Bloom Energy, Inc.

Environmental Management System Manual

Version 2.0

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RECORD OF REVISION

Revision Date	Description	Sections Affected
April 2021	Original Document	All
December 2022	General review and update to manual language. Removal of Appendix 2: EMS Scope. Updated roles and responsibilities for ESG Committee, ESC, Senior Director Environmental Compliance and EHS, and EMS Implementation Team to be more in line with ongoing responsibilities.	All
January 2024	General review and update to manual language. Clarified file naming for EMS documents and listed documents considered to be EMS documents. Change in title for "Senior Director Environmental Compliance and EH&S" to "Vice President, Environment and Regulatory Law."	All

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CONTENTS

Page

Page

Page

Page

Page

LIST OF ACRONYMS AND ABBREVIATIONS

EMS	Environmental Management System
ISO	International Organization for Standardization
SOP	Standard Operating Procedure

DEFINITIONS

The following section provides definitions of terms used within this Manual specific to Bloom Energy.

***Annually*—**Occurring at least once in each calendar year.

***Audit Finding*—**A statement or indication that describes the results of an audit measured against a defined criterion (e.g., standard or regulation) used to measure the performance of the auditee.

***Audits*—**A formal, systematic evaluation performed on a periodic basis.

***Competency*—**Having the requisite education, training, and/or experience required to perform the specific task or job at hand as required by environmental regulations and best management practices.

***Compliance*—**The adherence to environmental regulations, Bloom Energy policies/requirements, and voluntary compliance obligations made by Bloom Energy.

***Compliance Obligations*—**Legal requirements that an organization must comply with and other requirements that an organization has to or chooses to comply with.

***Conformance*—**The adherence to Environmental Management System (EMS) requirements and best management practices set forth by this Manual and other such environmental plans.

***Continual Improvement*—**The process of enhancing the facility's EMS to achieve improvements in its overall environmental performance in line with its Environmental Policy.

***Corrective Action(s)*—**Action(s) to eliminate the cause of a noncompliance and to prevent a recurrence. There can be multiple reasons for a noncompliance status.

***Document*—**Information created to operate its environmental program and EMS (e.g., permits, plans, forms, procedures, manuals, equipment specifications/as-builts, training, and/or meeting materials).

***Documented Information*—**Information required to be controlled and maintained by an organization and the medium on which it is contained. Documented information can refer to: (1) Information created for the organization to operate (can be referred to as documents), and (2) evidence of results achieved (can be referred to as records).

***EMS Audit*—**A systematic, documented verification process of objectively obtaining and evaluating evidence to determine if the facility's EMS conforms to the audit criteria set by Bloom Energy, and communicating the results of the process to the Environmental and Social Governance (ESG) Committee.

***EMS Implementation Team*—**A subset of the Environmental Steering Committee (ESC) made up of Bloom EH&S staff responsible for the day-to-day work involved in developing and implementing the Bloom Energy EMS. These individuals are EH&S subject matter experts.

***Environment*—**The surroundings in which the facility operates, including air, water, land, natural resources, flora, fauna, humans, and their interrelation.

***Environmental and Social Governance Committee (ESG)*—**A committee established by Bloom Energy, made up of senior management staff, to oversee and guide ESG efforts.

***Environmental Aspect*—**An element of the facility's activities, products, or services that can interact with the environment, either positively or negatively.

***Environmental Audit*—**A systematic, documented process of obtaining and evaluating objective evidence to determine the facility's compliance with applicable environmental requirements.

Environmental Compliance Area—Regulatory compliance related areas such as tanks, air quality, and hazardous waste, that Bloom Energy must ensure compliance with requirements in laws, regulations, codes, and permits.

***Environmental Impact*—**Any change to the environment, whether adverse or beneficial, wholly, or partially resulting from the facility's activities, products, or services.

***Environmental Incident*—**An immediate release of a contaminant into the environment causing nonconformance to a best management practice or noncompliance with laws and regulations.

***Environmental Objective*—**An overall environmental goal arising from the Environmental Policy that the organization sets itself to achieve, and which is quantified where practicable.

***Environmental Performance*—**Measurable results of the facility's EMS that are related to its Environmental Policy, its Environmental Aspects, and/or its Environmental Objectives and Targets. This includes the extent of releases of regulated and unregulated substances and materials to the environment and uses of raw materials and energy.

***Environmental Policy*—**A document signed by the Chief Executive Officer that states Bloom Energy Environmental Commitments.

***Environmental Program (Action Plan)*—**Action plans provide the steps to be taken to achieve the Environmental Objectives.

***Environmental Risk*—**The degree of probability that an organization will cause, under normal, abnormal, or emergency conditions, damage to the environment.

***Environmental Steering Committee (ESC)*—**A cross-functional team of Bloom Energy staff responsible for advising and guiding the development and implementation of the Bloom Energy EMS.

***Environmental Training*—**That training necessary to meet regulatory, facility, and Bloom Energy environmental requirements. In addition, it includes training to educate employees on procedures related to the control of significant Environmental Aspects and Impacts, and the setting and achieving of Environmental Objectives and Action Plans.

***External Issue*—**Issues that are external to an organization that are relevant to its purpose and that affect its ability to achieve the intended outcomes of its EMS.

***Inspection*—**An informal systematic evaluation performed on a regular basis.

***Interested Party*—**Person or group concerned or affected by environmental performance of an organization.

***Internal Compliance Audit*—**An audit that evaluates the fulfilment of mandatory environmental requirements conducted by the organization itself, or by an external party on its behalf.

***Internal EMS Audit*—**The systematic and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the EMS audit criteria set by the organization are fulfilled.

***Internal Issue*—** Issues that are internal to an organization that are relevant to its purpose and that affect its ability to achieve the intended outcomes of its EMS.

***Key Environmental Characteristics*—**Those characteristics of the facility's operations, products, and services that can have a significant impact on the environment.

***Legal Requirement*—**Legal requirements include environmental laws, regulations, ordinances, permit conditions, memoranda of agreement or understanding, consent orders, unilateral orders, or similar commitments or obligations.

***Nonconformity*—**Any failure to meet the requirements of the EMS; any deviation from the procedures contained in the EMS.

***Operational Controls*—**Specific methods for controlling and managing the activities, processes, products, and services associated with environmental aspects.

***Opportunity for Improvement (OFI)* —**It is a statement of fact made by an assessor during an assessment, and substantiated by objective evidence, referring to a weakness or potential deficiency which if not improved may lead to nonconformity in the future.

***Pollution Prevention*—**The use of processes, practices, materials, or products that avoid, reduce, or control pollution. The term includes, but is not limited to, recycling, treatment, process changes, control mechanisms, efficient use of resources, and material substitution.

Record—A document that states results achieved or provides evidence of activities that were performed. Records include audit reports, documentation of a complaint or correspondence, waste manifest, usage log, emissions testing, inspection report, and water sample analysis reports.

Senior Management Review Team—Bloom Energy individuals appointed as senior managers (i.e., Top Management) responsible for evaluating EMS progress to ensure Bloom Energy's EMS continued suitability and effectiveness, and provides recommendations for continual improvement. For Bloom, this is the ESG Committee.

Significant Environmental Aspect—An environmental aspect, which has or can have a significant environmental impact.

Stakeholder (or Interested Party)—An individual or group concerned with, or affected by, Bloom's operations, activities, products or services that may affect the environment. The term includes, but is not limited to, Bloom Energy employees, the local community, government entities, non-government organizations, tenants, and related parties.

Third-Party Compliance Audit—An audit to evaluate the fulfilment of mandatory environmental regulatory requirements conducted by an independent party where the auditor is free to conduct the audit without being controlled or influenced by others. The auditor must be objective, a condition characterized by the absence of bias, influences, and conflicts of interest that affect or have the potential to compromise audit findings (Source: ASTM International E 2107-06, 3.1.16, .17, and .19). Independence can be demonstrated by the freedom from responsibility for the activity being audited or freedom from bias and conflict of interest (Source*:* ISO 14001:2015, 3.4.1).

Third-Party EMS Audit—The systematic, independent, and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the EMS audit criteria set by the organization are fulfilled.

1. INTRODUCTION

1.1 PURPOSE

The purpose of the Bloom Energy, Inc. (Bloom Energy) Environmental Management System (EMS) Manual is to identify and formalize the processes at Bloom Energy in order to achieve proactive environmental management, pollution prevention, and continual improvement. This EMS Manual was written as informed by International Organization for Standardization's (ISO's) *EMS* – 14001:2015(e). ISO is the organization for international standards (www.ISO.org). ISO 14001 is the international standard for environmental management systems. The standard establishes the required elements for a successful EMS and thereby provides guidance for its development.

An ISO-informed EMS is an integrated, proactive approach to managing environmental responsibilities and objectives, ensuring a systematic approach to continual improvement of environmental performance. The EMS establishes environmental management as an intrinsic part of Bloom Energy's overall business philosophy and management of operations. The EMS includes the organizational structure, planning requirements, roles and responsibilities, processes, procedures, practices and resources that support development, implementation, achievement, review and maintenance of the Environmental Policy, the foundation of the EMS.

1.2 BLOOM ENERGY'S LEADERSHIP AND COMMITMENT

Bloom Energy's Chief Executive Officer and Environmental and Social Governance (ESG) Committee are committed to the EMS and have demonstrated their commitment through:

- taking accountability for the effectiveness of the EMS
- ensuring that the Environmental Policy is established and compatible with the strategic direction of Bloom Energy
- ensuring the integration of the EMS requirements into the organization's business processes
- ensuring that the resources needed for the EMS are available
- communicating the importance of effective environmental management and of conforming to the EMS requirements
- ensuring that the EMS achieves its intended outcomes
- directing and supporting persons to contribute to the effectiveness of the EMS
- promoting continual improvement
- Supporting other relevant management roles to demonstrate their leadership as it applies to their areas of responsibility.

Bloom Energy's senior management oversees the EMS as part of the Environmental and Social Governance (ESG) Committee.

1.3 BLOOM ENERGY AND ITS CONTEXT AS AN ORGANIZATION

1.3.1 Identification of Internal and External Issues

Bloom Energy has determined external and internal issues that are relevant to Bloom Energy's missions and may create challenges with the outcome of the EMS. These factors will be considered and appropriately managed when charting the path of the EMS in key areas such as during Management Review and in setting Environmental Objectives and the development of operational controls. Acknowledging the presence of these internal and external factors, Bloom Energy is better equipped to overcome these challenges and implement a successful EMS.

Factors external to Bloom Energy include changing environmental regulations, community needs, and economic conditions.

Factors internal to Bloom Energy's include the turnover of personnel and loss of knowledge, political environment, growing awareness of the EMS and its objectives within the organization, and development of processes that may not be currently in place.

See Appendix 1 for more detail.

1.3.2 Identification of Needs and Expectations of Interested Parties

Bloom Energy has identified its interested parties (stakeholders) and discussed their general needs and expectations. Primary stakeholders include personnel who work for Bloom Energy as employees or contractors directly hired by Bloom Energy, its customers, and financial investors. Further evaluation of the needs and expectations of interested parties will continue as the EMS develops.

See Appendix 1 for more detail.

1.4 SCOPE OF THE BLOOM ENERGY EMS

After consideration of Bloom Energy's EMS context, and the scope of authority of Bloom Energy's leadership, the scope of Bloom Energy's EMS was determined.

> ***The scope of the Bloom Energy Environmental Management System includes environmental compliance activities associated with Bloom Energy activities, products, and services conducted by Bloom Energy employees, including those of contractors when directly hired by Bloom Energy. The scope includes all facilities and all customer installations.***

The scope of this EMS may change in the future at the discretion of Bloom senior management.

1.5 BLOOM ENERGY EMS MANUAL ISSUE AND UPDATE

This Manual is managed in accordance with the Documented Information Procedure. A record of revision is located at the beginning of the document. The most recent version can only be found on the Bloom Energy intranet. Printed versions of this Manual are to be considered uncontrolled and not the current version.

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2. EMS PROCEDURES

2.1 ENVIRONMENTAL POLICY

Environmental Policy		Bloomenergy
Procedure No.: EMS-1 *ISO 14001:2015 Clause 5.2*		
Issued: 3/9/2021	**Effective:** 3/9/2021	**Approved:** 3/9/2021

2.1.1 Bloom Energy Environmental Policy Statement

Bloom Energy's mission is to make clean, reliable, and resilient energy accessible and affordable for everyone in the world. Bloom's mission represents a commitment to a balanced and equitable approach to the stewardship and sustainability of our environment, our safety and economic wellbeing. This mission defines how we conduct our business and how we treat our employees and the customers and communities we serve.

Bloom Energy carries out this policy with the following guiding principles:

- Bloom Energy delivers solutions to its customers that have a positive impact on the environment by significantly reducing GHG emissions, criteria pollutant emissions and water use.
- Consistent with its stated mission and technology, Bloom Energy is committed to managing its business in a manner that protects the environment and minimizes the impact of its manufacturing and operations on air, water, land and other natural and cultural resources.

To operate consistent with its mission and guiding principles, Bloom Energy will:

- Comply with applicable legal requirements and supplement with other voluntary commitments where it believes legal requirements are not sufficiently protective of the environment.
- Drive continual improvement by identifying and analyzing risk, setting objectives and targets that drive and measure progress, and documenting actions taken to mitigate risk and impacts associated with operating Bloom's business.
- Reinforce these commitments through periodic leadership reviews and self-assessments that will ensure continual improvement in Bloom's environmental performance.

2.1.2 Document History

Date	Description of Change
3/9/2021	Initial Environmental Policy

2.2 RESOURCES, ROLES, RESPONSIBILITY, AND AUTHORITY

Resources, Roles, Responsibility and Authority	Bloomenergy
Procedure No.: EMS-2 *ISO 14001:2015 Clauses 5.3 and 7.1*	

2.2.1 Purpose

This procedure documents the definition, documentation, and communication of resources, roles, responsibilities, and authorities to ensure effective control of the environmental performance of Bloom Energy.

2.2.2 Responsibility

The Bloom Energy Environmental Implementation Team is responsible for reviewing Resources, Roles, Responsibility, and Authority Procedure on at least an annual basis.

Modifications or additions will be reviewed and approved by the Vice President, Environment and Regulatory Law.

