

<p>VOLUME 1</p> <p>“GENERAL POLICIES AND RESPONSIBILITIES”</p> <p>SUMMARY OF VOLUME 1 CHANGES</p> <p>Hyperlinks are denoted by <i><u>bold, italic, blue and underlined font.</u></i></p> <p>The original publication date of this Marine Corps Order (right header) will not change unless/until a full revision of the MCO has been conducted.</p> <p>The date denoted by blue font (left header) will reflect the date this Volume was last updated.</p> <p>All Volume changes denoted in blue font will reset to black font upon a <u>full revision</u> of this Volume.</p>			
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VOLUME 1: GENERAL POLICIES AND RESPONSIBILITIES

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ENVIRONMENTAL COMPLIANCE AND PROTECTION PROGRAM

Volume 1

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- (b) E.O. 12114, "Environmental Effects Abroad of Major Federal Actions," January 4, 1979
- (c) DoD Instruction 4715.02, "Regional Environmental Coordination," August 28, 2009
- (d) MCICOM Policy, "Roles and Responsibilities for Department of Defense Regional Environmental Coordinator (DoD REC) Program," May 23, 2014
- (e) Judge Advocate General (JAG) Instruction 5800.7E, "Manual of the Judge Advocate General," June 20, 2007
- (f) 42 U.S.C. §§7401-7671
- (g) 33 U.S.C. §§1251-1387
- (h) 42 U.S.C. §§300f-300j-26
- (i) DoD Directive 8000.01, "Management of DoD Information Enterprise," February 10, 2009
- (j) MARADMIN 226/04
- (k) 10 U.S.C. §2667
- (l) Naval Facilities Engineering Command (NAVFAC) P-73, Chapter 19, "Real Estate Procedural Manual," August 23, 2011
- (m) CMC, "U.S. Marine Corps Expeditionary Energy Strategy and Implementation Plan," March 2011
- (n) NAVMC Directive 5100.8, "Marine Corps Occupational Safety and Health (OSDH) Program Manual," May 15, 2006
- (o) MCO 11010.16
- (p) MCO 3550.11
- (q) Section 6601 of Public Law 101-508, "Pollution Prevention Control Act," November 6, 1990
- (r) DoD Instruction 4715.03, "Natural Resources Conservation Program," March 18, 2011
- (s) DoD, "Updated Green Procurement Program (GPP) Strategy," December 2, 2008

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VOLUME 1: CHAPTER 1

“SCOPE”

SUMMARY OF SUBSTANTIVE CHANGES

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CHAPTER 1

SCOPE

0101 PURPOSE

010101. This Order sets forth Marine Corps policies and responsibilities for compliance with environmental requirements, as well as for the management of Marine Corps environmental programs.

010102. Marine Corps environmental programs ensure compliance with environmental requirements, protect human health and the environment, and sustain and enhance mission readiness. The programs focus on the following elements:

- A. Compliance with environmental requirements.
- B. Pollution Prevention (P2).
- C. Conservation of natural and cultural resources.
- D. Environmental Restoration (ER).

010103. Commandant of the Marine Corps, Facilities and Services Division (LF)/Commander, Marine Corps Installations Command (COMMCICOM), executes and provides oversight of Marine Corps environmental programs and develops environmental policy.

010104. This Volume establishes a framework and general responsibilities for management of Marine Corps environmental programs.

0102 APPLICABILITY

This Order applies to all Marine Corps active and Reserve installations, Commands, detachments, components, tenants, personnel, and, where applicable, Marine Corps activities in foreign countries. This Order describes the internal management of the Marine Corps environmental program and is not intended to create any right or benefit, substantive or procedural, enforceable by law by any party against the United States Marine Corps (USMC), its officers, employees, or any person. Volume 15 summarizes the applicability of environmental requirements to Marine Corps activities overseas.

0103 BACKGROUND

010301. Marine Corps environmental programs preserve training areas, enhance operational readiness, protect public health, and maintain the environmental quality of the installation and adjacent communities. Environmental programs also strengthen Marine Corps relationships with the public and regulatory agencies that implement environmental laws and regulations.

010302. The Marine Corps' overall vision for environmental stewardship is based on the four foundational pillars of compliance, P2, conservation, and ER. Compliance with

environmental requirements, prevention and minimization of pollutants, prudent management of natural and cultural resources, and clean-up of past environmental contamination all help to ensure the sustainability of Marine Corps mission readiness.

010303. The Marine Corps Environmental Management System (EMS), based on the ISO 14001 standard, is a tool to systematically integrate environmental considerations into planning processes across all functional areas. EMS is also the framework for implementing environmental components of sustainability and P2 initiatives, goals, and objectives. Volume 2 of this Order summarizes the EMS process and Marine Corps EMS policies.

