



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

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OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

SPEECH

SUBJECT: EPA Release for Press and Environmental Groups
FROM: John Peter Suarez
TO: EPA Release for Press and Environmental Groups, Washington, DC

ECHO TALKING POINTS

-THANK YOU FOR JOINING US TODAY TO DISCUSS THE RELEASE OF A PILOT FOR ENFORCEMENT AND COMPLIANCE HISTORY ONLINE, ECHO. I'M JP SUAREZ, EPA ASSISTANT ADMINISTRATOR FOR ENFORCEMENT AND COMPLIANCE ASSURANCE.

-WE HAVE INVITED YOU TO SEE FIRST HAND WHAT ECHO CONTAINS, HOW SEARCHES CAN BE DONE, AND TO TALK A LITTLE BIT ABOUT WHAT WE THINK THE BENEFIT OF THE SITE WILL BE. THE SITE WILL BE RELEASED AS A "PILOT" ON NOVEMBER 20TH.

-THE PILOT DESIGNATION UNDERSCORES THE POINT THAT WE DO NOT CONSIDER THIS A FINAL SITE UNTIL WE HEAR WHAT THE PUBLIC THINKS

ABOUT IT, AND PROVIDE A MEANINGFUL DATA QUALITY REVIEW FOR REGULATED FACILITIES. THOUGH EPA AND THE STATES HAVE THOROUGHLY REVIEWED THE SITE FOR DATA QUALITY, WE DO HAVE INFORMATION FOR MORE THAN 800,000 FACILITIES IN THE SYSTEM. EACH FACILITY COULD HAVE MORE THAN 100 DIFFERENT DATA POINTS SHOWN IN OUR REPORTS. WE THINK IT IS PRUDENT TO PROVIDE AN ONLINE REVIEW OPPORTUNITY BEFORE CONSIDERING THE SITE FINAL.

-WE HAVE CAREFULLY MARKED THE SITE AS PILOT WITH THE INTENTION THAT FIRM CONCLUSIONS ABOUT THE DATA ARE NOT DRAWN UNTIL WE HAVE WORKED THROUGH ANY ISSUES THAT MAY BE IDENTIFIED DURING THIS REVIEW PERIOD.

-WE ARE PROVIDING YOU WITH BACKGROUND MATERIALS TODAY IN THE FORM OF A FACT SHEET. A NEWS RELEASE WILL ALSO BE AVAILABLE SOMETIME TODAY. WE ARE ALSO PROVIDING YOU WITH COPIES OF TODAY'S PRESENTATION MATERIALS THAT WE ARE USING, BUT YOU WON'T BE ABLE TO ACCESS THE SITE UNTIL WEDNESDAY.

-I WANTED TO SPEND ABOUT 10 MINUTES PROVIDING AN OVERVIEW OF THE SITE. AFTER THIS OVERVIEW, I WILL HAVE A FEW MINUTES FOR QUESTIONS THAT YOU MAY HAVE, THEN I WILL TURN IT OVER TO MIKE STAHL, DIRECTOR OF THE OFFICE OF COMPLIANCE, TO PROVIDE A MORE COMPLETE SUMMARY OF THE SITE. MIKE WILL EXPLAIN MANY OF THE FEATURES, AND

WILL ALSO HELP YOU UNDERSTAND BOTH WHAT THE SITE CAN DO, AND WHAT IT CANNOT DO.

-AS MIKE WILL EXPLAIN IN MORE DETAIL, ECHO IS A SEARCHABLE WEB SITE THAT PROVIDES FACILITY-BASED INFORMATION ABOUT INSPECTIONS CONDUCTED, VIOLATIONS FOUND THROUGH INSPECTIONS OR REPORTED TO US, AND ENFORCEMENT ACTIONS THAT HAVE BEEN TAKEN.

-ECHO IS A PRIME EXAMPLE OF "E-GOVERNMENT" AND THE MOVEMENT FROM PAPER TO ELECTRONIC

-THE PRESIDENT'S MANAGEMENT AGENDA FOR E-GOVERNMENT IS AN IMPORTANT PART OF THE ADMINISTRATION'S INITIATIVE TO BECOME MORE EFFICIENT, TO HIGHLIGHT SERVICES THAT ARE PROVIDED, AND TO PROVIDE BETTER TRANSPARENCY REGARDING WHAT WE ARE DOING HERE AT EPA.

