

# Environmental Management System (EMS) Procedure

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## Chapter 1 – Definitions and References

### 1.1 Definitions

- Corporate Risk Committee (CRC) – as defined in the Entergy Corporation Corporate Risk Controls Standards – Regulated Entergy Businesses and in the Entergy Corporation Corporate Risk Controls Standards – Unregulated Entergy Businesses.
- Corporate Risk Control Standards or Risk Standards - Refers to the Entergy Corporate Risk Control Standards – Regulated Entergy Businesses and the Entergy Corporate Risk Control Standards – Unregulated Entergy Businesses.
- **Corrective Action** - Action taken to eliminate or mitigate the cause of a system deficiency, hazard, or risk (e.g., fix an existing problem).
- EMS Manual - A document developed to provide details on how the elements of the EMS Procedure are implemented.
- EMS Procedure – this Environmental Management System (EMS) Procedure.
- Entergy System Company, Entergy, Company, or Corporation - Entergy Corporation and all of its regulated and non-regulated subsidiaries and affiliates in which Entergy Corporation has a direct or indirect majority ownership interest.
- Environmental Management System (EMS) - A documented process for continuous environmental performance improvement and risk reduction. The required elements of the EMS are described in Chapter 2 – EMS Requirements
- Function(s) / Functional – A division of Entergy such as a Legal-Entity (operating company), Fossil, Utility, Nuclear, or any other business, department, or sub-division of the organization.
- Issue Leader - An SME that monitors and shares information on a given topic internally with others SMEs throughout Entergy.
- Senior Executive – Position at a Vice-President or above.
- Safety, Health, and Environmental Management System (SHEMS) Audit Program – The internal audit program which evaluates and validates company compliance with federal, state, local and company requirements.
- Subject Matter Expert (SME) - individual who is assigned responsibility for becoming Entergy’s authority on a given subject or topic.

## 1.2 References

- Corporate Risk Control Standards for Regulated Entergy Businesses
- Corporate Risk Control Standards – for Unregulated Entergy Businesses
- Entergy System Policies & Procedures
  - Corporate Risk Standards Policy
  - Environmental Management Policy
  - Records Management & Retention Policy

## **Chapter 2 – Purpose and Responsibilities**

Entergy's first Safety & Environment Policy and Functional Procedure - Safety, Health, and Environment were developed and implemented in March 2004. In March 2012, Corporate Safety & Environment was divided into Enterprise Safety and Environmental Strategy & Policy. This restructuring caused the Corporate Safety & Environment Policy to be divided into a Safety and Occupational Health Policy and an Environmental Management Policy. These two new corporate policies were approved and became effective November 4, 2013. The Functional Procedure now has been divided as well to correspond to the separate Policies. This Environmental Management System (EMS) Procedure implements the Entergy Environmental Management System Policy. The EMS Procedure contains Entergy-wide environmental procedures and standards to which all Entergy Functions must adhere.

Entergy Corporation and all subsidiary Functions, unless otherwise indicated within this document, shall comply with all elements of this EMS Procedure and environmental standards. Operations or other activities that may have an environmental impact are required to develop a Functional Environmental Management System (EMS) Manual. Specific responsibilities are outlined below.

The Entergy Environmental Management Policy and this EMS Procedure are owned and implemented by the Vice President, Environmental Strategy & Policy (ESP). Individual group and program-specific responsibilities are identified in the section below, as applicable.

### **2.1 Environmental Strategy & Policy**

#### **2.1.1 Summary of Responsibilities.**

The Vice President, Environmental Strategy & Policy (ESP) and the ESP staff are responsible for:

- developing Entergy's Environmental Management Policy and EMS Procedure and communicating requirements to the Functions;
- identifying specific Functions whose operations are such that they require the development and maintenance of an EMS Manual specific to the Function and communicating this requirement to them;
- developing, in coordination with Enterprise Safety, and implementing a compliance validation (audit) program to ensure that all Functions are operating in compliance with applicable safety, health, and environmental (SH&E) laws, regulations, and pertinent Entergy policies, procedures, and standards;
- developing and maintaining corporate-wide systems or processes to share best practices, communicate legal developments, and provide Functional environmental professionals with information regarding federal environmental laws and regulations and state environmental laws and regulations that could have broad impact;
- providing the Functions with specialized subject matter expertise in select environmental areas;

- coordinating Entergy positions in conjunction with the Functions on federal and state environmental issues;
- coordinating the evaluation of the environmental-related risks and financial impacts associated with major asset and business transactions, and serving as a Subject Matter Expert (SME) for the Investment Approval Process (IAP) and in support of the Corporate Risk Committees, in conjunction with the Office of the Chief Risk Officer;
- monitoring, trending, and reporting corporate-wide environmental performance on a regular basis; and
- providing additional environmental support and coordination as directed by the Chief Executive Officer or Executive Vice President and General Counsel.