2.2.3 Procedure

The Executive Vice President Services, Quality, Reliability and Environment, Health and Safety (EH&S) has been appointed by the Chief Executive Officer (CEO) to have the defined role, responsibility, and authority to ensure that an ISO 14001-informed EMS is established, implemented, and maintained. The Environmental and Social Governance (ESG) Committee is responsible for reporting to the CEO, as appropriate, on the performance of the EMS, including recommendations for improvement. The Vice President, Environment and Regulatory Law chairs the ESC and the EMS Implementation Team and is responsible for developing and implementing the EMS in accordance with the environmental policy, and reporting to the ESG Committee.

The EMS Implementation Team, on at least an annual basis, will review the Resources, Roles, Responsibility, and Authority Procedure for accuracy and completeness, and update if necessary. The Vice President, Environment and Regulatory Law shall review and approve of changes made by the EMS Implementation Team. The ESC will have an opportunity to review and comment on updated EMS procedures. The ESG Committee will be informed of substantive changes to EMS procedures during management review, if necessary. The ESC shall evaluate the availability of resources essential to establish, implement, maintain, and improve the EMS. Resources include human resources and specialized skills, organizational infrastructure, technology, and financial resources.

Observations including recommendations will be presented to the ESG Committee during management review for consideration and a decision or directive for next steps.

EMS-related roles and responsibilities will be communicated upon hire, new or changed roles related to the EMS, and on a reoccurring basis through EMS Awareness communications.

See the EMS Roles and Responsibilities Chart at the end of this procedure for a summary chart of EMS related roles and responsibilities.

The following subsections outline the roles, responsibility, and authority at Bloom Energy.

2.2.3.1 Chief Executive Officer

- Takes accountability for and assigns resources to the EMS
- Signs the Environmental Policy Statement
- Is aware of Bloom Energy environmental management issues, status, initiatives, performance, and trends
- Promotes continuous improvement in environmental management and performance.

2.2.3.2 Senior Management Review Team

- This is Bloom Energy's ESG Committee
- Accountable for establishing the level and direction of Bloom Energy's environmental performance as defined in the Environmental Policy statement
- Reviews and approves new or significant modifications to Environmental Objectives
- Attends the annual EMS Management Review and provides feedback and direction as required by the Management Review Procedure, EMS-14
- Responsible for reporting to the CEO, as appropriate, on the performance of the EMS, including recommendations for improvement
- Ensures nonconformities found during audits are addressed
- Promotes continuous improvement in environmental management and performance.

2.2.3.3 Executive Vice President Services, Quality, Reliability and EH&S

- Ensures that an ISO 14001 EMS is established, implemented, and maintained and assigns responsible staff
- Ensures that resources are assigned for environmental management and EMS

- Serves in a lateral/vertical coordinating function for environmental budgets and staffing allocations

- Maintains awareness of Bloom Energy's environmental management, issues, status, initiatives, performance, and trends

- Promotes EMS as part of the ESG Committee and during executive briefings.

2.2.3.4 Vice President, Environment and Regulatory Law (EMS Lead)

- Accountable for establishing the level and direction of Bloom Energy's environmental performance as defined in the Environmental Policy statement

- Facilitates communications; provides oversight, and drives development and implementation of EMS at Bloom Energy

- Facilitates assignment of resources for environmental management and EMS

- Designates individuals to identify and track regulations and regulatory changes

- Keeps Bloom Energy's ESG Committee aware of environment management issues, status, initiatives, performance, and trends, at least annually

- Accountable for establishment and maintenance of EMS procedures and identification and evaluation of environmental aspects and environmental objectives

- Approves EMS procedures and other EMS elements, as appropriate

- Responsible for review and approval of modifications to the significant environmental aspects.

- Ensures that adequate emergency preparedness and response plans relevant to environmental accidents are developed and managed appropriately

- Chairs the ESC and EMS Implementation Team and determines meeting frequency

- Ensures environmental training and EMS awareness programs are established

- Ensures internal EMS audits and environmental compliance evaluations are planned and completed

- Ensures third-party compliance audits are planned and completed, if determined to be necessary

- Documents and coordinates corrective actions associated with nonconformances and ensures implementation of appropriate and timely corrective action(s) for any findings

resulting from internal EMS audits or environmental compliance evaluations, or third-party compliance audits

- Reviewing general and specific environmental significant communications and consulting with or escalating concerns to the Executive VP, Services, Quality, Reliability and EH&S, Legal Department, and Environmental and Social Governance (ESG) Committee as appropriate

- Reviews environmental management progress (monitoring), audit reports, and corrective actions

- Ensuring that EMS-related documented information and changes are reviewed and kept secure

- Ensures that the EMS Management Review, as required by the Management Review Procedure, EMS-14, is prepared for the ESG Committee and attending the management review meeting.

2.2.3.5 Environmental Steering Committee (ESC)

- The ESC is a cross-functional team made up of personnel in organizations across Bloom Energy

- The team is chaired by the Vice President, Environment and Regulatory Law, and includes key personnel within Bloom Energy

- Responsible for establishing the level and direction of Bloom Energy's environmental performance as defined in the Environmental Policy statement

- Identifies the EMS requirements and ensures the Internal/External Issues and Interested Parties are identified

  Reviews environmental aspects and environmental objectives identified by the EMS Implementation Team
  Reviews, and provides comments, on changes to significant environmental aspects
- In consultation with the EMS Implementation Team, evaluates the effectiveness of environmental compliance evaluation programs

- Supports the EMS Implementation Team with the root cause and development of appropriate corrective action for audit finding(s)

- Reviews and comments on EMS procedures and other EMS elements as appropriate.

2.2.3.6 EMS Implementation Team

- The EMS Implementation Team is a subset of the ESC. Members are appointed by the Vice President, Environment and Regulatory Law

- Responsible for establishing the level and direction of Bloom's environmental performance as defined in the Environmental Policy statement, primarily doing the day-to-day work necessary

- Develops, reviews, and updates EMS Procedures in consultation with the ESC as necessary

- Ensures that environmental aspects and environmental objective are identified and evaluated, action plans are approved, and persons responsible to achieve action plans are assigned

- Responsible for the evaluation of significant aspects in the Environmental Aspects List and the identification of current or need for operation control(s)

- Responsible for audit findings in each of their areas of responsibility, and will determine root cause and develop appropriate corrective action for the finding(s)

- Identifies if new or modified significant aspects should be incorporated into relevant environmental training or, if necessary, there is a need for a new environmental training module

- Develops environmental training and EMS awareness programs

- Plans and performs internal EMS audits, assists in environmental compliance evaluations

- Informs the ESC of potential and ongoing environmental issues, the occurrence of incidents and effects on compliance, and routinely documents this information, as appropriate

- Identifies potential emergencies and potential accidents that can have an impact on the environment

- Address environmental management and EMS resource needs and submit environmental budget requests in accordance with Bloom Energy's budget development and submission process, including environmental compliance and corrective action activities

- Coordinates with regulatory agencies regarding identified requirements for permit issuance, consultation, and/or permit modification as assigned by the Vice President, Environment and Regulatory Law.

2.2.4 References

- Bloom Energy Intranet
- ISO 14001:2015(e), Clauses 5.3 and 7.1
- Management Review Procedure, EMS-14.

2.2.5 Document History

Refer to the EMS Manual Record of Revision Table for document history.

Bloom EMS Roles and Responsibilities Chart

	ROLES AND RESPONSIBILITIES					
Activities	**CEO**	**Senior Management Review Team (ESG Committee)**	**Vice President, Environment and Regulatory Law**	**Environmental Steering Committee (ESC)**	**EMS Implementation Team**	**Employees**
Identifying the Environmental Management System (EMS) requirements, Internal/External Issues and Interested Parties	A	A	R	C	C	I
Assigning resources for the EMS	A	R	R	C	C	
Defining and approving EMS framework (e.g., scope, policy, etc.)	A	A	R	R	R	I
Establishing the level and direction of environmental performance as defined in the environmental policy statement	I	A	A	R	R	
Develops EMS Procedures	I	I	A	C	R	I
Approves EMS Procedures	I	I	A, R	C	C	I
Drives EMS implementation (facilitates EMS communications, provide oversight)	I	C	A, R	C	C	I
Environmental Aspect Identification		I	A, R	C	R	I
Environmental Objective Identification	C	C	A, R	C	R	I
Approves Environmental Objectives	C	A, R	C	C	C	I
Chairs Environmental Steering Committee and assigns EMS Implementation Team Members			A, R			
Training and awareness of personnel	I	I	A, R	C	R	I
Performance monitoring and measurement	I	I	A	R	R	I
Performing/Planning the internal audit	I	C	A, R	C	R	
Performing management review	C	A	R	C	C	I
Addressing nonconformities, corrective actions, and opportunities for improvement	I	A	R	C	C	
Promoting Continuous Improvement	A	R	R	C	C	I

KEY:

Responsible (R): Doing the Task Accountable (A): Owning the Task Consulted (C): Assisting Informed (I): Aware

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2.3 COMPLIANCE OBLIGATIONS

Compliance Obligations	Bloomenergy
Procedure No.: EMS-3 *ISO 14001:201 Clause 6.1.3*	

2.3.1 Purpose

This procedure documents Bloom Energy's process for identifying its compliance obligations and determining how they apply to Bloom Energy's environmental aspects to ensure compliance.

2.3.2 Responsibility

The Vice President, Environment and Regulatory Law is responsible for designating individuals within Bloom Energy, or outside consultants, to identify and track regulations and regulatory changes. Potential subject areas tracked may include:

Subject Area
Air Quality
Drinking Water
Groundwater
Environmental Management System
Hazardous Materials (e.g., inks, silica)
Hazardous Waste
Non-Hazardous Solid Waste
Aboveground Storage Tanks
Pesticides
Regulated Materials (e.g., asbestos, lead-based paint)
Stormwater
Universal Waste
Wastewater

2.3.3 Definitions

Compliance Obligations—Legal requirements that an organization must comply with and other requirements that an organization must or chooses to comply with.

Environmental Aspect—An element of the facility's activities, products, or services that can interact with the environment, either positively or negatively.

Environmental Impact—Any change to the environment, whether adverse or beneficial, wholly, or partially resulting from an organization's activities, products, or services.

2.3.4 Procedure

The following documents Bloom Energy's procedures for identifying and maintaining compliance with compliance obligations.

2.3.4.1 Identify Compliance Obligations

As described in the Environmental Aspects Procedure EMS-4, the EMS Implementation Team will work with the Environmental Steering Committee (ESC) to identify environmental aspects and impacts and assign significance on an annual basis. The EMS Implementation Team will also ensure that the identification of new additions or modifications of operations or activities, products, or services are added to the Environmental Aspects List.

Persons assigned by the Vice President, Environment and Regulatory Law in Section 2.3.2 will communicate to the ESC this annual review and new additions or modifications.

The responsible person(s) assigned by the Vice President, Environment and Regulatory Law will:

- conduct a regulatory applicability review for new additions or modifications and determine if these aspects are regulated or have compliance obligations associated to them at Bloom Energy. Bloom Energy will stay apprised of federal, state, and local environmental regulations through a variety of means, including agency notifications.

- identify the specific action(s) driven by compliance obligations based on identified aspects.

- review each of the compliance obligations and identify how it will be managed. This information shall include, as appropriate, applicability of requirement; person(s) or role(s) responsible for compliance; specific equipment or activities that may be affected by requirements; monitoring, recordkeeping, and reporting requirements; and the management of this information within the Bloom Energy intranet.

2.3.4.2 Documentation

The assigned responsible person(s) will compile the details of requirements gathered as part of the effort in Section 2.3.4.1 of this procedure and maintain this information on the Bloom Energy intranet. Depending on the subject area and compliance obligation, compliance plans, permits, and/or applicable procedures may need to be updated with pertinent information.

2.3.4.3 Communicate Updates

The assigned responsible person(s) shall communicate new or modifications to compliance obligations, documentation requirements, and management of those requirements to personnel affected and Bloom Energy personnel or contractors whose work is affected by updates.

2.3.4.4 Government Agencies and Non-Government Organization Involvement

Where appropriate, assigned responsible person(s) will establish relationships, maintain communications with, and share information resulting from these communications with other appropriate Bloom Energy personnel. In addition (and when appropriate), responsible person(s) will participate in regulatory task groups, review and respond to proposed regulations, etc. to ensure that Bloom Energy is current and participating in the regulatory process.

2.3.5 References

- Environmental Aspects Procedure, EMS-4
- Bloom Energy EMS Workbook, EMS-4-A
- Bloom Energy Intranet
- ISO 14001:2015(e), Clause 6.1.3.

2.3.6 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.4 ENVIRONMENTAL ASPECTS

Environmental Aspects	Bloomenergy
Procedure No.: EMS-4 *ISO 14001:2015 Clause 6.1.2*	

2.4.1 Purpose

The purpose of this procedure is to identify the environmental aspects of Bloom Energy's activities, products, and services (APS) within the defined EMS scope that can be influenced by Bloom Energy including reasonably foreseeable emergencies and abnormal conditions, planned or new construction, or new or modified activities and services. This procedure will describe how Bloom Energy's EMS Implementation Team will determine those aspects that have (or can have) a significant impact on the environment. The list of environmental aspects and significant environmental aspects will serve as a reference for Bloom Energy to ensure that the impacts of the operations within the scope of the EMS are accounted for and appropriately controlled.

2.4.2 Responsibility

Bloom Energy employees, including those of contractors when directly hired by Bloom Energy, are to be aware of how their individual job responsibilities may have an impact on the environment.

The EMS Implementation Team is responsible for review of the Environmental Aspects Procedure, Environmental Aspects List, and identification of significant environmental aspects on at least an annual basis and should ensure that new APS are incorporated into the environmental aspect list. The EMS Implementation Team will communicate updates to the Environmental Steering Committee (ESC).

2.4.3 Definitions

Environment—Surroundings in which an organization operates, including air, water, land, natural resources, flora, fauna, humans, and their interrelation.

Environmental Aspect—An element of the facility's activities, products, or services that can interact with the environment, either positively or negatively.

Environmental Impact—Any change to the environment, whether adverse or beneficial, wholly, or partially resulting from an organization's activities, products, or services.