VOLUME 1: CHAPTER 2

“AUTHORITY”

SUMMARY OF SUBSTANTIVE CHANGES

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CHAPTER 2

AUTHORITY

0201 GENERAL

020101. This Order summarizes federal environmental requirements applicable to the Marine Corps, including Executive Orders (E.O.s), federal laws, federal implementing regulations, and Department of Defense (DoD) policies. Department of Navy (DON) and Marine Corps policies developed to implement and supplement federal and DoD environmental requirements are also identified.

020102. State and local governments may also stipulate environmental program requirements that are more stringent than federal requirements. Although specific state and local environmental requirements are not included in this Order, installations are responsible for identifying and complying with all applicable requirements, to include state and local requirements.

020103. Each Volume in this Order refers to specific E.O.s, federal environmental statutes, regulations, and policies related to environmental compliance, P2, ER, and natural, and cultural resources conservation. Compliance with these requirements along with good stewardship helps ensure a sustainable Marine Corps.

020104. The applicability of environmental requirements to Marine Corps activities in foreign countries is discussed in paragraph 0102 and Volume 15 of this Order.

0202 FEDERAL STATUTES

Federal environmental statutes are laws that generally require compliance by DoD installations. (See Appendix A for a summary of applicable federal statutes.) State and local governments often implement programs based on federal environmental law, and these programs often apply to DoD installations by virtue of federal waivers from sovereign immunity.

0203 FEDERAL REGULATIONS

Federal environmental regulations implement federal environmental statutes. These regulatory requirements often establish minimum standards for state and local governments' implementing programs. See Appendix A for a summary of Codes of Federal Regulations.

0204 EXECUTIVE ORDERS

E.O.s are presidential policy directives that implement or interpret federal statutes, constitutional provisions, or treaties. See Appendix A for a summary of relevant E.O.s.

0205 DEPARTMENT OF DEFENSE (DOD) POLICY

DoD environmental policies are generally issued via DoD Instructions and Directives. DON policies, such as those published by the Office of the Assistant Secretary of the Navy (SECNAV) for

Energy, Installations and Environment are generally issued via SECNAV instructions, policy letters, or memoranda and apply to both Navy and Marine Corps activities and installations. See Appendix A for a summary of relevant policies.

VOLUME 1: CHAPTER 3

“REQUIREMENTS”

SUMMARY OF SUBSTANTIVE CHANGES

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CHAPTER 3
REQUIREMENTS

0301 GENERAL

Complete and successful implementation of the policies in this Order will enhance the ability of the Marine Corps to provide and maintain the facilities and training areas necessary to ensure mission sustainability. All Marine Corps installations and activities will ensure that this policy is implemented and communicated to all military and civilian employees and contractors.

0302 ORDER FORMAT

This Order presents overall policy and program management in the opening five volumes, followed by 15 volumes addressing specific environmental topics and related technical issues. Each volume is broadly divided into four parts: Chapter 1: Scope; Chapter 2: Authority; Chapter 3: Requirements; and Chapter 4: Responsibilities.

030201. Chapter 1: Scope

Chapter 1 consists of the following components:

A. Purpose

The purpose explains why the volume exists.

B. Applicability

This component identifies to whom the volume applies.

C. Background

This component addresses why the Marine Corps is implementing these policies and provides historic context for the volume's subject. This chapter also includes related volumes and references.

030202. Chapter 2: Authority

Chapter 2 lists legislation, federal regulations, E.O.s, federal guidance, and DoD policies that apply to the volume's subject.

030203. Chapter 3: Requirements

Chapter 3 provides Marine Corps policies and requirements for each volume's subject.

030204. Chapter 4: Responsibility

Chapter 4 identifies the responsibilities for any environmental requirements identified within each volume.

030205. Appendices

Appendices provide additional detail on selected subjects at the end of each volume.

0303 MARINE CORPS REQUIREMENTS

HQMC (LF)/COMMCICOM establishes Marine Corps environmental compliance and protection requirements through this Order. In addition, the HQMC (LF)/COMMCICOM may periodically provide other policies and guidance through letters, memoranda, bulletins, and messages.

0304 COMPLIANCE

All Marine Corps civilian and military personnel, installation tenants, and contractors shall comply with applicable federal, state, and local environmental laws and regulations; DoD, DON, and Marine Corps environmental policies; Presidential E.O.s; and where applicable, overseas environmental requirements (see Volume 15).

0305 ENVIRONMENTAL MANAGEMENT (EM) DATA CALL

The EM data call is collected at both the installation and HQMC (LF)/MCICOM (GF) levels. Commandant of the Marine Corps, Facilities and Services Division (CMC(LF))/MCICOM (GF) submits the information collected to the Navy, and a consolidated report is given to the Deputy Under Secretary of Defense (Installations and Environment) (ODUSD(I&E)). Results of the data call are used as part of the DoD Environmental Management Review (EMR) and Defense Environmental Programs Annual Report to Congress (DEP ARC), in February and March of the following calendar year respectively. Specific reporting due dates for installations and HQMC (LF)/MCICOM (GF) will be provided in the EM data call tasker distributed in October of the reporting year. Metrics used in the EM data call are reference below in table 3-1.

