

Governor's Environmental Leadership Awards 2005 – 2006

"I applaud these award winning companies for setting such a high standard for protecting our state's environment. The fact that they have succeeded while pursuing environmental excellence proves that we can create jobs while protecting our environment. A cleaner environment is a top priority of my administration and these facilities are meeting the challenge. Industries such as these lead by example and are the forefront of the new way of doing business in Louisiana."

Governor Kathleen Babineaux Blanco

This program recognizes activities and projects undertaken by Louisiana companies, municipalities, and government facilities that demonstrate environmental leadership.

Awards have been given for contributions in:
Pollution Prevention
Community Environmental Outreach
Environmental Management Systems

In addition, special recognition awards have been given for significant contributions to various other environmental and conservation initiatives.



Traditionally, the Governor presents achievement certificates at a ceremony in the spring. The Governor's award is one way the Louisiana Environmental Leadership Program (LaELP) seeks to accomplish its central goals to recognize and promote pollution prevention and other efforts that exceed regulatory requirements in the pursuit of a cleaner, safer environment.

Any member of the Louisiana Environmental Leadership Program fulfilling all membership requirements, including updating annual pollution prevention progress reports, is eligible to enter. Eligible facilities are encouraged to submit multiple entries and may win multiple awards based on the merit of each entry.

DEADLINE: March 31, 2007

For information on LaELP membership requirements please contact:
Kimberly Gallo – (225)219-0877

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The Awards Categories

In the past only stand alone projects were allowed, but a change has been made to the Pollution Prevention and Community Environmental Outreach categories. Facilities may now submit project entries or program entries. Programs are broader efforts, usually a combination of several projects and activities that are coordinated and focused on achievement of a particular objective or goal. Project and program entries are judged separately. LDEQ is open to questions regarding these changes in the awards program.

Project Eligibility

Certain projects are **not** eligible.

Projects that have been submitted in a previous Governor's Award cycle. A project may be closely related to a previous entry and still be eligible provided that the current entry demonstrates fully that its scope and performance claims are clearly above and beyond the initial entry.

- Supplemental Environmental Projects (SEPs) designated under federal regulations.
- Beneficial Environmental Projects (BEPs) designated under federal regulations.
- Projects mandated by Enforcement Action, usually a court order
e.g, Settlement Agreement, Consent Decree, some Compliance Orders, etc.

Pollution Prevention Category

Pollution prevention achievement awards recognize projects implemented since January 1, 2005, that have led to measurable reductions in air pollution, water pollution, solid and hazardous waste, or have contributed to significant energy and resource conservation. In preparing your entry take care to address each requirement listed on the entry form.

Projects that achieve reduction of pollution at any level in the **waste management hierarchy** may be eligible for an award, but the entry must demonstrate the applicability of the hierarchy to the project.

Examples of Pollution Prevention Projects:

- Process improvements that result in reduced emissions, discharges or generation of wastes
- Achievement of zero discharge for selected waste and emission streams
- Projects that reduce the environmental risks of a facility
- Innovative approaches through product redesign to reduce the lifecycle impact of manufacturing and using a product
- Projects to reduce reliance on incinerators and deep wells as disposal options
- Beneficial reuse of waste materials
- Emergency releases reduction
- Working with suppliers, customers and smaller companies to promote pollution prevention

Waste Management Hierarchy

The LaELP subscribes to the Waste Management Hierarchy that follows:

- Wastes should be prevented or reduced at the source whenever feasible.
- Wastes that cannot be prevented should be recycled in an environmentally safe manner whenever feasible, or be reused in a beneficial way.
- Wastes that cannot be prevented, recycled or beneficially reused, should be treated in the most environmentally safe manner existing.
- Disposal or other release into the environment should be employed only as a last resort and should be conducted in an environmentally safe manner.

“Source Reduction” means any practice which:

- 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, reuse, treatment or disposal
- 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 modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training or inventory control.

Recycling, some energy recovery, treatment and disposal are not included within the strict definition of pollution prevention. Design and practices commonly described in the chemical process industry as “end process recycling” usually qualify as pollution prevention. Recycling that is conducted in an environmentally sound manner shares many of the advantages of prevention it can reduce the need for treatment or disposal, and conserve resources. Project entries that involve recycling, reuse, treatment or disposal should clearly indicate how the waste management hierarchy was utilized in developing the project.

Community Environmental Outreach Category

Community Environmental Outreach Awards recognize innovative projects initiated since January 1, 2005, that contribute to enhancing the quality of the environment for the local community.

Examples of Projects in this Category:

- A community project that enhances environmental quality
- An activity to improve the interaction and involvement of the facility with the community in dealing with environmental concerns
- An innovative environmental education project
- A mentoring project with suppliers or smaller companies to prevent pollution or reduce risk
- Facility specific environmental reports, communication tools
- Voluntary participation in a project to evaluate ambient air and water quality in the community
- An inter-company or multi-company environmental project
- A wildlife enhancement or natural heritage preservation project

An entry must be for a single environmental related project however, an overall facility environment outreach program may be submitted if designate as such on the entry form.

