

## 4.3 PLANNING

### 4.3.2 Legal and Other Requirements

**Auditor Name and Date:** \_\_\_\_\_

**Organization and Department Audited:** \_\_\_\_\_

**Personnel Interviewed:** \_\_\_\_\_

#### STANDARD REQUIREMENTS

**4.3.2** The organization shall establish, implement and maintain a procedure(s)

**Conforms (Y/N)**

|  |  |
|--|--|
| a) to identify and have access to the applicable legal and other requirements to which the organization subscribes, related to its environmental aspects and,  |  |
| b) to determine how these requirements apply to its environmental aspects.   |  |
| The organization shall ensure that these applicable legal requirements and other requirements to which the organization subscribes are taken into account in establishing, implementing and maintaining its environmental management system. |  |

**NOTES:**

**OVERALL CONFORMANCE: YES NO**

| <b>4.3.2 Legal and Other Requirements: Supplemental Questions by Function</b> |  |                           |
|---|--|---------------------------|
| <b><i>DEPUTY DIRECTOR</i></b>   |  | <b>OBJECTIVE EVIDENCE</b> |
| <b>a.</b>   | How does the Division keep track of changes to legal and other requirements?   |                           |
| <b>b.</b>   | Describe how legal and other requirements are communicated to Division personnel.  |                           |
| <b>c.</b>   | How does the Division ensure that all environmental reports and permits required by federal, state, or local regulations have been identified? |                           |
| <b>d.</b>   | How do legal and other requirements apply to the Division's environmental management system?   |                           |

| <b><i>EMS REPRESENTATIVE</i></b> |  | <b>OBJECTIVE EVIDENCE</b> |
|----------------------------------|--|---------------------------|
| <b>a.</b>                        | What is the review process for monitoring changes to legal and other requirements?                               |                           |
| <b>b.</b>                        | Does any one person bear the responsibility of reviewing legal requirements as they relate to the EMS?           |                           |
| <b>c.</b>                        | Describe how changes to legal and other requirements are communicated to division personnel.                     |                           |
| <b>d.</b>                        | Does the Division subscribe to any publications that track pertinent changes to federal/state/local regulations? |                           |

| <b><i>SENIOR STAFF</i></b> |  | <b>OBJECTIVE EVIDENCE</b> |
|----------------------------|--|---------------------------|
| <b>a.</b>                  | Do you have access to the legal requirements and pertinent legislation associated with your section? If so, where can they be found? |                           |
| <b>b.</b>                  | How are you made aware of any changes to pertinent laws and regulations?   |                           |
| <b>c.</b>                  | How do you communicate these changes to your staff?  |                           |
| <b>d.</b>                  | How are new requirements incorporated into existing procedures and processes?  |                           |

| <b>4.3.2 Legal and Other Requirements: Supplemental Questions by Function (cont.)</b> |  |
|---|--|
| <i>DIVISION PERSONNEL</i>   |  |
|   | <b>OBJECTIVE EVIDENCE</b>  |
| <b>a.</b>   | If there were changes to environmental laws or regulations relating to you job, how would you be told of them? |
| <b>b.</b>   | Has this ever happened?  |

**NOTES:**

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| <p><b>DOCUMENTS:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <u>Legal and other requirements procedure.</u></li> <li><input type="checkbox"/> Communication to others in the organization on legal requirements.</li> <li><input type="checkbox"/> List of legal requirements (federal, state, local) to which the organization must comply.</li> <li><input type="checkbox"/> Listing of other requirements that the organization has decided to follow (e.g., industry codes of practice, certification programs, internal codes of practice).</li> <li><input type="checkbox"/> Procedures that incorporate legal and other requirements into daily activities or operations. Ask for a recent example of a new requirement being incorporated into procedures/operations.</li> </ul> |
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**EMS LINKS:**

- Environmental Aspects
- Objectives, Targets and Programs
- Competence, Training and Awareness
- Operational Control
- Monitoring and Measurement
- Management Review