CSI Update March 1999

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CSI UPDATE

AGENCY APPROVES SECTOR ACTION PLAN

CSI Makes Way for Increased Sector-Based Action

"We are committing the agency...to initiate a series of actions that will create a lasting and effective means of achieving 'cleaner, cheaper and smarter' environmental solutions for major sectors of this nation's economy."
Carol Browner
Administrator, U.S. EPA

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EPA is now taking the lessons learned from CSI and applying them to improve the way we work with individual sectors. The goal of this new effort is to ensure that sector strategies, where appropriate, will be incorporated into the core functions of the Agency.

In a February 23, 1998, memorandum, "New Actions for Sector-based Environmental Solutions," EPA's Administrator and Deputy Administrator directed the EPA Office of Reinvention (OR) to lead the Agency's senior management in developing and implementing a sector-based action plan for the Agency. In preparing the Plan, OR surveyed nearly 30 EPA employees involved with different sector reinvention initiatives within Headquarters, Regions, and States. This survey provided the basis for much of the background material upon which the Plan was developed.

The CSI Council reviewed and endorsed the plan at its October 14, 1998, meeting.

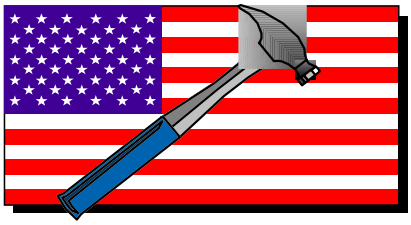
The Plan presents a multi-year strategy that the Agency will use to encourage a sector approach. A broad definition of sector is utilized within the Plan. Sectors are defined as discrete production systems within the U.S. economy. For example, it would include the automobile service and repair industry as well as the automobile manufacturers.

There are 16 actions in the Plan. They fall under three main categories: (A) implementing sector-based approaches within core Agency functions; (B) building management and analytical capacity to conduct SBEP; and © crafting sector-based solutions with external stakeholders.

Category A actions focus on permitting, rulemaking, enforcement and compliance assurance, and other core Agency functions. For example, the EPA Office of Air Quality Planning and Standards (OAQPS) is exploring a novel regulatory approach that seeks to ensure that the design of the Pharmaceutical Clean Air Act Hazardous Air Pollutant Standard will be compatible with the Clean Air Act Title V Permit requirements for this industry. Category B actions focus on managing sector-based efforts, such as creating avenues to share sector-based information and analyses, and expanding the analytical capacity to conduct sector-based activities. For example, there is a new Agency requirement (effective January 1, 1999) for offices to use industrial classification systems (e.g. Standard Industrial Classification or North American Industry Classification System codes) to identify sectors for all EPA rules, policies, interpretive guidance, and site-specific determinations. Category C actions include creating a new forum for multi-stakeholders to provide advice and consultation to the Agency on sectors, convening a futures

roundtable, and implementing a stakeholder involvement action plan. For example, in April 1999, EPA will be establishing a new Standing Committee on Sectors under the National Advisory Council on Environmental Protection and Technology (NACEPT).

Copies of all portions of the Sector Action Plan are available at the EPA Office of Reinvention Website at www.epa.gov/sectors



CSI Honored With Hammer Award

"This Common Sense Initiative is reinventing government at its best. Together, government, industry and the private sectors are finding new, more effective ways to protect our environment and our children."

On Thursday, December 17, 1998, Vice President Al Gore's prestigious Hammer Award was presented to Carol M. Browner, Administrator of the Environmental Protection Agency (EPA), on behalf of those who contributed to CSI's success. Bob Stone, the Deputy Director of the National Partnership for Reinventing Government (NPR), presented the award at the final meeting of the CSI Council. CSI participants were recognized for their contributions "...in finding innovative sector-based solutions to environmental problems."

When Administrator Browner launched CSI, she envisioned this new approach as a "fundamentally different system." From its origin, CSI has provided a pathfinding forum for breaking through some of the biggest constraints associated with the current environmental regulatory system — the use of a single-media approach to environmental protection and the adversarial relationships that have built up among environmental stakeholders. More than 300 individuals--from industry, state and local governments, environmental and environmental justice groups, and labor have been involved. Together they have worked to test innovative sector-based approaches to the existing regulatory system, building trust and cooperation along the way.

