Practical Guide to Environmental Management

11th Edition

Frank B. Friedman

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Washington, D.C.
To my wife, Esta, and to my daughters, Amy and Emily.
Acknowledgements

Any truly “practical guide” rests on the experiments and experiences of others. The dedication, experience, and effort required to develop, test, and manage a successful environmental program for a major corporation cannot come from only one individual. The ideas set forth in this book come from a great many teachers and colleagues who have applied their knowledge to a wide variety of specific situations.

Professionals in the environmental area generally do not hold ideas for improvement of policies and programs close to their vests. This is a group willing to share ideas and solutions. It includes environmental managers, governmental employees, citizen advocates, lawyers, consultants, and other specialists.

Few people get the opportunity more than once—if at all—to develop state-of-the-art programs and to work with respected and enlightened executives. I was one of the fortunate few.

Successful programs depend on competent, professional staff. My staff at Elf Atochem impressed me with their dedication and creativity. I am also grateful to my former staff at Occidental Petroleum Corporation, particularly the late Jerry Wilkenfeld, whose creative ability in initiating and implementing many programs played a major role in the success of our department. I also want to thank my clients, who continue to force me to continue to be creative and productive.

Finally, I want to thank Jackie McNamara and the Environmental Law Institute publishing staff for their assistance and many helpful comments. I particularly want to thank Jackie, who after 10 editions, did a “fresh pair of eyes” review of the book and made a major contribution in assuring that the material and advice were current and encouraging me to eliminate data and analogies that were no longer relevant. This edition in many ways is now as fresh as the first.

—F.B.F.
# Contents

Acknowledgements ........................................................................................................................................... v

Foreword ........................................................................................................................................................... xiii

Chapter 1: Introduction ................................................................................................................................... 1

Chapter 2: Historical Perspectives on Environmental Management ......................................................... 7
  The Development of Environmental Law ............................................................................................................... 8
  The Challenge for the Corporate Attorney ......................................................................................................... 13
  Criminal Liability—a Key Concern for the Environmental Manager ............................................................. 18
    Knowledge Requirements .................................................................................................................................. 23
    Reporting Requirements .................................................................................................................................. 26
    Responsible Corporate Officers ....................................................................................................................... 26
    Federal Sentencing Guidelines ......................................................................................................................... 27
  Criminal Law is Critical in the Context of Environmental Assessments or Audits ........................................... 29
  Social Concerns: Environmental Justice and the Redevelopment of Industrial Areas .................................... 31
    Brownfields Redevelopment ............................................................................................................................. 40
  Conclusion .......................................................................................................................................................... 43

Chapter 3: Environmental Management in the 21st Century ....................................................................... 45
  The Cost of Environmental Protection ............................................................................................................... 46
    Sustainable Development .................................................................................................................................. 52
    Industry and Organizational Responses ........................................................................................................... 56
  Beyond Existing Regulations ............................................................................................................................... 60
    Compliance-Only Approach ............................................................................................................................... 60
    Social Responsibility Reporting and Corporate Values ...................................................................................... 62
    International Trade and the Environment ......................................................................................................... 68
  The Challenge of Compliance .............................................................................................................................. 70
  The Challenge of Regulatory Reform .................................................................................................................. 75
  Making the System Work—Pitfalls, Possibilities, and Realities ......................................................................... 82
  Performance Measures ....................................................................................................................................... 85
  EPA and Data Management ............................................................................................................................... 88
  Management Techniques to Control Costs and Improve Environmental Performance .............................. 90
    Synthesis of Environmental and Business Goals .......................................................................................... 92
    Total Quality Management .............................................................................................................................. 101
    Six Sigma ....................................................................................................................................................... 105
    Environmental Management and Downsizing ............................................................................................... 107
  Analytical Techniques for Environmental Management ................................................................................... 111
  Environmental Management in the International Context ............................................................................. 115
  Communicating in a Multinational Corporation and a Multinational World ................................................ 115
  Internal Programs ............................................................................................................................................... 119
Functional Equivalency ................................................................. 122
Joint Ventures ........................................................................... 128
Worldwide Management Initiatives to Promote Excellence ........... 129
Conclusion .......................................................... 132