Significant Environmental Aspect—An environmental aspect, which has or can have a significant environmental impact.

2.4.4 Procedure

The Bloom Energy EMS Implementation Team may use a variety of approaches and sources in developing the lists of relevant APS that have the possibility of interacting with the environment, and environmental aspects and impacts. The process of creating this list will involve a review of documentation, including permits, audit reports, and interviews with and brainstorming by individuals who are familiar with Bloom Energy APS. APS and environmental aspects and impacts will be documented in the *Bloom Energy EMS Workbook* on the Environmental Aspects Tracking tab (the Environmental Aspects List), EMS-4-A.

The Environmental Aspects List will be reviewed at least annually by the EMS Implementation Team to ensure that the APS within the scope of the EMS are captured in the list. Additionally, the list should be updated whenever there are changes, including new or modifications of APS.

2.4.4.1 Identify Activities, Products and Services

The EMS Implementation Team maintains the Environmental Aspects List, with the input of the larger ESC when needed. The list is organized by facility type and APS as appropriate. APS identification should include reasonably foreseeable emergencies and abnormal conditions, planned or new construction, or new or modification of APS.

2.4.4.2 Identify Environmental Aspects

The EMS Implementation Team will identify and document the environmental aspects associated with each APS in the Environmental Aspects List. The assignment of aspects will include consideration to the environmental life cycle of the activity or service within the scope of the EMS (e.g., including the beginning with acquisition of a resource, to use of that material, and ending with disposal).

2.4.4.3 Rank Risks and Opportunities

2.4.4.3.1 Assign Impact Severity Value

The EMS Implementation Team will assess each environmental aspect for associated risk. Environmental aspects will be assigned one of the following severity levels (I–IV), based on their collective knowledge of the activity, and record it on the Environmental Aspects List:

- I – Minimal threat
- II – May cause minor or short-term environmental, health, safety, property, or business reputation damage
- III – May cause severe environmental, health, safety, property, or business reputation damage
- IV – May cause irreversible or long-term environmental damage, health effects, safety, loss of property or life, or business reputation damage

Impact Severity Value	Description / Examples
I	Minimal or no damage. No potential for fines or NOVs. No complaints. No damage to brand or reputation. Examples: small spill not reaching water or soil and easily cleaned up with absorbent.
II	Minor or short-term damage. Potential for small fines or minor NOVs. Single complaint. Concern from neighborhood community on brand or reputation. Examples: local complaint satisfactorily resolved, non-compliance with internal target, or spill or release on property requiring outside support or reporting.
III	Significant or severe damage. Potential for moderate fines or NOVs. Multiple complaints from a single event or over a short time period. Attention from local or regional media, or increased concern from regional community. Examples: damage to wildlife or plants, discharge/emission exceeding regulatory requirement and reportable to external agency, moderate to large spill on property or minor impacts from spill off-site, multiple inquires or complaints from local community and involvement from local government, improper disposal of desulfurization canisters.
IV	Irreversible or long-term damage. Potential for significant fines or NOVs. Multiple complaints from multiple events or over a long time period. Attention from national media or increased concern from statewide or national level communities. Examples: community complaint with litigation/threat of litigation, death of protected species or injury of person, large spill with significant off-site impacts.

2.4.4.3.2 Assign Probability of Occurrence

Each environmental aspect will be reviewed by the EMS Implementation Team and assigned a probability of one of the following (A–D) and recorded on the Environmental Aspects List:

- A – Likely to occur (greater than 90% probability)
- B – Probably will occur (60-90% probability)
- C – May occur (20-59% probability)
- D – Unlikely to occur (less than 20% probability).

2.4.4.3.3 Determine Risk Ranking

Once the Environmental Impact Severity and Probability of Occurrence values are entered, a risk score for each environmental aspect is assigned (1–5) based on the Risk Matrix below, and is recorded on the Environmental Aspects List.

Bloom Energy Environmental Risk Matrix					
		Likely to occur (>90%)	Probably will occur (60%–90%)	May occur (20%-59%)	Unlikely to occur (<20%)
		A	**B**	**C**	**D**
May cause irreversible or long-term environmental damage, health effects, safety, loss of property or life, or business reputation damage	**IV**	**5**	**5**	**4**	**3**
May cause severe environmental, health, safety, property, or business reputation damage	**III**	**5**	**4**	**3**	**2**
May cause minor or short-term environmental, health, safety, property, or business reputation damage	**II**	**4**	**3**	**2**	**1**
Minimal threat	**I**	**3**	**2**	**1**	**1**

2.4.4.3.4 Determine Opportunities

While reviewing environmental aspects for probability of occurrence, the EMS Implementation Team should consider whether they have a potential beneficial impact and if there is an opportunity to enhance beneficial environmental impacts. These should be identified on the Environmental Aspects List.

2.4.4.3.5 Determine Significance

Determine Compliance Obligations—Each environmental aspect is reviewed to determine if there is a regulatory requirement, a specific Bloom Energy policy, or another compliance obligation that applies to Bloom Energy.

Determine Operational Controls—Each environmental aspect will be reviewed to determine if an operational control is in place to prevent an adverse environmental impact (e.g., spill plan or permit).

Determine Residual Risk—Each environmental aspect's environmental impact probability will be reevaluated considering the effectiveness of operational controls, monitoring actions, and completed Environmental Objectives. The environmental impact probability will be recorded on the Environmental Aspects List. Environmental aspects with compliance obligations must be reevaluated. The Bloom Energy EMS Implementation Team may choose to reevaluate other environmental aspects.

Determine Significant Environmental Aspects and Assign Them a Priority—The EMS Implementation Team should review the Environmental Aspect list and notify the ESC of any changes. The EMS Implementation Team should review the Residual Risk rankings so that they can prioritize the order (significance) the environmental aspects are to be addressed based on the team's judgment and taking into consideration the residual risk, team interest, and management priorities. If an environmental aspect has a compliance requirement and no operational control, it should be considered a priority environmental aspect and the team must address it.

NOTE: Ranking will be used by Bloom Energy to establish priorities for Environmental Objectives, and for implementing actions/programs to minimize environmental impacts.

2.4.5 Documentation

The *Bloom Energy EMS Workbook,* EMS-4-A, will be stored on the Bloom Energy intranet.

2.4.6 References

- Bloom Energy EMS Workbook, EMS-4-A
- Bloom Energy EHS Intranet
- ISO 14001:2015(e), Clause 6.1.2.

2.4.7 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.5 ENVIRONMENTAL OBJECTIVES

Environmental Objectives	Bloomenergy
Procedure No.: EMS-5 *ISO 14001:201 Clause 6.2*	

2.5.1 Purpose

This procedure documents the process for the management of Environmental Objectives at relevant functions and levels within Bloom Energy. Environmental Objectives are based on significant environmental aspects, compliance obligations, and consideration of risks and opportunities.

2.5.2 Responsibility

Bloom Energy employees, including those of contractors directly hired by Bloom Energy, are to be aware of their individual job responsibilities and associated Environmental Objectives that their job responsibilities can impact.

The EMS Implementation Team is responsible for development and maintenance of the Environmental Objectives Procedure. The EMS Implementation Team will review Environmental Objectives on an annual basis, and develop new Objectives as needed.

The EMS Implementation Team is responsible for setting Environmental Objectives at relevant functions and levels within Bloom Energy and for monitoring and reporting progress of those Environmental Objectives to the Environmental Steering Committee and Environmental and Social Governance (ESG) Committee.

The ESG Committee, or their designee, is responsible for approving new or significant modifications to Environmental Objectives and related action plans.

2.5.3 Definitions

Compliance Obligations—Legal requirements that an organization must comply with and other requirements that an organization must or chooses to comply with.

Environmental Aspect—An element of the facility's activities, products, or services that can interact with the environment, either positively or negatively.

Environmental Impact—Any change to the environment, whether adverse or beneficial, wholly, or partially resulting from an organization's activities, products, or services.

Environmental Objective—Overall environmental goals, consistent with the environmental policy statement, that an organization sets itself to achieve, and is quantified where practicable.

Environmental Program (Action Plan)—Action plans provide the steps to be taken to achieve the Environmental Objectives.

Significant Environmental Aspect—An environmental aspect, which has or can have a significant environmental impact.

2.5.4 Procedure

The following documents Bloom Energy's procedures for identifying and managing Environmental Objectives.

2.5.4.1 Identification and Approval of Environmental Objectives

The EMS Implementation Team will review the significant environmental aspects identified on the Bloom Energy Environmental Aspects List and recommend Environmental Objectives to the ESC and ESG Committee to establish priorities for setting Environmental Objectives.

The EMS Implementation Team will determine the number of priorities to identify and rank. This ranking will be used to establish priorities for developing Environmental Objectives and for implementing action/environmental programs to minimize or eliminate environmental impacts.

The EMS Implementation Team should prioritize Environmental Objectives for recommendation to the ESC and ESG Committee based on their judgment and taking into consideration the residual risk, team interest, and Bloom Energy's management priorities.

If an environmental aspect has a compliance obligation and no operational control, it should be considered a priority significant environmental aspect and the team must set an Environmental Objective to address the issue.

The ESG Committee will determine the number of Environmental Objectives, based on recommendations from the EMS Implementation Team that can be managed at one time based upon human and financial resources, and will approve Environmental Objectives.

New Environmental Objectives can be developed at any time, but the EMS Implementation Team should review their significant environmental aspects and other environmental aspects at least annually for identification of potential new Environmental Objectives.

Following approval, the Environmental Objective will be documented in the *Bloom Energy EMS Workbook,* EMS-4-A. Environmental Objectives will be stored on the Bloom Energy intranet.

2.5.4.2 Planning Actions to Achieve Environmental Objectives

Following approval from the ESG Committee, the EMS Implementation Team, with input from the ESC as needed, will develop the plan(s) to achieve Environmental Objectives.

Environmental Objectives and action plans should:

- Be consistent with Bloom Energy business, financial, and operational requirements

- Consider stakeholder concerns, if applicable, when planning the environmental objective

The EMS Implementation Team, and/or their designee, will develop environmental programs (action plans) for each Environmental Objective that list the specific step-by-step description of how the Environmental Objective will be achieved. The EMS Implementation Team will assign a person (s) to be responsible for leading an action plan.

Action plans will:

- Designate the responsible position or authority for each step listed
- Identify relevant functions and levels of Bloom Energy necessary to complete steps
- Include the time frame for completion of each step

Action plans will be communicated to the ESC with an opportunity for feedback.

Action plans will be stored on the Bloom Energy intranet.

2.5.4.3 Monitoring Progress of Environmental Objectives

The ESC will review progress of Environmental Objective(s) as needed, but no less than semi-annually. Person(s) assigned to lead action plans will report to the EMS Implementation Team the status of the Environmental Objective(s) prior to updating the ESC on progress. Modifications to the Environmental Objectives or action plans can be identified during these reviews.

The ESG Committee must approve significant modifications, including termination of an Environmental Objective or proposal for a new Environmental Objective.

The ESC and ESG Committee will discuss the Environmental Objectives in general, and the progress of Environmental Objectives during Management Review. The EMS Implementation Team will incorporate changes recommended by the ESG Committee.

Figure 1 illustrates the EMS process connection between Activities/Products/Service through monitoring of Environmental Objectives.

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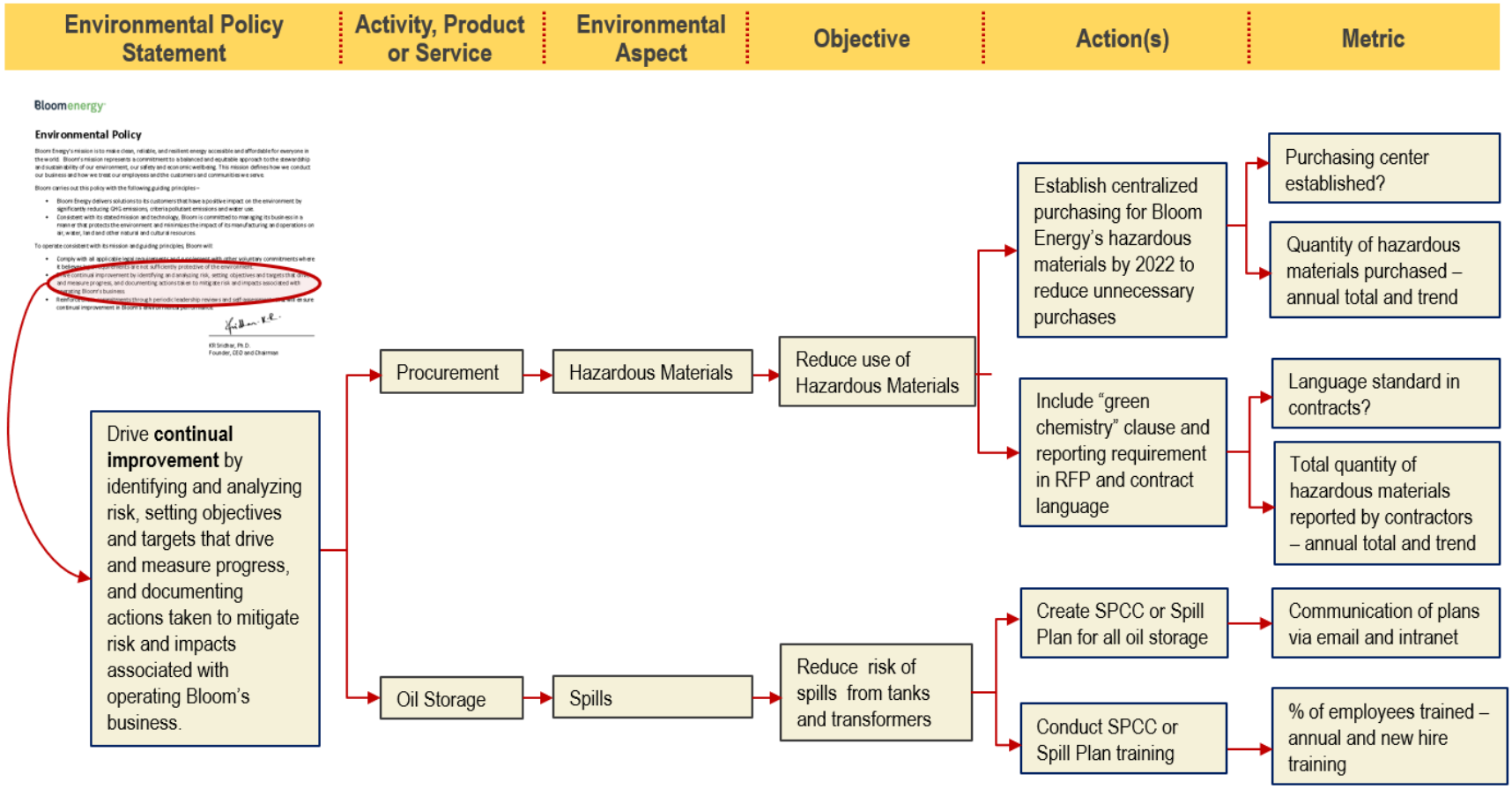
Figure 1 EMS Process



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2.5.5 References

- Environmental Aspects Procedure, EMS-4
- Bloom Energy EMS Workbook, EMS-4-A
- Bloom Energy EHS Intranet
- ISO 14001:2015(e), Clause 6.2.

