



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

December 3, 2002

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

SPEECH

SUBJECT: Compliance Assistance Providers Forum

FROM: John Peter Suarez

TO: Compliance Assistance Providers Forum, San Antonio, TX

-I WANT TO WELCOME YOU TO THE THIRD NATIONAL COMPLIANCE ASSISTANCE PROVIDERS FORUM. I AM HONORED TO JOIN ALL OF YOU AND LOOK FORWARD TO SHARING EPA'S EXPERIENCE IN PROVIDING COMPLIANCE ASSISTANCE AND LEARNING FROM YOUR EXPERIENCES AS WELL.

-BEFORE I GET STARTED PRESENTING MY VIEW FROM THE OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE AT EPA, I WANT TO SHARE WITH YOU A MESSAGE FROM OUR ADMINISTRATOR CHRISTINE TODD WHITMAN. SHE WAS NOT ABLE TO BE HERE IN PERSON TODAY, BUT THE ADMINISTRATOR DID PREPARE A MESSAGE FOR THIS OCCASION, RECOGNIZING THE IMPORTANCE OF COMPLIANCE ASSISTANCE. (ROLE TAPE)

-THIS YEAR'S THEME "OPTIMIZING RESOURCES FOR ENVIRONMENTAL RESULTS" REPRESENTS OECA'S APPROACH TO MEETING OUR CURRENT ENVIRONMENTAL CHALLENGES.

-I CAN'T STRESS ENOUGH, THE IMPORTANCE OF COMPLIANCE ASSISTANCE TO THE WHOLE OF OUR OFFICE , AND HOW STRONGLY I FEEL ABOUT THE NEED FOR COMPLIANCE ASSISTANCE TO BE WOVEN INTO THE FABRIC OF EVERYTHING THAT WE DO IN OECA.

- IN THE OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE WE ARE DETERMINED TO ACTIVELY PURSUE THOSE WHO FAIL TO COMPLY WITH THE LAW, YET AT THE SAME TIME IT IS ESSENTIAL THAT WE WORK CLOSELY WITH THE REGULATED COMMUNITY TO FIND WORKABLE AND FLEXIBLE SOLUTIONS TO ACCOMPLISH OUR DESIRED RESULTS, CLEANER AIR, PURER WATER AND BETTER PROTECTED LAND.

-OECA'S GOAL IS TO DEVELOP A MORE STRATEGIC APPROACH TO PROTECTING HUMAN HEALTH AND THE ENVIRONMENT. WE WANT TO FOCUS OUR RESOURCES IN THE PLACES WHERE WE WILL HAVE THE MOST POSITIVE ENVIRONMENTAL BENEFIT.

-HOWEVER, IN THESE TIMES OF DIMINISHING RESOURCES FOR ALL COMPLIANCE ASSISTANCE PROVIDERS, INCLUDING STATES, LOCAL GOVERNMENTS, AND COMMUNITY GROUPS, WE NEED TO IDENTIFY

OPPORTUNITIES TO WORK TOGETHER AND TO PLAN BOTH STRATEGICALLY AND SMARTLY TO MAKE THE MOST EFFECTIVE USE OF OUR LIMITED RESOURCES.

-THIS MEANS THAT WE ALSO NEED TO BE STRATEGIC IN OUR APPROACH TO COMPLIANCE ASSISTANCE.

STRATEGIC APPROACH

-THIS STRATEGIC APPROACH CONSISTS OF FOUR MAIN COMPONENTS:

-THE FIRST BEING, COORDINATED PLANNING WITH OTHER FEDERAL AGENCIES, STATES, TRIBES, AND LOCAL GOVERNMENTS, SO THAT WE LEVERAGE OUR RESOURCES EFFECTIVELY.

- THIS PAST SUMMER, WE ASKED THE EPA REGIONAL OFFICES TO INCLUDE DISCUSSIONS OF THE APPROPRIATE INTEGRATION OF COMPLIANCE ASSISTANCE IN THEIR PRIORITY SETTING AND PLANNING MEETINGS WITH STATES. SOME OF OUR SPECIFIC RECOMMENDATIONS WERE TO DISCUSS WAYS FOR EPA REGIONAL AND STATE PROGRAM OFFICES TO COORDINATE WITH EACH OTHER TO IDENTIFY COMPLIANCE ASSISTANCE NEEDS AND ESTABLISH A STRONGER PLANNING AND COMMUNICATION NETWORK.