2.1.2 **Program Consulting and Assistance.** ESP shall monitor environmental performance; support development and maintenance of an effective EMS; facilitate access to corporate-wide environmental resources, a comprehensive finding and observation database, corporate trending analysis, and best practices; and provide other appropriate assistance.

2.1.3 **Safety, Health, and Environmental Management System (SHEMS) Audit Program.** ESP shall evaluate the effectiveness of Functional SOHMSs and EMSs, self-assessment programs, and operational compliance with policies, procedures, standards and applicable external safety and environmental requirements. ESP shall coordinate, as needed, with Enterprise Safety regarding the safety-related aspects of the program.

2.1.4 **External Affairs.** With input from Functions and other SMEs as appropriate, ESP shall develop and coordinate Entergy positions on domestic and international environmental regulatory, legislative, judicial and litigation matters (such as the appeal of regulations and intervention and other court filings involving policy issues) if the issue impacts two or more Functions, has the potential to have a material financial impact on the Company, or has the potential to impact the Company's reputation or external affairs in a significant manner. On environmental issues that require a corporate management position, ESP shall coordinate representation of Entergy directly and through industry associations and document this representation on a matrix in order to identify Issue Leaders and ensure coverage of all issues. In coordination with the Functions, ESP also shall develop and maintain systems that coordinate Entergy positions on state and regional environmental issues. ESP shall coordinate corporate programs to communicate Entergy environmental issues and performance to shareholders and other external stakeholders and shall support Function outreach programs designed to communicate environmental awareness to host communities. ESP shall coordinate environmental disclosures and input for external reporting.

2.1.5 **Information Services.** ESP shall establish and maintain central environmental information services that facilitate effective transfer of environmental information, best practices, and technology among the Functions and shall

provide corporate-wide systems to share best practices and lessons learned and to address environmental issues of common concern. ESP shall alert Functions to emerging legislative and regulatory requirements and to industry trends.

- 2.1.6 **Performance Measurement.** ESP shall collect and analyze key environmental performance data and shall report the overall environmental performance of the Corporation to its Board of Directors and executive management.
- 2.1.7 **Environmental Commitments.** In conjunction with the Functions and the Legal Department, ESP shall review and provide concurrence to environmental-related legal agreements, such as consent decrees, settlements, or other resolutions (excluding routine permit activity) that impose a financial obligation greater than \$50,000.
- 2.1.8 **Business Acquisitions / Divestitures and Asset Transactions.** Consistent with the processes outlined through the IAP and the Corporate Risk Control Standards (Risk Standards), ESP shall assist and consult with Functions and shall serve as the Subject Matter Expert (SME) for the IAP and Corporate Risk Committees (CRC) as defined by the Risk Standards. SME responsibilities include reviewing said proposals, registering concurrence with proposals at CRC meetings, and documenting reasons for non-concurrence. Minimum requirements for review are outlined in **Appendix A.**

## 2.2 Functions

- 2.2.1 **Stewardship.** Functional Senior Executives (Vice-President or above) (“Senior Executives”) are responsible for compliance with relevant federal, state, local, customer, and corporate environmental requirements and standards. The Function shall provide sufficient staff and resources to address environmental issues and shall seek opportunities to implement and share Entergy and industry best practices.
- 2.2.2 **Environmental Management System.** Senior Executives shall have responsibility to implement Environmental Management Systems that are consistent with the environmental processes defined in Chapter 2, Environmental Management Systems Requirements.
- 2.2.3 **Environmental Integration.** Senior Executives shall have responsibility to integrate environmental considerations into business operations and strategic planning and shall improve environmental aspects of the business that support competitiveness and enhance cost-effectiveness.
- 2.2.4 **Environmental Risk.** Function shall have a documented process for identifying and prioritizing environmental risks related to their operations. The risk identification process facilitated by Internal Audit Services may be utilized to fulfill this requirement. A trending analysis of audit findings and observations

shall be conducted to develop action plans to reduce reoccurrence of audit findings.