Table 3-1.--EM Data Call Reporting Metrics		
METRIC	DUE DATE	RECIPIENT
End of Fiscal Year (FY) Financial Statement Support Data	October	KBCRS*
End of FY Environmental Restoration (ER) Site-Specific Information	November	KBCRS,
NSLICS**		
Environmental Management Systems (EMS) Metrics	December	NSLICS
Natural Resources Metrics	December	NSLICS
Cultural Resources Management	December	NSLICS
Native American Metrics	December	NSLICS
Environmental Compliance Metrics	December	NSLICS
Pollution Prevention Metrics	December	NSLICS
End of FY ER Non Site-Specific Information	December	NSLICS
DoD Longleaf Pine Conservation/Improvement Activities	December	Spreadsheet

Table 3-1.--EM Data Call Reporting Metrics		
METRIC	DUE DATE	RECIPIENT
Environmental Justice Annual Report	December	Email
Withdrawn Lands	TBD	TBD
FY (+2) President’s Budget Backup Data	January	KBCRS
Mid-Year FY (+1) ER Site-Specific Information	August	SNaP***

* Knowledge-Based Corporate Reporting System (KBCRS)
 ** Non Site-Level Information Collection System (NSLICS)
 *** Select and Native Programming Data Input System (SNaP)

NOTE: FY refers to the year being reported. FY (+1) and (+2) refer to the next one and two years after the current FY (i.e. if FY2014 was the reporting year, then FY (+1) and (+2) would be FY2015 and FY2016 respectively).

030501. DEFENSE ENVIRONMENTAL PROGRAMS ANNUAL REPORT TO CONGRESS (DEP ARC)

A. Each year in March, pursuant to 10 U.S.C. 2711, DoD submits DEP ARC. Using information collected through the annual Hazardous Waste (HW), Solid Waste (SW), and EM data calls, the Report describes the Department’s accomplishments during the past year in its restoration, conservation, compliance, and pollution prevention programs by addressing plans and funding needs for protecting human health, sustaining the resources DoD holds in the public trust, meeting its environmental requirements, and supporting the military mission. The Report also details DoD’s efforts for reinforcing environmental programs to ensure the safe and effective use, protection, restoration, and preservation of the Department’s natural and cultural assets; and examines DoD’s environmental restoration activities at sites on its active BRAC installations and former properties. The DEP ARC presents the funding invested in and progress of DoD environmental programs – Environmental Restoration, Environmental Quality, and Environmental Technology.

030502. ENVIRONMENTAL MANAGEMENT REVIEW (EMR)

A. Each year in February, to ensure that DoD is meeting its environmental goals and objectives, the annual EMR is released. Using information collected from the annual Toxic Release Inventory (TRI), HW, SW, and EM data calls, the EMR is a review of environmental programs and management systems to determine the extent to which a facility has developed and implemented specific environmental protection programs and plans. If properly managed, these should ensure compliance and progress towards environmental excellence.

0306 ENVIRONMENTAL MANAGEMENT SYSTEM (EMS)

Marine Corps installations and tenant and supporting organizations shall use the Marine Corps EMS as the framework to ensure environmental compliance, meet environmental management objectives, and help sustain land, sea, and air resources. Volume 2 of this Order provides specific Marine Corps EMS policy requirements.

0307 ENVIRONMENTAL COMPLIANCE EVALUATIONS (ECEs)

The Marine Corps installations shall perform ECEs in accordance with Volume 4 of this Order.

0308 NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (NEPA) REQUIREMENTS

The Marine Corps shall consider the environmental consequences of all proposed actions and comply with the appropriate U.S. or host nation environmental review process (e.g., Section 4321 et seq. of Title 42, United States Code (42 U.S.C. 4321 et seq.) (also known and referred to in this order as “National Environmental Policy Act” (NEPA)) (Reference (a)) and E.O. 12114, (Reference (b)). Requirements for environmental planning and review at overseas installations is described in Section 15310 of this document.

0309 REGIONAL ENVIRONMENTAL COORDINATORS (RECs)

030901. DoD Instruction 4715.02 (Reference (c)) establishes a framework for DoD RECs and component RECs within the United States with the Secretary of the Army serving as REC for U.S. Environmental Protection Agency (EPA) Regions IV, V, VII, and VIII; the Secretary of the Navy serving as REC for Regions I, III, and IX; and the Secretary of the Air Force for Regions II, VI, and X.

030902. Additionally, Reference (c) directs the Marine Corps to appoint a component REC to coordinate with the DoD REC representative regarding their service's activities in the region and communicate with federal, regional, state, and local agencies and officials. Component RECs elevate issues requiring DoD-wide attention to the DoD REC via the DoD REC representative and appropriate chain of command (MCICOM Policy, "Roles and Responsibilities for Department of Defense Regional Environmental Coordinator (DOD REC) Program," May 23, 2014 (Reference (d))). Marine Corps RECS are identified by federal EPA Region in Table 3-2.