-I AM COMMITTED TO CONTINUING TO LOOK FOR WAYS TO ENSURE MORE

MEANINGFUL INVOLVEMENT OF THE STATES, TRIBES AND OTHER EPA OFFICES IN THE DEVELOPMENT OF OUR NATIONAL PRIORITIES AND PLANNING PROCESSES.

-THE NEXT THING THAT IS IMPORTANT TO BEING STRATEGIC, IS OUR NEED TO DEVELOP BETTER COMMUNICATION WITH THE REGULATED COMMUNITY TO FIND WORKABLE AND INNOVATIVE SOLUTIONS, AND WITH COMMUNITIES AFFECTED BY ENVIRONMENTAL PROBLEMS SO THAT OUR ENVIRONMENTAL LAWS WORK TO PROTECT EVERYONE;

-IT IS ALSO NECESSARY FOR US TO CONTINUE TO HAVE INTEGRATED APPROACHES TO AN ENVIRONMENTAL PROBLEM, RECOGNIZING THAT, JUST AS IT TAKES MORE THAN A HAMMER TO BUILD A STRONG HOUSE, IT TAKES MORE THAN ONE TOOL IN OUR TOOL BOX TO EFFECTIVELY ADDRESS TODAY'S ENVIRONMENTAL CONCERNS AND MOVE US BEYOND COMPLIANCE TO BETTER ENVIRONMENTAL PERFORMANCE;

-THESE STRATEGIC APPROACHES CONSIDER WHICH MIX OF TOOLS - COMPLIANCE ASSISTANCE, INCENTIVES, MONITORING, AND ENFORCEMENT - WOULD BE MOST EFFECTIVE IN ADDRESSING THE PROBLEMS IN A SECTOR.

-THE QUESTION OF WHICH TOOL TO USE AND IN WHAT COMBINATION OR SEQUENCE IS ONE OF FIVE QUESTIONS THAT I HAVE ASKED A TEAM OF

SENIOR ENFORCEMENT AND COMPLIANCE ASSURANCE MANAGERS TO LOOK AT AND ADVISE ME ON IN THE NEAR FUTURE.

-THESE INTEGRATED STRATEGIES MAY ALSO INCLUDE TOOLS WHICH HELP REGULATED FACILITIES GO BEYOND COMPLIANCE. THESE INCLUDE POLLUTION PREVENTION, ENVIRONMENTAL MANAGEMENT SYSTEMS AND OTHER INNOVATIVE PROGRAMS TO IMPROVE ENVIRONMENTAL PERFORMANCE. WE ARE LOOKING FOR YOUR IDEAS ON WAYS TO MAKE INNOVATIVE APPROACHES AND PROGRAMS EVEN MORE ATTRACTIVE TO THE REGULATED COMMUNITY.

-THE LAST THING, BUT CERTAINLY NOT THE LEAST IMPORTANT POINT, AS ANY OF YOU WHO KNOW ME AND MY PRIORITIES ARE AWARE, WE CONTINUE TO NEED BETTER DATA AND DATA ANALYSIS.

-SO THAT WE HAVE STANDARD WAYS TO MEASURE THE EFFECTIVENESS OF OUR EFFORTS, TO LEARN WHAT WORKS AND WHAT DOESN'T. THESE ARE THE WAYS THAT WE ARE ABLE TO BE MORE STRATEGIC AND HOPEFULLY, MORE EFFECTIVE, IN OUR APPROACH TO COMPLIANCE ASSISTANCE.

SMART OUTREACH

-ALONG WITH BEING STRATEGIC IN OUR APPROACHES, WE ALSO NEED TO BE

SMART IN OUR OUTREACH . THESE ARE A FEW OF THE THINGS THAT WE ARE ACTUALLY DOING TO ACHIEVE OUR GOAL OF WORKING SMARTER?

-WE ARE BUILDING PARTNERSHIPS WITH THE STATES, OTHER FEDERAL AGENCIES, AND INDUSTRY BY:

-WORKING WITH COMPLIANCE ASSISTANCE PROVIDERS TO IDENTIFY OBSTACLES TO COMPLIANCE WITH EXISTING ENVIRONMENTAL REQUIREMENTS AND DEVELOPING ASSISTANCE TOOLS TO HELP REMOVE THOSE OBSTACLES.