2.5.6 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.6 EVALUATION OF COMPLIANCE

Evaluation of Compliance	Bloomenergy
Procedure No.: EMS-6 *ISO 14001:2015 Clause 9.1.2*	

2.6.1 Purpose

To establish, implement, and maintain a procedure for periodically evaluating compliance applicable to relevant compliance obligations.

2.6.2 Responsibility

It is the responsibility of Bloom Energy employees, contractors directly hired by Bloom Energy, regulators, or other individuals acting on behalf of Bloom Energy to notify the Vice President, Environment and Regulatory Law of any discovered noncompliance to local, state, or federal regulations.

The Vice President, Environment and Regulatory Law is responsible for ensuring that there are programs and/or procedures in place that adequately evaluate environmental compliance areas applicable to Bloom Energy.

The EMS Implementation Team (in consultation with the Environmental Steering Committee (ESC)) evaluates the effectiveness of these programs on an annual basis and makes recommendations to the Environmental and Social Governance (ESG) Committee, if appropriate.

2.6.3 Definitions

Audit Finding—A statement or indication that describes the results of an audit measured against a defined criterion (e.g., standard or regulation) used to measure the performance of the auditee.

Compliance Obligations—Legal requirements that an organization must comply with and other requirements that an organization must or chooses to comply with.

Corrective Action—Action(s) to eliminate the cause of a noncompliance and to prevent a recurrence. There can be multiple reasons for a noncompliance status.

Environmental Compliance Area—Regulatory compliance related areas such as tanks, air quality, and hazardous waste, that Bloom Energy must ensure compliance with requirements in laws, regulations, codes, and permits.

Internal Compliance Audit—An audit that evaluates the fulfilment of mandatory environmental requirements conducted by the organization itself, or by an external party on its behalf.

Opportunity for Improvement (OFI) —It is a statement of fact made by an assessor during an assessment, and substantiated by objective evidence, referring to a weakness or potential deficiency which if not improved may lead to nonconformity in the future.

Third-Party Compliance Audit—An audit to evaluate the fulfilment of mandatory environmental regulatory requirements conducted by an independent party where the auditor is free to conduct the audit without being controlled or influenced by others. The auditor must be objective, a condition characterized by the absence of bias, influences, and conflicts of interest that affect or have the potential to compromise audit findings (Source: ASTM International E 2107-06, 3.1.16, .17, and .19). Independence can be demonstrated by the freedom from responsibility for the activity being audited or freedom from bias and conflict of interest (Source: ISO 14001:2015, 3.4.1).

2.6.4 PROCEDURE

The Vice President, Environment and Regulatory Law is responsible for scheduling and determining how to conduct internal and third-party compliance audits, as appropriate. The overall process follows the Plan, Do, Check, Act approach:

- Plan – Plan Compliance Evaluation
- Do – Conduct Compliance Evaluation
- Check – Evaluate Findings and Define Corrective Actions
- Act – Implement Corrective Actions

2.6.4.1 Internal Compliance Audits

The Bloom Energy EMS Implementation Team will ensure that annual internal compliance audits are conducted to verify compliance with mandatory environmental requirements for environmental compliance areas of Bloom Energy facilities and customer installations within the scope of the EMS. The compliance obligation documentation will be used as the basis to determine compliance (see Compliance Obligations Procedure, EMS-3). Designated Bloom Energy staff or a qualified contractor can conduct the evaluation.

Bloom Energy may conduct annual audits of all environmental compliance areas, facilities and customer installations, or stagger audits of particular environmental compliance areas, facilities and customer installations, as long as all environmental compliance areas at facilities are audited within a three-year time period and all environmental compliance areas at selected customer installations are audited within a five-year time period. A representative sampling of customer installations may be audited.

2.6.4.2 Third-Party Audit Program

The Vice President, Environment and Regulatory Law will determine if third-party audits are to be conducted.

If third-party compliance audits are to be conducted, they will be conducted every three to five years to verify compliance with mandatory environmental requirements at selected Bloom Energy facilities and customer installations within the scope of the EMS. Bloom Energy's schedule for third-party compliance audits may cover all environmental compliance areas (e.g., air, water, waste) and facilities, or may consist of a staggered series of audits that focus on specific compliance areas or selected facilities and customer installations.

The Vice President, Environment and Regulatory Law is responsible for scheduling third-party compliance audits.

To ensure a third-party perspective, an audit contractor is used to conduct the third-party audits. Audit protocols, audit reports, resulting findings, and corrective actions are documented and stored on the Bloom Energy intranet.

2.6.4.3 Corrective Actions

The EMS Implementation Team, or their designee, with support from the ESC as needed, is responsible for audit findings in each of their areas of responsibility and will determine the root cause and develop appropriate corrective action for the finding.

The Vice President, Environment and Regulatory Law is responsible for ensuring implementation of appropriate and timely corrective action for findings. The implemented corrective action may differ from the recommended corrective action. Verification of implementation of corrective action will be completed during the subsequent internal or third-party compliance audit.

NOTE: Corrective actions will be implemented as soon as possible and practicable.

The Vice President, Environment and Regulatory Law, or designee, will present the results of audits and the status of corrective actions at the EMS Management Review meeting in accordance with the Bloom Energy Management Review Procedure, EMS-14.

The Vice President, Environment and Regulatory Law will consult with the Executive VP Services, Quality, Reliability and EH&S and the Legal Department as necessary regarding findings that may require reporting to a regulator.

2.6.4.4 Documentation

Bloom Energy will maintain its Environmental Compliance Audit Program on the Bloom Energy intranet, in accordance with the Bloom Energy Documented Information procedure, EMS-8, including:

- Completed program-specific environmental compliance checklists
- Associated reports
- Corrective actions
- Root cause analysis

- Audit plan
- Any other supporting documentation.

2.6.5 References

- Management Review Procedure, EMS-14
- Documented Information Procedure, EMS-8
- Bloom Energy EHS Intranet
- ISO 14001:2015(e) Clause 9.1.2.

2.6.6 Document History

Refer to the EMS Manual Record of Revision Table for document history.

2.7 COMMUNICATION

Communication	Bloomenergy
Procedure No.: EMS-6 *ISO 14001:2015 Clause 7.4*	

2.7.1 Purpose

This procedure formalizes how both internal and external communications are managed at Bloom Energy including what, when, with whom, and how to communicate.

2.7.2 Responsibility

It is the responsibility of Bloom Energy employees, and contractors directly hired by Bloom Energy, to adhere to the communication procedures relative to environmental management and notify the appropriate manager of issues or concerns.

The Vice President, Environment and Regulatory Law is responsible for reviewing general and specific environmental significant communications and escalating issues of concern to the Executive VP, Services, Quality, Reliability and EH&S, Legal Department, and Environmental and Social Governance (ESG) Committee as appropriate.

Corporate Communications is responsible for the communication of internal and external communication procedures at Bloom Energy.

2.7.3 Definitions

Interested Party—Person or group concerned or affected by environmental performance of an organization.

2.7.4 Procedure

2.7.4.1 Internal Communication

In order to ensure that information relative to Bloom Energy's environmental management program is communicated effectively within the organization, the following measures have been developed. "Internal" communication at Bloom Energy is defined as communication that occurs within the boundaries of Bloom Energy as an organization.

2.7.4.1.1 General Employee Communications

General environmental communications such as the Environmental Policy Statement, appropriate performance relative to Environmental Objectives, and general EMS information will be

communicated to employees through facility meetings; training events as defined in the Bloom Energy Training Matrix, EMS-6-A; the intranet, and other methods.

2.7.4.1.2 Bloom Energy Internal Meetings/Communications

Recurring internal meetings and/or emails have been established to facilitate communication of environmental compliance management and the EMS at different organizational levels of Bloom Energy. The table below outlines the title, scope, attendees, frequency, and responsibility for these internal meetings and/or emails:

Bloom Energy Internal EMS Meetings/Communications

Meeting Title	Scope	Attendees	Frequency	Responsibility
EMS Implementation Team Meetings	EMS development, modification, and implementation	Bloom EMS Implementation Team	Quarterly, and as needed	Vice President, Environment and Regulatory Law
Environmental Steering Committee (ESC) Meetings/Email Updates	Monitoring EMS implementation, Environmental Objectives, and consulting with/advising EMS Implementation role	ESC members	At least semi-annually	Vice President, Environment and Regulatory Law
Management Review	Overview of performance of internal and external audits, objectives, communications including complaints, status of corrective and preventive actions, changing compliance obligations, and recommendations for improvement	ESG Committee, Vice President, Environment and Regulatory Law, and ESC members as needed	Annually	ESG Committee and Vice President, Environment and Regulatory Law

2.7.4.1.3 Other Internal Consultation or Communications

Periodic consultation, if necessary, will occur with the Legal Department for legal guidance regarding determinations of federal and state regulations, and with the Director of Sustainability to ensure alignment of voluntary goals, public disclosure activities, and coordination as needed.

2.7.4.2 External Communication

Bloom Energy's operations and activities, products, or services may directly impact the general public and other interested parties. Communication with parties outside Bloom Energy may

include regulatory inspections from county, state, and/or federal government agencies, and interested parties' inquiries and/or compliments or complaints.

2.7.4.2.1 Communications with Regulatory Agencies

Communications with regulatory agencies that are significant (e.g., regulatory determination, permit guidance, regulatory interpretation) shall be documented within the Bloom Energy documentation stored on the Bloom Energy intranet.

Communications with regulatory agencies involving a regulatory inspection, issuance of an inspection report, and/or receipt of a Notice of Violation shall be documented on the Bloom Energy intranet, with notations of associated issues as appropriate, to capture follow-up actions and responsible individual(s). See the Internal Audits, Nonconformity, and Corrective Action Procedure, EMS-13, for more information.

Communications with regulatory agencies will be managed through the appropriate pathways developed by the Vice President, Environment and Regulatory Law.

2.7.4.2.2 Public Communications Including Complaints

Bloom Energy employees may receive questions, comments, compliments, or complaints from interested parties. Corporate Communications will manage communications through the appropriate pathways.

2.7.5 Recordkeeping

Bloom Energy will retain records of EMS related communications within the Bloom Energy intranet.

2.7.6 References

- Internal Audits, Nonconformity, and Corrective Action Procedure, 10
- Bloom Energy Intranet
- ISO 14001:2015(e) Clause 7.4.

2.7.7 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.8 DOCUMENTED INFORMATION

Documented Information	Bloomenergy
Procedure No.: EMS-8 *ISO 14001:2015 Clause 7.5*	

2.8.1 Purpose

This procedure outlines requirements for documented information and control of documented information for the Bloom Energy EMS to maintain a uniform, controlled, and centralized system for the creation, revision, distribution, and disposal of documented information. This procedure will ensure:

- Documented information in association with the EMS is maintained
- Documented information remains legible and can be easily identified
- Documented information is regularly reviewed, revised, and approved by authorized personnel prior to use
- Current versions of relevant documented information are available at locations where operations essential to the effective functioning of the system are performed
- Obsolete documented information is promptly removed from points of issue and points of use.

2.8.2 Responsibility

It is the responsibility of Bloom Energy employees and contractors directly hired by Bloom Energy, who are owners of documented information (the individuals who are responsible for keeping them up to date) to follow the requirements in this procedure. Other Bloom Energy employees managing documented information shall adhere to the guidelines of this procedure.

2.8.3 Definitions

Documented Information—Information required to be controlled and maintained by an organization and the medium on which it is contained. Documented information can refer to: (1) Information created in order for the organization to operate (can be referred to as documents), and (2) evidence of results achieved (can be referred to as records).

Document—Information created to operate its environmental program and EMS (e.g., permits, plans, forms, procedures, manuals, equipment specifications/as-builts, training and/or meeting materials).

Record—A document that states results achieved or provides evidence of activities that were performed. Records are always of past information (e.g., audit report, documentation of a complaint or correspondence, waste manifest, usage log, emissions testing, inspection report, water sample analysis report).

2.8.4 Procedure

2.8.4.1 Naming of EMS Documents

Bloom Energy EMS documents must comply with the requirements listed below.

- General information will be included within the header section of EMS documents.
- File names for EMS documents will include the characters "EMS" and include a short description assigned by the Bloom EMS Implementation Team to accurately describe the document (e.g., the EMS Procedure for Environmental Aspects would be EMS Environmental Aspects)
- The footer section of EMS documents will be annotated with the phrase "uncontrolled when printed."

The following documents are considered EMS documents:

- EMS Project Plan
- EMS Manual and Appendices
    - EMS Procedures
    - Context of Organization
- EMS Workbook (includes aspects list, compliance obligations, etc.)
- Environmental Objectives and Action Plans
- Internal EMS Audit Reports
- Internal Compliance Evaluation Reports
- EMS Implementation Team Meeting Minutes
- Management Review Presentation and Records

Other environmental documents are named and managed at the document owner's discretion.

2.8.4.2 General Document Management

The following describes the management of documented information.

2.8.4.2.1 Storage and Organization

Documented information will be stored and maintained so that it is always readily available. Documented environmental information will be stored in various locations within Bloom Energy

and on various media types such as the Bloom Energy intranet. It is the responsibility of documented information owners to ensure that it is legible, is dated, has a revision number (if applicable), is maintained in an orderly manner, and will be retained in accordance with regulatory requirements. Detailed directives regarding management of documents and records, naming convention and retention policy shall reference the current revision of EMS Procedure EMS-8.

