



The Common Sense Initiative



Lessons Learned



About Protecting the
Environment in
Common Sense,
Cost Effective Ways



CSI *Operating Principles*

Participating and communicating in an open, direct, cooperative, and trusting spirit.

Addressing each member's views with respect, and working to build common ground when divergent perspectives are expressed.

Understanding the compromises necessary to reach consensus, and taking care not to misrepresent the views of other parties on any agreement reached or to mischaracterize as final those matters still under discussion.

Seeking to reach a consensus in good faith, asking for clarification, offering alternative suggestions, and listening with an open mind to issues under discussion.

Building relationships with other members that go beyond the tenure of the Council/Subcommittee.

Conducting ourselves and our organizations in a manner consistent with the goals and spirit of CSI, which each member has accepted by agreeing to serve on the CSI Council.



Carol M. Browner

Administrator

*U.S. Environmental
Protection Agency*

Our Bold Experiment

As Administrator of the Environmental Protection Agency, I am pleased to offer this special report highlighting lessons learned from EPA's Common Sense Initiative (CSI).

CSI served as a vital part of the Clinton Administration's efforts to reinvent government, led by Vice President Al Gore. As part of that reinvention initiative, EPA is implementing a broad-based agenda to make environmental and public health protection work smarter, more fairly and more cost-effectively for all Americans. For example, under EPA's new commitment to improving the public's right-to-know, more than 40 million people now visit our websites each month. We've reduced unnecessary paperwork burden associated with environmental regulation by nearly 25 million hours. And we've taken steps like these and others without sacrificing any environmental or public health protection. In 1997 alone, industries and other reinvention partners in EPA's voluntary programs went beyond the requirements of the law and prevented 7.6 million tons of waste and 79 million tons of air pollution from reaching the environment—while saving \$1.6 billion.

CSI has been one of the most significant contributors to this innovation and progress. We designed CSI to take environmental protection beyond the command-and-control, pollutant-by-pollutant approach that has marked it for the past 25 years. The result was a novel industrial sector-by-sector approach aimed at developing more integrated, comprehensive strategies for protecting our air, our water and our land. CSI also promoted unprecedented levels of cooperation among stakeholders—those most affected by environmental decisions, including representatives from industry, environmentalists, and government officials at all levels. In this manner, we avoided the old adversarial approach that produced gridlock in the past.

Based on our experience with CSI, EPA now is expanding opportunities for stakeholder involvement in environmental decision-making. And we are improving traditional EPA functions, such as regulation, permitting, and compliance assistance. By applying the many lessons learned from this unique program, we will ensure that these common sense, cost-effective approaches prevail in developing the next generation of environmental protection.

The success of an experiment like CSI depends greatly on the dedication and hard work of the people who participate. In all, more than 300 people from industry, all levels of government, and environmental and other public interest groups have served in an official capacity on the CSI Council or subcommittees while many more have served unofficially on project workgroups. Each individual has brought a unique perspective and set of experiences that have affected the outcome in some particular way. In the spirit of continued inclusiveness, several participants were invited to offer their views here on what CSI has taught us and what it might mean for the future. These views vary, but they all reveal a common thread that is encouraging and reassuring—a genuine willingness to work toward the cleaner, cheaper, smarter solutions to environmental and public health protection that we all know are possible.

On behalf of EPA, I would like to thank the many individuals that have participated in CSI. After five years of being personally involved in CSI's design, launch and implementation, our work together leaves me confident about our ability to innovate, to find more efficient, cost-effective solutions, and ultimately to build an even stronger system of environmental protection for the 21st Century.

A handwritten signature in black ink, reading "Carol M. Browner". The signature is written in a cursive, flowing style.

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Understanding The Common Sense Initiative



Less than one year after coming to the Environmental Protection Agency, as part of Vice-President Gore's reinventing government initiative, Administrator Browner announced that EPA would launch a bold new experiment. Known as the Common Sense Initiative (CSI), this experiment was designed to test a "fundamentally different system" for environmental and human health protection shaped by the needs of specific industry sectors and other stakeholders.





The Goal

The goal of CSI was to develop cleaner, cheaper, smarter approaches for protecting our citizens and the natural environment. This meant finding ways to overcome the limitations of the current system, in particular, the pollutant-by-pollutant, media-by-media approach to regulation that has evolved under the nation's environmental laws. This approach, which has meant focusing on air, land, and water issues separately, has enabled us to successfully control pollution from large industrial and municipal sources. But recent years have shown its limitations.

We now understand that efforts to control pollution into one medium, such as air, can actually increase pollution into the water or land. A compartmentalized regulatory system has also made it more challenging for facility managers to track, understand, and comply with environmental requirements. Likewise, regulatory staff working within compartmentalized organizational structures have been hindered from seeing environmental improvement opportunities lying outside their traditional realm of responsibility.

A second major constraint has been exclusiveness. In the past, environmental management has been dominated by two parties: regulatory agencies and regulated facilities. As a result, other interested stakeholders have not had access to environmental information, much less an active, meaningful role in decision-making.

Years of gridlock and frustration from dealing with these scenarios have led many parties to ask "isn't there a better way?" Common sense suggests there is, and that is why the Common Sense Initiative was launched. Through CSI, EPA invited many diverse parties to put aside old perceptions and to work together on problem-solving. Participants were challenged to find new solutions that would better address the special needs of industry and concerned stakeholders.

A Unique Process

Six industry sectors were selected to test this new tailored approach. At the time, these sectors comprised 11 percent of the U.S. gross national product; employed more than four million people; and accounted for more than 12 percent of the toxic releases reported by American industry. They were strategically chosen to represent a broad array of industrial challenges. Automobile manufacturing, iron and steel, and petroleum refining were three large, highly regulated industries with a long, and sometimes controversial, relationship with EPA. The metal finishing and printing sectors were chosen to represent small business' interests. And the computers and electronics industry was selected because of its relative newness; many of its processes were not in existence when environmental laws were written and basic requirements set years ago.

From the beginning, CSI was set up as an inclusive forum. Along with industry representatives, environmental organizations, environmental justice and community groups, labor unions, and regulatory agencies were invited to explore innovative reform opportunities. All of these interests brought different perspectives and priorities to the table for discussion. Many industry representatives wanted less regulatory burden and more operational flexibility; environmentalists sought continued tough action against polluters; communities pressed for better information about industries in their neighborhoods; labor unions were concerned about workplace environmental health issues; and state, tribal, and local governments rallied for more efficient regulatory processes. So that all participants would have an equal voice, CSI used a consensus-based decision-making process. This meant that everyone had to agree on a decision before action was taken, a feature that has proven to be one of CSI's greatest strengths and greatest challenges.