-THE COMPLIANCE ASSISTANCE ADVISORY COMMITTEE IS AN EXAMPLE OF THE KIND OF COOPERATIVE EFFORT WE WOULD LIKE TO FOSTER. THIS COMMITTEE IS A MULTI-STAKEHOLDER GROUP THAT HAS BEEN ADVISING THE AGENCY ON VARIOUS COMPLIANCE ASSISTANCE ISSUES, INCLUDING PERFORMANCE MEASUREMENT, NETWORKING AND DEVELOPMENT OF THIS FORUM. THE AGENCY HAS INSTITUTED MANY OF THE RECOMMENDATIONS MADE BY THIS GROUP IN THEIR 2001 REPORT TO THE ADMINISTRATOR.

-WE HAVE ALSO CREATED A FEDERAL COMPLIANCE ASSISTANCE ROUNDTABLE TO ENHANCE THE FEDERAL GOVERNMENT'S ABILITY TO EFFECTIVELY AND EFFICIENTLY PROVIDE COMPLIANCE AND ENVIRONMENTAL ASSISTANCE TO THE REGULATED COMMUNITY.

-THE ROUNDTABLE IS DESIGNED TO FACILITATE THE SHARING OF EXISTING TOOLS AMONG FEDERAL REGULATORY AGENCIES, CREATE INTER-AGENCY TOOLS, AND DISCUSS PROGRAM MEASUREMENT.

-WE ALSO SUPPORT THE PRESIDENT'S MANAGEMENT AGENDA FOR "EXPANDING ELECTRONIC GOVERNMENT" WHICH THE ADMINISTRATOR MENTIONED IN HER REMARKS.

-EPA HAS BEEN WORKING WITH THE OFFICE OF MANAGEMENT AND BUDGET AND OTHER GOVERNMENT AGENCIES TO CREATE THE BUSINESS COMPLIANCE ONE-STOP AS A REPOSITORY OF INFORMATION TO HELP BUSINESSES UNDERSTAND AND COMPLY WITH LAWS AND REGULATIONS.

-AS PART OF THIS EFFORT, WE ARE ALSO DEVELOPING A WEB-BASED PROFILER TO ALLOW BUSINESSES TO QUICKLY FIND COMPLIANCE ASSISTANCE TOOLS THAT RELATE TO THEIR SPECIFIC BUSINESS.

-IN ADDITION TO THESE EFFORTS FOR SMARTER MORE EFFECTIVE OUTREACH, WE ARE CONTINUING TO DEVELOP SECTOR-SPECIFIC COMPLIANCE ASSISTANCE CENTERS, TO HELP BUSINESSES, LOCAL GOVERNMENTS AND FEDERAL FACILITIES UNDERSTAND ENVIRONMENTAL REQUIREMENTS AND SAVE MONEY THROUGH POLLUTION PREVENTION TECHNIQUES.

-THOUGH SPONSORED BY EPA, THESE CENTERS ARE THE RESULT OF A UNIQUE PARTNERSHIP WITH TRADE ASSOCIATIONS, NONPROFIT ORGANIZATIONS, AND ACADEMIA.

-THESE CENTERS ARE PROVIDING THE REGULATED COMMUNITY WITH THE INFORMATION, RESOURCES, AND SERVICES THEY NEED TO MEET AND EXCEED ENVIRONMENTAL EXPECTATIONS.

OUTREACH RESULTS

-SOME MIGHT ASK, "HOW DO YOU KNOW THAT THIS IS SMART OUTREACH, DO THE CENTERS WORK?" IN FY 2002, TARGET AUDIENCES AND THE PUBLIC VISITED THE CENTERS MORE THAN 673,000 TIMES, AN INCREASE OF 34% PERCENT FROM FY 2001. VISITS INCLUDED OVER 2.5 MILLION REQUESTS FOR WEB PAGES AND TARGETED COMPLIANCE DOCUMENTS.

MORE IMPORTANTLY, THE REGULATED COMMUNITY THAT RESPONDED TO A RECENT SURVEY OF CENTERS' USERS INDICATED A HIGH DEGREE OF SATISFACTION WITH CENTER SERVICES AND A HIGH NUMBER OF ACTIONS TAKEN THAT RESULTED IN ENVIRONMENTAL IMPROVEMENT.