2.8.4.2.2 Review and Updates

The Vice President, Environment and Regulatory Law, or designee, is responsible for capturing documented information changes, and developing tasks as appropriate to ensure prompt review of documented information. Frequency of review will be based upon regulatory or internal requirements.

2.8.4.2.3 Archiving Documents

If a document was modified or updated, the former version should be archived and replaced with the most recent version. Only the most recent version of the document should be included in the Bloom Energy intranet.

2.8.4.3 Security Measures and Information Release

To maintain the security of documented information, access to documented information is controlled by the Vice President, Environment and Regulatory Law, or designee, who must approve security of records and records retention or release decisions.

2.8.4.4 Disposal

Environment-related documented information shall not be destroyed or discarded without the acknowledgement and subsequent approval from the Vice President, Environment and Regulatory Law, regardless of the age of the documented information.

2.8.5 References

- Bloom Energy EHS Intranet
- ISO 14001:2015(e) Clause 7.5.

2.8.6 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.9 OPERATIONAL CONTROL

Operational Control	Bloomenergy
Procedure No.: EMS-9 *ISO 14001: 2015 Clause 8.1*	

2.9.1 Purpose

The purpose of this procedure is to outline the process to identify and plan operations that are associated with significant environmental aspects to ensure that they are carried out in a manner that reduces risk to Bloom Energy.

2.9.2 Responsibility

Bloom Energy employees and contractors directly hired by Bloom Energy are to be aware of how their individual job responsibilities may have an impact on the environment.

The EMS Implementation Team is responsible for the evaluation of significant aspects in the Environmental Aspects List and the identification of current or need for operational control(s).

2.9.3 Definitions

Operational Controls—Specific methods for controlling and managing the activities, processes, products, and services associated with environmental aspects.

2.9.4 Procedure

The EMS Implementation Team will review the Environmental Aspects List in the *Bloom Energy EMS Workbook,* EMS-4-A, on at least an annual basis as specified in the Environmental Aspects Procedure. The Implementation Team will communicate updates to the Aspect List to the ESC. The EMS Implementation Team will review the list of environmental aspects and evaluate whether each significant aspect has appropriate operational control(s). Environmental aspects with compliance obligations must have operational control(s), or documented procedures in order to control situations where their absence could lead to a deviation from the Environmental Policy and Environmental Objectives.

The EMS Implementation Team will review the list of significant aspects related to contracted services and evaluate whether each significant aspect has appropriate operational control(s).

Current operational controls will be documented in the *Bloom Energy EMS Workbook*, EMS-4-A, on the Operational Control tab.

Required Training is documented on the Training Matrix provided in Procedure EMS-10, Competence and Awareness.

Where operational controls have not been developed and/or are deemed not effective enough, the EMS Implementation Team will identify and facilitate the development of that operational control.

2.9.5 References

- Environmental Aspects Procedure, EMS-4
- Competence and Awareness Procedure, EMS-10
- Bloom Energy EMS Workbook, EMS-4-A
- Documented Information Procedure, EMS-8
- Bloom Energy Intranet
- ISO 14001:2015(e) Clause 8.1.

2.9.6 Document History

Refer to the EMS Manual Record of Revision Table for document history.

2.10 COMPETENCE AND AWARENESS

Competence and Awareness	Bloomenergy
Procedure No.: EMS-10 *ISO 14001:2015 Clauses 7.2 and 7.3*	

2.10.1 Purpose

This procedure outlines the process to ensure that person(s) performing tasks on behalf of Bloom Energy that can cause a significant environmental impact are trained on and aware of their responsibilities, and that the training is documented.

2.10.2 Responsibility

Bloom Energy employees, interns, contractors directly hired by Bloom Energy, and subcontractors are to be aware of how their individual job responsibilities may have an impact on the environment.

Bloom Energy employees, interns, contractors directly hired by Bloom Energy, and subcontractors are to be aware of the implications of not conforming to the EMS and compliance obligations.

Bloom Energy employees, interns, contractors, and subcontractors are responsible for attending environmental training as required. Contractors directly hired by Bloom Energy and working within the physical boundaries or at customer installations will attend training as required by their contracts and will ensure subcontractors receive training as needed.

The EMS Implementation Team is responsible for reviewing the Environmental Aspects Procedure, Environmental Aspects List, and identification of significant environmental aspects, with the ESC, on at least an annual basis.

The EMS Implementation Team is responsible for incorporating new or modified significant aspects into relevant environmental training or, if necessary, the need for a new environmental training module.

The Vice President, Environment and Regulatory Law is responsible for the overall facilitation of environmental training at Bloom Energy.

The Vice President, Environment and Regulatory Law is responsible for review and approval of modifications to the significant environmental aspects.

2.10.3 Procedure

2.10.3.1 EMS Awareness

The Vice President, Environment and Regulatory Law, or designee, will develop and provide triennial EMS awareness training for Bloom employees, interns, contractors, and subcontractors within the scope of the EMS, as required. EMS awareness training is provided to new employees through the onboarding process. The EMS awareness training will cover:

- The Environmental Policy Statement
- The significant environmental aspects and related actual or potential environmental impacts
- Employees' contribution to the effectiveness of the EMS, including the benefits of enhanced environmental performance
- The implications of not conforming with EMS requirements, including not fulfilling the organization's compliance obligations
- Environmental objectives of the EMS.

2.10.3.2 Environmental Competency

The EMS Implementation Team, or designee, will review each environmental aspect on the Bloom Energy Environmental Aspects List and determine if training is required by a compliance obligation.

Annually, the EMS Implementation Team will review and update the Bloom Energy Training Matrix, which details environmental training requirements for Bloom Energy personnel, interns, contractors, and subcontractors.

This matrix includes the course number (if available), course name, environmental compliance area, procedure information (if applicable), roles required to receive the training, whether the course is internal or external, frequency, the trainer, and the individual responsible for coordinating the training.

The Vice President, Environment and Regulatory Law will coordinate with the EMS Implementation Team to ensure that the matrix is accurate and implemented accordingly. This group will also ensure that roles are associated with the correct training courses within the matrix.

Personnel who are assigned responsibilities for coordinating environmental training will conduct it in accordance with the Bloom Energy Training Matrix maintained on the Bloom Energy intranet.

2.10.4 Recordkeeping

The individual(s) responsible for coordinating training (as outlined in the Bloom Energy Training Matrix) will ensure that the contents of the training (i.e., agenda, presentation materials, etc.) and training records (name, date, subject of training, and attendance) are maintained on the Bloom Energy intranet.

2.10.5 Competency

Employee competence relative to required training will be accomplished primarily through training and observation of performance by that employee's supervisor. In addition, employee competency may be determined through a variety of methods including tabletop exercises administered at the time of training, certification exams associated with specific training, and through the assessment of facility environmental performance as referenced in the Evaluation of Compliance Procedure.

2.10.6 Bloom Energy Contractors

Bloom Energy will communicate regulatory requirements to its contractors, if applicable, through scope of work and contract language. Contractors are responsible for communicating these requirements to subcontractors.

2.10.7 References

- Bloom Energy Training Matrix
- Environmental Aspects Procedure, EMS-4
- Bloom Energy EMS Workbook, EMS-4-A
- Bloom Energy EHS Intranet ISO 14001:2015(e), Clauses 7.2 and 7.3.

2.10.8 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.11 EMERGENCY PREPAREDNESS AND RESPONSE

Emergency Preparedness and Response	Bloomenergy
Procedure No.: EMS-11 *ISO 14001: 2015 Clause 8.2*	

2.11.1 Purpose

This procedure describes Bloom Energy's process for identifying potential emergencies and potential accidents that can have an impact on the environment and how Bloom Energy will respond to them.

2.11.2 Responsibility

Bloom Energy employees, interns, contractors directly hired by Bloom Energy, and subcontractors are responsible for knowing how their individual job responsibilities may have an impact on the environment.

The EMS Implementation Team, or their designee, is responsible for the identification of potential emergencies and potential accidents that can have an impact on the environment.

The Vice President, Environment and Regulatory Law is responsible for ensuring that adequate emergency preparedness and response plans relevant to environmental accidents are developed and managed appropriately.

The Executive VP Services, Quality, Reliability and EH&S is responsible for ensuring the appropriate resources to implement emergency preparedness and response plans.

2.11.3 Procedure

The EMS Implementation Team will review the Environmental Aspects List on at least an annual basis as specified in the Environmental Aspects Procedure, EMS-4.

The EMS Implementation Team, or their designee, will review the list of aspects for emergencies to ensure that potential emergencies have appropriate operational controls and emergency preparedness and response plans in-place.

The Vice President, Environment and Regulatory Law will ensure that appropriate emergency preparedness and response plans are developed and implemented. The Vice President, Environment and Regulatory Law, or designee, will review the procedures and plans in place at least annually and following an emergency event to ensure they are effective. When reviewing plans and procedures, the following should be considered to ensure adequacy:

- Nature of onsite hazards
- Most likely type and scale of emergency or accident situations
- Most appropriate response
- Internal/external communications
- Actions to minimize environmental damage
- Mitigation/response actions
- Process for post-accident evaluation for developing preventive actions
- Periodic testing of emergency response procedures as required
- Training of response personnel
- Key personnel contacts
- Evacuation routes and assembly points
- Potential for an emergency at a nearby facility
- Possibility of assistance by neighboring persons.

Bloom Energy has developed emergency preparedness and response plans required by regulations such as Spill Prevention, Control, and Countermeasures Plans, and Hazardous Waste Contingency Plans. These plans and their supporting procedures can be found on the Bloom Energy intranet.

2.11.3.1 Emergency Preparedness and Response Testing

The Vice President, Environment and Regulatory Law, or designee, will test the response measures outlined in the plan or procedure with applicable personnel as required by regulation or deemed necessary. Testing is completed either in the field or as a tabletop exercise as appropriate.

A record of the test is maintained with the plan or procedure and includes the date, participants, details of the emergency drill, response measures taken to address the emergency, and evaluation of the appropriateness of response measures. If testing determines that adequate measures are not currently addressed in the plan or procedure, then they must be further evaluated and updated.

2.11.4 References

- ISO 14001:2015(e) Clause 8.2
- Facility-specific Emergency Action Plans.

2.11.5 Document History

Refer to the EMS Manual Record of Revision Table for document history.

2.12 MONITORING AND MEASUREMENT

Monitoring and Measurement	Bloomenergy
Procedure No.: EMS-12 *ISO 14001:2015 Clause 9.1*	

2.12.1 Purpose

This procedure describes how Bloom Energy will monitor and measure performance related to Environmental Objectives. This procedure will also describe how Bloom Energy will monitor and measure key environmental characteristics of operations that can have a significant environmental impact to ensure proactive environmental management. In addition, this procedure will ensure that equipment used to monitor environmental performance is calibrated appropriately and that calibration and/or maintenance records are maintained.

2.12.2 Responsibility

Bloom Energy employees, interns, contractors, and subcontractors are responsible for attending environmental training as required. Contractors directly hired by Bloom Energy and working within the physical boundaries or at customer installations will attend training as required by their contracts and will ensure subcontractors receive training as needed.

The EMS Implementation Team is responsible for the identification of Performance Indicators for certain significant environmental aspects and Environmental Objectives.

2.12.3 Definitions

Audit Finding—A statement or indication that describes the results of an audit measured against a defined criterion (e.g., standard or regulation) used to measure the performance of the auditee.

Corrective Action—Action(s) to eliminate the cause of a noncompliance and to prevent a recurrence. There can be multiple reasons for a noncompliance status.

Environmental Objective—Overall environmental goals, consistent with the Environmental Policy that an organization sets itself to achieve, and is quantified where practicable.

Environmental Program (Action Plan)—Action plans provide the steps to be taken to achieve the Environmental Objectives.

Significant Environmental Aspect—An environmental aspect, which has or can have a significant environmental impact.

2.12.4 Procedure

2.12.4.1 Monitoring and Measurement of Significant Aspects

The EMS Implementation Team will review significant environmental aspects, and environmental aspects with compliance obligations, and:

- Identify associated monitoring and/or measurement activities, products, or services that are currently being performed and record it on the *Bloom Energy EMS Workbook*, EMS-4-A, on the Monitoring/Measurement tab. Information to be recorded includes:

  — Item monitored or measured
  — Frequency of monitoring/measurement
  — Method
  — Location of documentation
  — Responsible party
  — Other pertinent comments.

- Identify those that do not have current monitoring and measurement activities, but require them, and record this on the Environmental Aspects List.

2.12.4.2 Monitoring and Measurement of Environmental Objectives

Review progress on meeting the Environmental Objectives and performance indicators specified in their associated action plans. Environmental Programs (Action Plans) will identify performance indicators/metrics, schedules, and responsible parties.

Monitoring of Environmental Objectives should occur at least quarterly by the EMS Implementation Team, semi-annually by the ESC, and at least annually at the Management Review.

2.12.4.3 Monitoring and Measurement of Environmental Compliance Performance

Compliance monitoring at Bloom Energy is achieved through regular, recurring regulatory and permit driven inspection, monitoring, recordkeeping, and reporting activities. These activities or tasks are documented in several ways such as within the Bloom Energy intranet.

In addition, the Evaluation of Compliance Procedure, BLOOM-EMS-6, outlines an Internal Compliance Audit Program, and a potential Third-Party Compliance Audit Program, designed to evaluate and monitor compliance.

2.12.4.4 Monitoring and Measurement Equipment

Equipment used for the monitoring or measurement of environmental performance shall be calibrated in accordance with manufacturers' specifications. The appropriate office or party will maintain records of calibration responsible for the monitoring or measurement.

Manufacturers' specifications, and operations and maintenance manuals for Bloom Energy-owned equipment, shall be retained and maintained as controlled documents on the Bloom Energy intranet, the facilities where equipment is located, or other location designated by the Vice President, Environment and Regulatory Law.

2.12.4.5 Monitoring and Measurement of Corrective Actions and Audit Findings

The Vice President, Environment and Regulatory Law, or designee, will monitor corrective actions in accordance with the Internal Audits, Nonconformity, and Corrective Action Procedure, BLOOM-EMS-13, and audit findings and associated corrective actions in accordance with the Evaluation of Compliance Procedure, BLOOM-EMS-12.