CSI was guided by a Council that included senior leaders from all of the stakeholder groups.

Subcommittees were established to explore issues facing each sector. The subcommittees then created work groups to pursue various projects specific to their interests. The results from these efforts were then brought back to the Council for discussion about how they might be used to affect progressive change and improvements. In some cases, the results showed that the time had come to change standard business practices, by industry sectors or by regulatory agencies. Other results pointed to the need for a change in the regulatory framework; in these cases, formal recommendations were presented to EPA with the expectation that regulatory action would be given serious consideration.

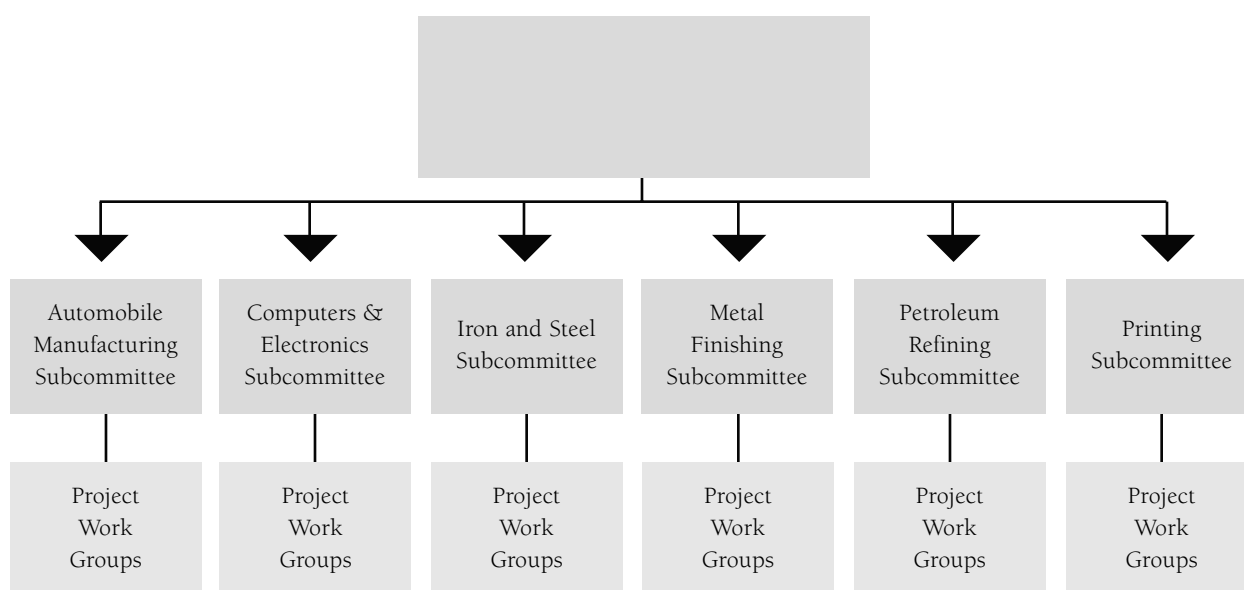
Significant Outcomes

True to its experimental nature, CSI has produced expected and unexpected results. Some results are tangible while others are intangible; some have broad-based applicability while others

affect very specific interests. A comprehensive CSI evaluation, expected to be completed by spring 1999, will present a more in-depth analysis of the work that has evolved under CSI. However, as an Agency at the center of the CSI process, we already see some important benefits that have emerged as a result of the sustained commitment and determination shown by all participants.

First, CSI has significantly improved working relationships among stakeholders, many of whom had only interacted as adversaries in the past. For more than four years, CSI stakeholders worked together to achieve consensus on a variety of issues. The process was slow, sometimes tedious, and always challenging. But it forced participants to listen to others' views and to consider others' special needs and priorities. Even though common ground was not always reached, the experience has shown the benefits that can evolve from a consensus-based process. These benefits include environmental management strategies that are more efficient and effective because those ul-

CSI's Organization



EPA's Administrator and Deputy Administrator co-chaired the CSI Council;
Assistant Administrators, Regional Administrators, and Deputy Regional Administrators chaired CSI subcommittees.

mately charged with implementation have a voice in the development. By achieving buy-in up front and avoiding gridlock, these strategies can also be implemented more quickly.

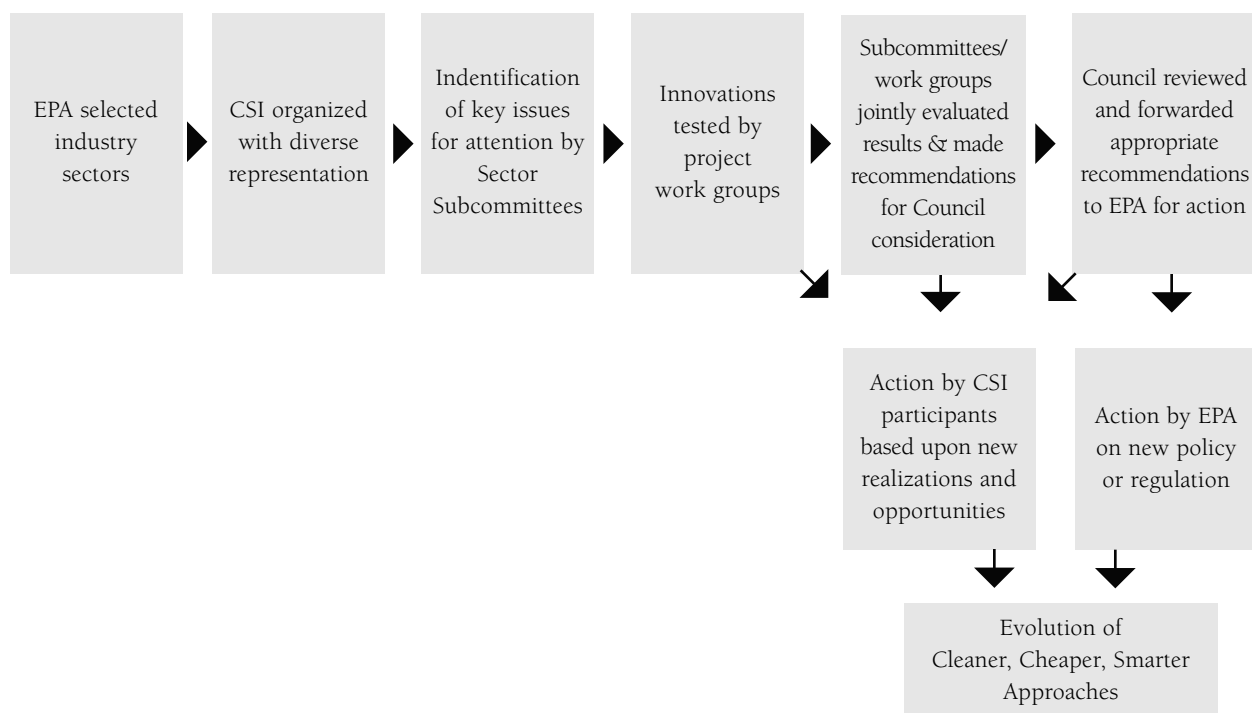
Second, CSI has provided enormous learning opportunities on a variety of environmental, economic, and social issues. The effects of this learning are already being seen in some important organizational decisions by EPA. For example, the importance that all sectors placed on environmental information reforms was one of the key factors that contributed to EPA's decision to create a new Office of Information. Announced this year, this new office will consolidate a wide range of information reforms, including: reducing the regulatory burden associated with collecting and reporting environmental data, filling significant data gaps, and providing integrated environmental and human health information to the public. Recognizing the value that involving stakeholders has added through the CSI process, EPA is carrying out the CSI Council recommendations to