Table 3-2.--USMC RECs and Corresponding EPA Regions

EPA Region	USMC REC
EPA Region III (DE, DC, MD, PA, VA, WV)	Commanding Officer (CO), Marine Corps Installations (MCI) National Capital Region/Marine Corps Base Quantico
EPA Region IV (AL, FL, GA, KY, MS, NC, SC, TN)	CG, MCI East/Marine Corps Base Camp Lejeune
EPA Region IX (AZ, CA, NV, HI)	CG, MCI West/Marine Corps Base Camp Pendleton

0310 PERSONAL LIABILITY FOR VIOLATION OF ENVIRONMENTAL LAWS

In most civil lawsuits, federal civilian employees and service members may be named as defendants in their official capacities because the actions giving rise to the lawsuits are undertaken in the line of duty or within the scope of their employment. These cases generally proceed without risk of personal liability for the employees involved. In some cases, however, civilian employees or service members may be sued in their individual capacities for injury or damage to persons or property. In these cases where individuals violate environmental laws and subsequently injure or damage persons or property as a result of actions taken out of the line of duty or beyond the scope of their employment (e.g., reckless, knowing, or purposeful violation) they may be personally liable and may be responsible for paying any damages awarded. This civil liability is in addition to potential criminal prosecution.

031001. Personal Liability for Injuries or Damages to Persons or Property

A. Where a federal civilian employee's or service member's actions injure or damage another's person or property, the injured party may file a civil lawsuit to recover the cost of the damage. In such cases, the Department of Justice (DOJ) may substitute the United States for the civilian employee or service member if it determines that the individual was acting within the line of duty or within the scope of their employment and such action is in the interest of the United States. An individual properly exercising official authority to carry out command business in accordance with applicable Marine Corps regulations is acting in the line of duty or within the scope of their employment.

B. Any federal civilian employee or service member who is served with a complaint, subpoena, or other legal paper relating to activities undertaken pursuant to official duties shall immediately report this information to their staff judge advocate, command counsel, legal officer, and Commanding Officer (CO) for guidance on how to proceed. Additional guidance is available in JAG Instruction 5800.7E (Reference (e)) and from the Counsel for the Commandant of the Marine Corps (CMC (CL)) and its regional offices.

031002. Civil Liability for Fines

Many environmental laws provide for civil penalties (e.g., fines) for violations of environmental requirements. Many statutes, such as 42 U.S.C. §§7401-7671 (also known and referred to in this order as "Clean Air Act," (CAA) as amended) (Reference (f)), 33 U.S.C. §§1251-1387 (also known and referred to in this order as "Clean Water Act," (CWA) as amended) (Reference (g)), and 42 U.S.C. §§300f-300j-26 (also known and referred to in this order as "Safe Drinking Water Act") (Reference (h)) provide varying degrees of immunity from civil penalties to installations and individual federal civilian employees and service members acting in the line of duty or within the scope of their employment.

031003. Criminal Liability

A. Some environmental laws provide for criminal prosecution for knowing or purposeful violations. However, some environmental laws also provide for criminal prosecution for negligent violations. Federal civilian employees and military personnel may be subject to criminal prosecution if their actions or inactions violate environmental laws subject to criminal enforcement.

B. Federal civilian employees and service members shall seek out and remedy environmental violations under their cognizance and implement measures to ensure that future violations do not occur. For supervisors, criminal liability may not necessarily depend on personal participation in the crime.

C. As a general rule, violations of criminal law require a criminal "state of mind" (i.e., a knowing or purposeful act). However, the Supreme Court has held that "where dangerous or noxious waste materials are involved, the probability of regulation is so great that anyone who is aware that he is in possession of them shall be presumed to be aware of the regulations." In other words, "ignorance of the law is no excuse."

031004. Legal Representation in Criminal Cases

A. The DOJ may represent a federal civilian employee or service member prosecuted in state or federal court for criminal violations of environmental law. However, such representation is contingent upon DOJ finding that the individual acted in the line of duty or within the scope of their employment regarding the alleged misconduct and representation is in the interest of the United States.

B. If a federal civilian employee or service member is convicted of a crime, the civilian employee or service member is personally responsible for paying any fine adjudged, regardless of whether the DOJ provided representation.

0311 CONSISTENCY

To ensure consistent environmental compliance and avoid adverse precedents, particularly those with mission and funding implications, responsible commands shall coordinate with HQMC (LF)/COMMCICOM regarding permit requirements, payments of fines, fees, penalties, supplemental environmental projects from Marine Corps funds, compliance agreements, settlements, and responses to Notices of Violation. Legal and technical assistance is available from the installation and regional legal counsel and environmental offices. Naval Facilities Engineering Command (NAVFAC) and supporting activities and commands are also available to respond to requests for technical assistance.