CSI spawned many environmental regulatory reforms and changes in industry and government business practices. Since its beginning, nearly 30 different recommendations for regulatory reform were submitted to the Agency for consideration. One of the most significant outcome was a first-of-its-kind agreement reached with the metal finishing industry. This agreement commits metal finishers by 2002 to go beyond compliance with baseline environmental standards, substantially reducing pollution from their operations. It stands as a model of environmental stewardship that may encourage other industries to pursue similarly high goals in the future.

The CSI Hammer Award is displayed in the lobby of the EPA Headquarters Building at Waterside Mall in Washington, D.C.

Also, a special report was released at the December 17 meeting. "The Common Sense Initiative: Lessons Learned About Protecting the Environment in Common Sense, Cost Effective Ways" includes participants views about what was learned and achieved in CSI. These essays are a vital record of what "cleaner, cheaper, and smarter" approaches to environmental protection can be, and are reflective of the significance of the CSI experience.

This special report is available from EPA's Reinvention Website at www.epa.gov/commonsense/lessons/.

Subcommittees Talk About Lessons Learned & Benefits

"The Refinery Air Information Reporting System project...reduced paper work...from three inches to a half inch and it reduced man hours necessary for reporting by 54 percent."
Wilma Subra, CSI Petroleum Refining Subcommittee Louisiana Environmental Action Network

At the final CSI Council meeting on December 17, 1998, each of the CSI sector subcommittees was asked to provide their perspective on lessons learned from the CSI experiment. There was general agreement among the subcommittees that CSI fostered improved working relationships among stakeholders, increased learning opportunities about core Agency functions, and offered insights to improve future collaboration efforts.

The improved working relationships among stakeholders, many of whom had only interacted as adversaries in the past, was consistently noted as one of CSI's most important achievements. Common ground was not always reached, but the experience showed that trust, cooperation, and respect can evolve from a consensus-based process. One result of these improved working relationships was that more efficient and effective environmental management strategies were developed because those ultimately charged with implementing the strategies had a voice in developing them.

Another point of consensus among the sector subcommittees was the need for EPA to continue to improve its stakeholder involvement techniques and procedures for managing collaborative approaches to environmental protection. Many of the

sector subcommittees found that clear group operating procedures were not established early in the process. The confusion caused as a result, often limited the team's ability to setup healthy team dynamics and ultimately made it difficult to reach consensus. They also felt that a more precise EPA agenda or framing of the issues up front would have been helpful to focus the efforts. The subcommittees concluded that strong leadership, active EPA participation, and firm deadlines helped the collaboration process progress more efficiently.

Though EPA did provide technical assistance to those stakeholders who needed support, many groups felt that more sharing of technical information and expertise would have improved participants' understanding of issues and facilitated progress. In addition to technical assistance, many of the subcommittees realized that financial assistance to Non-Government Organizations (NGOs) was essential for ensuring that all stakeholders were able to participate in an equal and meaningful way.

Beyond cross-cutting themes, each of the subcommittees highlighted some sector or project specific issues that illustrated their unique experiences.

Metal Finishing

Many of the metal finishing participants stated that the progress they made would not have happened without CSI. Some of the key factors that helped the Metal Finishing Subcommittee reach consensus early and maintain momentum throughout the collaboration process was the willingness to conform and understanding among stakeholders.

Printing Sector

The Printing Sector Subcommittee learned many valuable lessons from the CSI experience. One of these lessons was that educating communities, small printers, and local regulatory authorities about environmental issues is very important. To capitalize on this valuable lesson learned, through their New York City EPT (Educational Project Team), the sector developed workbooks to educate and train interested stakeholders about the significance of environmental issues facing printers.

Another lesson learned was that providing information on pollution prevention was more valuable than providing information on pollution control approaches only. To build on these lessons learned, the sector developed workbooks that emphasize pollution prevention approaches such as using fewer toxic cleaning solvents and making process changes to reduce pollutant discharges in printing operations.

Computer and Electronics

Like metal finishing, many computer and electronics stakeholders believe that much of the subcommittee's work would not have materialized in the absence of CSI.

Subcommittee members agreed that CSI was only modestly successful in reinventing regulations. But they felt it was successful in testing new approaches and in identifying and addressing difficult issues such as the need for communication among those responsible for improving environmental protection and worker health and safety.