improve opportunities for stakeholders to become involved in environmental issues. An Agency action plan lays out specific steps that should open the door for more frequent and more meaningful stakeholder interactions.

Another distinctive legacy of CSI learning will be the sector-based activities that evolve and grow within the Agency as a result of a comprehensive sector action plan. This action plan, also developed with the CSI Council's guidance, should not only maintain, but intensify, the Agency's attention to sectors that has been given through the CSI process.

A final, broad set of benefits can also be seen from the many pilot projects launched under CSI. As the following examples show, all six sectors can point to notable achievements that will affect the way they do business in the future.

How CSI Has Worked





Metal Finishing

The metal finishing industry and its CSI stakeholders reached agreement on far-reaching environmental performance goals that go beyond what is required by law. Through a new Strategic Goals Program, the industry is pursuing pollution prevention strategies to achieve even cleaner operations—these strategies could cut toxic emissions to air and water by 70 percent (compared to 1992 levels). They have also committed to achieving industry-wide compliance with all applicable environmental requirements, in part by supporting swift enforcement action against firms that routinely fail to comply.

The Strategic Goals program was launched in January 1998. To date, more than 250 companies, 17 States, and 34 local wastewater facilities are participating. All of the stakeholders involved in developing this program agreed to certain actions to support the industry in reaching its goals. For example, EPA, as well as states and local governments, are working with participating firms to define meaningful incentives for companies to continue to improve their environmental performance. These incentives include reduced reporting and monitoring, rapid government response on regulatory decisions, and enforcement discretion for companies testing new pollution prevention technology.

Computer and Electronics

The computer and electronics sector addressed a major solid waste management challenge for its industry — how to handle mounting volumes of outdated computer and electronics equipment. In the



past, recycling this equipment has been difficult because the cathode ray tubes (CRT) used in display monitors often contain lead. Because of this content, EPA's hazardous waste regulations under the Resource Conservation and Recovery Act require that the glass be transported and processed as a hazardous waste. The Computer and Electronics Subcommittee developed a proposal to change this rule so that the glass can be recovered and reused as raw material in CRT glass manufacturing. In addition to increasing recycling and reducing regulatory burden, this change will prevent lead releases into the environment. EPA expects to propose a rule change based on this recommendation in spring 1999.



Automobile Manufacturing

The automobile sector became the first industry ever to make its environmental performance information publicly available. In 1997, a database was created based on envi-

ronmental data from automobile assembly plants and census data for the surrounding communities. Now concerned citizens can go online to find out about environmental performance at specific plants. This new information resource can be accessed from EPA's home page at www.epa.gov/oar/opar.



Iron and Steel

The Iron and Steel Subcommittee recognized a critical need for

better information exchange. In response, they requested that EPA establish special liaisons to answer stakeholder questions about EPA's interaction with the iron and steel industry, to ensure the industry's reform proposals receive prompt attention, to provide the industry with basic information about regulatory requirements, and more generally, to improve communications and understanding among stakeholders. Last year, EPA designated a national liaison at its headquarters in Washington and, based on the large number of mills concentrated around the Great Lakes region, a regional liaison in its Chicago office. By providing direct access to EPA, the liaisons have proven to be a simple but effective way of improving communications and addressing information needs.

For example, in the first year, liaisons facilitated discussions that resulted in one company obtaining more operational flexibility in exchange for more restrictive air permit limits. In another instance, the liaisons quickly provided cost information on cleanup of abandoned plants during negotiations between plant officials and steelworkers union representatives. In an action with broader implications, the liaisons helped resolve industry concerns about testing for dioxin, a human carcinogen found in industrial effluent.

Printing

The Printing Subcommittee developed and is now testing a simpler regulatory "framework" that will ultimately benefit the environment, printers, and the public. PrintSTEP (Printers' Simplified Total Environmental Partnership) tests a variety of new approaches for making the regulatory system more effective, flexible, and transparent for interested parties. PrintSTEP does not change the existing environmental standards for the printing industry. Instead, it changes the *process* of implementing those standards. Key elements of the new approach include: providing a level of regulatory oversight proportional to the level of waste or emissions generated; enhanced opportunity for public involvement; plain language tools to assist printers in understanding regulatory requirements; and a streamlined environmental permitting process.



Petroleum Refining

The petroleum refining industry developed a way to significantly reduce the regulatory burden associated with reporting on air emissions under Clean Air Act requirements. Through a pilot project, the industry and its stakeholders created more flexible reporting schedules and formats. In addition to reducing the regulatory burden, this model reduced regulatory agency review time, and improved community understanding and access to environmental information about the facility. Based on results, the stakeholders made



formal recommendations to EPA on ways to improve reporting efficiency and data accessibility for the refining industry and their neighboring communities nationwide.

