



## Inside Pretreatment Newsletter

October 2, 2008

### One Year Later

I find it somewhat perplexing that I have been gone from EPA for a year this month. All of the vacations and hobbies I had envisioned were replaced by working with a lot of great people. I keep telling my wife that we have to go someplace warm in January.

The following newsletter was something that I was asked to write. It is likely that rather than someone thinking I had some unique insight, a hundred people were asked to do this in the hope that 3-4 people would actually write something. However, because I worked for the Agency for most of my career and respect what the Agency has achieved and the need for it to stay current and relevant, I wanted try to communicate my perspective on changes to its mission.

So, while it will undergo revision over the next couple of months (for everything), maybe you can see that EPA has the potential to positively impact your professional activities and personal lives. I hope that it is written in a language that is not overly bureaucratic and convoluted. That would be the worst. Even I have a wish list.

Your comments are always respected.

Curt

### Integrating Risk into Resource Protection An Old and New Direction for EPA October 2, 2008

The importance of addressing environmental issues has never been more immediate. Integrating environmental protections into energy development, manufacturing, and the general economy must be promoted to assure that the U.S. will have a cohesive overall economic policy. This is particularly challenging as spending and resources for domestic programs become more limited.

The challenges to EPA are many. Air emissions that have regional or global impacts, nutrient impacts in the ocean, emerging contaminants with unknown public health and ecosystem impacts, and impacts associated with energy development and new manufacturing in the 21<sup>st</sup> Century. EPA must integrate risk into its decision making when addressing these and the other challenges we are facing today.

EPA has evolved as an Agency over its 30+ years. In the early days, Congress and the public saw unaddressed environmental problems everywhere: in our air, water and on land. As a result, Congress passed many laws to protect our valuable natural resources and EPA worked diligently to write regulations to implement these laws. This shotgun approach established the

successful base environmental programs we rely on today. EPA grew more mature in the late 1980's and early 90's by refining its approach to setting priorities and addressing problems through risk-based decision making. These years saw the EPA become recognized as an Agency of experts and respected staff. Since 2000, EPA has seen its mission become less focused and has missed valuable opportunities to become a part of the solution.

The ability for EPA to refine its approach to integrating change is not limited by political ideology. As a scientist and regulator at EPA, I was influenced by Administrator William Reilly (Administrator under President George H.W. Bush). Administrator Reilly established an Agency practice that focused resources on environmental problems that held the greatest risk to public health and the environment while seeking a positive working relationship with industry. EPA was recognized for its achievements, credibility and expertise that continued for a decade.

### Looking to the Future

There is little to be gained from dwelling on the past other than as a lesson for building a positive future. The Administration, Congress and EPA must learn quickly. Serious environmental issues facing us today are not waiting. Public trust is waning. Is there a cost to protecting the environment? Yes, of course. The argument seems to revolve around: Are the costs to business worth the environmental benefits? This cannot be viewed as a partisan political issue. Long-term economic security includes clean drinking water, fisheries, and air.

We all saw reports by the media of the air and water pollution problems in China during the 2008 Olympics. Not unique to China, many developing countries have immature environmental programs that significantly contribute to regional and global environmental pollution. Real progress must focus on these countries while concurrently implementing clean technology in developed countries. The risk to public health and the environment is real. We must use all of our tools to ensure that our economic partners integrate basic environmental programs into their economies. EPA must become a proponent and full partner in this effort.

EPA must reinvest in programs that identify pollution reduction technologies and practices. Expansion of manufacturing using new technologies has left the public and our natural resources vulnerable because the Agency has failed to work with industry to identify chemical and physical impacts to the environment and public health. Industry desires information. Information enhances the integration of sound environmental practices into business operations. EPA must change this lack of focus, reinvest resources in evaluating new and better technology and practices, and build its technology transfer and education program. This is a fundamental change that EPA must undertake.

