

FISH AND WILDLIFE SERVICE  
POLLUTION CONTROL

**Pollution Control**

**Part 560 Pollution at FWS Facilities**

**Chapter 1 Policy and Responsibilities – Environmental Compliance**

**560 FW 1**

**1.1 What is the purpose of this chapter?** This chapter provides guidance for complying with environmental laws and regulations at Service facilities.

**1.2 What is the objective of this program?** Our objective is to comply with all applicable environmental laws and regulations when performing our activities and when designing, constructing, managing, operating, and maintaining our facilities. In addition, it is our policy to implement sustainable management practices that move beyond full compliance with environmental laws and regulations and set an example in environmental leadership (see 565 FW 1).

**1.3 What is the scope of this chapter?**

**A.** This chapter applies to all Service-owned or operated facilities, including residences. Service facilities are buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by or constructed or manufactured and leased to, the Service. This includes refuges, hatcheries, and other field stations, as well as any place the Service occupies space.

**B.** All new and renewed agreements with concessionaires' and cooperators' operations on Service lands should require compliance with the policies in this chapter.

**1.4 What are the authorities for this chapter?**

**A. Executive Order 13514**, Federal Leadership in Environmental, Energy, and Economic Performance, October 5, 2009.

**B. Executive Order 13423**, Strengthening Federal Environmental, Energy, and Transportation Management, January 24, 2007.

**C. Clean Air Act**, as amended ([42 U.S.C. 7401](#) *et seq.*).

**D. Comprehensive Environmental Response, Compensation and Liability Act**, as amended ([42 U.S.C. 9601](#) *et seq.*).

**E. Emergency Planning and Community Right-to-Know Act** ([42 U.S.C. 11001](#) *et seq.*).

**F. Federal Facility Compliance Act** ([Pub. L. 102-386](#)).

**G. Federal Insecticide, Fungicide, and Rodenticide Act**, as amended ([7 U.S.C. 136](#) *et seq.*).

**H. Federal Water Pollution Control Act**, as amended ([33 U.S.C. 1251](#) *et seq.*).

**I. Hazardous Materials Transportation Act**, as amended ([49 U.S.C. 5101](#) *et seq.*).

**J. Noise Control Act of 1972** ([42 U.S.C. 4901](#) *et seq.*).

**K. Pollution Prevention Act** ([42 U.S.C. 13101](#) *et seq.*).

**L. Public Health Service Act**, as amended by the Safe Drinking Water Act ([42 U.S.C. 300f](#) *et seq.*).

**M. Radiation guidance pursuant to Section 274(h) of the Atomic Energy Act of 1954**, as amended ([42 U.S.C. 2021](#)).

**N. Solid Waste Disposal Act**, as amended ([42 U.S.C. 6901](#) *et seq.*).

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**O. Toxic Substances Control Act** ([15 U.S.C. 2601](#) *et seq.*).

**1.5 Who is responsible for environmental compliance?**

**A.** The **Director** ensures that we take all necessary measures to comply fully with all environmental laws and regulations (see 560 FW 7).

**B. Assistant Directors and Regional Directors** are responsible for ensuring that we take all necessary actions to prevent, control, and abate environmental pollution with respect to Service facilities and activities within their control.

**C. Assistant Director - Business Management and Operations (ABMO)** is responsible for providing:

(1) Staff assistance to the Director to oversee our compliance with applicable environmental laws and regulations.

(2) Technical guidance to Regional Directors to help them meet their responsibilities.

**D. Chief, Division of Engineering** is responsible for:

(1) Developing policy and providing technical assistance and regulatory guidance to Regions and field offices.

(2) Managing our national environmental audit and compliance efforts, including tracking abatement and cleanup activities at facilities out of compliance, and assisting the Regions with the national compliance auditing program (see [560 FW 7](#)).

(3) Developing, coordinating, and providing appropriate environmental training.

(4) Managing and maintaining a consolidated list of our cleanup projects (see [561 FW 10](#)).