2.12.5 References

- Evaluation of Compliance Procedure, EMS-6
- Internal Audits, Nonconformity, and Corrective Action Procedure, EMS-13
- Bloom Energy EHS Intranet
- ISO 14001:2015(e) Clause 9.1.

2.12.6 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.13 INTERNAL AUDITS, NONCONFORMITY, AND CORRECTIVE ACTION

Internal Audits, Nonconformity, and Corrective Action	Bloomenergy
Procedure No.: EMS-13 *ISO 14001:2015 Clauses 9.2 and 10.2*	

2.13.1 Purpose

This procedure is to establish a process to ensure that Bloom Energy conducts audits to determine the conformance of its EMS with its EMS procedures, and to ensure they can make informed decisions regarding its continuing suitability, adequacy, and effectiveness by using the results of the audit.

2.13.2 Responsibility

The Vice President, Environment and Regulatory Law is responsible for establishing an EMS audit schedule each year and for ensuring that there are programs in place to meet required Bloom Energy EMS audit standards.

The Vice President, Environment and Regulatory Law, or designee, will document and coordinate corrective actions associated with nonconformances.

The Executive VP Services, Quality, Reliability and EH&S, is responsible for designating appropriate resources to address corrective actions associated with nonconformances.

2.13.3 Definitions

Corrective Action—Action(s) to eliminate the cause of a nonconformity and to prevent recurrence. There can be multiple causes for nonconformity.

Internal EMS Audit—The systematic and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the EMS audit criteria set by the organization are fulfilled.

Nonconformity—Any failure to meet the requirements of the EMS; any deviation from the procedures contained in the EMS.

Third-Party EMS Audit—The systematic, independent, and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the EMS audit criteria set by the organization are fulfilled.

2.13.4 Procedure

2.13.4.1 Internal EMS Audit – Planning

The internal EMS audit is a review of the EMS and its conformance to Bloom Energy EMS Procedures.

The Vice President, Environment and Regulatory Law will schedule an annual internal EMS audit.

The Vice President, Environment and Regulatory Law will select the Internal EMS Audit Team, which may consist of EMS Implementation Team members, other Bloom Energy employees, contractors, and/or individuals who have been deemed competent to conduct such audits.

2.13.4.2 Third-Party EMS Audits

The Vice President, Environment and Regulatory Law will schedule periodic third-party EMS conformance audits at their discretion.

2.13.4.3 EMS Audits – Conducting

The auditors will use an EMS Audit checklist as a tool to guide the audit process (Appendix 3).

The audit may include facility tours; a review of associated documents, records, and reports; and personnel interviews. Bloom Energy personnel associated with operational areas, which are being assessed, will cooperate with the Bloom Energy EMS Audit Team and their requests for information.

The Bloom Energy EMS Implementation Team will provide advance notification to supervisors of operational areas, which will be included in the audit. A post-audit briefing will be held to notify supervisors of operational areas assessed of pertinent findings.

2.13.5 Nonconformity and Corrective Actions

The EMS Audit Team will assign one of the following finding categories to each nonconformity:

- Major – a major deficiency that seriously impairs the effectiveness of the EMS
- Minor – a minor deficiency that does not seriously impair the effectiveness of the EMS
- Opportunity for Improvement – recommendations for reducing risk and improving management.

The EMS Audit Team will record each finding and the recommended corrective action on a Nonconformance Finding form.

The Vice President, Environment and Regulatory Law, or designee, will input corrective actions identified in the Nonconformance Finding Form and store on the Bloom Energy intranet, as appropriate.

The Vice President, Environment and Regulatory Law, or designee, will communicate the results to the supervisor(s) of the operational area(s) assessed.

The Vice President, Environment and Regulatory Law, and/or the appropriate Bloom Energy designee, will ensure that appropriate corrective actions are implemented in a timely manner. The Vice President, Environment and Regulatory Law will report updates on corrective action implementation to the ESG Committee. The implemented corrective action may differ from the recommended corrective action.

NOTE: Corrective actions will be implemented as soon as possible and practicable. Longer-term corrective actions will be assigned a timeline for completion with achievable milestones incorporated into the timeline. Corrective action greater than 6 months will be briefed to the ESG Committee.

2.13.6 Documentation

The Vice President, Environment and Regulatory Law, or designee, will maintain EMS Audit documentation on the Bloom Energy intranet, and in accordance with Bloom Energy recordkeeping requirements. Documentation will include:

- Completed Internal EMS Audit checklists
- Completed EMS Corrective Action Forms
- Records associated with identified environmental issues
- Any other supporting documentation (photographs, etc.).

2.13.7 References

- Bloom Energy EHS Intranet
- ISO 14001:2015(e) Clauses 9.2 and 10.2
- EMS Audit checklist (Appendix 3)
- EMS Corrective Action Forms (Appendix 3).

2.13.8 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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2.14 MANAGEMENT REVIEW

Management Review	Bloomenergy
Procedure No.: EMS-14 *ISO 14001:2015 Clause 9.3*	

2.14.1 Purpose

The purpose of this procedure is to outline the requirements for Bloom Energy's EMS Management Review. The intent of the Management Review is for the Environmental and Social Governance (ESG) Committee to evaluate the progress, applicability, and effectiveness of Bloom Energy's EMS for periodic Management Reviews.

2.14.2 Responsibility

The Vice President, Environment and Regulatory Law is responsible for directing the preparation of the content for the meeting and developing supporting meeting materials.

The Vice President, Environment and Regulatory Law is responsible for attending the management review meeting; evaluating EMS progress, applicability, and effectiveness of the Bloom Energy EMS; and providing recommendations for continual improvement.

The Environmental and Social Responsibility (ESG) Committee is responsible for attending the Management Review meeting and providing feedback and direction to the Vice President, Environment and Regulatory Law and Environmental Steering Committee (ESC).

2.14.3 Definitions

Environmental Objective—Overall environmental goals, consistent with the environmental mission statement, that an organization sets itself to achieve, and is quantified where practicable.

2.14.4 Procedure

On at least an annual basis[1], the Vice President, Environment and Regulatory Law, or designee, the ESG Committee and ESC members as appropriate, will meet to review the prior year's EMS efforts, evaluate the effectiveness of the current EMS, and identify areas of improvement. Topics to be covered in the meeting shall include but not be limited to:

- The status of actions from previous management reviews
- Changes in:

[1] Please note that the review process may take place over a period of time and during several meetings, in order to cover the full scope of the EMS in a timely and effective manner. In addition, Bloom Energy may elect to have a Management Review more than once per year.

  - External and internal issues that are relevant to the EMS
  - The needs and expectations of interested parties, including compliance obligations
  - Significant environmental aspects
  - Risks and opportunities
- The extent to which Environmental Objectives have been achieved
- Information on the organization's environmental performance, including trends in:
  - Nonconformities and corrective actions
  - Monitoring and measurement results
  - Fulfilment of its compliance obligations
- Audit results
- Adequacy of resources
- Relevant communication(s) from interested parties, including complaints
- Opportunities for continual improvement.

The Vice President, Environment and Regulatory Law and ESC will assemble the documentation to support the information required as detailed above. This may include a presentation and other supporting meeting materials that will provide the basis for the discussion of the items identified above.

A record of the meeting will be documented by the Vice President, Environment and Regulatory Law, or designee.

The Vice President, Environment and Regulatory Law will identify action plans resulting from the Management Review, which will need to be documented formally as action plans. These may include but not be limited to:

- Conclusions on the continuing suitability, adequacy, and effectiveness of the EMS
- Decisions related to continual improvement opportunities
- Decisions related to need for changes to the EMS, including resources
- Actions, if needed, when Environmental Objectives have not been achieved
- Opportunities to improve integration of the EMS with other business processes, if needed
- Any implications for the strategic direction of the organization
- Updates to the Environmental Policy
- Additional or modified Environmental Objectives
- Updated and/or new processes and Standard Operating Procedures
- Additional or modified training programs
- Other recommendations for improvement.

2.14.5 Recordkeeping

Records of the Management Review meeting will be distributed to Bloom Energy personnel as appropriate. The Management Review will be documented within the Bloom Energy intranet. Actions resulting from the Management Review will be documented on the Bloom Energy intranet, as appropriate.

2.14.6 References

- Bloom Energy EHS Intranet
- ISO 14001:2015(e) Clause 9.3.

2.14.7 Document History

Refer to the EMS Manual Record of Revision Table for document history.

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Appendix 1

Context of Organization Evaluation Results

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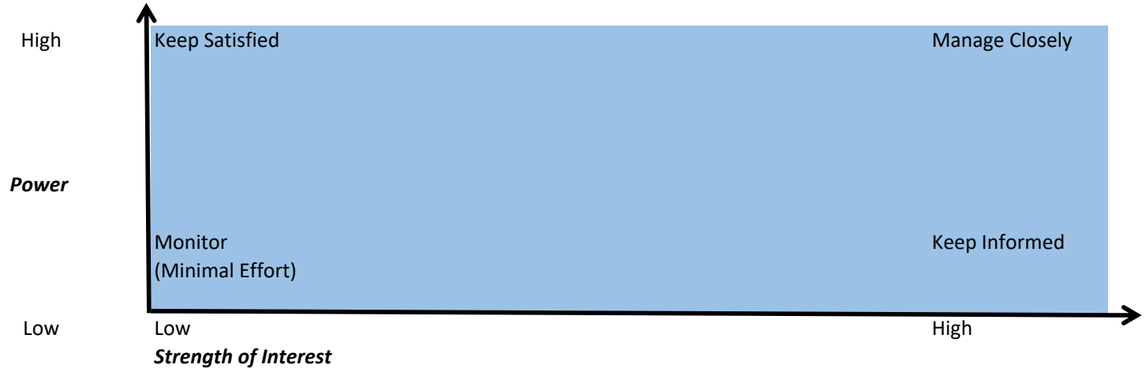
BLOOM ENERGY EMS CONTEXT OF ORGANIZATION: INTERESTED PARTIES, STAKEHOLDERS
Updated: 10/18/2023

Shareholders	Employees	Contractors / Providers	External Customers	Internal Customers	Material Suppliers	Media	Communities	Government / Regulators	NGOs	Partner Company	Investors	Standards Bodies
European Equity Holders	Marketing/sales	General Contractors	**Utilities**	Sales	Hontech	Local Media (near manufacturing)	Vulnerable Populations (elderly, children, etc.)	**EPA**	Environmental Justice	SK	PPA	**SASB**
Green European Funds (target)	US based	Hazardous Waste Contractors	Hospitals/Medical	Comms	Eaton	Microgrid Knowledge	Business Community	**State Regulators**	Energy-specific	Schneider Electric		**TCFD**
Black Rock	International based	Randstadt	**Data Centers**	Investor Relations (IR)	TESCO	**Fortune**	Campuses/ Universities	Local Regulators	**EDF**	**Samsung Heavy Industries**		GRI
State Street	Contingent Workers (temps)	Logistics	Precision Manufactuaring	**R&D**	IEM	**WSJ**	Delaware State Assembly	OSHPD	**NRDC**	Duke		**CDP**
BOD	Field Service Techs (FSTs)	**ShoreMet**	Retail	Quality	Ceramic	Social Media Channels	Delaware Community Orgs.	Div. of State Architect (CA)	**Clean Air Task Force**	Black and Veatch		**UL**
	Customer Installation Group (includes Site Superintendents)	FirstTech (haz waste vendor)	Maritime	Operations	IC (Interconnect)	GreenTech Media/Conferences	Santa Clara/San Jose Community	Air Regulators (state)	Union of Concerned Scientists	**Southern Co.**		CE
			Oil & Gas Industry	Marketing	Ink and Electrolytes	Trade Press	Natural Disaster Org (turn communities into resilience hubs)	Air Regulators (regional)	Technet	Shell		KOSHA
			CIG carbon initiative	Policy Team	Blowers	Academic Media		Water regulators (regional)	Coalition for Clean Air			KESCCO
			Genentech	Product Development	MFCs	E&E		Ministry of the Environment (MOE)	Earth Justice			IEEE
			Apple		**Acbel**			Pollution Control Board	Sierra Club			IMO
			Intel		**Desulf suppliers**							

High Priority Stakeholder

NEEDS AND EXPECTATIONS



Black Text: Applicable across all Bloom Operations
Red: Applicable to US only
Blue: Applicable to Korea only
Green: Applicable to India only

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BLOOM ENERGY EMS CONTEXT OF ORGANIZATION: INTERNAL ISSUES
Updated: 10/18/2023

Logistics	Material Storage/ Handling	Resources	Finance	Marketing/ New Products	Operations (Bloom Facilities)	Organizational Culture, Values, & Governance	Environmental Performance of Products	Relationships with External Providers (Partners/Providers)	Information Management Systems	Standards/ Models Accepted	Communication
Product Shipping (trucks)	Hazardous Materials	Subject Matter Expertise	ROI		Emissions Efficiencies/Low Environmental Impact (DE)	**Management of Change**	**Air Emissions (criteria and CO_2)**		Env. IMS		**Environmental Performance (consistency)**
Material Shipping	Transformer Oil	Labor/ Employees			Solid waste management	Customer communications	Water Efficiency		Overarching IMS		Front/Back of House Disconnect
Movement between Plants	Flammable Liquids	Funding/$			Electricity Use	Brand & Reputation	**Hazardous Waste Handling**				Importance of Methods of Communication to "Important" Stakeholders
	Filling of Desulf Canisters (JV)	Technology			Water Use		Product End of Life				**Life Cycle Performance/ Impact**
					Diesel		Wastewater				
					Hazardous Waste		Hydrogen Management (future)				
					Fleet		Water Sourcing				
					Noise		Installation Siting (previously contaminated sites)				
					Aesthetics (siting)		Noise				
							Aesthetics (siting)				
							Life Cycle Performance/ Impact				
High Priority Internal Issues											

Black Text: Applicable across all Bloom Operations
Red: Applicable to US only
Blue: Applicable to Korea only
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BLOOM ENERGY EMS CONTEXT OF ORGANIZATION: EXTERNAL ISSUES
Updated: 10/18/2023