In the last several years, EPA has taken the general approach of "Ready, Aim, ...." (and then nothing) when developing controls to address identified environmental problems. This inaction can be partially attributed to the effectiveness of special interest groups, working through other federal agencies, to limit EPA's ability to protect public health and the environment. Great science and positive resource protection has been sacrificed, much to the frustration of the Agency and the public. Agency priorities have been couched in complex political language that can support the direction chosen for EPA on any given day. This lack of clarity and inconsistency has degraded EPA credibility with the public and private industry and set a poor model for state and local governments. EPA must clearly communicate its priorities, focus

resources effectively and integrate fundamental change into the organization.

Can the Agency achieve these broad goals? A new Administration and an active Congress moves forward in early 2009. Success may be measured by bipartisan support or bipartisan anger. However, in either case, it will be an exciting time.

### Priorities for the Future

The need for the Agency to refine its mission and integrate changes within the organization is immediate. To achieve this change, the new Administration will have only a short time to define a clear strategy for success. Can fundamental change happen? Yes. New leadership and management at EPA that hold values and a vision to implement change will lead the Agency forward.

#### 1. Administering Environmental Programs

EPA must incorporate its vision and mission into the activities it undertakes. A centralized focus on integrating risk management into decision making must be fully integrated into the Agency organization.

- ✓ Ensure management is accountable for implementing the Agency's vision and mission.
- ✓ Use Agency experts and the Science Advisory Board to prioritize the most significant environmental risks faced by the United State.
- ✓ Remove intergovernmental barriers to the implementation of pollution controls, policy and guidance.
- ✓ Implement risk management to define resource use throughout the Agency's programs.
- ✓ Focus on retaining highly qualified scientists and staff and implemented policies to hire the best qualified candidates.
- ✓ Maintain transparency in Agency activities.
- ✓ Work with Congress and the Administration to maximize a fully involved partnership with other Federal agencies.
- ✓ Support water and wastewater infrastructure funding.

#### 2. Direct Implementation

EPA is charged with implementing and enforcing the laws Congress passed. This is the Agency's primary responsibility. Resources have been redirected away from these activities in recent years. EPA must:

- ✓ Effectively implement and enforce existing laws with special emphasis on high risk public health and ecosystem problems.
- ✓ Ensure that clear expectations are communicated to states and local governments to support their implementation and enforcement of delegated programs.
- ✓ Allow states and local governments to be more protective based upon site specific considerations.

### 3. Technology Development

EPA must realign its activities to identify opportunities to address pollution control technologies concurrently with new manufacturing and business development.

- ✓ Work with business to identify environmental impacts that may result from energy development (e.g. coal bed methane, oil drilling and production, clean coal, oil-shale development, biodiesel, ethanol and other alternative fuels production).
- ✓ Work with businesses that are developing new and expanding manufacturing ventures to ensure that the most cost-effective and targeted pollution controls are integrated (e.g. nanotechnology, solar and wind power manufacturing, pesticide management and pharmaceutical and personal care products).
- ✓ Fully integrate pollution prevention, best management practices and treatment technologies into approaches for preventing environmental problems that pose the greatest risk to public health and the environment.
- ✓ Expand partnerships with universities, government agencies, and private industry to identify existing and developing technologies for pollution identification and control.

### 4. Outreach/International Assistance

Providing technical assistance has to continue to be an Agency priority. This is critical for businesses and public that rely on and benefit from this effort. In addition, the United States is not unaffected by pollutant emissions that occur in other countries.

- ✓ Ensure that EPA staff attend and interact with consumer, non-profit and business groups on the technical and policy issues.
- ✓ Implement environmental training programs for business, government and other regulated entities.
- ✓ Provide opportunities for environmental and management staff from developing countries to receive training on regulatory adoption and program implementation.

Which problems should EPA focus its resources in an economy with limited funding? This is a great question that does have answers. As with other priorities, EPA must have: Leadership, a Clear Mission, and a Strategy for Success.

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