0312 RESEARCH, DEVELOPMENT, TESTING, AND EVALUATION (RDT&E)

Environmental RDT&E may be initiated, where applicable and necessary, to meet existing and anticipated environmental requirements provided that such RDT&E has not been undertaken by other DoD Components or private industry. Since environmental requirements are not usually narrowly focused, every effort should be taken to leverage existing RDT&E to avoid unnecessarily depleting scarce resources. The Strategic Environmental Research and Development Program (SERDP) and the Environmental Security Technology Certification Program (ESTCP), the Department of Defense's environmental research programs, have been established to coordinate and prioritize projects to address technical challenges to environmental performance, reduce costs, and enhance and sustain mission capabilities. They solicit proposals annually to identify and prioritize RDT&E requirements. Environmental RDT&E planned to be undertaken shall be reported to the HQMC (LF)/COMMCICOM and Marine Corps Systems Command (MARCORSYSCOM); and the Office of the Director of Defense Research and Engineering.

0313 ENVIRONMENTAL INFORMATION TECHNOLOGY AND SERVICES (EIT&S)

031301. EIT&S is the data, people, hardware, software, procedures, and policies related to environmental information required to perform environmental management support functions. All Marine Corps Forces, Regions, and installations shall ensure that EIT&S is managed in accordance with DoD Directive 8000.01 (Reference (i)), Marine Administrative Message 226/04 (Reference (j)), and other applicable Marine Corps Information Technology policies.

031302. Each Region, and installation shall participate in the Environmental Services Functional Capability Board (FCB) to establish environmental EIT&S program goals, objectives and

priorities, and coordinate, review, and recommend approval/disapproval of discontinuation/enhancements/changes to Marine Corps systems and applications. The decisions of the Environmental Services FCB will be advocated to the Installations, Facilities, and Environmental Review Board (IFERB).

0314 GOVERNMENT OWNED-CONTRACTOR OPERATED (GOCO) FACILITIES

Marine Corps installations and/or Commands responsible for GOCO facilities shall oversee GOCO facility use or management contracts to ensure that contractors comply with all federal, state, local, and installation environmental requirements that apply to their activities and practices aboard the installation. To ensure environmental compliance, GOCO facility use and management contracts shall require each contractor to participate in the Marine Corps ECE Program and the installation's EMS. Marine Corps installations or Commands should also encourage GOCO facilities to incorporate the environmental management hierarchy into project planning, design, and execution, where feasible. The requiring activity shall ensure that any new contract, contract modification, or task order issued after the effective date of an applicable DoD, Marine Corps, federal, or state environmental policy or requirement (to include sustainable acquisition, waste reduction, and energy efficiency) incorporates contractual language that ensures compliance with such policy or requirement. The requiring activity shall consult installation environmental staff in the early stages of contract development and during contract review to ensure contractor compliance with environmental requirements.

0315 GRANTEE AND CONTRACTOR OPERATIONS AND FACILITY USE

By virtue of lease or contract terms, cognizant installations shall require that:

031501. The operations and facilities of grantees and contractors comply with, and conform to, all applicable DoD, Marine Corps, federal, state, and local environmental policies and requirements, including sustainable acquisition, waste reduction, and energy efficiency.

031502. Grantees and contractors advise the installation or unit of their environmental compliance permits (e.g., the National Pollutant Discharge Elimination System) and their conditions; provide the installation or unit with periodic environmental compliance reports (i.e., audit findings); participate in the Marine Corps ECE Program and the installation's EMS; and incorporate the environmental management hierarchy into project planning, design, and execution, where feasible.

031503. Contractors and grantees shall participate in the host installation EMS and host EMS audits. Contractors and grantees shall inform the installation Environmental Office of any significant practices and aspects that they operate, and shall implement controls for these practices and aspects, as appropriate.

031504. New contracts, contract modifications, and task orders issued after the effective date of an applicable DoD, Marine Corps, federal, or state environmental policy or requirement (to include sustainable acquisition, waste reduction, and energy efficiency) shall incorporate contractual language that ensures compliance with such policy or requirement. Installation environmental staff shall be included during the early stages of contract development to

review contracts and ensure contractor compliance with environmental requirements, in accordance with the FAR.

0316 OUTLEASE RELATIONSHIPS

031601. 10 U.S.C. §2667 (Reference (k)) authorizes the Secretary of a military department to lease to non-federal entities, non-excess federal land that is not currently needed for public use. This practice establishes a traditional landlord-tenant relationship between the federal government and the grantee.

031602. Marine Corps installations shall ensure that outlease relationships clearly convey environmental responsibilities to the lessee for which the installation commander is ultimately responsible.

