

## **Legal Identification and Clarification Process for Environmental Aspects That Apply To The ESOHMS**

1. The following federal statutes and regulations identify legal requirements to which we subscribe related to environmental aspects:
  - a. 10 CFR §§ 1-1800; Energy
  - b. 29 CFR §§ 0-4907; Labor
  - c. 40 CFR §§ 1-1700; Environmental Protection
  - d. 49 CFR §§ 100-185; Transportation
  
2. The list included in paragraph 1 above is not all-inclusive. The potential impacts of our activities include different types of environmental media, each of which has its own statutory and regulatory requirements. In addition, since our activities occur in many different states, and many federal statutes include waivers of sovereign immunity which require federal agencies to comply with state requirements, we are potentially responsible for compliance with state statutes and regulations related to these potential impacts.
  
3. Many resources are available to research applicable federal, state, and local legal requirements that apply to an activity that could affect an environmental aspect in IGD 1002, Section 2.1. These resources include DENIX, Navy OGC newsletters, Army ELD newsletters, Westlaw electronic legal database, and Department of Defense Regional Environmental Coordinators located throughout the United States.
  
4. In order to comply with the requirements of section 4.3.2, ISO Standard 14001, the following procedure is to be followed:
  - a. When a Strategic Materials directorate or division becomes aware of an activity or proposed activity that could affect an aspect listed in IGD 1002, the organization responsible for the project will provide a written description of the project, the environmental aspect that has the potential to be impacted and the manner in which it could be impacted.
  
  - b. DLA Office of Counsel, using the resources described above, will be requested to research the applicable legal requirements and provide a list of applicable requirements and the manner in which they apply to the directorate responsible for the project.

### **CAUTION**

Hard copies of this document may not be the current version. Refer to the "I Am The Key" link to verify the current version.