- 2.2.5 **Notification.** Senior Executives shall assure that the notification requirements, as outlined in paragraph 3.2, Incident Reporting, are fulfilled. **Appendix B**, Incident Reporting, also provides additional detail on notification requirements.
- 2.2.6 **Business Acquisitions and Divestitures of Businesses and Real Estate.** Senior Executives shall have responsibility to ensure environmental assessments are conducted for proposed acquisitions and divestitures of businesses and real estate transactions in accordance with paragraph 3.3 and further detailed in **Appendix A**, Environmental Evaluations in Business Transactions. These assessments should be performed in consultation with ESP.
- 2.2.7 **Performance Reporting.** Senior Executives shall have responsibility to measure and report environmental data and performance information to ESP.
- 2.2.8 **Coordination.** Senior Executives shall designate individuals at a senior level (manager or above) in the organization who shall have environmental accountability for the Function and serve as its ESP point of contact.
- 2.2.9 **Seek SME Input on Proposals.** Senior Executives shall contact an ESP SME when developing proposals for the IAP and ushering such proposals through the Corporate Risk Committee process. See § 1.1.8. Responsibilities include incorporating SME input into proposals in order to receive concurrence.
- 2.2.10 **Training.** Functions shall identify environmental training needs and conduct necessary training based on compliance requirements, environmental risks, employees' job functions, and Functional objectives.
- 2.2.11 **Metrics.** Functions shall provide environmental metrics data to ESP as described in **Appendix C**.
- 2.2.12 **Corrective Actions.** Functions shall provide support to their respective operations during baseline, compliance, and management system audits and coordinate with facility representatives to ensure proper closure and documentation of audit findings and observations that require a corrective action.

## 2.3 Employees

- 2.3.1 All Entergy employees shall work in a manner that is protective of the employee, fellow workers, the environment, and company assets. Employees shall alert management to potential hazards.
- 2.3.2 Employees shall adhere to environmental laws, rules, and regulations, and Entergy policies, programs, procedures, standards, and practices.

## **Chapter 3 - Environmental Management System Requirements**

### **3.1 Environmental Policy and Strategy**

*Management provides the vision, sets the expectations, and establishes the framework for environmental management. Leadership and visible commitment to environmental performance that meets all objectives are critical elements of successful business management. Management sets the global strategies that drive environmental performance.*

- 3.1.1 Functions shall develop programs and procedures, as necessary, to support the Environmental Management Policy, develop and implement the necessary processes to ensure those programs and procedures are adequately communicated to affected employees, and that the Environmental Management Policy shall be communicated to employees as part of that overall process. For the purposes of this EMS Procedure, the Utility Operations - Environmental Management organization supports all Functions within Entergy, except for the Fossil and Nuclear businesses.
- 3.1.2 Each Function shall document an annual review of its programs and procedures and update or revise the programs and procedures as appropriate.

### **3.2 Compliance Requirements**

*Understanding applicable environmental laws and regulations as well as corporate and customer requirements is fundamental to compliance and to responsible, effective performance.*

- 3.2.1 Functions shall review applicable new and emerging environmental regulatory requirements as identified through their management systems and by ESP, and applicable company policies, procedures, and standards.
- 3.2.2 Functions shall integrate applicable environmental standards and requirements into programs and procedures. When operational work processes and procedures that may reasonably have an impact on environmental performance are modified, an evaluation of the modification must be conducted to ensure ongoing compatibility with existing environmental compliance program(s).
- 3.2.3 Management responsible for the operation of facilities located within a specific Function shall seek to determine what environmental laws and regulations are applicable to it and maintain a current understanding of any changes to those applicable laws and regulations.

### **3.3 Risk Assessment and Trending Analysis**

*Identifying and assessing the environmental risks associated with function activities is a necessary element in establishing effective controls to protect the environment.*

- 3.3.1 Each applicable Function shall review and update its environmental risk assessment annually. The Function shall consider the risk assessment when reviewing its environmental policy, setting functional, business or departmental environmental objectives, and developing appropriate programs, procedures, and training to control risks. A trending analysis of audit findings and observations shall be conducted to develop action plans to reduce reoccurrence of audit findings.
- 3.3.2 As presented by the Corporate Risk Committee SME (see Paragraphs 1.1.8 and 1.2.9 above), an environmental risk assessment shall be included in any proposals within the IAP and Corporate Risk Committee processes. The SME shall coordinate with Functional environmental personnel in developing this assessment.

### **3.4 Objectives**

*Environmental objectives describe the desired and planned achievements for the functions and set the direction for continuous improvement.*

- 3.4.1 Functions shall establish and maintain documented and measurable environmental performance objectives based on regulatory compliance, mitigation of significant risks, pollution prevention, resource conservation, technological options, and/or function policies and requirements.
- 3.4.2 Functions shall track progress toward meeting objectives and will communicate the status to its employees and management.

### **3.5 Programs & Procedures**

*Processes to comply with environmental requirements, control risks, and achieve environmental objectives are described in program documents and detailed procedures.*

- 3.5.1 Functions shall have appropriate environmental programs and procedures that are integrated with operations, including those needed to implement the various environmental policies, procedures, standards, requirements, and guidelines.
- 3.5.2 Environmental programs and procedures shall support achieving environmental objectives, controlling environmental risks related to Functional activities, and assuring compliance with applicable rules, regulations, and company policies.
- 3.5.3 Roles and responsibilities for implementing the environmental programs and procedures shall be defined and communicated.