031603. Marine Corps installations may be held responsible for a grantee's environmental noncompliance. Therefore, installations shall:

A. Ensure lease terms require grantees to comply with any applicable federal, State, and local environmental laws and regulations as well as the environmental and land use requirements specifically applicable to federal agencies with respect to the leased property, such as:

1. Complying with Reference (a).
2. Avoiding actions that would jeopardize the survival of federally-listed endangered or threatened species, and consulting with the United States Fish and Wildlife Service concerning actions that may affect endangered or threatened species.
3. Complying with E.O.s.
4. Consulting with the appropriate State historic preservation officer concerning actions that may affect resources listed or determined eligible for listing on the National Register of Historic Places.

B. Work with the local NAVFAC Engineering Field Division/Engineering Field Activity and HQMC (LF)/MCICOM to ensure that all leases on the installation are periodically reviewed and lease terms are enforced.

C. Ensure current and future installation orders regulate grantee environmental and land use activities.

D. Designate installation staff responsible for coordinating grantee environmental and land-use compliance with DON cognizant real estate offices.

E. Consider the grantee's operations when implementing the installation's EMS.

031604. NAVFAC P-73, Chapter 19 (Reference (l)) regulates DON real estate transactions, including leases. The Order generally requires regular and periodic inspections of

leased property by NAVFAC real estate specialists and DON natural resource professionals. The installation commander shall ensure that the inspections are conducted.

0317 STRATEGIC SUSTAINABILITY

031701. Sustainability is not an individual departmental program but an organizing paradigm that applies to all Marine Corps mission and program areas as a means of improving mission accomplishment while enabling environmental stewardship. Reference (b) requires an integrated strategy toward sustainability and established specific sustainability goals. DoD's vision of strategic sustainability is to maintain the ability to operate into the future without decline, either in the mission or in the natural and manufactured systems that support DoD. Reference (a) identifies four key linkages between strategic sustainability and the DoD mission that form priorities for DoD. Although Reference (a) is updated annually, it is expected key linkages will remain similar to the ones listed below:

- A. Energy and Reliance on Fossil Fuels.
- B. Chemicals of Environmental Concern.
- C. Water Resources Management.
- D. Maintaining Readiness in the Face of Climate Change.

031702. The Marine Corps will promote sustainable practices that go beyond environmental compliance. By employing sustainable practices, the Marine Corps will:

- A. Improve mission effectiveness while enhancing the environment.
- B. Minimize impacts and total ownership costs of Marine Corps systems, material, facilities, and operations.
- C. Strengthen operational capability by reducing the environmental footprint.
- D. Integrate environmental stewardship into all planning activities and leverage the necessary resources to accomplish sustainability goals and objectives.

031703. Marine Corps installations and commands, as required by E.O. 13693, shall support the DoD Strategic Sustainability Performance Plan (SSPP). The plan contains qualitative and quantitative objectives, goals, and sub-goals for meeting DoD's sustainability requirement pursuant to Reference (b). DoD is required to submit to the Office of Management and Budget (OMB) annually in early June. Table 3-3 outlines data call metrics used by ODUSD(I&E) for the FY SSPP, as well as annual due dates submissions to ODUSD(I&E)

Table 3-3 DOD SSPP Reporting Metrics

Data Call	Due Date	Collection System	Recipient	Reference
Greenhouse Gas Inventory/Annual Energy Management Report	November	Federal Energy Management Program Workbook	ODUSD(I&E) and Congress	Volume 6
TRI	July	TRI Report Form R	EPA and CMC(LF)	Volume 7
HW	March	Environmental Data Repository (EDR)	NAVESC and CMC(LF)	Volume 9
SW	November	EDR	NAVFAC EXWC and CMC(LF)	Volume 17
<u>Low Impact Development</u>	November	EDR	ODUSD(I&E) and CMC(LF)	Volume 20

031704. The Marine Corps shall employ sustainable acquisition for products and services where feasible. In cases where “green” products or services are not available competitively; not economically justifiable; not available within a reasonable time frame; and/or do not meet appropriate performance standards or functional requirements, Marine Corps activities shall provide appropriate documentation.

031705. Marine Corps installations and facilities shall consider life-cycle assessments to evaluate the impacts associated with the sourcing, manufacture, distribution, end use, and disposal of a material or system.

031706. The Marine Corps EMS is the preferred management tool for ensuring that environmental components of sustainability performance objectives and targets are effectively established and met.

0318 ENERGY

031801. In 2009, CMC created the USMC Expeditionary Energy Office (E2O) to analyze, develop, and direct the Marine Corps’ energy strategy in order to optimize expeditionary capabilities across all warfighting functions. CMC, “USMC Expeditionary Energy Strategy and Implementation Plan,” March 2011 (Reference (m)) establishes the following goals to reduce USMC’s energy footprint.

- A. Achieve resource self-sufficiency in battlefield sustainment.
- B. Reduce energy demand in platforms and systems.
- C. Reduce the overall footprint in current and future expeditionary operations.
- D. Ensure a secure, reliable, and affordable energy and water supply to support operating forces and their families.

