

Strengthening Federal Environmental, Energy, and Transportation Management

SUMMARY of REQUIREMENTS

“It is the policy of the United States that Federal agencies conduct their environmental, transportation, and energy-related activities under the law in support of their respective missions in an environmentally, economically and fiscally sound, integrated, continuously improving, efficient, and sustainable manner.” Executive Order 13423 (EO) implements and builds on the Energy Policy Act of 1005 (EPA05) and replaces previous Executive Orders, and establishes the following goals:

Energy Efficiency Improvement	Reduce facility energy use and resulting green house gas 3% each year from FY 2006 through FY 2015 with a base starting point of FY 2003 or 30% reduction by 2015.
Renewable Energy	Ensure that at least 1/2 of required renewable energy used comes from new renewable sources (placed into service after January 1, 1999), and if possible is generated on agency property for agency use. Energy is considered renewable if it is produced by solar, wind, biomass, landfill gas, ocean tidal/wave/current/thermal, hydrokinetic, geothermal, municipal solid waste or new capacity at existing hydroelectric projects.
Water Efficiency Improvement	Reduce water consumption 2% each year from FY 2008 through FY 2015 with a base starting point of FY 2007 or 16% by FY 2015 through life-cycle cost-effective measures.
Green Procurement	Use sustainable environmental practices, including acquisition of biobased, environmentally preferable, energy/water-efficient, and recycled-content products, plus paper that has at least 30 percent post-consumer fiber content.
Toxic Reduction & Recycling	Reduce the quantity of toxic and hazardous chemicals and materials acquired, used, or disposed of plus implement cost-effective recycling programs to decrease solid waste.
Sustainable Buildings	Ensure that new construction, build-to-suit leased buildings and major building renovations comply with the Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings plus 15% of existing agency Federal capital asset building inventory is retrofitted to comply by FY 2015. Each year agencies must enter one sustainable building into the High Performance Federal Buildings Database.
Vehicle Energy Use	For agencies that operates a fleet (>=20 motor vehicles) cut fuel use 2%/yr through FY 2015 with a base starting point of FY 2005, increase non-petroleum-based fuel use 10% annually, and use plug-in hybrid vehicles once available provided they are life-cycle cost effective.
Efficient Electronic Products	Ensure that 95% of electronic products purchased meet the requirements of the Electronic Product Environmental Assessment Tool (EPEAT) unless there is no EPEAT standard for such product, enables the Energy Star feature on 100% of agency computers and monitors or to the maximum degree based on mission needs, establishes and implements policies to extend the useful life of electronic equipment, and uses environmentally sound practices with respect to disposition of electronic equipment that has reached end of life.

DETAILS

The head of each agency shall:
Implement sustainable practices covering:

o Energy Efficiency	o Water conservation	o Reduction or elimination of toxic chemicals
o Greenhouse gas reduction	o Acquisition	o High performance buildings
o Petroleum reduction	o Pollution & waste prevention	o High performance building leases
o Renewable energy use	o Recycling	o High performance building O&M
o Bioenergy use	o Vehicle fleet management	o Electronic equipment management

Implement within the agency environmental management systems (EMS) at all appropriate levels to ensure:

- o Use of EMS as the primary management approach for addressing environmental aspects of internal agency operations and activities, including environmental aspects of energy and transportation functions;
- o Establish agency objectives and targets to ensure implementation of this EO; and
- o Collect, analyze, and report information to measure performance in the implementation of this EO.

* This is provided only to give a brief overview of the subject EO. Please review the EO in its entirety along with related guidance for specific issues.

Simple guide* to: **Presidential Executive Order 13423** (continued)

Establish within the agency programs for:

- o Environmental management training
- o Environmental compliance review and auditing
- o Leadership awards to recognize outstanding environmental, energy or transportation management performance.

Designate a Senior Official (John E. Long, Jr.) within the agency responsible for:

- o Monitoring and reporting to the head of the agency on agency activities carried out to meet EO requirements.
- o Perform necessary duties relating to the implementation of the EO within the agency as the head of the agency deems appropriate.

Ensure that contracts entered into for contractor operation of agency owned facilities or vehicles require:

- o The contractor to comply with all the EO requirements to the same extent as the agency is required.

Ensure that all agreements, permits, leases, licenses or other legally-binding obligations between the agency and a tenant or concessionaire require:

- o That the tenant or concessionaire take actions needed to meet EO requirements to the extent that the agency head deems appropriate.

Provide reports and information as required on agency implementation of the EO to:

- o Chairman of the Council on Environmental Quality (CEQ)
- o Director of the Office of Management and Budget (OMB)
- o Federal Environmental Executive (FEE)

The Chairman of the CEQ shall:

- o Establish a Steering Committee on Strengthening Federal Environmental, Energy, and Transportation Management chaired by the FEE and designated senior officials too advise CEQ and OMB on the performance of their functions under the EO and establish subcommittees (existing working groups have been designated as subcommittees) as needed to provide assistance on particular subjects.
- o Consultation with the director of OMB and the Steering Committee and decide on instructions to implement the EO.
- o Administer a presidential leadership award program to recognize exceptional/outstanding agency environmental, energy or transportation management performance in implementing EO requirements.

The Director of OMB shall:

- o Consult with the Chairman of CEQ and the steering committee and issue instructions to the heads of the agencies concerning periodic evaluation of agency EO implementation, budget and appropriation needs, implementation of all EO requirements and amendments needed to Federal Acquisition Regulations. (The current OMB Energy, Environmental and Vehicle Scorecards will be used for biannual EO evaluations.)

The FEE shall:

- o Monitor and advise the Chairman of CEQ on performance by agencies in meeting EO requirements.
- o Submit a report to the President through the Chairman of CEQ every two years on activities on agencies taking to meet EO requirements.
- o Advise the Chairman of CEQ on the administration of the presidential leadership award program.

This EO applies to all agency activities, personnel, resources and facilities located within the U.S. The head of each agency shall decide what EO requirements if any shall apply outside the U.S.

Exemptions:

- o The Director of National Intelligence may exempt an intelligence activity and related personnel, resources and facilities.
- o The head of an agency may exempt law enforcement activities, related personnel, resources and facilities.
- o The head of an agency may exempt law enforcement, protective, emergency response or military tactical vehicles fleets.
- o The head of an agency may submit to the President through the Chairman of CEQ a request for exemption of an agency activity and related personnel, resources and facilities.

The EO shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations.

This EO revokes the following previous EOs:

- o EO 13101
- o EO 13123
- o EO 13134
- o EO 13148
- o EO 13149

Additional EO Guidance Requirements:

- o Install electric, water and thermal meters in all buildings that are practicable to do so.
- o Conduct energy and water audits on at least 10% of agency buildings each year.
- o Agencies must give preference toward purchasing products that have recycled content, and/or are Energy Star or FEMP-designated, are water-efficient (meeting EPA's WaterSense standards), are biobased (meeting US Department of Agriculture BioPreferred), are EPEAT-registered, have low or no toxic constituents, and are non-ozone depleting.
- o Writing and printing paper must contain 30% postconsumer fiber or 20% if not reasonably available.
- o Agencies must develop written plans and support actions to identify and reduce the release and use of toxic and hazardous chemicals and materials.
- o Agencies must maintain waste prevention and recycling programs in all of its facilities where appropriate and must strive to meet the national 35% recycling goal established by EPA.