Economy	Legislation / Government Policy	Changes in Technology	Competition	Clients	Social Trends	Climate Volatility	Community	Political	Ethical
Tax Equity	Natural Gas Bans	**Fossil Transition & Natural Gas Supply Chain Responsibility**	Deal Complexity	Environmental Performance	Brand & Reputation	**Climate Action & Decarbonization**	End of Life Story	Natural Gas Bans	**Rare Earth & Conflict Minerals**
World Economies	Environmental Justice (EJ)	**Growth of Renewable Fuels**				Resiliency	Environmental Performance	Environmental Justice (EJ)	Environmental Justice (EJ)
	Carbon Pricing	**Platform Flexibility (Opportunity)**						Carbon Pricing	
	Incentive Tax Credits							Incentive Tax Credit	
	Statewide Credits							Statewide Credits	
	Hazardous Air Pollutants (HAPs)								
	Toxic Air Contaminants (TACs)								
	Inflation Reduction Plan								
High Priority External Issues									

Black Text: Applicable across all Bloom Operations
Red: Applicable to US only
Blue: Applicable to Korea only
Green: Applicable to India only

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Appendix 2

Environmental and Social Governance (ESG) Committee and Environmental Steering Committee (ESC) Organization

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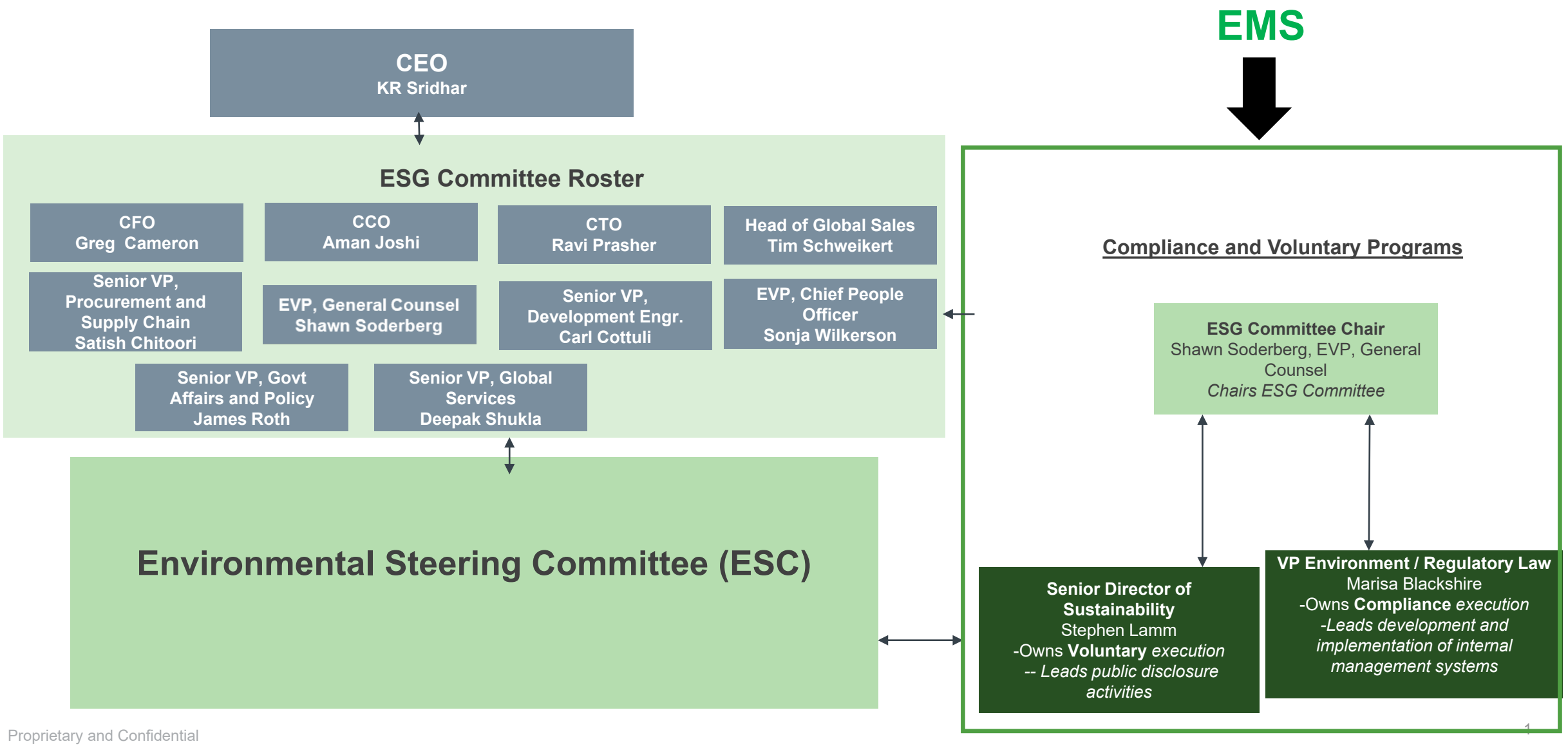
BLOOM ENERGY ORGANIZATIONAL STRUCTURE



BLOOM ENERGY EMS
ENVIRONMENTAL STEERING COMMITTEE

Marisa Blackshire, VP, Environment & Regulatory Law	**Michael Roesch**, VP, Supportability Engineering
Aruna Iyer, Head of Internal Audit	**Stephen Lamm**, Sr. Director Sustainability
LaToya Jackson, Senior HR Business Partner	**Sumeet Atwal**, Sr. Manager, EH&S
Charles Walton, Director, Mfr Engineering	**Mark Parrish**, Director, Structured Finance
Jessica Mahler, Sr. Director, Development Engineering	**Dave Demarest**, Sr. Manager, EH&S
Daniel Hom, Principal Facilities Engineer	**James Matthews**, Manager Permitting and Entitlements
Amanda Marruffo, Sr. Manager Environmental Compliance	**Andy Leming**, Director Ink Manufacturing
Andy Auger, Director R&O Manufacturing	**Dennis Bertmeyer**, Product Support Engineer
Jeff Mueller, Director, Customer Success	**Paul Mey**, EH&S Coordinator
Cassidy Hyslop, EH&S Coordinator	**Danielle Herrick,** Sr. Director Legal Compliance / Ethics
Carl Cottuli, SVP, Development Engineering	**Brian Harper,** Director, Field Service
Scott Morris, Director, EH&S	**Maurice Browne**, Sr. Mgr. EHS, Field Services
Dominic Pina, EH&S Coordinator	**Amanda Song**, Sr. Mgr. Marketing Communications

Blue text = EMS Implementation Team

Appendix 3

EMS Audit Checklist and Corrective Action Form

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Bloomenergy

Bloom Energy EMS Corrective Action Form

DESCRIPTION OF FINDING

Corrective Action #:		Date Issued:	
Requirement:			
(*Check box):* ☐ Nonconformance ☐ Noncompliance			
Corrective Action Issued By:		Corrective Action Assigned To:	
		Corrective Action Due By:	

ROOT CAUSE ANALYSIS

Root Cause Justification (if applicable)	
Root Cause Analysis:	

CORRECTIVE ACTION

Response:	
Supporting Documentation:	

ACCEPTANCE

Additional Self-Assessments Required? ☐ No ☐ Yes

Corrective Action Accepted? ☐ No ☐ Yes

Vice President, Environment and Regulatory Law

Date Accepted

Bloomenergy

Instructions for Preparing a Corrective Action

Block 1 – Description of Finding. This section records the following information:

a. Corrective Action #: The Corrective Action # will be designated by the Vice President, Environment and Regulatory Law.
b. Date Issued: Enter the date the corrective action request was issued.
c. Requirement: Enter a brief description of the requirement cited in the policy or procedure reference.
d. Nonconformance or noncompliance: Select appropriate box. Enter a detailed description of the nonconformance or noncompliance.
e. Corrective Action Issued By: Enter the name and title of the person issuing the corrective action request.
f. Corrective Action Assigned To: Enter the name of the individual assigned the corrective action.
g. Corrective Action Due By: Enter the deadline for the corrective action.

Block 2 – Root Cause Analysis

Root cause analysis is the most important and sometimes the most difficult part in the corrective action process. The procedure for corrective action shall start with an investigation to determine the root cause(s) of the nonconformance or noncompliance. The self-assessor shall determine what they believe caused the nonconformance or noncompliance and add a brief justification.

The Vice President, Environment and Regulatory Law shall record a detailed description of the root cause analysis, while including any appropriate references and attachments.

Block 3 – Corrective Action

Corrective actions are the steps implemented by the respective office to correct the nonconformance or noncompliance and to prevent its recurrence. Corrective actions shall be appropriate to the magnitude and the risk of the nonconformance or noncompliance. This section shall record a detailed description of the corrective action chosen by the Vice President, Environment and Regulatory Law. In addition, this section shall include all supporting documentation.

Block 4 – Acceptance

All documentation will be provided to the Vice President, Environment and Regulatory Law for review. The Vice President, Environment and Regulatory Law, in consultation with the ESC, if necessary, will determine whether further action is required. If no further action is required. The Vice President, Environment and Regulatory Law will coordinate with the appropriate organization within Bloom Energy (if applicable) for concurrence. This section will be completed as follows:

a. Additional Self-Assessments Required: Check the appropriate box to answer whether additional self-assessments are required (yes or no). If checked "yes", provide reference to additional self-assessment documentation.
b. Corrective Action Accepted: Check the appropriate box (yes or no) to answer whether the corrective action is accepted by the Vice President, Environment and Regulatory Law. If no corrective action is necessary, enter "yes" and indicate "N/A" with brief description under the corrective action section.
c. Signatures and Dates: Pending complete concurrence, the Vice President, Environment and Regulatory Law will sign and date the Corrective Action Template. By signing, the Vice President, Environment and Regulatory Law agrees with all determinations (i.e., cause analysis, corrective action, etc.) and renders the corrective action complete.

Bloom Energy EMS Interal Audit Checklist **Date:** **Auditor Name(s):**

Scoring

0	***The organization has not yet fulfilled this requirement***
1	***The organization has partially fulfilled this requirement***
2	***The organization has completely fulfilled this requirement***

ISO 14001:2015 Clause #	Scoring for Status of Implementation				Environmental Management System Requirements	Documented Information Reference	Explanatory Notes and *Actions Needed*	CA Form
	None 0	Partial 1	Complete 2	Total				
4				**0%**	**Context of the Organization**			
4.1					**Understanding the Organization and its Context** • Have external and internal issues been identified that are relevant & that affect the ability to achieve intended outcomes? ***Method:*** *Ask for EMS Context and Scope documentation to confirm this and discuss with Team Leader the process for developing.*			
4.2					**Understanding the Needs and Expectations of Interested Parties** • Have interested parties that are relevant been identified? • Have their needs and expectations been determined? • Are any of these needs & expectations compliance obligations? ***Method:*** *Ask for and review documentation to confirm this and discuss with Team Leader the process for developing.*			
4.3					**Determining the Scope of the Environmental Management System** • Has the organization determined the scope and boundaries of the management system, considering: o The external and internal issues; o Compliance obligations; o Organizational unit(s), functions and physical boundaries; o Its activities, products and services; o Its authority & ability to exercise control & influence. ***Method:*** *Interview the EMS Lead and ask how the scope was determined.*			
					• Is the scope maintained as documented information? • Is the scope available to interested parties? ***Method:*** *Ask for and review Scope; ask how it was developed, and ask if or how it is made available to interested parties.*			

Bloom Energy EMS Interal Audit Checklist **Date:** **Auditor Name(s):**

Scoring

0	***The organization has not yet fulfilled this requirement***
1	***The organization has partially fulfilled this requirement***
2	***The organization has completely fulfilled this requirement***

ISO 14001:2015 Clause #	Scoring for Status of Implementation				Environmental Management System Requirements	Documented Information Reference	Explanatory Notes and *Actions Needed*	CA Form
	None 0	Partial 1	Complete 2	Total				
4.4					**Environmental Management System** • Have procedures/processes needed for the environmental management system been identified and their interactions defined? • Is there evidence of continual improvements?			

Bloom Energy EMS Interal Audit Checklist **Date:** **Auditor Name(s):**

Scoring

0	***The organization has not yet fulfilled this requirement***
1	***The organization has partially fulfilled this requirement***
2	***The organization has completely fulfilled this requirement***

ISO 14001:2015 Clause #	Scoring for Status of Implementation				Environmental Management System Requirements	Documented Information Reference	Explanatory Notes and *Actions Needed*	CA Form
	None 0	Partial 1	Complete 2	Total				
5	**0**	**1**	**2**	**0%**	**Leadership**			
5.1					**Leadership and Commitment** Has the organization management demonstrated leadership and commitment to the EMS? ***Method:*** *Ask team members how this has been shown. Interview senior management and ask what they know about the EMS and how they believe the EMS is improving the organizations environmental performance. Review Scope; ask how it is made available to interested parties.*			
5.2					**Environmental Policy** Has senior management established an environmental policy that • Is appropriate to the purpose and context of the organization? • Provides a framework for setting environmental objectives? • Includes a commitment to protection of the environment & other specific commitments relevant to context? • Includes a commitment to fulfill its compliance obligations? • Includes a commitment to continual improvement? • Is maintained as documented information? • Is communicated within the organization? • Is available to interested parties? ***Method:*** *Review Policy and check that it does all bulleted items above. Ask how it is communicated within the organization and how it is made available to interested parties.*			
5.3					**Organizational Roles, Responsibilities and Authorities** Has the organization management assured that responsibilities and authorities are assigned for relevant roles and communicated this within the organization? ***Method:*** *Interview the organization management and ask how they assigned responsibility to develop the EMS. Interview team leader and ask how this is communicated within the organization.*			

Bloom Energy EMS Interal Audit Checklist **Date:** **Auditor Name(s):**

Scoring

0	***The organization has not yet fulfilled this requirement***
1	***The organization has partially fulfilled this requirement***
2	***The organization has completely fulfilled this requirement***