Reflections on CSI



In the following essays, individuals representing each of the major stakeholder groups—industry, state and local governments, environmental, environmental justice, and labor—share their views on CSI. They describe what they have learned from this experimental effort and comment on how it might affect environmental and public health protection in the future. Their contributions, which are candid and insightful, represent the views of the individuals; they do not necessarily represent the views of the broader constituencies these individuals represent.



Industry



Dan V. Bartosh, Jr.

*Facilities and Corporate
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Texas Instruments

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I believe the Common Sense Initiative has benefitted all participants. It brought together representatives from the different industries, environmental organizations, labor unions, academia, and state and federal regulators to work toward the goal of cleaner, cheaper, smarter environmental solutions. The most important outcome has been the non-threatening collaboration that allowed us to make recommendations and changes that were win-win for business, the environment, and communities. The collaboration, teamwork, and better understanding of all represented groups' concerns, issues and perspectives have been invaluable and have set the stage for long-lasting improvements.

Several key factors led to successful outcomes. The subcommittee's participants showed an admirable willingness to be honest, open, and fair-minded about the issues under discussion, even when they may have felt strongly about a particular issue. Having a facilitator at the meetings definitely helped the discussion process. So did the flexibility of EPA's participating representatives, who practiced "thinking outside the box." The timely communications and updates that EPA provided were also very helpful in keeping participants informed.

Over time, the diverse stakeholders represented on the Computers and Electronic Subcommittee built strong relationships that I hope will last into the future. Stakeholders seemed very cautious at first, but through the process, trust was built, collaboration became easier, and minds were more objective. Maintaining these relationships will be key if we are to make progress on future initiatives.

While CSI has not significantly affected our business practices, it has led to some changes. For example, working together we found a solution for recycling growing stockpiles of outdated computer and electronics equipment. Recycling this equipment has been costly and burdensome in the past because of the lead content in cathode ray tubes. Our subcommittee recommended changes to the regulations that would make recycling easier. This change, which EPA is working to propose through a regulatory proposal, is an especially important one for our industry. As a result of their involvement in this effort, I believe other stakeholders now have a better understanding of the challenges we face in providing high-quality products for consumers. This understanding may help us collaborate on pollution prevention opportunities in the future.

Based on the experience of the Computers and Electronic Subcommittee, I believe that CSI can serve as a process model for how to move toward cleaner, cheaper, smarter environmental protection. It is a better approach all around than the traditional regulations generated and directed by the EPA and States alone. The only disadvantage to involvement is the time investment required, and the costs for stakeholders to participate.

CSI has been very effective in demonstrating that not all areas of industry can be handled with one size fits all regulation. We have seen that sector-based approaches are a better way to proceed. They are more workable and they can help us get equal or even better environmental results more efficiently. CSI has allowed us to explore issues specific to our sector. I do not believe we would have made any progress had we been part of a larger group focused on more general issues.

The cross-media, sector-based approach of CSI enabled our subcommittee to take a holistic view of industry and stakeholder issues. This approach makes sense and is the way we should do business. A major barrier to using this approach in the future will be getting all the different regulatory agencies working together in a coordinated manner.

As for future experimentation, the CSI process and approach should be used whenever appropriate. Someday, this new model could become common practice for protecting the environment, workers in industry, and communities.



Industry



David S. Marsh

Chairman

*Marsh Plating
Company*

*CSI Council and Metal
Finishing Subcommittee*

*W*hat exactly have we learned from CSI over the past four years? Has it been a success? Is it a model for how the EPA should interact with the industry segments it regulates? Will this type of multi-stakeholder effort work for all types of industries?

In general I would submit that the answer to all of the above is an unqualified yes. This statement however must be tempered by the following covenants.

1. All stakeholders who come to the table must be truly committed to allowing changes to take place, if the changes meet the goals of “cleaner, cheaper and smarter.”
2. All participants at the table must have the ability to make decisions and bind their respective organizations to the agreement reached.
3. The Agency, at both a national and regional level, must be willing to actively participate and promote the suggestions of the Council.
4. The Agency must have the ability to make more efficient and timely decisions with regard to regulatory flexibility.

I became involved with CSI because I saw an opportunity to raise and hopefully address some major shortcomings in the environmental area. My experience in running a business has shown me that “common sense” has often evaded the decision-making process when it comes to environmental regulations. We in industry have had to live with decisions that were made with the best intentions, but with-

out sufficient science or a real understanding of the industries being regulated. Often, suggestions for innovative changes that would on balance improve the environment and health of the country, have been viewed with profound skepticism and as opportunities for backsliding. As a result, we have faced tighter regulations and more stringent controls, without any logic driving their implementation, except the perception that they might be achieved. The CSI process was intended to improve environmental management by reframing these issues and building better relationships among stakeholders. It does advance these objectives, but the hurdles remain high.

I see the CSI process as the best avenue yet developed for bringing all of the various stakeholders together to educate each other. Based on my CSI experience, I believe that this education process has given all the stakeholders a better understanding of each others’ individual goals and thought processes. This understanding cannot help but lead to a better regulatory framework in the future.

I believe that for the CSI process to continue and to be successful, it is necessary for the Agency to become a very proactive participant. The Agency should view the suggestions of the Council with a very open mind. It is certainly the charge of the Agency to protect and improve the environment and public health of our country, and quite frankly, I felt that was the goal of ALL of the CSI Council members. However the Agency must also realize that there are often better, cheaper ways to accomplish these goals than those originally conceived in Washington. When these options surface through venues such as CSI, the Agency should aggressively pursue them. In this way, EPA can meet its responsibilities to improve and protect our environment. But it can also help assure that, to the extent possible, it’s done in a manner that allows our industrial base to remain competitive worldwide.

As we view the relative success of the various CSI sectors, it would appear initially that the small industry sectors accomplished more. However it is my view that this was true because these sectors complied more fully with the first three covenants that I laid out earlier. I would encourage the Agency to continue its efforts to work with specific industry sectors, but to focus on those sectors that are ready for and committed to the goal of constructive change. I would also encourage the Agency to candidly evaluate what mechanisms and tools might be necessary to advance innovation and to take reasonable risk through regulatory actions that deliver real common sense reforms.

So, what have we truly learned from CSI? We've learned that given the right mix of people the process does work. We've learned that across all sectors there are common interests, (e.g., the need for improved consolidated electronic reporting). We've learned that often there is nearly unanimous agreement among the industry, state and local representatives about the need for change and the changes required. Too often, the true impediment to change is the Agency itself. The leadership of the EPA is to be commended for its effort to modify the way the Agency "does business". But for real progress to take place, this willingness to change must be embraced by the entire organization.