E. Reduce lifecycle operating costs of Marine Corps installations and manage future commodity price volatility.

F. Support the nation's efforts to reduce greenhouse gas emissions and environmental impacts, reduce dependence on foreign oil, and promote conservation of water supplies.

031802. Reductions in the USMC's energy consumption associated with burning fossil fuels will result in significant reductions of carbon dioxide emissions and will align with E.O., USMC, and DoD strategic sustainability goals to address climate change.

0318 NOISE

031901. Noise impacts primarily related to occupational safety and health are not included in this Order as a standalone volume. These impacts are covered in NAVMC Directive 5100.8 (Reference (n)). However, the requirements for assessing the noise impacts of proposed USMC actions should be considered during the environmental planning process discussed in Volume 12 pursuant to References (a) and (b).

031902. HQMC (LF)/MCICOM (G-3/5/7) is the Marine Corps' technical expert for noise impacts related to land use planning for air installations compatible use zones per MCO 11010.16 (Reference (o)) and range air installations compatible use zones per MCO 3550.11 (Reference (p)).

0320 POLLUTION PREVENTION (P2)

The Marine Corps shall minimize resource consumption and eliminate waste generation, where practicable, when planning, designing, manufacturing or constructing, maintaining, sustaining, and disposing of facilities, weapon systems, and equipment. Marine Corps facilities shall also eliminate or minimize the use of hazardous materials and the generation of hazardous waste, where practicable. P2 is a cross-cutting program with relevance to most other program areas. P2 requirements have been incorporated into various volumes, including: environmental training (Volume 5), alternatively-fueled vehicles and energy conservation (Volume 6), emergency planning and response (Volume 7), hazardous materials/ hazardous waste minimization (Volume 9), environmental planning (Volume 12), pesticides (Volume 14), water conservation (Volume 16), solid waste (Volume 17), and stormwater (Volume 20). EMS should be used to set and achieve P2 goals. When assessing environmental compliance alternatives, installations and commands shall employ the Environmental Management Hierarchy, as established by Section 6601 of Public Law 101-508 (Reference (q)) in the following order of preference:

032001. Source reduction.

032002. Reuse.

032003. Recycling.

032004. Treatment.

032005. Disposal.

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VOLUME 1: CHAPTER 4

“RESPONSIBILITIES”

SUMMARY OF SUBSTANTIVE CHANGES

Hyperlinks are denoted by *bold, italic, blue and underlined font.*

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CHAPTER VERSION	PAGE PARAGRAPH	SUMMARY OF SUBSTANTIVE CHANGES	DATE OF CHANGE

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CHAPTER 4

RESPONSIBILITIES

0401 HEADQUARTERS MARINE CORPS (HQMC) (LF)/COMMANDER MCICOM

HQMC (LF)/COMMANDER MCICOM shall:

- 040101. Develop environmental policies, as appropriate.
- 040102. Track Marine Corps environmental metrics and data and report to DON and DoD, as required.
- 040103. Promote cross-functional integration with regions and installations for accomplishing environmental program management and sustainability goals.
- 040104. Coordinate activities/issues that cross multiple regions and/or installations that have the potential to set a precedent across the Marine Corps.
- 040105. Coordinate environmental compliance and protection issues with DoD environmental Executive Agents, DoD RECs, Component RECs, Marine Corps installations and units, and counsel, as appropriate.
- 040106. Appoint Marine Corps Component RECs for each of the EPA Regions III, IV, and IX.
- 040107. In consultation with the regions, create environmental program efficiencies by collectively managing/funding studies and coordinating common programs, as practicable.
- 040108. Designate chair(s) for the Environmental Services FCB and serve as a voting member of the IFERB.
- 040109. Promote Strategic Sustainability, Energy Resource Management, and P2 as tools to enhance environmental performance.

0402 COMMANDING GENERAL (CG), MARINE CORPS SYSTEMS COMMAND (MARCORSYSCOM)

CG, MARCORSYSCOM shall ensure that sustainability, noise, and environmental requirements are given due consideration in the planning, procurement, fielding, and maintenance of Marine Corps weapon systems and information technology system programs.

0403 COMMANDANT OF THE MARINE CORPS (CMC) CONTRACTS DIVISION (LB) AND REGIONAL CONTRACTING OFFICES

CMC Contracts Division (LB) and Regional Contracting Offices shall ensure all environmental procurement requirements as delineated in FAR Part 23 and any additional environmental requirements identified by the requiring activity are included in contracts and purchasing guidelines.

0404 MARINE CORPS COMPONENT REGIONAL ENVIRONMENTAL COORDINATORS (RECS)

Marine Corps Component RECs shall:

040401. In consultation with the Executive Agents and affected Component RECs, coordinate the consistent interpretation and application of DoD environmental policies within EPA Regions III, IV, and IX.

040402. Monitor federal, state and local legislative and regulatory reports, media information sources, and DoD information sources for issues that have potential to affect Marine Corps interests.