- 3.5.4 Environmental programs and procedures shall be modified to reflect new or modified business activities within 90 days of implementation.
- 3.5.5 Functions shall develop and implement, as appropriate, a communication strategy for environmental matters that addresses the following elements: 1) employee communications; 2) community relations; and 3) emergency response.
- 3.5.6 Functions shall develop documentation to record progress toward objectives.
- 3.5.7 Records shall be maintained as defined by the Entergy Records Management and Retention System Policy.

### **3.6 Training**

*Effective environmental training helps individuals understand the environmental requirements associated with their work, the environmental impact of the work, the risks associated with the work, and the physical conditions and behaviors necessary to control risks.*

- 3.6.1 Employees and managers who affect or are affected by environmental issues shall receive training that ensures familiarization with environmental requirements appropriate to their individual job assignments.
- 3.6.2 All Entergy employees shall receive environmental awareness training appropriate to their duties that includes, at a minimum: 1) familiarization with the functional programs, procedures, and objectives, Environmental Management Policy, and EMS Procedure; 2) actions to be taken by an employee if an environmental risk is identified; and 3) actions to be taken in the event of an environmental emergency (e.g., fire, chemical spill, or unusual reaction to a chemical substance).

### **3.7 Self-Assessment**

*Functions shall measure (1) progress toward meeting objectives through periodic compliance evaluations and (2) the effectiveness of the EMS through self-assessments.*

- 3.7.1 Functions shall develop and implement self-assessment programs to assess the effectiveness of EMS, including progress toward meeting established Functional environmental objectives.
- 3.7.2 Significant deficiencies identified in self-assessments and serious noncompliance items identified in compliance evaluations shall be analyzed within the Functions to determine basic (root) causes, to implement actions necessary to correct or resolve noncompliant conditions, and to prevent reoccurrence. Functions shall track corrective actions to completion.

- 3.7.3 Senior Executives, environmental leader, and ESP shall review the results of the management systems self-assessment and compliance evaluations. The reports shall be accumulated and reported annually.

### **3.8 Senior Executive Review**

*Periodic review by Functional management of self-assessment results and progress toward established objectives assures effective environmental performance evaluation and highlights any need for change to the EMS.*

- 3.8.1 The functional Senior Executive, as described in Section 1.2.1, shall review progress toward meeting environmental objectives and shall make appropriate modifications to the EMS to ensure continuous improvement in environmental performance and to the EMS.
- 3.8.2 Senior Executive reviews shall include the results of EMS self-assessments, compliance evaluations, incident reviews, and the status of corrective action or root-cause analysis activities.

### **3.9 Equivalency**

*Functions that are certified under the ISO 14001 standard shall be deemed compliant with certain elements of this chapter. See **Appendix D** to determine the additional elements that must be added to these standards to make them fully compliant with all elements of the Entergy EMS.*

## **Chapter 4 - Environmental Requirements**

### **4.1 Approval of Environmental Agreements**

Functions shall alert ESP regarding new environmental-related legal agreements, such as consent decrees, settlements, or agreements that impose a financial obligation on the function of greater than \$50,000 or establish requirements/obligations applicable to other functions of the Corporation.

### **4.2 Incident Reporting**

Functions shall alert ESP, as outlined herein, and will comply with all federal, state, and local regulations and Entergy and function policies regarding incident reporting.

Functions shall make ESP and Legal aware of the following environmental incidents in a timely manner by use of the incident reporting form included at **Appendix B**. Alternatively, phone, email, or fax may also be used to provide this notification as long as all of the information requested on the form is included in this alternative format.

Notification to ESP will be coincident with any required notification to Functional management and/or other corporate and Function parties (e.g., Legal, Corporate Communications, etc.), and shall address the following.

- Any environmental incident (accident, spill, release, significant regulatory finding, etc.) that is likely to result in any amount of fine, judgment or other penalty levied against the Corporation.
- Any update or recent change to a past incident that is likely to result in a fine, judgment, or other penalty levied against the Corporation.
- Any environmental incident that is likely to generate material or significant adverse publicity for the Corporation.

For additional guidance on reporting, please refer to the Environmental Incident Reporting Section on the [Environment SharePoint site](#). For assistance with incident reporting, contact ESP at (601) 969-2543.

### **3.3 Environmental Evaluations in Business Transactions**

Functional environmental assessments for business acquisitions, dispositions, asset transactions and major construction projects shall be conducted in a manner consistent with the processes outlined through the standard IAP and the Corporate Risk Control Standards (which includes the Corporate Risk Committee process). ESP will serve as the environmental SME for the IAP and CRC processes. When requested, ESP will conduct and/or participate in the due diligence process for business acquisitions, dispositions and asset transactions, in accordance with these requirements as well as those included in **Appendix A**. In general, the Functions will take the lead in the due diligence process when the asset is located within Entergy's utility service territory, including ESP in the review to facilitate IAP and CRC concurrence. Generally, ESP will take the lead on projects outside of Entergy's utility service territory.