For four years, I have served on the Common Sense Initiative (CSI) printing subcommittee as well as the Council. I want to thank Administrator Carol Browner for asking me to serve, and for always being willing to listen to me and to others. I would also like to thank all the people who touched my life, many who were outside of industry. EPA called the CSI participants "stakeholders". Now, I call them "friends."

In the beginning when I was asked to the first CSI meeting at EPA headquarters, many things came to mind. The goal of "cleaner, cheaper, smarter" were words I could and have lived by at my company — Custom Print. But CSI gave me and others an opportunity to take this idea to a higher level. Would the EPA really try to change things and would our industry really have a chance to influence their thinking? If so, that was an opportunity I did not want to miss!

As a result of CSI, EPA, Non-Governmental Organizations (NGOs), environmental justice (EJ) representatives, and other industries got a chance to see inside the printing industry for the first time. Before, they were familiar with our products, but they didn't understand the process for creating them. We had an opportunity to show them a great deal about how we operate, including how we try to prevent pollution and go beyond what EPA requires.

In meeting after meeting, I saw barriers between people come down. Trust developed and partnerships formed. The idea of leaving the ego at the door and coming in to work on projects made a big difference. So did having strong facilitators, such as Greg Bourne, Tom Fee, and Debra Nudelman, who kept us on track and pushed us toward our goals.

Most important to me were the lessons learned from my fellow representatives. I did not know what "EJ" stood for until I met Dr. Ely Dorsey and Dr. Bob Collins. Now that I understand this issue, I have become a believer in and advocate for community involvement. After meeting Velma Smith from Friends of the Earth and Carol Andress from the Environmental Defense Fund, I now have a better understanding of issues that are important to environmental groups. Before meeting Jeff Adrian from the John Roberts Company, I did not know other printers that thought as I did. Until I met Marcia Kinter from the Screenprinting & Graphic Imaging Association, International and Mark Nuzzaco from the National Association of Suppliers of Printing and Publishing Technologies, I saw industry trade association professionals as all the same. As for EPA, I saw it as a rule-making organization that did not truly

Industry



**C. Stuart
McMichael**

*Executive Vice-
President*

Custom Print, Inc.

*CSI Council and
Printing Subcommittee*

understand the printing process, until Mike Stahl and Steve Hermann — two of its senior executives — came and toured my plant to see printing in action.

The experience of CSI has impacted me in many ways, some visible, some not. On a personal level, I learned that when all parties join in on the dialogue, a better answer comes forth. It really is true that two (or more) heads are better than one. From a business perspective, it was heartening to see other participants' engaging on issues that those of us in business wrestle with everyday. The PrintSTEP project, for example, focused us on finding ways to do away with paperwork requirements that burden printing companies, but do not add value for the environment.

I participated in CSI because I am a businessman who cares about people, the environment, and doing a good job. I wanted to understand the issues that relate to and affect my industry. CSI gave me and others in the printing sector an opportunity to take on tough issues, such as community involvement and cumulative exposure; to push through tough decisions; and to come up with a better way of doing business.

We must keep reaching for a better way. If we can work together and learn from our experiences, including the difficulties and mistakes, we can make progress. I am proud to have been there when some important steps were taken.



*M*y experience with the Common Sense Initiative (CSI) was gained, primarily, from the time I spent with the Iron and Steel Subcommittee, and only recently with the Council. Without doubt, this has been one of the most significant adventures in my career: the opportunity to work with high-level state and federal environmental professionals, with national and local environmental activists, and peers in industry. The common goal went beyond the “cleaner, cheaper, smarter” outline provided by Carol Browner when she announced the CSI; rather, seeing the impact of our operations through other eyes. Interestingly, all the stakeholders seemed to have similar vision problems: myopia, presbyopia, and every other “opia” known to exist. However, when we all sat down, and put our corrective lenses on, we were able to bring several issues into focus.

The most important outcome was establishing methods for attacking “stupid,” nonsensical rules, policies, and other prohibitions that limit environmental progress in the United States. Whether improvements occur by setting up lines of communication between industry and local activists, or by incorporating some of the “lessons learned” into daily Agency practice, or any other manifestation, there is a strong desire to achieve environmental progress.

Another important outcome was improving understanding among diverse interests. I was heartened to see that through CSI, the environmental activists understand the reality that industry people have hearts and souls, that they do care for the environment and not just maintaining the status quo. My personal views were expanded, too; before participating in CSI, I viewed a permit as a simple, bilateral agreement between the company and the Agency. I now see it as an opportunity to involve local affected people so that they can be supportive of our plans for improving the quality of life in the affected community.

Industry



Michael S.
Peters

Manager

*Environmental
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*CSI Council and Iron
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Key factors that led to successes were (1) education, knowledge and information sharing, (2) trust, (3) a willingness to make tough decisions, and (4) strong Agency support for innovation. Regardless of who raised an issue or idea, the information transfer that was involved created a “no holds barred” atmosphere. Many times, lack of basic information and understanding prevented progress. Once this obstacle was cleared away, progress was made.

The trust issue was the result of years of misinformation and old prejudices. It was not completely overcome, but it was at least recognized as a major factor. The interpersonal relationships that were developed should help build this trust on a larger scale.

Decision making skills were not always used in the early months and clearly jeopardized the outcome. When all parties became willing to take a leap of faith and make a decision based on their best judgement, without needing to have the unconditional support of their constituencies, progress was made.

The support of the U.S. Environmental Protection Agency and all the participating state agencies was also crucial to progress. By the end, even EPA’s most traditional staff in enforcement seemed to support a more cooperative rather than dictatorial, retributive, punitive approach seen at the beginning of the CSI discussions.

There will be several long-term implications from the CSI process. The personal relationship between stakeholders will continue. We have already seen positive results from those relationships in on-going efforts of individuals, facilities, and trade organizations. Business practices, especially of the participants, may not appear to change much, unfortunately, to the unknowing eye. However, the “cleaner, cheaper, smarter” concept is imbedded into environmental planning and thought process; business feels freer to critically evaluate old paradigms of both pollution prevention and regulatory compliance.