-SPECIFICALLY, 90 PERCENT OF CENTER USERS SAID THAT THE CENTERS HELPED THEM UNDERSTAND ENVIRONMENTAL REGULATIONS, WHILE 73 PERCENT OF THE REGULATED RESPONDENTS NOTED THAT THEY ACTUALLY

TOOK SOME ACTION, SUCH AS REACHING COMPLIANCE WITH AN ENVIRONMENTAL REGULATION OR CHANGING THEIR HANDLING OF WASTES OR EMISSIONS, AFTER USING THE CENTERS.

69 PERCENT OF RESPONDENTS INDICATED THEY HAD REALIZED COST SAVINGS FROM ACTIONS TAKEN AS A RESULT OF CENTER USE.

-FINALLY, THE SURVEY ALSO REVEALED.....

...THAT 85 PERCENT OF USERS SAID ACTIONS TAKEN RESULTED IN: REDUCED ENVIRONMENTAL HARM AND RISK

-THE CENTERS HAVE BEEN SO SUCCESSFUL THAT, IN ADDITION TO THE TEN EXISTING CENTERS, THREE NEW CENTERS WILL BE COMING ON LINE NEXT YEAR - FOR CONSTRUCTION, AUTO SALVAGING AND, SIGNIFICANTLY, THE US/MEXICAN BORDER CENTER.

-THE BORDER CENTER REPRESENTS YET ANOTHER EXAMPLE OF THE EXTENSIVE PARTNERSHIPS BOTH NATIONALLY AND INTERNATIONALLY WE ARE DEVELOPING TO LEVERAGE RESOURCES AND WORK SMARTER. ONE OF THE CENTER'S GOALS IS TO HELP ENSURE THE SAFETY OF HAZARDOUS WASTE TRANSPORT IN THE BORDER AREA IN ORDER TO PROTECT VULNERABLE POPULATIONS. I HOPE YOU WILL JOIN ME AT THE BREAK FOR AN ON-LINE DEMONSTRATION OF THE BORDER CENTER IN THE EXHIBIT

AREA.

-ANOTHER SUCCESSFUL EXAMPLE OF PARTNERSHIP IS THE NEW, INNOVATIVE WEB-BASED NATIONAL COMPLIANCE ASSISTANCE CLEARINGHOUSE THAT HAS LINKS TO OVER 5,000 FEDERAL, STATE AND LOCAL AND PRIVATE SECTOR COMPLIANCE ASSISTANCE RESOURCES.

-THE CLEARINGHOUSE IS MORE THAN A NATIONAL REPOSITORY OF COMPLIANCE ASSISTANCE TOOLS. PEOPLE CAN EXCHANGE NOTES AND IDEAS WITH COLLEAGUES ON A TOPIC-SPECIFIC BULLETIN BOARD. THE CLEARINGHOUSE CAN HELP PROVIDERS SHARE IDEAS AND FIND PARTNERS TO SUPPORT YOUR COMPLIANCE ASSISTANCE ACTIVITIES. IT RELIES ON THE INPUT OF ALL PROVIDERS TO WORK AND IS A DYNAMIC EXAMPLE OF THE POTENTIALS FOR PARTNERSHIP AND LEVERAGING RESOURCES.

-ALTHOUGH THE CLEARINGHOUSE WAS ORIGINALLY LAUNCHED IN DECEMBER 2000, IT HAS BEEN IMPROVED TO MAKE IT MORE USER-FRIENDLY AND TO INCORPORATE MANY CUTTING-EDGE FEATURES AND IS BEING "RELAUNCHED" HERE AT THE FORUM. I HOPE YOU WILL ALSO VISIT THE CLEARINGHOUSE BOOTH IN THE EXHIBIT AREA TO SEE FOR YOURSELF ITS MANY NEW FEATURES.

NEED FOR MEASURES

-BUT FOR ALL OF THIS EFFORT, WE STILL NEED TO ASK THE QUESTION : IS OUR AIR CLEANER? IS OUR WATER PURER? IS OUR LAND BETTER PROTECTED?

