operations. Document formats will include control features to ensure that obsolete documents are destroyed and that only current documents are used in managing the EMS.

EMS records are identified by respective procedures and SOPs, and maintained as appropriate to the system and to DOC, in order to demonstrate conformance to the requirements of the EMS and environmental requirements. Those responsible for maintaining records, the locations of storage, and retention times are defined. The details of this process may be seen in the Level 2 EMS Management Procedure, 8.55I.

I. Pollution Prevention

DOC shall establish a procedure for preventing, reducing, recycling, reusing, and minimizing waste and emissions, and include the development of programs to encourage these practices, and tracking improvements with operations at each of the DOC facilities. The details of this process may be seen in the Level 2 EMS Management Procedure, 8.55J.

J. Continuing Program Evaluation and Improvement

The EMS will be formally reviewed by DOC senior management on an annual basis. Environmental data and performance metrics information will be provided to the DOC senior management so the adequacy of the EMS may be evaluated. At least annually the environmental policy will be reviewed for adequacy, and the EMS objectives and targets will be reviewed to ensure continual improvement. EMS management review inputs will also be included in regularly scheduled upper management staff meetings when appropriate.

In support of the annual review of the success of the EMS in keeping the facility in compliance with environmental regulations, periodic audits (at least annually) of facility compliance with environmental requirements by an independent auditor(s) will be performed. Audit results are reported to upper management and instances of noncompliance are addressed through the process described in element 6 above.

The details of this process may be seen in the Level 2 EMS Management Procedure, 8.55K.

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K. Internal/External Communication

DOC will maintain appropriate internal lines of communication between the various levels and functions of the organization to ensure information on the EMS is shared appropriately. Procedures for receiving, documenting and responding to relevant communication on the EMS and the DOC environmental performance from external interested parties will be established and maintained. DOC will implement a program for ongoing community education and involvement in the environmental aspects of the DOC's operations and for general environmental awareness, as appropriate.

The details of this process may be seen in the Level 2 EMS Management Procedure.

IX. DOCUMENT REVISION HISTORY

No.	Date	Modification Comment	Approval
1	2/2/2015	Retyped verbatim to adapt to DOC policy format.	