Iron and Steel

The Iron and Steel Subcommittee found that all participants learned something about the industry, the concerns of different stakeholders, and how EPA works. It also learned about the importance of information for all participants, the need for baseline data, and the importance of education in a multi-stakeholder process. To promote the educational process, the subcommittee sponsored a series of seminars as part of its meetings. The topics of the seminars ranged from the financial health of the industry to various public participation processes.

To address the subcommittee's concerns about coordination and the critical need for better information exchange, EPA designated a national liaison at Headquarters and a regional liaison in its Chicago office. Sector representatives felt that these special liaisons have proven to be a simple but effective way of improving communication and addressing information needs.

Petroleum Refining

Early in the process, the members of the Petroleum Refining Subcommittee found that they did not have a balanced level of technical and environmental expertise, nor did they have much trust or cooperation among stakeholders. To resolve these discrepancies, they added technical experts to their subcommittee to provide assistance, and they used a dispute resolution consultant to train and educate stakeholders about trust building.

By taking an action to ensure productive group interactions, they were later able to focus making improvements to the regulatory system. For example, the Refinery Air Information Reporting System project undertaken by the sector reduced air emissions reporting paper work at one pilot plant from 3 inches to a half an inch, and it reduced man hours necessary for reporting by 54 percent.

Automobile Manufacturing

This subcommittee was the first CSI sector to complete its work, generating 10 consensus documents and recommendations to the Agency on issues ranging from Life Cycle Management to alternative methods for measuring Volatile Organic Chemical (VOC) emissions from paint spray operations. The subcommittee was also able to reach consensus on the principles that should guide the development of an alternative regulatory system.

Beyond its recommendations, the subcommittee representatives described a number of indirect benefits generated by the CSI process. One of these benefits includes the PRISM (Partnership for Regulatory Innovation and Sustainable Manufacturing) project in Ohio. This project is a partnership of industry, environmental and community groups, and government to promote innovative environmental management and regulatory systems in vehicle manufacturing. The project partners

believe that the objectives of better environmental performance, increased operational flexibility, and enhanced pubic involvement can be achieved by integrating pollution prevention into core business practices and developing innovative regulatory approaches.

Beyond harnessing the lessons learned from the sector subcommittees, EPA has begun an evaluation of CSI over its four-year history. This evaluation is expected to be completed in late April 1999.

CSI Impacts On EPA Information Management Efforts

> *"...invaluable assistance from the CSI Council and other stakeholders in translating the commitments defined in July 1997 into a detailed Reinventing Environmental Information (REI) Action Plan."*
> **Carol Browner**
> **Administrator, U.S. EPA**

New Information Office

Over the past 18 months, CSI's influence has been seen in several information management reforms. The most significant being Administrator Browner's recent announcement that EPA would set up a new Information Office, to integrate various aspects of information management, policy, and technology in the Agency. This new office will create stronger links among data collection, management, and public access functions. It will also strive to create consistency across these operations and systems, and will provide the foundation for data to be transferred across the full range of emerging information sources, both public and private.

This action was taken, in part, based on recommendations made by the Computers and Electronics Subcommittee regarding its CSI sector projects such as the CURE (Consolidated Uniform Report on the Environment) Project as well as the efforts and findings of initiatives such as the Reinventing Environmental Information Action Plan, the Data Quality Strategic Plan and the Data Gaps strategy.

CSI Sector Projects

The foundation for CSI's knowledge and experience in information management is based on the half dozen projects that have been conducted among the various sectors over the past four years. The common elements among these CSI sector projects include: *consolidated media reporting*, *electronic reporting*, *one-time (or comprehensive annual) reporting*, and *public access* to useful information.

The CSI sector projects involving data management were conducted within the Computer and Electronics, Metal Finishing, and Petroleum Refining Sectors. These projects included: the Computer and Electronics Sector Consolidated Uniform Report on the Environment (CURE); the Basic On-Line Disaster and Emergency Response Systems (BOLDER) initiative; and the Reporting and Record keeping Requirements (3-R) Database Projects. The Metal Finishing Sector conducted the Regulatory Information Inventory Team Evaluation (RIITE) project, and the Petroleum Sector conducted the Refinery Air Information Reporting System (RAIRS) Project.