-AND WE NEED TO BE ABLE TO TELL THIS STORY NOT ONLY BY HOW MANY ACTIVITIES OR ACTIONS WE'VE UNDERTAKEN BUT ALSO BY BEING ABLE TO MORE CLEARLY AND CONSISTENTLY ARTICULATE THE OUTCOMES AND MEASURE THE EFFECTIVENESS OF OUR COMPLIANCE ASSISTANCE EFFORTS.

-WHILE WE RECOGNIZE THAT IT IS CHALLENGING TO FIND WAYS TO MEASURE THE EFFECTIVENESS OF OUR EFFORTS, WE ARE COMMITTED TO DEVELOPING PROJECT AND MEASUREMENT ROAD MAPS AND IMPLEMENTING DATA STANDARDS FOR CONSISTENT REPORTING.

-WE HAVE ASKED BOTH INTERNAL EPA WORK GROUPS AND EXTERNAL GROUPS LIKE THE COMPLIANCE ASSISTANCE ADVISORY COMMITTEE TO ADVISE US ON BETTER WAYS TO ASSESS THE EFFECTIVENESS OF OUR COMPLIANCE ASSISTANCE AND OTHER TOOLS.

-IN THE FINAL ANALYSIS IT WON'T BE HOW MANY PEOPLE VISITED A CENTER

OR HOW MANY ENFORCEMENT ACTIONS WERE TAKEN THAT WILL BE THE LEGACY OF WHAT WE DO - IT WILL BE WHAT KIND OF A WORLD WE LIVE IN, AND WHAT IS THE STATE OF THE ENVIRONMENT WE ARE LEAVING FOR FUTURE GENERATIONS. PRACTICAL, FOCUSED COMPLIANCE ASSISTANCE AS PART OF A BALANCED APPROACH TO ENVIRONMENTAL ACCOUNTABILITY THAT INCLUDES INCENTIVES, MONITORING AND A STRONG ENFORCEMENT PROGRAM, IS THE WAY TO ENSURE A HEALTHY AND SECURE ENVIRONMENT FOR THE FUTURE.

-IN CLOSING THERE IS ONE LAST THING THAT I WOULD BE AMISS IF I DIDN'T DO BEFORE I HAND THE FLOOR OVER TO THE OTHER PRESENTERS THIS MORNING, AND THAT IS TO RECOGNIZE TWO INDIVIDUALS WHO HAVE DONE GREAT WORK TO BUILD THE COMPLIANCE ASSISTANCE PROGRAM AND LEAD OTHERS IN THIS EFFORT.

-RICHARD SUSTICH IS ASSISTANT DIRECTOR OF RESEARCH AND DEVELOPMENT FOR THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO. HE WAS ALSO CHAIR OF THE COMPLIANCE ASSISTANCE ADVISORY COMMITTEE (CAAC) SINCE 2000 TO 2002. UNDER HIS LEADERSHIP THE CAAC HELPED EPA CREATE THE AGENCY'S NATIONAL COMPLIANCE ASSISTANCE CLEARINGHOUSE, THE EPA COMPLIANCE ASSISTANCE ACTIVITY PLAN INVENTORY, THE NATIONAL COMPLIANCE ASSISTANCE FORUM, AND PROVIDED A REPORT TO THE AGENCY ON ENHANCING THE COMPLIANCE

ASSISTANCE PROGRAM

-JANET VINISKI IS THE TEAM LEADER AND COMPLIANCE ASSISTANCE COORDINATOR IN EPA'S REGION 3. IN FY 2002 JANET WAS THE FIRST REPRESENTATIVE AS A LEAD REGION FOR COMPLIANCE ASSISTANCE. JANET FOCUSED ON IMPROVING PLANNING, COMMUNICATION AND COORDINATION AMONG ALL THE REGIONS AND EPA HEADQUARTERS. REGION 3'S COMPREHENSIVE COMMUNICATION PLAN BECAME A MODEL FOR OTHER REGIONS JANET'S DEDICATION AND PROFESSIONALISM SET HIGH STANDARDS FOR THE REGIONS TO FOLLOW.

- THANKS TO ALL OF YOU FOR COMING AND I AM CONFIDENT THAT YOU WILL HAVE AN ENJOYABLE AND INFORMATIVE EXPERIENCE DURING THE REMAINDER OF YOUR STAY HERE.

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