



GOINGS ON

RFF Workshop Explores the Effectiveness of State Environmental Initiatives

State governments have made significant strides in environmental policymaking in recent years. Recent innovations at the state level run the gamut from permitting and pollution prevention programs in New Jersey, Wisconsin, and Massachusetts; to emissions trading schemes in California and Michigan; and voluntary compliance initiatives in Colorado, Illinois, and Missouri.

RFF held a workshop January 11 that provided visibility to a sampling of these initiatives, and offered a forum for government officials, environmental advocacy organizations, major business firms, and others to discuss their effectiveness. The event, organized by RFF's **Center for Risk Management**, drew more than 125 guests.

Representatives in attendance from several states lauded their regulatory initiatives as being more cost-effective and flexible than conventional command-and-control policies that form the basis of much of the federal government's approach.

Many of the programs presented at the workshop revealed significant environmental improvements. Massachusetts' Environmental Results Program, for example, has encouraged 80 percent of participating dry cleaners and photo processors to reach facility-wide compliance with applicable environmental standards through an annual process of self-certification, rather than through a case-by-case permit process administered by the state.

Another state initiative, New Jersey's Facility-Wide Permitting Program, attempted to integrate materials account-



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Carolyn E. Apostolou, of the Senate Appropriations Committee staff, speaks about state environmental initiatives.

ing and pollution prevention in the permitting process. By tracking substances that facilities use through each step of a process, unknown sources of nonproduct output were found. At one participating metal press, for example, representatives from the New Jersey Department of Environmental Protection found that 101,000 pounds per year of air pollutants were emitted that had not been accounted for previously.

Jay Benforado, deputy associate administrator for EPA's Office of Policy and Reinvention, agreed that such permitting programs seem to be effective in solving some environmental problems, but expressed concern that legislation within individual states may not contribute to a broader system change, one that encourages people to comply with environmental regulations because it is the right thing to do, not just to comply with the law.

Additionally, some who attended the workshop expressed concern about the as-yet undefined role of public participation in many of the new innovations, about who is responsible for enforcement, and about what is being done to assess the outcomes of the new programs. Speakers pointed out that these initiatives should include an evaluation component that allows policymakers to decipher what works and what does not, because many of the initiatives are largely new and experimental.

Robbie Roberts, executive director of the Environmental Council of States, argued that a pervasive skepticism towards changes in the environmental regulation infrastructure has generated many questions about these state innovations—including some that are not asked of existing programs.

Speakers in the concluding panel of the workshop agreed

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Steve DeGabriele, director of the Business Compliance Division of the Massachusetts Department of Environmental Protection, touts that state's Environmental Results Program.



that a restructuring of the existing environmental regulatory system is in order. However, Rena Steinzor, associate professor at the University of Maryland School of Law, noted that it would be very difficult for state and federal governments to reach a consensus on exactly how the infrastructure should be changed. ☞

RFF to Examine Future Costs of Superfund

RFF has launched a year-long study that will weigh in on one of the most contentious issues in the recent congressional debate about Superfund: just how much money EPA needs to cover the costs of implementing the program. Congress has asked RFF to estimate the likely costs of the Superfund program to the federal government through 2010, and to detail the uncertainties in estimating these costs.

RFF researchers, led by Senior Fellow **Katherine Probst**, will examine the annual and cumulative costs to the federal government associated with administering and implementing the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly known as Superfund, which was established in 1980 to give the federal government the legal authority—and the financial resources—to clean up contaminated sites across the country.

Congress identified six key components of the program to

be included in RFF's study. These include the costs to EPA of completing work at all sites currently listed on the National Priorities List (NPL), which now totals over 1,200 sites; the costs associated with additions to the NPL anticipated for fiscal year 2000 through fiscal year 2009; the costs associated with federal expenditures for the operations and maintenance at both existing and new NPL sites; the costs of emergency removals; nonsite specific costs assigned to other activities, such as research, administration, and interagency transfers; and the costs associated with five-year reviews at existing and new NPL sites. The study will culminate in a report to be delivered to Congress by the end of the year. ☞

Fostering Interest Group Participation in Russia...

The development of environmental regulations in the United States is often the product of an intense—and occasionally contentious—public process. Many argue that this approach ultimately helps create “buy-in” from disparate interest groups and helps produce policies that are more responsive to the public's concerns.

Such a tradition does not exist in Russia, where the people's historic relationship with government and the nature of the nation's infant democracy act together to limit the number and types of people involved in environmental regulation. Russian environ-

mental actions are crafted by a smaller and more scientific or technically oriented group of experts, which may create problems when it comes time for implementation.

RFF Visiting Scholar **Ruth Greenspan Bell** and Fellow **Kris Wernstedt** hosted a two-day workshop in November that explored whether the kind of interest group involvement common in the United States may be fostered in Russia. Organized jointly with the Moscow-based Center for Russian Environmental Policy, the workshop featured an in-depth look at a voluntary pollution reduction plan in the Chesapeake Bay watershed that promotes vegetated buffer strips along shorelines and riverbanks to reduce the nutrients that flow into the bay and to improve habitat quality. This example was examined because of the prominent role environmental and other interest

groups played in shaping it and because it was thought to have the greatest resonance for our Russian partners and their experience.