An example of one of these CSI sector projects is the CURE. The CURE recommendation had three parts. First, EPA should "task a single Agency executive with integrating all of EPA's data content and reporting systems." Second, EPA should "coordinate all of its on-going reporting and data access projects and programs." And third, EPA should actively "involve external stakeholders in the decision-making and implementation of these actions." All of these recommendations were incorporated into the design and organization of the new EPA Information Office.

Details on these projects are available on the CSI Website at www.epa.gov/commonsense

REI Action Plan

In her February 1998 memorandum to EPA senior managers approving the Reinventing Environmental Information (REI) Action Plan, Administrator Browner acknowledged the "invaluable assistance from the CSI Council and other stakeholders in translating the commitments defined in July 1997 into a detailed plan of action." Through REI, EPA is adopting formal data standards, providing universal access to electronic reporting, reengineering its national data systems, and working more cooperatively on information reforms with States.

EPA is adopting data standards in a new Environmental Data Registry. In essence, this regulation is a dictionary defining all environmental data elements, designed to fit with international standards, that allows EPA data to be shared and understood, not only in this country but abroad.

Information on the REI Action Plan can be found on the Reinvention Website at www.epa.gov/reinvent/rei.

Data Quality Strategic Plan

The Agency's commitment to strengthen information management is also reflected in its efforts to improve data quality and reduce data gaps. In April 1998, EPA Deputy Administrator Fred Hansen announced the development of a Strategic Action Plan to ensure the quality of EPA's data. One critical component of this plan, according to Hansen, was the need "to ensure that our error correction process is well-defined, efficient, and transparent to our partners, the public and the regulated community."

At the June 9,1998, CSI Council meeting, several CSI members provided advice and recommendations to the Agency on this issue. They identified the need to "address ownership and accountability issues; study data system error correction needs; and for States working together to improve uniform data usage with

national systems." Issues were also raised about data gaps.

In the transmittal memo for the final Data Quality Strategic Plan, Romulo Diaz, EPA Assistant Administrator for Administration and Resources Management, recognized "the valuable insights and recommendations provided by the CSI Council on the Strategic Plan," and noted that all of the Council's suggestions were incorporated into the final strategy. In general, the Strategic Plan commits the Agency to improving data quality in three ways: 1) by developing quality performance standards for each of its major data systems to track and improving data quality over time, 2) by developing an error correction process to ensure that discrepancies in data are routed to the appropriate data managers, and 3) by establishing customer service performance standards for each major data source to ensure that discrepancies are addressed promptly and appropriately.

Preliminary Report on EPA's Data Gaps Strategy

In spring 1998, Council members expressed interest in advising EPA on the broad policy level decisions related to data gaps, and in promoting intensive analysis of data gaps for individual environmental issues. Similarly, EPA's leadership had identified the need for better information on data gaps in order to set priorities in the Agency's planning and budgeting process.

As a result of CSI Council's proposals, in December 1998 EPA issued a preliminary report on its strategy to address data gaps. The report also presents a mechanism for early public involvement in addressing data gap issues.

The report presents a strategic approach for identifying, setting priorities for, and addressing data gaps.

Future Opportunities

CSI has made significant contributions to the advances EPA has made in information management over the past two years. Many of these advances have been based on the mutually supportive partnerships with our co-regulators, i.e. the States, and the strong relationships with industry, public interest organizations and the general public. The Agency will be maintaining this inclusive approach in the new Office of Information. Soon, this new Office will assume the responsibility for all CSI information initiatives and seek to maintain proactive stakeholder involvement in its activities. Through this transition, the legacy of CSI's information management efforts will be carried forward and integrated further into the Agency's procedures for meeting the information demands of the next century.

Computer and Electronics Sector Present Final Recommendations

At the final meeting of the CSI Council in December 1998, the Council endorsed three recommendations from the Computer and Electronics Sector. Two of the recommendations represent a step toward reaching the subcommittee's vision of a facility-based Alternative System of Environmental Protection (ASEP). ASEP is an approach to environmental protection that results in enhanced environmental, health, and safety performance; increased regulatory flexibility; and increased engagement of, and accountability to, communities and workers. The recommendations for worker health and constructive engagement between regulatory agencies and other stakeholders came out of the ASEP vision. The third recommendation is to increase the use of Zero Wastewater Discharge Systems.