(5) Managing and maintaining our inventory of sites on the Federal Agency Hazardous Waste Compliance Docket (see [560 FW 5](#)).

(6) Representing the Service on the Department's Central Hazardous Material Fund Technical Review Committee (see [561 FW 10](#)).

(7) Providing management and oversight of our:

(a) Environmental and Disposal Liability (EDL) database (see 260 FW 6);

(b) Spill Prevention, Control, and Countermeasures (SPCC) program;

(c) Lead-based paint program; and

(d) Environmental Management System, including performing quality control reviews of systems developed for Regional and field station offices (see 560 FW 7).

(8) Coordinating and consolidating reports and inventories required by the Department of the Interior (Department), the U.S. Environmental Protection Agency (EPA), and the Office of Management and Budget, and acting as the Service's principal point of contact with these agencies for environmental compliance matters.

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**E. Chief, Division of Safety and Health** is responsible for overseeing and providing Servicewide technical guidance and assistance for compliance with the Occupational Safety and Health Act, as amended, and its implementing regulations and related Departmental policies (see [240 FW 1](#)).

**F. Chief, Division of Environmental Quality** is responsible for overseeing and providing Servicewide technical guidance and assistance for compliance with the Federal Insecticide, Fungicide, and Rodenticide Act and its implementing regulations and related Departmental policies.

**G. Facility Managers/Project Leaders** are responsible for:

(1) Complying with all applicable environmental laws and regulations governing facilities and activities under their supervision.

(2) Correcting environmental compliance audit findings in a timely manner (see [560 FW 7](#)).

(3) Providing employees who are involved with the management of hazardous materials and hazardous waste the proper training in the methods of handling and disposing of them (see 242 FW 2 and 561 FW 6).

(4) Requesting sufficient funds in their budgets for compliance with these standards.

**1.6 How does the Service implement the policy in this chapter?**

**A. Pollution Prevention.** Where practicable, we adopt or change our practices to prevent or minimize pollution by eliminating the use of materials that produce hazardous waste or have an adverse effect on the environment (see [565 FW 1](#)).

**B. Pollution Incidents and Discoveries.** We immediately report to the proper authorities any incidents that result in discharges of oil or releases of hazardous substances and any discoveries of hazardous substance disposal sites at our facilities (see [560 FW 3](#)).

**C. Audits.** We conduct regular audits of our facilities to assure compliance with applicable environmental laws and regulations (see [560 FW 7](#)).

**D. Noncompliance.** When we determine or are notified that we are in violation of an applicable environmental law or regulation, we promptly consult with the appropriate regulatory agency and provide a plan to achieve and maintain compliance with that standard.

**E. Funding.** We request sufficient funds in our budget for compliance with applicable environmental laws and regulations. We do not use any funds appropriated and apportioned for the prevention, control, and abatement of environmental pollution for any other purpose unless permitted by law.

**F. Exemption.** The Secretary of the Interior must recommend, through the Director, Office of Management and Budget, to the President, any exemption from compliance with an applicable pollution control standard which is allowed by statute.

**G. Extra-Territoriality.** All Service facilities constructed or operated outside the United States, at a minimum, must comply with the environmental laws and regulations of general applicability in the host country or jurisdiction. For those Service facilities located in U.S. territories or possessions not included in the 50 States, we should follow the environmental laws and regulations of the United States as though they applied.

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**H. Records.** Each environmental law and regulation has its own specified minimum records retention time. However, good management practice dictates that we keep all environmental audits, notices of violation, and resulting pollution control, abatement, or corrective action plans and completion reports at the facility indefinitely. Field managers send copies of these documents to the Regional Environmental Compliance Coordinator and the Division of Engineering in Headquarters.

**1.7 How is this program coordinated with other agencies? We:**

- A.** Cooperate with the EPA, State, interstate, and local agencies to prevent, control, and abate environmental pollution, including any regulatory inspections or compliance monitoring.
- B.** Consult with the EPA and other regulatory agencies about the best techniques and methods available to prevent, control, and abate pollution.

/sgd/ Hannibal Bolton  
ACTING DIRECTOR

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