The agency’s efforts to incorporate sector based approaches, when appropriate, is also worthwhile. The iron and steel’s liaisons within EPA, Ed Wojciechowski and Bill Sonntag, have been very beneficial to all stakeholders. Regardless of the issue or stakeholder group, having these people to talk to, the benefit of their technical experience and contacts, and their ability to see beyond bureaucratic gobbledegook, can only add to our progress over the next years. Although I have some personal reservations as to the extent the Agency can apply sector based approaches, whenever they can be implemented will be useful. Certainly, the sector based approaches will allow for more information sharing and opportunities for productive dialogue among all stakeholders.

Multi-media approaches have long been sought by industry as business-friendly. In the interest of complying with congressional or court-ordered time limitations, EPA has promulgated single-media rules instead. As a result, the instances where the Agency has forced cross-media impacts, without fully recognizing these impacts, are numerous. Now, having learned much from this process, stakeholders can better understand these unintended impacts and may be more willing to consider regulatory revisions.

Regardless of the approach we take in the future — single media or multi-media—the greatest opportunities for environmental improvement may be behind us. We’ve come a long way in learning to prevent and control pollution from our operations. The next increments of improvement will be harder to obtain. Certainly, as science and health research advises us of new impacts, the U.S. manufacturing sector will need to address the concerns. But, it is time for society to realize its own — as in “each individual” — responsibility for causing many of today’s problems, and ultimately finding workable, effective solutions.



State
Government



Rick Reibstein

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The Common Sense Initiative was a breath of fresh air that gave me hope about the ability of government to reform itself for the better, and the potential for productive discussion about contentious issues by people with radically different perspectives. Saying this is not to deny that CSI was a great deal of hard work and at times was frustrating to the point of exasperation. But I have been with it from the beginning, and when I place it in the context of the years I have spent in government service or working with government from the outside, it shines as an example of good faith, intelligent intent, and earnest effort. I am proud to have been part of it.

I think CSI should be evaluated in two ways. One is to look at the specific, tangible products that were produced. The other is to consider the ideas that were raised, but which never achieved the status of completion as a proposal ratified by the CSI Council.

I think that few could reasonably argue with the contention that many excellent products have come out of CSI. From my experience with just one sector, I know that the Electronics and Computer Subcommittee has helped EPA to address the fact that for years, many of its policies and interpretations were simply unknown to the public. The work of the subcommittee's Enhanced Public Access Task Force promises to result not just in greater public knowledge, but in the reconciliation of conflicting policies as well, and a more effective policy-making process. Similarly, the subcommittee has produced examples of simplified, clarified, and unified reporting mechanisms (CURE and BOLDER), which will reduce costs for all. These show the public that reinvention is not the same as deregulation:

the idea of CURE is not just to make it easier for business to report, but also to provide for better access to better information. The idea of BOLDER is to ensure that the information leads to more effective programs — in this case the all important area of improved emergency response.

Personally, I am particularly proud to have been part of the work involving Electronic Product Recovery and Recycling (EPR2). This term has, to a significant extent, now replaced the old terms “End of Life Electronic” products, or “Disposition” of electronic waste, signaling a shift in consciousness. And the various recovery and recycling efforts either conducted, sponsored, or analyzed by CSI were tangible manifestations of that shift. We now have evidence that people want to recycle old computers rather than have them landfilled or incinerated, and proof that recycling is neither economically nor technically impractical. Most importantly, perhaps, the EPR2 round table — set up, through a cooperative agreement between EPA and the National Safety Council, to serve as a continuing forum on EPR2 matters — is a successful replication in the private sector of the multi-stakeholder, CSI approach to problem-solving.

But it is also important to look at the lesser known and incomplete work of CSI. Our subcommittee's work group on alternative strategies proposed a description of a performance-based alternative to the current regulatory system. This excellent summary of principles went virtually unnoticed, but when the Aspen Institute produced a very similar product a full year later, it received wide national attention and praise. This tells me that our views were on target, striking a common chord that resonates with many diverse interest beyond our own sector subcommittee.

With regard to unrealized opportunities, many regulatory barriers to pollution prevention, recycling, and environmentally beneficial activities were raised in the first few Electronics Subcommittee meetings. Only a limited number of these barriers were addressed. To reach the point of constructive detailed recommendations — such as was achieved in the recommendations that were made for streamlining rules that have hindered recycling of leaded

Cathode Ray Tube glass—more expertise and background studies were needed. Our proposal for reducing the barriers that inhibit our industry from using zero wastewater discharge systems is an example of an issue where we did make progress and will offer a recommendation for action. But, we know it still needs more specifics to realize the full potential that exists.

There are at least two lessons to be learned from our subcommittee's list of outstanding issues. First, there is much work that remains to be done, and the CSI approach—with some streamlining of process—is a way to get it done right. The second lesson is even more fundamental. Everyone knows there are representatives of business interests who seem to want to remove restraints to free enterprise without regard to environmental ramifications. But not everyone seems to appreciate that there are business people who have legitimate points to make about how regulations work and don't work. Every item on our list of outstanding issues, it seemed to me, was one that any true-blue environmentalist would agree needs attention. I consider myself a die-hard environmentalist, and I was glad to meet and come to know the business people in the group—and to work with them and the others toward making environmental rules work better for all.



As a member of the Common Sense Initiative Council and Metal Finishing Subcommittee since the “beginning,” I have had the unique honor and privilege of being the only local government representative on the Council and the first Publicly Owned Treatment Works (POTW) representative on the Metal Finishing Subcommittee. My appointments were based, in part, on my affiliation with the Association of Metropolitan Sewerage Agencies (AMSA) as Chair of the Pretreatment and Hazardous Waste Committee. Although I was privileged to be the only local government representative on the Council (until Doreen Cary went to work for Gary, Indiana), this fact points out that stakeholder representation was not sufficiently balanced. What was perceived to be preference given by EPA to environmental group representation on the Council, created a sense of “stacking the deck” among other stakeholder groups. This perception became one of the barriers to building consensus and unfortunately slowed the process. The Agency must be very careful to ensure that proper balance of membership is achieved in similar reinvention forums, such as FACA committees, in the future. All stakeholders should keep in mind that the “bulk” of daily environmental regulation and compliance activities occurs at the local level, not at the state or national level. The people “in the trenches” know best how to design and build them.

I can say without hesitation, that having lived through the whole CSI experience at the Council and Subcommittee level has helped me grow professionally and personally. Seeing people of totally divergent philosophies and beliefs change from bitter enemies to respect each other professionally and even to develop personal friendships, has been worth the associated pain of that development. This benefit has been much of CSI's true worth. These professional trusts and personal friendships will go on long after CSI ends and must continue to be forged in future reinvention efforts, if we are to find more effective ways to use limited resources for environmental protection and enhancement.