Support for Worker Health

The subcommittee identified situations where either worker safety or environmental conditions were actually or potentially hindered due to specific federal requirements. To reduce the potential of shifting risks from one environmental media to another or shifting risks from environmental protection to worker safety while using a facility-based ASEP, the subcommittee put forth the following recommendations:

- Assure that EPA, the Occupational Safety and Health Administration, and the National Institute for Occupational Safety and Health regulatory requirements, rulemaking, permitting and inspection programs are compatible, and encourage a comprehensive approach to improve environmental performance and occupational health.

- Improve the quality, quantity, and public access to risk related chemical information, including chemical fact sheets and Material Safety Data Sheets.

- Assure that chemical testing programs, such as the EPA's Chemical Right-to-Know effort, support Agency and stakeholder needs for chemical hazard information.

- Explore ways to gather, assess and integrate occupational health data. Also, assess whether additional data are needed, and whether a national occupational health data system needs to be developed.

- Assure that existing chemical hazards, exposure, and modeling tools are made available to stakeholders, and that a new generation of tools is developed to facilitate a more comprehensive approach.

Constructive Engagement

The basic design of CSI acknowledges the importance of involving stakeholders in the process of protecting the environment that we share. The Computer and Electronics Subcommittee similarly advocates a process of ensuring stakeholder involvement called constructive engagement. Constructive engagement entails representatives of a facility's management and employees; relevant federal, state, and local regulatory agencies; and the

community working to develop and continuously improve a cooperative partnership for addressing environmental management issues. Through this partnership, these parties work jointly to establish goals and objectives for environmental management systems at the facilities, monitor the effectiveness of the system, and evaluate the facility performance.

In order to encourage successful constructive engagement among stakeholders, the Computer and Electronics Subcommittee made several recommendations to EPA.

- Create and periodically update a resource guide on constructive engagement.

- Continue to provide leadership and resources for stakeholders who are considering, planning to embark upon, or are currently engaged in partnerships to address environmental issues and concerns.

- Establish and maintain a Website that features constructive engagement case studies and other resources for the computers and electronics sectors, as well as other industry sectors.

- Ensure that constructive engagement is part of CSI follow-up activities under NACEPT

Zero Wastewater Discharge
Recent initiatives to promote recycling, resource conservation, and other pollution prevention practices have achieved significant environmental gains. One example is zero wastewater discharge, which allows manufacturers to reuse their process water and virtually eliminate their waste water discharge. Although these systems have proven to be environmentally beneficial, the subcommittee determined that lack of clarity about the regulation of these systems under the Resource Conservation and Recovery Act (RCRA) and Clean Water Act (CWA) may present a barrier to more frequent use. The subcommittee recommended that EPA find ways to remove barriers and encourage manufacturers to use pollution prevention practices and state-of-the-art technologies.

Laying the Groundwork For More Effective Stakeholder Involvement

CSI has taught EPA a tremendous amount about the value and benefits of stakeholder involvement in environmental decision-making processes. The Agency has taken steps to increase opportunities for, and the quality of, stakeholder involvement in its regulatory and non-regulatory programs, and these efforts have typically yielded valuable results for all parties involved. However, feedback and experience from CSI and other past stakeholder involvement processes reveal key issues that need to be addressed to improve the effectiveness of stakeholder involvement processes in the future. These issues include:

Who are the stakeholders?
At what point and how should stakeholders be involved?
How will stakeholder activities contribute to Agency decisions, and therefore, produce the desired results?
How do you recruit qualified stakeholders given time constraints from the increase of stakeholder involvement activities?
What skills are needed to plan and manage an effective stakeholder group?

In November 1997, participants in the Printing Sector Subcommittee raised stakeholder involvement issues in a presentation to the CSI Council. Similar issues had also surfaced during the work of the other CSI Sectors. The Council decided to form a Workgroup to further define and examine stakeholder involvement issues and to suggest solutions to the Council and EPA. The Workgroup gathered information from outside sources and EPA's program offices on their stakeholder involvement activities, and concluded that "integration" is the greatest need for enhancing EPA's stakeholder involvement programs.
This means improvement in three areas:

- First, EPA stakeholder involvement process needs to be clearly linked to decision-making and should not be viewed as an end in itself.