### **3.4 Legislative & Regulatory Issues Management**

3.4.1 Federal Legislative and Regulatory – ESP is responsible for developing and communicating the Corporation's position on emerging federal legislative environmental issues and, where appropriate, federal regulatory positions. This will be accomplished in coordination with Entergy's federal and state Communications, Governmental Affairs, and Public Affairs departments, Function environmental leads, and other appropriate SMEs across the company. Where a Function's environmental personnel maintain a substantive and ongoing contact with Congress or federal regulatory agencies and conduct business that may have a companywide impact, the Function will advise ESP. In the event of a conflict between the positions of individual functions, ESP will aid in seeking a collaborative solution and will have the ultimate governance of resolution.

- 3.4.2 State Legislative and Regulatory - Functions are responsible for managing emerging state legislative and regulatory issues of priority to the Function and for coordinating with ESP and other Functions on significant issues. For emerging state issues that could have corporate-wide impact, Functions and ESP will collaborate on issue management programs.
- 3.4.3 Court Interventions - The decision for Entergy to intervene as a party or to act as a litigant or friend of the court (amicus) in any lawsuit, any administrative rulemaking, or any permitting matter in which Entergy is not otherwise involved will be a collaborative decision involving the relevant Functions, ESP, and Legal. No decision to act in such a matter will be made prior to collaboration between these groups. Any final decision prompting the company's participation in litigation must be approved by the General Counsel.
- 3.4.4 ESP will sponsor cross-Functional groups to facilitate sharing of information regarding emerging legislative and regulatory proposals, developing of a consistent company position, coordinating of research and development opportunities, and sharing of best practices.

These groups shall be comprised of SMEs and Issue Leaders throughout the company who monitor environmental issues through participation in external industry groups and other mechanisms. Any issues identified by these groups that require a consistent standard across the company shall be referred to the environmental leadership team with recommendations on how to address the issue. Issues may require a standard if the issue affects two or more business functions.

The process of developing these recommendations shall include the group members fully exploring the potential impacts to their Function, participating in the development of the recommendations, and formally agreeing with the recommendations.

The environmental leadership team shall consider the recommendations of the group and, if they agree, the leadership team shall recommend development of an environmental standard, described in paragraph 3.5 and housed on the ESP myEntergy site. If the leadership team does not agree with the recommendations, this issue shall be returned to the group with feedback on needed resolution points for additional review and study.

Functional specific policies, procedures, standards, and guidelines are maintained by the Function and shall be consistent with the Environmental Management Policy, EMS Procedure and standards.

### **3.5 Environmental Standards**

System-wide environmental standards are necessary to address environmental issues that present a common risk for all Functions. System-wide environmental standards can be developed either under the process outlined in paragraph 3.4.4 or by ESP and shall be consistent with the Environmental Management Policy and EMS Procedure. These standards present the company's minimum performance expectation that must be implemented and achieved by the Functions to sufficiently address a given environmental risk.

Entergy's environmental standards, once recommended to the VP, Environmental Strategy & Policy, developed by ESP and reviewed by the appropriate leadership team, are listed below, located on the [Environment SharePoint site](#) and are updated as necessary:

***Environmental Standards***

- Waste Management and Minimization Standard
- Water Management Standard
- Avian and Wildlife Protection Standard
- Chemical Control – Hazard Communication Standard

## **Appendix A**

### **Environmental Evaluations in Business Transactions**

This Appendix includes the following elements for environmental assessments pertaining to business acquisitions, dispositions, asset transactions and major construction projects: 1) definitions; 2) applicability of requirements; 3) scope of assessments; and 4) additional requirements applicable to termination of Entergy operations at a property or facility.

#### **I. Definitions**

**Business Acquisition** - Purchase or option to purchase or lease an operating business; such transactions may or may not include the purchase or lease of real estate

**Business Disposition** - The sale or other disposal of operations of a function or business unit to a third party other than an Entergy entity

**Asset Acquisition** – The purchase or option to purchase property, plant or facility; new leases; and extensions or modifications of existing leases

**Asset Disposition** - The sale, exchange, lease, sublease, re-deployment, redevelopment, or other conveyance or disposal of assets, including property, plant or facility

**Major Construction Project** – a construction project requiring approval by the Corporate Risk Committee or one with a significant environmental impact

**User** - The Entergy organizational entity with financial control of existing property or financial authority to acquire new property

#### **II. Applicability of Requirements**

A. Assessments are required as follows:

- Business or Real Estate acquisition assessments shall include the assessment elements in section II.C.1;
- Real Estate lease, lease renewal and lease termination assessments shall include the assessment elements in section II.C.1;
- Business or Asset disposition assessments shall include the assessment elements in II.C.1;
- Major Construction Activities shall include the assessment elements in II.C.1; and,
- Surplus property assessments shall include the assessment elements in II.C.1, and shall be conducted within 90 days of the time the property is declared to be surplus.

