

EMS 014
CORRECTIVE ACTION TO REGULATORY COMPLIANCE AUDITS AND EMS NON-CONFORMANCES CORRECTIVE AND PREVENTIVE ACTIONS

1. PURPOSE

To reinforce the NOAA Environmental Compliance Audit Corrective Action Resolution Policy and process and to ensure EMS non-conformances are defined and processed to mitigate any environmental impacts. To develop a means to assign responsibility and initiate and complete an action plan aimed at EMS continual improvements.

2. SCOPE

This procedure applies to NOAA line functions that have implemented an Environmental Management System (EMS).

3. METHODOLOGY - REGULATORY COMPLIANCE AUDIT CORRECTIVE ACTION

3.1 Non-compliance to legal requirements must be handled in line with [NOAA Environmental Corrective Action Resolution Policy 98-02](#). To ensure this policy is followed and EMS related non-conformances are handled in a consistent manner the following non-compliance classification and action required format should be followed:

Non-Compliance and Non-Conformance Ranking and Action			
Audit Finding	Classification	Action Required	Reference
Regulatory Non-Compliance	Significant or Class 1	<ul style="list-style-type: none"> Re: 98-02: Within 45 days of the receipt of the final audit or survey report, Line Office must submit a corrective action plan to the RECO and the ECS. Preparation and submission of Project Prospectus Sheet. Quarterly reports to RECO on corrective action progress. 	Actions required only in response to: NOAA Regulatory Compliance Audit or Survey
		Actions above, plus: <ul style="list-style-type: none"> (Open Corrective Action) NOAA Quarterly Review to Under Secretary 	Actions required only in response to external assessments or regulatory inspections
Deficiency	Major or Class 2	98-02 does not require a formal corrective and preventive action be opened.	
Important concern	Minor or Class 3	98-02 does not require a formal corrective and preventive action be opened.	
Reference to EMS Non-Conformance			
Deficiency	Major or Class 2	Corrective and Preventive Action Plan must be prepared	Actions required in response to: NOAA Regulatory Compliance Audit or Survey.
Important concern or observation	Minor or Class 3	Formal Corrective and Preventive Action Plan is not required.	

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3.3 EMS Corrective and Preventive Actions:

3.3.1 Major or Class 2 actions must identify immediate action and long term actions which prevent the potential non-compliance to regulation in the future and/or non-conformance to an EMS element. Any action associated with an imminent threat the human health or the environment must have an immediate response directed to the situation and confirmation of action from the DRO and person assigned responsibility for the EMS.

An investigation/root case process must be followed to identify long-term actions, whereby the non-compliance can be prevented.

3.3.2 Minor or Class 3 actions are considered "observations". An observation does not require a formal corrective and preventive action plan, but actions must be taken to ensure the situation does not escalate into a Major non-conformance. Actions that may be considered include:

- Memo directed to manager or person responsible for situation

4. FACILITY REQUIREMENTS AND RESPONSIBILITIES FOR IMPLEMENTATION

NOAA NCCOS should take the following steps to implement and maintain an EMS that conforms to NOAA's EMS requirements and E.O.13423.

1. NCCOS are responsible for responding to compliance audit findings as described above.
2. The facility EMS team is also responsible for EMS non-conformances identified during EMS internal audit or as a result of day-to-day monitoring and measuring.
3. When a nonconformance is identified the following actions should be taken by the EMS team (actions should be appropriate to the nature, and potential impact, resulting from the nonconformance):
 - Correct the nonconformity and take any actions necessary to mitigate resultant impacts.
 - Investigate the nonconformity, determine its cause (root cause) and implement actions, such as changes to procedures or controls, to avoid reoccurrence of the nonconformity.
 - Monitor the results of corrective actions and assess its effectiveness.
 - Ensure that documentation is updated to reflect changes.