- Second, careful front-end analysis is necessary to determine what kind of stakeholder involvement is needed in each situation and to ensure that stakeholders are involved in ways that will provide the greatest value both to the Agency and the stakeholders.

- And third, EPA stakeholder involvement programs need to be part of a coherent network that involves all media offices so that lessons learned and information acquired in one program can be communicated to other programs.

At their June 3, 1998, meeting, the Workgroup presented the *Report of the Common Sense Initiative Council's Stakeholder Involvement Workgroup* to the CSI Council. The report included recommendations in three areas, all of which were endorsed by the CSI Council:

1. Use common vocabulary and stakeholder involvement techniques to build common understanding among participants.

2. Use analytical tools to enhance effectiveness.

3. Establish coordinating mechanisms to build internal and external capacity.

With CSI Council input, the Agency subsequently developed an Action Plan to enhance stakeholder involvement at EPA, building on the lessons learned throughout the Agency. The Action Plan does not represent a departure from past efforts; instead, it describes an evolution. One result from the Plan will be a more thoughtful and skillful approach to stakeholder involvement. By carefully linking stakeholder involvement to decision making, EPA

and stakeholder resources will be better spent. By working together, we can magnify the creativity and ingenuity of individuals to create better solutions to today's increasingly complex environmental problems.

The Report of the CSI Council's stakeholder involvement workgroup (June 1998) and the Stakeholder Involvement Action plan are available at the Reinvention Website: www.epa.gov/reinvent/epastake.

One Year Anniversary Of CSI Metal Finishing Strategic Goals Shows Program Success

The first-year accomplishments of the Metal Finisher's Strategic Goals Program (SGP) were highlighted at an annual industry-EPA pollution prevention conference in January. In the year since this program was launched, all stakeholders have made progress in meeting their commitments to support the industry in accomplishing its challenging goals. To date, 270 metal finishers, 40 POTWs, and 17 states are participating in the SGP program. Particular successes in the program include:

- The publication of a proposed rule to increase the length of time that metal finishers can accumulate hazardous waste onsite;

- An environmental loan program co-sponsored by the Small Business Administration that offers a simplified process for metal finishers to obtain capital for environmental improvement projects;

- A handbook for Rhode Island metal finishers that helps owners of outdated firms identify resources, regulations, laws, and contacts to transition out of the metal finishing industry.

Key actions under the program during the coming year will include:

- Regional implementation programs 10 key geographic areas;

- Proposed changes to the pretreatment regulations including a reduction in the frequency of monitoring for pollutants that are not in a facility's processes, and a reduction in the monitoring and reporting requirements for facilities with low water usage;

- An industry-developed benchmark study to identify "best in class" environmental practices and operations in the industry;

- An assessment of the program's environmental and cost benefits.

Details of SGP progress can be found at www.strategicgoals.org.

EPA Releases Federal Register Notice On Iron & Steel Monitoring Requirements For Electric Arc Furnaces

The EPA Office of Air Quality Planning and Standards recently published a direct final rule amending regulations for electric arc furnaces to allow daily visual emissions observations as an alternative to furnace static pressure monitoring. This regulatory action was the result of a Common Sense Initiative (CSI) recommendation from the Iron and Steel Sector.

In July 1997, the CSI Iron and Steel Subcommittee presented recommendations to EPA regarding the use of pressure monitoring in pollution control systems installed above electric arc steel furnaces. EPA agreed with the sector subcommittee that daily visible emissions observations can be an alternative to the current regulatory requirement of pressure monitoring.

Daily visible emissions observations provide direct evidence of continued capture effectiveness for air pollution control systems, while pressure monitoring provides an indirect indication of continued capture effectiveness. The rule creates incentives for additional emissions monitoring and should result in more efficient, less complex electric arc furnace operations.

If no adverse or critical comments are received by early April, the rule will become effective in early May.

Bulletin Board

✎The first NACEPT Standing Committee on Sectors will be meeting in Washington, D.C. April 15-16, 1999.

✎The new Sector website will be up and running in April 1999. This new website will provide information on sector projects within EPA's Program and Regional offices. It will be organized by sectors and contain search capabilities for sector reference materials.

✎The EPA Office of Reinvention Annual Report was released in March 1999 and it can be found at the Office of Reinvention's Home Page at www.epa.gov/reinvent.

If you have any question or comments concerning this update please contact:

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