B. The following facilities are exempt from the requirements of this Appendix:

- Office space or warehouse space (no past or present operations or laboratory use) owned or leased by Entergy; or,
- Lease renewals where there is no change in the use by Entergy and no change in the environmental aspects of the property or the lease terms.

C. Scope and Conduct of Assessments

1. Evaluation Elements

Assessments shall include some or all of the following evaluations, consistent with the applicability requirements in II:

- Evaluate the presence, or likely presence, of recognized environmental conditions or hazards (e.g., soil or groundwater contamination, hazardous substances or petroleum products) on the property pursuant to ASTM Standard E 1527 or additional standards required by EPA in its definition of “all appropriate inquiry” as used in CERCLA regulations.
- Identify the status of compliance with relevant environmental laws, regulations and permits that apply to the intended use of the facility (e.g., storage tanks, air emission control devices, cranes, railings, electrical equipment, ventilation equipment, waste water treatment systems, etc.);
- Identify potential hazards that the facility or location poses for site users (e.g., exposure to hazardous chemicals, asbestos, PCBs, high voltage, fall hazards, suspended load hazards, etc.); and,
- Identify operational limitations that apply to the intended use of the property or facility (e.g. prohibited chemicals, restricted processes or equipment, essential operating permits, etc.).
- Due diligence activities shall identify all environmental conditions, hazards, and opportunities that could impact the value of the asset. In addition, due diligence activities shall identify all environmental systems and internal controls that exist in the asset.

2. Conduct of Assessments

Assessments pursuant to II.C.1 (ASTM E 1527) shall be conducted by an independent contractor qualified by training and experience to conduct ASTM Phase I environmental assessments.

Assessments pursuant to this standard may be conducted by either a qualified Entergy environmental professional or independent contractor. (“Environmental professional” has the same general meaning as the definition of “environmental professional” in ASTM Standard E 1527; i.e., sufficient skills, training and

experience necessary to conduct one or more of the assessments listed in **Appendix A.II.A)**

D. Waivers and Modifications

Occasionally, circumstances will merit a modification of the requirements of this Appendix or a waiver (e.g., buyer or seller requirements, prior assessments of the property, prior use history, indemnification terms and conditions). In such cases, the Entergy function, business, or department should contact ESP to propose and discuss a deviation from these requirements.

An approved modification or waiver shall be in writing from the function, business, or department describing the alternative requirements, if any. ESP shall review and either approve the modification or request further clarification.

## Appendix B

### Incident Reporting

The contents of reports required to be submitted to ESP and Legal in accordance with Paragraph 3.2 shall include the information described in the following tables: “Significant Environmental Release Report” and “Reports to Regulatory Agencies”. Alternatively, phone, email, or fax may also be used to provide this notification as long as all of the information requested on this form is included in this alternative format.

For additional guidance on reporting, please refer to the Environmental Incident Reporting section on the [Environmental SharePoint site](#). For immediate assistance with incident reporting, contact ESP at (601) 969-2543.

#### Significant Environmental Release Report

(Copy of report to regulator may be substituted, providing report includes all necessary information)

Name and location of facility:
Name, title, phone number:
Start and end date and time of incident:
Type and quantity of substance(s) released:
Regulatory Agency(ies) notified, dates and times (identify agencies by full name):
Description of the root cause of the spill or release, if known:
Impact of the release (who or what was adversely affected and how):
Results of sampling (if available):
Names and affiliation of injured parties (employee or other parties):
Facility response to the incident/corrective action taken (what was done to stop or mitigate the release, control the effect on employees, the public or the environment, and prevent reoccurrence):
Regulatory citation or permit clause that requires the notice:
System or component diagram depicting the incident and other pertinent background information (if useful):

### Reports to Regulatory Agencies

Name and location of facility:
Name, title, phone number:
Supply a copy of report submitted to agency, being sure that the regulatory agency's name is clearly identified.
Identification of the requirement (permit limit, emission limit, regulatory citation, etc.) and the nature of the issue (e.g., measured parameter):
Date and time of event or issue:
Date and time agency(ies) notified:
Agency response (if any):
Other relevant facts such as prior history of similar incidents, inspections, exceedance , or equipment failure:
What has been done to correct the problem, control any potential effect on employees, the public or the environment, and prevent reoccurrence:

## Appendix C

### Environmental Metrics

ESP collects data requested in this procedure to 1) understand the scope of environmental issues across the Corporation, 2) evaluate and communicate the Corporation's environmental performance to various stakeholders, and 3) communicate reliable, consistent, and accurate performance and risk information to senior management. Data to be collected is described below.