In detailing the scope of the project consider covering; number of employees involved, company hours spent, volunteered free time, time period involved (short and long term); Is the activity sustainable? What were the costs involved?.

In measuring success; identify target audience, state objectives, indicate number of people reached, website hits, etc. and suggest how your success with this project is transferable to other facilities?

Environmental Management System (EMS) Category

This award category recognizes exceptional improvements in facility environmental performance resulting from innovative implementation or enhancement to a model Environmental Management System (ISO 14001 or U. S. EPA National Environmental Performance Track, or third-party certified). The Award recognizes both the management system improvement and the results achieved. The EMS improvement and results achieved must have occurred after January 1, 2005.

The environmental management system must include, at a minimum, the following five elements:

- Environmental Policy
- Environmental Planning (identifying significant environmental aspects, impacts, and legal requirements, and setting measurable objectives and targets)
- Environmental Management Implementation Programs and Procedures, including Environmental Training
- Environmental Checking (audits) and Corrective Action
- Management Review of the EMS

Successful entries will demonstrate the value of EMS by improvement achieved in facility environmental performance. Award entries must document 1.) the implementation of, or change in the facility's EMS and 2.) the achieved performance improvement attributable to it, supported by comparative data. This involves the use of meaningful, measurable objectives and targets for achieving tangible environmental benefits. Less tangible benefits are not discounted, but must be convincingly described.

Improved performance can be measured through such metrics as:

- Improved level of regulatory compliance
- Reduction in energy, water, and materials use
- Reduction in waste generation
- Reduction of pollutant discharges to water
- Reduction of emissions to air
- Prevention of releases to groundwater
- Reduction of accidental releases to the environment
- Reduction of total annual reportable releases (TRI)
- Reduction of inherent process risk
- Reduction of risk posed by ancillary operations
- Application of green chemistry and engineering in process and product development
- Reduction of costs of environmental compliance and operations (eco-efficiency)
- Improved community awareness of facility environmental performance
- Improved community acceptance of facility environmental performance

Examples of eligible EMS changes include:

- Significant improvements to an existing EMS
- Innovative and successful approaches to meeting one or more EMS elements
- Innovative methods of implementing of new EMS or changes to an existing EMS
- Effective means for assuring integration of environmental aspect and impact determination with facility objectives.

Facility Eligibility

To enter, the facility must be a member of LaELP, fulfilling all membership requirements, including submission of the annual pollution prevention progress report. The facility must have an EMS certified to the ISO 14001 standard, be a member in good standing of the National Environmental Performance Track program or have third-party certified EMS. (the third party certification can be from the corporate office if the audit was made by people not associated with the facility's staff).

Facility Manager's Statement

For the Environmental Management System Category, a statement is required, signed by the senior facility manager, attesting to the implementation and maintenance of a model environmental management system that complies with the requirements found herein. Also required is the facility manager's assessment of the facility's current regulatory compliance status. A certificate for this purpose is provided on the reverse side of the entry form. A facility uncertain about their compliance status can request from LDEQ a pre-compliance screen during the month of November and December. Allow two weeks at LDEQ for this determination.

The Selection Process

The selection panel for the EMS Category will be composed of experts in EMS assessment, specifically ISO 14001 or Performance Track as well as those experienced in implanting and maintaining environment systems at the facility level.

The panel reviews the documentation of the facility manager statement, a copy of the current ISO 14001 certification and/or documentation of the facility's membership in EPA's National Environmental Performance Track (NEPT) program, and/or third party certification.

The selection panel assesses the merit of each entry following the numbered instructions items of the EMS category entry form. Panelists receive copies of entries for their individual review and assessment well in advance of the panel session.

Enforcement screen guidelines apply to EMS Category in the same way as for other categories in Pollution Prevention and Community Outreach. Be aware that serious violations disqualify the applicant. As with the other award categories, the LDEQ Secretary makes the final selection of award recipients based on selection panel recommendations and consideration of facility compliance records.

The selection panel, at their discretion, may request a ½ day on-site visit to verify the EMS. The on-site visit may include the following:

1. A review of documentation, including looking at records
2. A short interview of senior level management, operating supervisors, and/or operations personnel. A list of questions will be provided to the facility in advance.

It is noteworthy to mention that on-site assessments, at this time, must be conducted at the office level. In the future, it may be possible to promulgate a Memorandum of Understanding that would allow the panel the opportunity to conduct an assessment inside the battery limits.

Additional Guidance

Successful entries will include all required components presented in orderly fashion, maintain the focus indicated by the italicized statements, and adhere closely to the numbered instructions of the entry form. Experience has shown that at times, superior entries have failed due to an incomplete or inept description.

Since this is a contest, we cannot share results about individual entries until after selection of the finalists by the LDEQ Secretary.

Judging Protocol

Judges are instructed to maintain confidentiality regarding all applications. Judges will not participate if they have a conflict of interest (major customer/competitor, previous employer, prior consulting).