Local Government



Guy M. Aydlett

Director of Water Quality, Hampton Roads Sanitation District

CSI Council and Metal Finishing Subcommittee

Much of the credit for the successes of CSI is due to the hard work and dedication of EPA headquarters and regional staff. I have truly been inspired by their dedication to purpose, constant effort at building consensus, and desire to develop better environmental protection and enhancement tools. I have a tremendous respect for the job that they do.

As we look toward the new millennium, we must continue our reinvention efforts. The excellent projects and programs that have been instituted under CSI, including the Metal Finishing Strategic Goals Project; PrintSTEP; numerous reporting and streamlining projects, such as RIITE; focused regional enforcement initiatives; burden reduction efforts; and others too numerous to mention should be used as models for the future. Inventive approaches to achieving environmental goals, such as Best Management Practices, and multi-media considerations in rulemaking and problem solving, will be keys to future success. The proposed Sector Based Environmental Protection (SBEP) plan appears to be a logical next step and I pledge my support. However, providing appropriate statutory and regulatory changes to facilitate experimentation and implementation of new environmental protection and enhancement tools such as SBEP, must be given the highest priority by the Agency.

We look to EPA for leadership and must see the Agency as a cohesive unit. Unfortunately, some headquarters and regional program offices still have not “bought in” to the reinvention effort and are perceived by some stakeholders as obstructionists, rather than facilitators. Their reaction is, “we can’t,” rather than “how can we?” This perception, even if somewhat misguided, must be addressed by EPA senior management. This effort is the real challenge for the future and must have the support of stakeholders as well as EPA. Let those who would continue to “live in the past” be left there.



NRDC joined the Common Sense Initiative (CSI) with a goal of exploring new ways of improving environmental quality, while ensuring that our current system of environmental protection was not weakened. Our motivations were twofold. First, we supported Administrator Browner’s efforts to explore alternative ways of making environmental laws work better for everyone. Second, we were interested in seeing whether the sector-specific work could result in significant pollution prevention gains. As with all committees, we found progress in some cases, less in others.

CSI underscored the value of in-depth sector work — of looking at how regulation and economic realities affect the ability of a particular industry to prevent pollution while staying competitive. Through NRDC’s participation in the Metal Finishing Subcommittee, we worked intensively, over a three year period, with four metal finishing CEOs, two labor union representatives, four fellow environmentalists, and four state and local government leaders. As a result, we got a broad array of viewpoints on this industry’s environmental progress and challenges.

In the area of cross-media policy, CSI gained ground. The CSI Council was a “must-attend” event for EPA’s top-ranking officials in each office to talk openly about pollution prevention opportunities such as multi-media permits. It was extremely valuable for the Assistant Administrators for Air, Water, and Pollution Prevention to sit at the table and interact on issues of import to all of them. It was also valuable for the other stakeholders to engage with these top-level decision makers. In addition, as the dialogue became more open, relationships developed

Environmental



John H. Adams

President

*National Resources
Defense Council*

*CSI Council and Metal
Finishing Subcommittee*

among the stakeholders that will be carried over to arenas beyond CSI. These relationships will provide continuing opportunities to look for the best strategies to improve environmental protection.

CSI demonstrated the value of cross-cutting pollution prevention opportunities that could simultaneously benefit multiple industries and businesses. For example, the “Access to Capital” seminar initiated by CSI, in which business owners in the metal finishing and printing sectors engaged in dialogue with insurance brokers and bankers, highlighted the barriers to pollution prevention investments for small businesses. As a result of this project, the banking and insurance industries are forming new partnerships with these industries to improve access to financial capital for pollution prevention investments.

Another example of cross-cutting policy and regulatory changes that can benefit U.S. industries are the streamlined reporting efforts engendered by CSI. If there were truly redundant reporting requirements that were burdening industry while not creating any new information or any environmental gains, NRDC, through its membership on the CSI Council, challenged industry to point them out and then supported their elimination. The metal finishing and electronics sector CSI subcommittees initiated impressive paperwork streamlining pilots in Arizona and Texas. Such streamlining frees up industrial managers to spend time and energy on real pollution prevention work. The pilots have already borne fruit and changes are being made in those states.

NRDC, like all public interest non-profits, has limited staff who are spread very thin. This limitation meant that we were not able to participate as extensively as we would have liked. We were represented on the CSI Council and on one of the six sector subcommittees. In future initiatives we recommend that EPA create a much more narrowly focused agenda and fewer individual sector groups — perhaps two or three targeted sectors, rather than six, that would allow NRDC and other NGOs to be more fully engaged.

We were disappointed that regulatory strengthening was not championed by EPA during the early CSI discussions as a crucial tool for pollution prevention. Anti-regulatory views set the tone at too many of the early CSI discussions. In this atmosphere we were forced to settle for attempts to wring the most environmental benefit possible out of non-regulatory alternatives and various streamlining and reform proposals. Our point is not that these latter proposals are meritless, but rather that the lack of support for regulatory approaches unduly constricted the available policy options. Regulatory tools need to be on the table for strengthening as well as for the occasional pruning.

We embarked on the CSI experiment hoping that it would spark pollution prevention changes at EPA and in U.S. industry. The experiment was partially successful and tangible results are starting to take shape. On the other hand, CSI tended to have undefined goals and objectives, too many sector groups, and far too many projects within some of the sectors. In future efforts, we will look for a narrower and more clearly defined mission, a pared-down, focused effort. In this way, EPA's future experimental efforts can build on the lessons of CSI, and a growing set of lessons learned can contribute positively to evolving environmental policy.



Environmental Justice



**Robin Morris
Collin and
Robert W.
Collin**

Professors

University of Oregon

*CSI Council and
Printing Subcommittee*

The CSI experience has been a journey, rather than simply a destination; it was about a process, not just a resulting product. CSI was a bold experiment in inclusionary environmental decision making. It was like resetting a table that had previously been set for two: namely government regulators and regulated industries. CSI achieved many outcomes, including new approaches, improved relationships among various stakeholders, and increased capacity and will to change the way we go about protecting the natural environment and the resources it provides for this generation and the next.

