

**FISH AND WILDLIFE SERVICE  
POLLUTION CONTROL**

**Pollution Control**

**Part 560 Pollution at FWS Facilities**

**Chapter 1 Policy and Responsibilities - Control of Environmental Pollution**

**560 FW 1**

**1.1 What is the purpose of this chapter?** This chapter provides guidance for the control of environmental pollution at Fish and Wildlife Service (Service) facilities.

**1.2 What is the objective of this program?** To comply with all applicable pollution control standards in the conduct of our activities and the design, construction, management, operation, and maintenance of our facilities.

**1.3 Does this chapter apply to all Service facilities?** This chapter applies to all Service owned or operated facilities, including quarters.

**1.4 Who is responsible for this program?**

**A.** The **Director** will ensure that we take all necessary measures to prevent, control, and abate environmental pollution with respect to Service facilities and activities.

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

(1) Staff assistance to the Director in overseeing our compliance with applicable pollution control standards.

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

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

(1) Developing Service 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 in conducting audits and the associated followup at Service facilities.

(3) Determining the need for developing and coordinating appropriate environmental training.

(4) Reviewing Regional budget requests and recommending the Service's budget and subsequent allocations for pollution control.

(5) Coordinating and consolidating reports and inventories required by the Department, the Environmental Protection Agency, and the Office of Management and Budget, and acting as the Service's principal point of contact with these agencies for pollution control matters.

**D.** The **Chief, Office of Safety, Health and Aviation** reports to ABMO and 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 242 FW 1).

**E.** The **Chief, Division of Environmental Quality** reports to the Assistant Director - Fisheries and Habitat Conservation, and 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.

**F. Assistant 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.

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

(1) Complying with all applicable pollution control standards with respect to 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 toxic and hazardous waste, the proper training in the methods of handling and proper disposal of hazardous and toxic waste.

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

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

**A. Executive Order 12088**, Federal Compliance with Pollution Control Standards, October 13, 1978, as amended (see Appendix 1).

**B. Executive Order 13148**, Greening the Government Through Leadership in Environmental Management, April 21, 2000.

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

**D. Federal Water Pollution Control Act**, as amended (33 U.S.C. 1251 *et seq.*).

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

**F. Solid Waste Disposal Act**, as amended (42 U.S.C. 6901 *et seq.*).

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

**H. Emergency Planning and Community Right-to-Know Act of 1986** (42 U.S.C. 11001 *et seq.*).

**I. Toxic Substances Control Act** (15 U.S.C. 2601 *et seq.*).

**J. Hazardous Materials Transportation Act**, as amended (42 U.S.C. 1471 *et seq.*).

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

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

**M. Noise Control Act of 1972** (42 U.S.C. 4901 *et seq.*).

**N. Pollution Prevention Act of 1990** (42 U.S.C. 13101 *et seq.*).

**1.6 What are the definitions for some terms used in this chapter?**

**A. Applicable pollution control standards** mean the same substantive, procedural, and other requirements that would apply to a private person.

**B. Service facility** means 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 where the Service occupies space.

**1.7 How will the Service implement the policy in this chapter?**

**A. Pollution Prevention.** Where practicable, we will adopt or change our practices to prevent pollution by eliminating the use of pollutants that produce hazardous waste or have an adverse effect on the environment (see 560 FW 2).

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

**C. Inventories and Audits.** We will inventory and conduct regular audits of our facilities to assure compliance with applicable pollution control standards (see 560 FW 4).

**D. Noncompliance.** When we determine or are notified that we are in violation of an applicable pollution control standard, we will promptly consult with the appropriate regulatory agency and provide a plan for its approval to achieve and maintain compliance with that standard.

**E. Funding.** We will request sufficient funds in our budget for compliance with applicable pollution control standards. Any funds appropriated and apportioned for the prevention, control, and abatement of environmental pollution will not be used 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 pollution control standards of general applicability in the host country or jurisdiction.

**H. Records.** All environmental audits, notices of violation, and resulting pollution control, abatement, or corrective action plans and completion reports will be kept at the facility for a minimum of 10 years. Copies of these documents will be sent to Regional and Washington offices pursuant to the guidance provided in other chapters in this Part.

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

**A.** Cooperate with the EPA and State, interstate, and local agencies in the prevention, control and abatement of environmental pollution, including any regulatory inspections or compliance monitoring.

**B.** Consult with the EPA and other regulatory agencies concerning the best techniques and methods available for the prevention, control, and abatement of pollution.