#### Environmental Metrics

- Data submitted shall cover the reporting calendar year and be representative of the individual Function. Metrics applicable to the function shall be submitted to ESP at the end of the first quarter of each year covering the previous calendar year (except when reporting is done at a later date, i.e. TRI and PCB reporting). Definitions of each of the metrics is shown in the sections below, while Table 1 at the end of this section shows actual dates and affected functions for each metric.
- Only metrics that apply to the Function should be submitted. Corporate audit data shall be provided by ESP staff.

#### I. Air

- a. Number and type of permits (Title V, PSD, Minor Source, etc.) – detail regarding permitted locations shall also be included
- b. Annual Air emissions in tons if emissions are being tracked (Title V, PSD) adjusted for Entergy's ownership share.
- c. Annual air emissions in lb/MWh if emissions are being tracked (Title V, PSD).
- d. CEMS % availability
- e. GHG Emissions in short tons adjusted for Entergy's ownership share, including those tracked and reported under the EPA Mandatory GHG Reporting Rule (MRR). This includes carbon dioxide (CO<sub>2</sub>), sulfur hexafluoride (SF<sub>6</sub>), methane (CH<sub>4</sub>), etc.
- f. Compliance Orders, NOV's, fines, or penalties - details regarding location, agency involved, violation/situation, and resolution shall be included.

#### II. Water

- a. Number of Discharge Permits – Total the number of discharge permits - detail regarding permitted locations shall also be included
- b. Number of Measurements – Obtain the total number of analyses from the monthly Discharge Monitoring Report (DMR) submittals. Analyses also shall include temperature and flow measurements if there is a numerical limitation established in the permit. When determining analyses for temperature and flow measurements, totals should be based on a daily basis. For example, even though a facility may be required by permit to measure temperature continuously or every two hours, only one analyses would be counted for that day. Therefore, typically

a facility would report “365 analyses” for temperature. Flow would follow the same protocol.

- c. Number of Permit Exceedances – When determining the number of permit exceedances, total both items shown below.
  - Obtain the number of analysis exceedances for each outfall from the monthly DMR submittals.
  - For each incident involving an overflow, unanticipated bypasses, late report submittal or any other item not considered an analysis, count as an exceedance if it required verbal or written notification to the regulatory agency.
- d. Compliance Rate – To determine compliance rate, subtract the number of exceedances from the total number of analyses and then divide that number by the total number of analyses. Example is as follows:

**2013 Compliance Rate**

Number of Samples = 563

Number of Exceedances = 4

Compliance Rate =  $563 - 4 \div 563 = 99.3\%$

- e. Total Water Usage – total U.S. gallons of water used (withdrawn and consumed or discharged) from all sources, (surface water, groundwater and municipal), for all types (fresh, saline and brackish), and for all purposes (cooling, process, sanitary and other). At a minimum, a breakdown of these categories should be provided. These metrics may be developed using direct measurement or estimation (provide all assumptions and estimation methods).
- f. Compliance Orders, NOVs, fines, or penalties – details including location, agency involved, violation/situation, and resolution shall be included

**III. Waste**

- a. Number of Permits – Total the number of permits - detail regarding permitted locations and permit type shall be included
- b. Total pounds or tons of EPA-defined hazardous waste manifested or actual monthly measurements from ongoing operations (this would include waste that is recycled)
- c. Total industrial solid waste generated in tons
- d. Percent industrial solid waste recycled in tons
- e. Coal ash – tons produced (adjusted for Entergy’s ownership share)
- f. Coal ash – percent recycled/sold and resulting revenue
- g. Compliance Orders, NOVs, fines, or penalties – details including location, agency involved, violation/situation, and resolution shall be included

**IV. Oil, Chemicals or Hazardous Waste/Materials spills as defined by EPA**

- a. Number of spills (as tracked by the function)
- b. Number of spills reportable to the National Response Center subdivided as indicated below:

- i. Number caused by third parties or acts of nature;
    - ii. Number caused by company activities
  - c. Amount/type of spill reported
  - d. Compliance Orders, NOVs, fines, or penalties – details including location, agency involved, violation/situation, and resolution shall be included
- V. PCB disposal and equipment content**
  - a. Kilograms of PCB liquid or equipment disposed of annually
  - b. *Estimate* of percentage of T&D equipment in place that is PCB contaminated (>50 ppm) – estimate should be based on best professional judgment (BPJ) and post-removal testing of equipment removed from service (outline all assumptions)
  - c. Compliance Orders, NOVs, fines, or penalties – details including location, agency involved, violation/situation, and resolution shall be included
- VI. TRI:** Volume as reported along with the chemical breakdown
- VII. Assessments/Audits**
  - a. Number of Corporate audits (provided by ESP)
  - b. Corporate audit closure rate (provided by ESP)
  - c. Number and location of permit/regulatory audits and assessments done by regulatory agencies
  - d. Number of Quality Assurance Audits (Nuclear only)
  - e. Number of Facility Self-Assessments (Distribution and Nuclear only)
  - f. Percentage of Fossil Plant Environmental Scorecard Assessments completed