ISO 14001:2015 Clause #	Scoring for Status of Implementation None 0	Partial 1	Complete 2	Total	Environmental Management System Requirements	Documented Information Reference	Explanatory Notes and *Actions Needed*	CA Form
6	**0**	**1**	**2**	**0%**	**Planning**			
6.1.1					**General** When planning for the EMS, has the organization considered the context of organization, scope of the EMS, and determined risks/opportunities related to environmental aspects (6.1.2), compliance obligations (6.1.3) and interested parties/external/internal issues (4.1/4/2) that need to be addressed? Has the organization determined potential emergency situations that could occur, within the scope of the EMS? ***Method:*** *Interview team members to determine how these requirements are met. Ask to see documentation if appropriate.*			
6.1.2					**Environmental Aspects** Have environmental aspects of activities, products and services been determined? Have significant environmental aspects (SEAs) been identified using established criteria? Have SEAs been communicated? Is documented information retained for the environmental aspects and impacts, including those that are significant? ***Method:*** *Interview team members and verify that environmental aspect list exists, and that SEAs have been identified. Also ask how the SEAs have been communicated to the organization staff.* *Review the Environmental Aspect procedure/process and ensure that SEAs were determined using the method in the procedure. The following should be documented: Environmental aspects and impacts, SEAs, the criteria used to identify SEAs.*			

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					Compliance Obligations (COs)			
					Have compliance obligations related to environmental aspects been determined as well as access to the requirements?			
					Are compliance obligations updated as needed and regularly?			
					Is documented information of the compliance obligations retained?			
6.1.3 6.1.4					Method: Interview team members to ascertain if compliance obligations have been determined for EACH aspect and ask to see documentation. Ask how the organization stays abreast of compliance obligations and ensures that the documentation of the obligations is kept and kept up to date. *Review the Compliance Obligation procedure/process and verify that it is being followed. Documentation of the COs is required.*			
					Has the organization planned to take actions to address its SEAs and COs?			
6.2					**Environmental Objectives and Planning to Achieve Them** **Environmental Objectives (EOs)**			
6.2.1					Have environmental objectives been established considering the significant environmental aspects, compliance obligations and considered its risks and opportunities?			
					Are the environmental objectives: • Measurable?			
					• Monitored? • Communicated? • Updated, as appropriate? • Is documented information maintained on the environmental objectives?			
					Method: *Ask how environmental objectives were determined and ask to see documentation.* *Review the Environmental Objectives procedure/process and verify that it is being followed.*			

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6.2.2					**Planning Actions to Achieve Environmental Objectives (EOs)** For the identified environmental objectives has the organization determined: • What will be done? • What resources are required? • Who has responsibility? • When it will be completed? • How results will be evaluated, including indicators for monitoring progress toward achievement? • Has the organization considered how actions to achieve its environmental objectives can be integrated into the organizations business processes? ***Method:*** *Ask to see documented information and verify that it does the above. Ask how the team considered integration into the organization's business processes.*			

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7	**0**	**1**	**2**	**0%**	**Support**			
7.1					**Resources** Has the organization determined and provided the resources needed for the establishment, implementation, maintenance and continual improvement of the EMS? ***Method:*** *Interview both the organization management and EMS team to determine how they provide resources and if communication between the organization management and the EMS team is adequate to ensure continual improvement.*			
7.2					**Competence (Training)** Has the organization: • determined the necessary competence of person(s) doing work under its control that affects its environmental performance and its ability to fulfil its compliance obligations? • ensured that these persons are competent on the basis of appropriate education, training or experience? • determined training needs associated with its environmental aspects and its EMS? • where applicable, taken actions to acquire the necessary competence, and evaluate the effectiveness of the actions taken? The organization shall retain appropriate documented information as evidence of competence. ***Method:*** *Ask how the organization determines and ensures competent staff? What records/documented information is kept?*			
7.3					**Awareness** Has the organization ensured awareness of employees of: • The environmental policy? • The significant environmental aspects and potential environmental impacts of people's work? • The benefits of enhanced environmental performance and the implications of not conforming to EMS requirements? ***Method:*** *Ask how the organization ensures both contractor and employees are made aware of these items (e.g., training, posters, newsletters). Also, randomly, interview contractor and staff to ensure the information/training is effective.*			

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7.4					**Communication General**			
7.4.1					Has the organization established, implemented and maintained the processes needed for internal and external environmental communications as stated in the Communication procedure (or equivalent)? Including what, when, with whom and how it will communicate?			
					How do they make sure communications are consistent with information generated within the EMS and are reliable?			
					Do they respond to relevant communications on its EMS and retain documented information as appropriate?			
					Method: *Ask to see the Communication procedure or ask what their procedures are and verify that they are being followed. Verify above processes are in place and ask to see any documentation.*			
7.4.2					**Internal Communication**			
					Has the organization internally communicated information relevant to the EMS?			
					Has the organization ensured that communication process enable persons to contribute to continual improvement?			
					Method: Ask team members how the organization communicates EMS information and ensures if consistent and reliable, and how they gather information from both contractor and employees. Ask to see documentation. Also, randomly interview contractor and employees to determine if they are aware of how to contribute ideas to improve the organization's environmental performance.			
7.4.3					**External Communication**			
					Has the organization communicated information externally as defined by the organization's policy or as required by compliance obligations?			
					Method: *Verify via interviews, that the external communication procedures are being followed.*			

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7.5					**Documented Information General**			
7.5.1					Does the EMS identify documented information determined by the organization to be necessary for the effectiveness of the environmental management system?			
7.5.2					Creating and updating - when creating and updating documented information, has the organization ensured appropriate: • identification and description (e.g. title, date, reference number)? • format (e.g. language, software) and media (e.g. paper, electronic)? • review and approval for suitability and adequacy? ***Method:*** *Ask to see the Documented Information procedure and verify that it is being followed.*			
7.5.3					**Control of Documented Information** Is documented information controlled to ensure: • Availability and suitability for use, where and when it is needed? • Adequate protection? • Distribution, access, retrieval and use? • Storage and preservation? • Control of changes? • Retention and disposition? • Have documents of external origin been identified and controlled? Documented information of external origin determined by the organization to be necessary for the planning and operation of the EMS shall be identified, as appropriate, and controlled. ***Method:*** *Ask to see some examples of different types of documented information and determine that they can meet the above requirements.*			

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8	**0**	**1**	**2**	**0%**	**Operation**			
8.1					**Operational Planning and Control**			
					Have processes been established, implemented, controlled and maintained to meet environmental/EMS requirements?			
					Is documented information maintained to have confidence that the processes have been carried out as planned?			
					Does the organization control planned changes and review the consequences of unintended changes (take actions to mitigate any adverse effects, as necessary)?			
					Does the organization ensure that outsourced processes are controlled or influenced? (contractors, suppliers, etc.). How do they do this and is the type and extend of control or influence defined in their EMS?			
					Consistent with a life cycle perspective, has the organization: • established controls, as appropriate, to ensure that its environmental requirement(s) is (are) addressed in the design and development process for the product/service, considering each life cycle stage? • determined its environmental requirement(s) for the procurement of products and services, as appropriate? • communicated its relevant environmental requirement(s) to external providers, including contractors? • considered the need to provide information about potential significant environmental impacts associated with the transportation or delivery, use, end-of-life treatment and final disposal of its products/services?			
					Verify that if operational controls are documented, that controls are being followed: interview personnel that work in the areas where they control work to verify that they are being followed.			
					Method: *Discuss with staff what he process is for operational planning and control is. Have them identify some operational controls in place and verify if they are being followed. (e.g., work instructions, SOPs, engineered controls, etc.) Ask how they control planned changes and mitigate adverse effects? Ask how they ensure that outsourced processes are controlled or influenced as required?*			

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8.2					**Emergency Preparedness and Response** Has the organization established, implemented and maintained the processes needed to prepare for and respond to potential emergency situations? Has the organization maintained documented information to have confidence that the processes are carried out as planned? Does the organization periodically test the planned response actions, where practicable? Does the organization periodically review and revise the process(es) and planned response actions, in particular after the occurrence of emergency situations or tests? Does the organization provide relevant information and training related to emergency preparedness and response, as appropriate, to relevant interested parties, including persons working under its control? ***Method:*** *Ask to see Emergency Preparedness and Response procedures and verify that they are being followed. Ask to see documented information (Plans (e.g. SPCC/spill plan, records of drills, training, etc.).*			

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9	**0**	**1**	**2**	**0%**	**Performance Evaluation**			
9.1					**Monitoring, Measurement, Analysis and Evaluation (M/M)** General Does the organization evaluate its environmental performance and the effectiveness of the EMS? For environmental performance, has the organization determined:			
9.1.1					• What needs to be monitored and measured? • The methods for monitoring, measurement, analysis and evaluation to ensure valid results? • The criteria against which the organization will evaluate its environmental performance, and appropriate indicators? • When monitoring and measuring shall be performed? • When the results from monitoring and measurement will be analyzed and evaluated? Has the organization ensured that calibrated or verified monitoring and measurement equipment is used and maintained? Has the organization retained appropriate documented information as evidence of the monitoring, measurement, analysis and evaluation results?			
					Method: *Review the Monitoring and Measurement Procedure and verify that it is being followed, including that they are monitoring/measuring:* • *Significant Environmental Aspects* • *Environmental Objectives* • *Environmental Compliance Performance* • *Monitoring and Measurement Equipment* • *Corrective Actions and Audit Findings* *Interview staff and determine equipment and compliance performance that is being monitored or measured, and select items to verify. Ask to see the associated documented information (inspection records, etc.) and verify it is documented.*			

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9.1.2					**Evaluation of Compliance** Has the organization established, implemented and maintained the processes needed to evaluate fulfillment of its compliance obligations, including: • Determining the frequency that compliance will be evaluated? • Evaluating compliance and taking action if needed? • Maintained knowledge and understanding of its compliance status? Has the organization retained documented information as evidence of the compliance evaluation results?			
					Method: *Review the Evaluation of Compliance Procedure and verify that it is being followed, including the monitoring of:* • Facility Environmental Inspections • Internal or External Compliance Audits and corrective actions *Interview environmental compliance staff and determine how they evaluate compliance and if and how they document it.*			
9.2 9.2.1					**Internal Audit General** Has the organization conducted internal audits at planned intervals to determine if the environmental management system: • Conforms to its own requirements for environmental management? • Is effectively implemented and maintained? ***Method:*** *Ask to see the most recent internal audit and ensure that it follows the Internal Audit procedure.*			

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9.2.2					**Internal Audit Program** Has the organization established, implemented and maintained an internal audit program, including the frequency, methods, responsibilities, planning requirements and reporting of its internal audits? Has the organization taken into consideration the environmental importance of the processes concerned, changes affecting the organization and results of previous audits? Has the organization: • Defined the audit criteria and scope for each audit? • Selected auditors and conducted audits to ensure objectivity and impartiality of the audit process? • Ensured that the results of audits are reported to relevant management? Has the organization retained documented information as evidence of the implementation of the audit program and the audit results? ***Method:*** *Review the Internal Audit Procedure and verify that it considers the above items that it is being followed. Verify audit documentation is being kept as indicated. If the organization is new to EMS, how do they currently audit/check on the efficacy of their environmental management program?*			

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9.3					**Management Review** Has the organization management reviewed the organization's environmental management system at planned intervals to ensure its continuing suitability, adequacy and effectiveness? Have management reviews considered: • The status of actions from previous management reviews? • Changes in: o External and internal issues relevant to the EMS? o The needs and expectations of interested parties, including compliance obligations? o Its significant environmental aspects? o Risks and opportunities? • The extent to which environmental objectives have been achieved? • Information on the organizations environmental performance, including trends in: o Nonconformities and corrective actions? o Monitoring and measurement results? o Fulfillment of its compliance obligations? o Audit results? • Adequacy of resources? • Relevant communications from interested parties, including complaints? • Opportunities for continual improvement?			
					Method: *Review the Management Review documented information (meeting minutes, briefing slides, etc., and determine if all of the above (at a minimum) were included).* Have the outputs of the management review process included: • Conclusions on the continuing suitability, adequacy and effectiveness of the environmental management system? • Decisions related to continual improvement opportunities? • Decisions related to any need for changes to the environmental management system, including resources? • Actions, if needed, when environmental objectives have not been achieved? • Opportunities to improve integration of the environmental management system with other business processes, if needed?			

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					• Any implications for the strategic direction of the organization? Has the organization retained documented information as evidence of the results of management reviews?			

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					Method: *Review the Management Review documented information (meeting minutes, or summary) and determine if all of the above (at a minimum) were addressed as outputs. Also review the Management Review Procedure to verify it included the required inputs and outputs.* *If just starting EMS, how do they currently discuss environmental performance, environmental management, etc. with senior management?*			

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10	**0**	**1**	**2**	**0%**	**Improvement**			
10.1					**General Improvement** The organization has determined opportunities for improvement (see 9.1, 9.2 and 9.3) and implemented necessary actions to achieve the intended outcomes of its EMS.			
10.2					**Nonconformity and Corrective Action** When a nonconformity has occurred has the organization: • Reacted to the nonconformity and, as applicable: o Taken action to control and correct it? o Dealt with the consequences, including mitigating adverse environmental impacts? • Evaluated the need for action to eliminate the causes of the nonconformity, in order that it does not recur or occur elsewhere, by: o Reviewing the nonconformity? o Determining the causes of the nonconformity? o Determining if similar nonconformities exist, or could potentially occur? • Implemented any action needed? • Reviewed the effectiveness of any corrective action taken? • Made changes to the environmental management system, if necessary? Have corrective actions been appropriate to the significance of the effects of the nonconformities encountered, including the environmental impacts? Has documented information been retained as evidence of: • The nature of the nonconformities and any subsequent actions taken? • The results of any corrective actions? ***Method:*** *Review the Nonconformity and Corrective Action Procedure and determine that it addresses the above items.* *Review the most recent audit results and any corrective actions written and verify that it is written in accordance with the procedure. Check that it was followed and appropriately closed.* *If just starting EMS, how do they currently correct environmental issues that are discovered? Do they document this? Communicate them?*			

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10.3					**Continual improvement** Has the organization continually improved the suitability, adequacy and effectiveness of the environmental management system to enhance environmental performance? ***Method:*** *Interview the organization management and EMS team members and ask how they believe the EMS exhibits continual improvement in the organization's environmental performance.* *If just starting EMS, how do they currently monitor continual improvement in environmental performance or with environmental program? Do they document this? Communicate about this?*			