Scoring of Applications

The following will apply:

- | | |
|---|--------------------|
| 1. Scope | Five points |
| 2. EMS Improvements | Thirty-five points |
| 3. Performance or Eco-efficiency Improvements | Thirty points |
| 4. Exceeds Regulatory Requirements (if applicable) | Ten points |
| 5. Reduced Risks (if applicable) | Ten points |
| 6. Innovative Project/Shared with other organizations | Ten points |

Note: If items 4 and/or 5 are not applicable, judge can provide general thoughts about the application and/or on-site visit. Comments help to explain why a judge scored the application a certain way.

Compliance Screen Protocol

See separate document entitled "Compliance Screening Guide," which describes this process.

Compliance Screening Guide for Governor's Environmental Leadership Awards

I. Purpose

The purpose of conducting a compliance screen is to ensure the facility is in "substantial compliance" and verify the appropriateness of awarding an applicant a Governor's Environmental Leadership Award. In evaluating the compliance record of an applicant for Pollution Prevention, Environmental Management System (EMS) and Community Environmental Outreach awards, the LDEQ may consult with EPA. The guide may also be used to screen non-member facilities recommended for special recognition by the LDEQ Secretary.

II. Compliance Screen Process

The general process for conducting a compliance screen for "Substantial Compliance" is as follows:

1. The LaELP Director may receive award pre-filling compliance screen requests from applicants in the month of November and December. Screening of LDEQ records and responses starts with step 3. An early screen determination does not replace compliance screening described in step 2. The LaELP Director will notify potential applicants verbally whether they are in "substantial compliance."
2. After the award applications are received in January, the LaELP Director initiates the final compliance screen within LDEQ (Step 3) and submits a screening request for each applicant to EPA Region 6, Office of Enforcement and Compliance Assurance.
3. The LaELP director requests a compliance screen from LDEQ's Surveillance and Enforcement Divisions in the Office of Environmental Compliance and the Criminal Investigation Group.

Note: When contacting the LDEQ staff, ask them to apply the criteria listed in Section III and note the examples provided in Section IV as they perform compliance screen.

4. Decisions are handled as described in Section V.

Turn-around time for this process may range from a few days up to one month, depending on the complexity. Screening must be completed no later than thirty days following the submission of the applications. Requests for pre-screening should take only a few days to two weeks, but must be completed in 10 working days.

III. Compliance Screen Criteria

The screen should check for information under all state environmental laws by state and those administered by EPA. A substantially compliant facility has no environmentally-related criminal or civil activities described below.

Criminal Activity (environmentally-related)

- A corporate criminal conviction or plea for violations involving the facility within the past five years.
- A criminal conviction or plea of an employee at the same facility within the past five years.
- An ongoing criminal investigation/prosecution of corporation, corporate officers, or employees at the same facility for violations.

State or federal criminal actions against a participant are equally serious and should be treated no differently.

Civil Activity (environmentally-related)

- Three or more substantial (see definition below) civil non-compliances at the facility in the past three years.
- Unresolved and/or unaddressed substantial non-compliances at the facility.
- Judicial or administrative actions by LDEQ against the facility.
- Ongoing state or EPA initiated litigation with the facility.
- A facility is not in compliance with the schedule and terms of an order or decree.

Definitions:

Substantial Civil Non-Compliances: Violations in which actual measurable harm or substantial risk of harm to the environment or public health occurs. The noncompliance results in, or would reasonably be expected to result in, the temporary or permanent loss of a use of the environmental resource. A violation of major impact and hazard may be one characterized by high volume and/or frequent occurrence and/or high pollutant concentration. Such violations may have a detrimental impact on sensitive environments or include the discharge of toxic pollutants.

(Source: Penalty Matrix, Item 1.a. Major)

IV. Examples

LDEQ understands that voluntary programs operate at the facility level and compliance evaluation should be site specific.

Example 1: Facility or employees are under an ongoing criminal enforcement action. The candidate's award application should be declined.

Example 2: A large facility has a history of promptly addressing all non-compliances. Records show substantial non-compliances, which the facility quickly resolves. Unless the LDEQ and the Governor's Office would be seriously embarrassed, the applicant should be accepted.

Example 3: The facility has some unresolved violations, but is actively working toward compliance. Acceptance is at the discretion of the LDEQ Secretary.

Example 4: The LDEQ Secretary believes that although there no substantial non-compliances, the facility, historically, is a non-performer environmentally; acceptance is at the discretion of the LDEQ Secretary.

Example 5: A facility incurs a significant violation between the time the screening occurs and the awards ceremony, and the finalist has not yet been notified; acceptance is again at the discretion of the LDEQ Secretary.

V. Final Decision

The LaELP Director presents recommendations from LDEQ and EPA Region 6 (if available) to the LDEQ Secretary.

The LDEQ Secretary makes the final decision. The Secretary may consider circumstances that indirectly related to compliance; e.g., a facility involved in current issue receiving significant negative public media attention that could likely reflect poorly on the awards program.