## **Financial Data**

- VIII. Regulatory compliance estimates:** Updated cost estimates developed for compliance with new and emerging material regulations shall be reported through the quarterly process to update Entergy's disclosure reports (Forms 10-K and 10-Q). Material changes to these estimates should be reported immediately to facilitate external disclosures, if required.
- IX. Awards & Accomplishments**
  - a. List any awards that Function or individual facilities received for environmental performance
  - b. List major accomplishments
- X. Other metrics and goals**
  - a. Provide data on other metrics that the BU is tracking
  - b. BU goals
    - 1. Metric tracked
    - 2. Goal set
    - 3. Performance against goal

**Table 1**

**ENVIRONMENTAL METRICS** (see discussion above for more detailed metric definitions)

**Environmental Metrics**

Area	Metric	ENS	ENNE	Fossil	T&D
I. Air	a. Number of permits	All - provide 3/31/04 only. Update ESP if number changes.			
	b. Annual air emissions (tons)	3/31	3/31	3/31	
	c. Annual air emissions (lbs/MWh)	3/31	3/31	3/31	
	d. CEMS % availability			3/31	
	e. GHG Emissions (short tons)	3/31	3/31	3/31	3/31
	f. COs, NOVs, fines, or penalties	3/31	3/31	3/31	3/31
	II. Water	NPDES tracking	All - provide 3/31/04 only. Update ESP if number changes.		
a. Number of permits		3/31	3/31	3/31	3/31
b. Number of measurements		3/31	3/31	3/31	3/31
c. Number of permit exceedances		3/31	3/31	3/31	3/31
d. Compliance rate		3/31	3/31	3/31	3/31
e. Water Usage (U.S. gallons) – see details for breakdown required		3/31	3/31	3/31	3/31
f. COs, NOVs, fines, or penalties		3/31	3/31	3/31	3/31
III. Waste	a. Number of permits	All - provide 3/31/04 only. Update ESP if number changes.			
	b. Haz. Waste manifested (lbs)	3/31	3/31	3/31	3/31
	c. Total Ind. Solid Waste (tons)	3/31	3/31	3/31	3/31
	d. Ind. Solid Waste Recycled (%)	3/31	3/31	3/31	3/31
	e. Coal ash produced (tons)			3/31	
	f. Coal ash recycled/sold (%) and resulting revenue			3/31	
	g. COs, NOVs, fines, or penalties	3/31	3/31	3/31	3/31
	IV. Spills	Oil, chemicals, or hazardous waste/materials	All - provide 3/31/04 only. Update ESP if number changes.		
a. Number of spills (as tracked by the function)		3/31	3/31	3/31	3/31
b. Number of spills reportable to the NRC					
i. # 3 <sup>rd</sup> Party/Natural		3/31	3/31	3/31	3/31
ii. # Company operations		3/31	3/31	3/31	3/31
c. Amount/type of spill reported	3/31	3/31	3/31	3/31	
d. COs, NOVs, fines, or penalties	3/31	3/31	3/31	3/31	
V. PCB	a. PCBs disposed (kg)	7/31	7/31	7/31	7/31
	b. BPJ estimate of % PCB equipment in place (outline assumptions)				3/31
	c.. COs, NOVs, fines, or penalties	3/31	3/31	3/31	3/31

VI. TRI

Volume as reported – chemical breakdown

		7/31	
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VII. Assessments/Audits

- a. No. of Corporate Audits (ESP)
- b. Corporate audit closure rate (ESP)
- c. Number/location of outside audits
- d. No. of Quality Assurance audits
- e. No. of Self-Assessments
- f. % of Fossil scorecard assessments

3/31	3/31	3/31	3/31
3/31	3/31		
3/31	3/31		3/31
		3/31	

VIII.

Financial Data

Regulatory Compliance Cost Estimates

Quarterly during the 10-K/10-Q Review and Update Cycle
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IX. Awards and Accomplishments

3/31	3/31	3/31	3/31
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X. Other metrics and goals

3/31	3/31	3/31	3/31
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## Appendix D

### Equivalency for ISO 14001 Facilities

ISO 14001 Element	Environmental Management System
4.1 Policy	(+) adds improvement of environmental performance (-) not required to make available to public
4.2 Planning	(-) identification of aspects and impacts not required (+) risk assessment required (+) adds documentation of compliance requirements and risk assessment/trend analysis (+) equivalent scope and intent; details requirements in EMS Procedure
4.3 Implementation and Operation	(+) detailed description of Corporate and function roles and responsibilities
4.4 Checking and Corrective Action	(-) calibration and maintenance of monitoring equipment not specific requirement in Policy/Procedure
4.5 Management Review	(+) Requires reviews annually