-AS OF LATE, WE HAVE SEEN SEVERAL GOVERNMENT AGENCIES, PROVIDE THE PUBLIC WITH INFORMATION ABOUT ACTIVITIES OCCURRING WITHIN THE REGULATED UNIVERSE.

-SIMILARLY IN THE ENVIRONMENTAL ARENA, WE HAVE SEEN A STRONG DEMAND FOR INFORMATION THAT WILL ALLOW THE PUBLIC TO LEARN ABOUT ENVIRONMENTAL AND HEALTH ISSUES.

-EPA WEB SITES CONTAIN INFORMATION ABOUT INDUSTRIES AND FACILITIES THAT ARE REGULATED, PERMITTED RELEASE AMOUNTS, CHEMICAL RELEASES REPORTED BY FACILITIES, AND ENVIRONMENTAL MONITORING AND QUALITY DATA SUCH AS WATERSHED HEALTH AND AIR QUALITY.

-ENFORCEMENT AND COMPLIANCE INFORMATION IS A SEGMENT OF THE STORY IN REGARDS TO WHAT WE ARE DOING AT EPA AND SHOULD BE A PART OF THE MOVEMENT TOWARDS ELECTRONIC ACCESSIBILITY.

-ENFORCEMENT AND COMPLIANCE INFORMATION HAS ALWAYS BEEN CONSIDERED "PUBLIC INFORMATION." IN 1990, WE OPENED OUR MAINFRAME SYSTEM (THE INTEGRATED DATA FOR ENFORCEMENT ANALYSIS - IDEA SYSTEM) TO PUBLIC USERS. WE ROUTINELY PROVIDE DATABASE EXTRACTS TO PUBLIC GROUPS BASED UPON FOIA REQUEST, AND WE AND THE STATES ALSO RESPOND EVERY DAY TO REQUESTS FOR INFORMATION REGARDING COMPLIANCE WITH ENVIRONMENTAL LAWS.

-IN 1997, EPA BEGAN THINKING HOW THIS INFORMATION ABOUT COMPLIANCE WITH ENVIRONMENTAL LAWS COULD BE MADE AVAILABLE TO THE AVERAGE CITIZEN. SINCE THAT TIME, WE HAVE TAKEN SEVERAL STEPS TO MOVE IN THE DIRECTION OF NATIONAL ACCESS TO COMPLIANCE RECORDS ON THE INTERNET.

-WE HAVE CLOSELY REVIEWED THE 1996 ELECTRONIC FREEDOM OF INFORMATION ACT (EFOIA) THAT GUIDES AGENCY ACTIVITY IN TERMS OF PROVISION OF INFORMATION. THE CONGRESSIONAL FINDINGS SUPPORTING THIS LEGISLATION ENCOURAGE GOVERNMENT AGENCIES TO USE NEW TECHNOLOGY TO ENHANCE PUBLIC ACCESS TO AGENCY RECORDS AND INFORMATION.

-NOT ONLY DO WE THINK PUBLIC ACCESS TO COMPLIANCE AND ENFORCEMENT MAKES SENSE, BUT WE THINK THE LAW IS CLEAR THAT EPA SHOULD HEAD IN THIS DIRECTION.

-OF COURSE, WE HAVE TAKEN HOMELAND SECURITY ISSUES INTO ACCOUNT IN DESIGNING THE WEB SITE, AND ARE NOT PRESENTING ANY INFORMATION HERE THAT POSES HOMELAND SECURITY RISKS.

-THE SITE IS THE END RESULT OF A JOINT EPA/STATE (ECOS) EFFORT TO IDENTIFY ENFORCEMENT AND COMPLIANCE INFORMATION THAT SHOULD BE MADE AVAILABLE TO THE PUBLIC ON THE WEB.

-OUR PRESENTATION TODAY WILL PROVIDE DETAILS ON THE STEPS WE HAVE TAKEN TO PREPARE THE SITE AND WILL FOCUS ON THE SITE CONTENT; HOWEVER, I WANT TO FIRST DISCUSS THE REASONS WHY WE THINK THE RELEASE OF ECHO IS A POSITIVE STEP FOR ENVIRONMENTAL PROTECTION.

-I THINK IT IS FAIR TO SAY THAT REGULATORY LEVELS THAT ARE SET FORTH WITHIN PERMITS CONTAIN EXTENSIVE PROVISIONS FOR CITIZEN INVOLVEMENT. THESE PUBLIC INVOLVEMENT OPPORTUNITIES INCLUDE REVIEW AND COMMENT PROCEDURES FOR PERMITS SUCH AS THOSE ISSUED UNDER THE CLEAN AIR AND CLEAN WATER ACTS.