Participating in CSI wasn't easy, and it wasn't always pleasant. Printing subcommittee participants experienced the strength and creativity of a heterogeneous group, but we also felt the difficulties of communicating across racial, cultural, and class lines. We experienced a real sense of achievement from the careful choices made by the subcommittee as a whole, but along the way we confronted the reality that there are no easy answers to complex questions involving economics and pollution. And while we came to the table as representatives of specific organizations, businesses, and regulatory agencies, we all came to see how communities are the ultimate stakeholders. Communities are, after all, where all of us live, work, and play.

Achieving and maintaining balance and diversity in stakeholder representation is very difficult in forums like CSI. For us, this raises a larger issue of how difficult it can be for grass roots community activists and working people to be players in the same arena with industry and government. If working people take time away from work to participate in a multi-stakeholder forum, they do not get paid when they don't work. If travel is necessary to have a voice in such a forum, travel funds are often a problem. The fundamental question for us is: How do we ensure the community's right to speak for itself does not get lost when ordinary people don't have enough time and money to contribute?

We believe the PrintSTEP Program developed by the CSI Printing Sector Subcommittee will help safeguard the ability of communities to speak for themselves, especially those who are disproportionately affected by environmental impacts. PrintSTEP — which stands for “Simplified Total Environmental Partnership” — spells out a series of steps for the printing industry to follow to both improve their performance and increase public involvement. In addition to provisions such as siting pilot printing projects in areas already studying cumulative emissions and impacts, the PrintSTEP Program sets out steps for appropriate public notices, meetings, and follow-up actions.

If communities do not have access to an open forum like CSI, they have limited means for raising concerns about environmental decision making that affects the lives of community members — such as courts, streets, and legislatures. These forums have extensive costs for stakeholders in the community, and they place ordinary citizens at a disadvantage. These are advocacy-oriented and adversarial processes that do not encourage community involvement in environmental decision making.

Today's environmental decisions set the stage for the next generation of environmental decision making. Having served on the Printing Sector Subcommittee, we feel privileged to have been part of the decisions that resulted in the PrintSTEP Program methodology. The program includes planning for environmental justice concerns and in doing so contributes to long-term environmental sustainability.

It will take time to realize the intangible benefits of CSI — breaking down barriers to communication, getting to know other stakeholders and building mutual respect, and thinking past false choices such as jobs or the environment, profits or people, black or white. In a heterogeneous society like ours, these achievements may be the most significant over time.

These achievements are difficult to measure. In general, as a society, we supposedly measure those things we

most value. Unfortunately, we do not have ways to measure things like the value of respecting complexities in our ecosystems and communities or of building the capacity of a community for open, participatory decision making.

If we do value these things, we must search hard for a way to measure and express that value. We also need to institutionalize respect for full community involvement in environmental decisions that affect the lives of all of us and those of our children. We will then be able to make tangible progress toward protecting what we all treasure most: clean, healthy places to work, live, grow, and enjoy.



CSI was a learning experience and an arena for building trust. The Iron and Steel Subcommittee, of which I was a member, brought together interest groups who previously encountered each other only in tense circumstances, such as a court of law. CSI gave us a chance to sit and listen to others' perspectives, without pressure to defend our specific interests. In the long run, the iron and steel industry will benefit from the learning experience that CSI provided. It seemed to me that different interests came to understand the problems and issues we face in managing our operations. Likewise, we in industry came to understand others' concerns.

With the help of facilitators, the different parties were able to smooth over rough spots, gradually build a baseline of trust, and work toward compromise. Early on, our subcommittee made good progress. However, after a certain point, we got into tougher issues and found it much harder to find a middle ground. Looking back, I think there may have been some imbalance among the interest groups represented. There was a tendency for some group members to stick together as a kind of united front, making it harder to reach a compromise. In order for diverse forums to work, balanced stakeholder representation is critical.

Our subcommittee did make progress, although it was slow and we ran into difficulties along the way. I'd like to mention two of our successes. One was our proposal that EPA designate liaisons — single points of contact for industry sectors — to make it easier for industry and other stakeholders to get needed information about environmental regulations and related matters. EPA's national iron and steel liaison and his regional counterpart in Chicago have been very helpful in this regard. Perhaps EPA could provide more liaisons for regions, such as the northeast, where iron and steel companies are located.

Another success was our subcommittee's Community Advisory Project. In the fall of 1996, we created a Community Involvement Task Force to look into ways of promoting better dialogue between iron and steel mills, their employees, and the communities where they are located. The task force established a set of principles to guide this dialogue. These principles include open and honest communication on issues of concern to stakeholders; respect for stakeholders' positions; long-term commitments to build relationships, resolve issues, and implement agreements; and equal treatment for all participants in stakeholder processes. As it turned out, finding a company to initiate this type of dialogue was not easy. Ultimately, Bethlehem Steel of Burns Harbor, Indiana, stepped forward, and a Community

Labor



Frank P.
Grimes

*United Steel Workers of
America*

*CSI Iron and Steel
Subcommittee*

Advisory Committee was formed. The dialogue that began nearly two years ago has proven helpful in many ways, such as the decision to develop measures that would allow citizens and other interested parties to evaluate the company's environmental performance.

On a personal level, I gained a tremendous amount of knowledge about the iron and steel industry by participating in CSI. This knowledge helps me in my role at the United Steel Workers of America, where I deal mostly with worker safety issues. I also learned a great deal about EPA's role in relation to the industry and the complexity of environmental laws. And thanks to the technical assistance that was provided, I have improved my skills in reading and understanding technical data. I'm more aware of elements and trends in the industry and understand the options available for dealing with problems. In fact, CSI has been such a valuable learning experience that I now highlight it on my resume.

On the topic of technical assistance, I am eager to see EPA follow through on a suggestion to develop a web page devoted to specific industry sectors, like iron and steel. This type of web page could be an invaluable tool for accessing information on environmental regulations and other related issues.

Thinking back on the CSI experience, I see the effort as the beginning of a movement toward more collaboration on environmental matters. Over time, I believe this development will prove very worthwhile for all of us.



Recognizing the People Involved

Hundreds of individuals— in and outside of government— have contributed to CSI since it began. In addition to the many individuals that have worked on various work groups, more than 300 individuals were invited and have served in an official capacity through participation on the CSI Council or one of the six sector subcommittees. These official representatives are acknowledged on the following pages. Together, they highlight the diverse membership and inclusive design which have made CSI such a unique forum. They also underscore the significant contributions of time and energy that so many people have been willing to offer to advance “cleaner, cheaper, smarter” approaches to environmental and public health protection.

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*DFO stands for Designated Federal Officer

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