040403. Coordinate with potentially affected installations and units to assess potential impacts.

040404. Coordinate with the DoD REC, HQMC (LF)/MCICOM, and counsel to present Marine Corps positions regarding proposed environmental legislation and regulations. Advocate for the Marine Corps position as appropriate.

040405. Provide HQMC (LF)/MCICOM and the DoD REC semi-annual executive summaries of Marine Corps REC activities, success stories, and issues (reference (d)).

0405 COMMANDING GENERAL (CG) MARINE CORPS EAST, WEST, PACIFIC, NATIONAL CAPITAL REGION, AND COMMARFORRES

CG Marine Corps East, West, Pacific, National Capital Region, and COMMARFORRES shall:

040501. Provide regional/Marine Forces Reserve (MARFORRES) environmental policy and program management, guidance, coordination, and implementation strategies.

040502. Promote sustainability and support installation sustainability initiatives.

040503. Provide environmental compliance oversight and evaluations of installation program implementation to monitor and sustain Marine Corps environmental program objectives.

040504. Provide primary environmental regulatory interface for issues that have implications beyond a single installation.

040505. Monitor and manage environmental encroachment factors and facilitate encroachment partnering relationships and agreements.

040506. Identify and promote opportunities for regional environmental initiatives and contracting support to increase consistency and effectiveness and to gain efficiencies.

0406 COMMANDERS OF MARINE FORCES

Commanders of Marine Forces shall:

040601. Ensure that all personnel comply with all applicable federal, State, local, DoD, DON, and Marine Corps environmental requirements and Presidential E.O.s.

040602. Ensure that personnel are trained and aware of environmental requirements that apply to their respective duties.

0407 COMMANDERS OF MARINE CORPS INSTALLATIONS

Commanders of Marine Corps Installations shall:

040701. Ensure that all personnel (military and civilian), tenants, units, contractors of GOCO and COCO facilities, contractors, and grantees of lease agreements comply with all applicable federal, State and local, DoD, DON, and Marine Corps environmental requirements and E.O.s.

040702. Promote and implement sustainability planning and initiatives, facilitate cross-functional interaction, advocate sustainable practices, and promote life-cycle analyses.

040703. Ensure that personnel are trained and aware of environmental requirements that apply to their respective duties.

0408 COMMANDING OFFICER (CO) OF MARINE CORPS UNITS AND TENANTS

COs of Marine Corps Units (Battalion/Squadron and above) and tenants assigned to Marine Corps installations shall:

040801. Ensure that all personnel comply with all applicable federal, State and local, DoD, DON, and Marine Corps environmental requirements, E.O.s and installation policies.

040802. Identify issues and seek assistance from installation environmental staff, as required.

040803. Ensure that individuals performing environmental responsibilities are appropriately designated and recognized for job performance in those areas.

VOLUME 1: APPENDIX A

**“FEDERAL STATUTES, FEDERAL REGULATIONS, EXECUTIVE ORDERS, AND DOD
POLICIES”**

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APPENDIX A
FEDERAL STATUTES, FEDERAL REGULATIONS, EXECUTIVE ORDERS, AND DOD
POLICIES

1 GENERAL

a. This Order summarizes federal DoD environmental requirements applicable to the Marine Corps, including E.O.s, federal laws, federal implementing regulations, and DoD policies. DON and Marine Corps policies developed to implement federal and DoD environmental requirements are also identified.

b. State and local governments may also stipulate environmental program requirements that are more stringent than federal requirements. Although specific state and local environmental requirements are not included in this Order, installations are responsible for identifying and complying with all applicable requirements.

c. Each Volume in this Order refers to specific E.O.s, federal environmental statutes, regulations, and policies related to environmental compliance, P2, ER, natural, and cultural resources, conservation and preservation. Compliance with these requirements along with good stewardship helps to ensure a sustainable Marine Corps.

d. The applicability of environmental requirements to Marine Corps activities in foreign countries is discussed in paragraph 1101 and Volume 15 of this Order.

2 FEDERAL STATUTES

Federal environmental statutes are laws that generally require compliance by DoD installations. State and local governments often implement programs based on federal environmental law, and these programs often apply to DoD installations by virtue of federal waivers from sovereign immunity.

3 FEDERAL REGULATIONS

Federal environmental regulations implement federal environmental statutes. These regulatory requirements often establish minimum standards for state and local governments' implementing programs.

4 EXECUTIVE ORDERS

E.O.s are presidential policy directives that implement or interpret federal statutes, constitutional provisions, or treaties.

5 DEPARTMENT OF DEFENSE (DOD) POLICY

DoD environmental policies are generally issued via DoD Instructions and Directives. Certain DON requirements, such as those published by the Office of the Assistant SECNAV for Energy,

Installations, and Environment apply to both Navy and Marine Corps activities and installations. These are also listed under DoD Policy.