-HOWEVER, ONCE A PERMIT IS ISSUED, IT IS VERY HARD FOR THE AVERAGE CITIZEN TO DETERMINE WHETHER REGULATED ENTITIES ARE COMPLYING WITH THESE PERMIT STANDARDS. WE THINK THAT ECHO HELPS FILL THIS INFORMATION GAP.

-THE ECHO SITE PROVIDES EASY ACCESS - ESSENTIALLY ALLOWING COMMUNITIES TO DETERMINE WHAT LEVEL OF RESOURCES EPA AND THE STATES HAVE COMMITTED TO PERFORMING FACILITY INSPECTIONS, TO SEE WHETHER OUR INSPECTIONS OR MONITORING REPORTS SUBMITTED TO THE GOVERNMENT SHOW VIOLATIONS, AND TO PROVIDE DETAILS ABOUT WHAT ACTIONS HAVE BEEN TAKEN TO ADDRESS VIOLATIONS.

-BEYOND THE BENEFIT THAT WE THINK THE AVERAGE CITIZEN GAINS FROM THIS DATA RELEASE, WE THINK THAT THE ENVIRONMENT WILL ALSO BENEFIT.

-MANY LARGE CORPORATIONS HAVE MULTIPLE FACILITIES ACROSS THE COUNTRY WITH A CENTRALIZED ENVIRONMENTAL STAFF. WE KNOW THAT SOME OF OUR PILOT SITES HAVE LED TO BETTER CORPORATE TRACKING OF COMPLIANCE AT INDIVIDUAL FACILITIES. IN FACT, ONE COMPANY NOTED TO US THAT COMPLIANCE WITHIN EPA'S DATABASES WAS A KEY PERFORMANCE MANAGEMENT MEASURE TO HOLD FACILITY MANAGERS ACCOUNTABLE.

-WE ALSO THINK THAT CONTINUED GOOD COMPLIANCE RECORDS AT INDIVIDUAL FACILITIES (MUNICIPAL OR CORPORATE) CAN HELP THESE ENTITIES PROMOTE THEIR GOOD ENVIRONMENTAL STEWARDSHIP.

-LASTLY, WE THINK THAT EPA'S EFFORTS IN PUBLIC-RIGHT-TO-KNOW IS IN KEEPING WITH A GENERAL MOVEMENT TOWARD MORE OPENNESS WITH ENVIRONMENTAL PERFORMANCE INFORMATION.

-AS I MENTIONED, EPA HAS WORKED CLOSELY WITH THE ENVIRONMENTAL COUNCIL OF THE STATES (ECOS) AND INDIVIDUAL STATES TO DESIGN THIS SITE, PERFORM QUALITY REVIEW, AND DEVELOP A STEWARDSHIP NETWORK THAT WILL SUSTAIN OUR HIGH LEVEL OF DATA QUALITY. WE ARE WORKING HAND IN HAND WITH THE STATES ON THIS PROJECT..

-WE KNOW SOME STATES, SUCH AS PENNSYLVANIA, HAVE ALREADY POSTED

COMPLIANCE DATA ON THE WEB. WE KNOW THAT MANY STATES ARE NOW POSTING SUMMARY ENFORCEMENT DATA, AND PLAN TO OFFER MORE DETAILED DATA THAN EPA HAS.

-ECHO, ALONG WITH THE EXISTING AND COMING STATE SITES, WILL SERVE TO HIGHLIGHT THE STRONG COMMITMENT THAT EACH ORGANIZATION IS MAKING TOWARD ENSURING COMPLIANCE WITH ENVIRONMENTAL LAWS.

-AS IT IS OUR PRIORITY TO PROTECT HUMAN HEALTH AND THE ENVIRONMENT, WE HOPE THAT THE RELEASE OF THIS SITE, IN ITS PILOT FORM, CAN SERVE AS A FIRST STEP TOWARD CREATING A MORE INFORMED PUBLIC, CREATING A MARKETPLACE FOR COMPLIANCE, AND HELPING GOVERNMENT AGENCIES GET THE WORD OUT ABOUT THEIR CONTRIBUTIONS TOWARD ENVIRONMENTAL PROTECTION.

-I WANT TO THANK YOU FOR TAKING THE TIME TO COME JOIN US TODAY, AND I'LL NOW OPEN THIS UP FOR QUESTIONS BEFORE TURNING THE PRESENTATION OVER TO MIKE STAHL.

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