Both sides agreed that the workshop provided a useful first step in exchanging ideas about how to achieve effective environmental protection. The many challenges facing Russian leaders, however—from the financial to the political—make the implementation of any new regulatory approaches especially difficult. ☞

...And Helping Progress in the Former Soviet Bloc

Environmental progress has also been idiosyncratic since the fall of the Berlin Wall in the countries emerging from the Soviet Bloc, noted **Bell** in an essay prepared for the U.S. Agency for International Development (USAID). Now with the prospect of accession



Americans and Russian participants explore environmental progress on the Chesapeake Bay.

RUTH GREENSPAN BELL

to the European Union (EU) looming, many of these countries are faced with the difficulty of living up to EU environmental requirements.


Bell's essay, prepared along with the work of other scholars to mark the tenth anniversary of the fall of the Berlin Wall, argues that advice from western Europe and the United States has helped accession countries to write new environmental laws, but implementation of these laws has lagged, particularly in those countries that have had little experience with functioning, law-based societies.

One flaw of past assistance programs has been that they are devised with a largely western assumption in mind: that law is inherently and widely respected as a vehicle for social change. When countries in transition attempt to implement new policies simply through legal mandates to citizens suspicious of laws in general, often they have not been successful. The principal experience of these populations has been with laws that lacked basic legitimacy; thus, the simple introduction of new laws in the absence of a culture of compliance is not effective. However, among those countries where pre-Soviet, law-based societies *have* been revived, legal reform can be an effective policy tool, Bell said.

To reflect this reality, international assistance should be closely tailored to the targeted country, Bell said. More traditional legal assistance is appro-

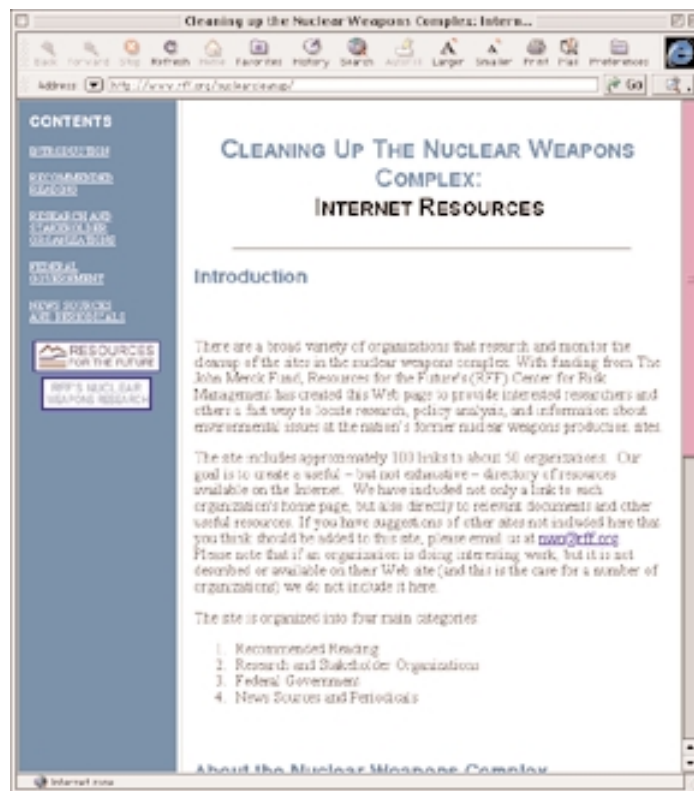
priate for countries with developed legal systems. In other countries, to try to inculcate respect for laws over the long term, there should be greater emphasis on implementation projects that are rooted in value systems, traditions, or needs of the community rather than centrally formulated laws.

One example of such a program, the Armenian Tree Project (ATP) of the Armenian Assembly of America, uses practical rather than legal measures to replace trees lost during the early-1990s Armenian energy crisis. As communities prove they can foster the growth of trees received from ATP, they are given informal incentives to continue meeting the goals of the program, such as additional trees, recognition in the form of donor visits, and marketing assistance for fruit farmers. As a result of ATP's emphasis on solutions based on value systems and community needs, more than 200,000 trees have successfully been planted in Armenia.

 Bell's essay and those of other participating scholars can be found at <http://www.envirodialogue.net/legpol.shtml>.

RFF Launches New Internet Site on Cleanup of the Nuclear Weapons Complex

In an effort to help researchers, policy analysts, and others find information about environmental issues at former nuclear weapons sites, RFF has created a Web site that pulls together



information from approximately 50 organizations—from the federal government to local community groups. The site can be accessed directly at <http://www.rff.org/nuclearcleanup>.

More than 50 years after the U.S. Department of Energy (DOE) and its predecessors began to fabricate nuclear weapons, DOE's Office of Environmental Management now is charged with cleaning up dozens of large, unusable tracts of land containing huge volumes of hazardous waste. It has been called the largest environmental project ever undertaken in the United States.

RFF's new site tracks the organizations and agencies that

have sprung up to research and monitor the cleanup. It includes links to important home pages of research and stakeholder organizations and relevant federal agencies and departments, as well as to a number of significant documents, news sources, and periodicals. 