Chapter 4: Organization and Staffing for Environmental Management .................................................................. 135
Management Commitment .......................................................... 138
Organizational Structure .............................................................. 141
Centralized Versus Decentralized Structures ................................. 141
Definition and Allocation of Corporate and Divisional Responsibilities ............................................................. 142
Integrating the Safety and Risk Engineering Functions With the Environmental Function.................................................. 144
Introduction ............................................................................. 144
Driving Culture ......................................................................... 145
Staffing and Turf Wars ............................................................... 154
Recruiting Environmental Professionals ....................................... 159
Conclusion ............................................................................. 161

Chapter 5: Implementing a Strong Environmental Management Program .......................................................... 163
Environmental Policies and Corporate Responsibility ................... 165
Formulating an Environmental Policy ............................................. 167
Implementing a Strong Environmental Management Program .......... 170
Management Systems ................................................................. 171
The Policy, Statement of Core Values, and Corporate Directives—The Critical Corporate Documents—Systems, Programs, and Commitments ........................................................................ 171
Compliance Assurance Letter ...................................................... 174
Reporting—Management-by-Exception .......................................... 180
Developing Information Systems .................................................. 182
Computerized Management Information Systems ........................ 182
Developing and “Selling” Computerized Systems ............................ 185
The Planning Document—Short-Range and Long-Range Planning and Goals ................................................................. 188
Establishing Appropriate Metrics .................................................. 193
Capital Expenditure Review .......................................................... 195
Legislative and Regulatory Affairs ................................................ 197
Training and Education Programs ................................................ 201
Conclusion ............................................................................. 202

Chapter 6: Environmental Auditing/Assessment and Environmental Management ...................................... 203
Benefits and Risks of Environmental Auditing/Assessment Programs ................................................................ 205
Legal and Corporate Benefits of Auditing/Assessments ................. 206
Public Disclosure and Audit Privilege Legislation ........................ 216
Elements of an Effective Program ................................................. 222
Corporate Program Review .......................................................... 228
Facility Audits/Assessments .......................................................... 232
Ensuring the Integrity of Auditing Programs .................................. 238
Controversies as to What Constitutes “Independent” Review ............ 238
Certification of Auditors .............................................................. 240
Standards for Environmental Auditing/Assessments ..................... 244
Verification and Corrective Action .................................................. 245
State, National, and International Environmental Auditing/Assessment Policy ......................................................... 247
State Roles in Environmental Auditing/Assessments ...................... 247
## CONTENTS

EPA and Environmental Audits ................................................................. 248  
OSHA and Safety Audits ......................................................................... 254  
International Environmental Auditing Policy .......................................... 256  
Overview of ISO 14001 and Determinations to Certify or Not Certify—Political and Strategic Issues ......................................................... 262  
Conclusion.................................................................................................. 267  

### Chapter 7: Review of Acquisitions

Scope and Structure of Review ................................................................ 269  
Information Reviewed ............................................................................ 273  
Licenses and Permits .............................................................................. 276  
Regulatory History and Current Status .................................................... 277  
Prior Ownership and Operations .............................................................. 279  
Potential Off-Site Liabilities .................................................................... 280  
Existing Insurance Coverage .................................................................. 280  
Possible Risk-Mitigation Mechanisms ...................................................... 281  
Structure of the Transaction .................................................................. 281  
Contract Provisions ................................................................................. 281  
Prior Agreements With Regulatory Authorities ........................................ 283  
Adequate Insurance Coverage .................................................................. 283  
Conclusion.................................................................................................. 284  

### Chapter 8: Pollution Prevention/Waste Minimization

Solid-Waste Reduction: A Case Study ...................................................... 285  
EPCRA and Emissions Reductions .............................................................. 286  
Voluntary Emissions Reductions ................................................................. 287  
Advanced Pollution Prevention/Waste Minimization Programs ............ 290  
Conclusion.................................................................................................. 292  

### Chapter 9: Dealing With Lawyers, Engineers, Business Managers, and Consultants

Dealing With Lawyers ............................................................................. 297  
Dealing With Engineers and Business Managers ....................................... 297  
Dealing With Consultants ......................................................................... 302  
The Changing Roles of Environmental Professionals ................................ 305  
Conclusion.................................................................................................. 309  

### Chapter 10: Dealing With Government Agencies, Citizen Groups, the Media, and the Public

Government Regulators ......................................................................... 313  
Federal Regulators .................................................................................. 313  
State and Local Regulators ..................................................................... 319  
Citizen Groups .......................................................................................... 322  
Public Relations ........................................................................................ 324  
Dealing With the Media ........................................................................... 325  
Dealing With the Public ............................................................................ 326  
Conclusion.................................................................................................. 329  

### Chapter 11: The Environmental Impact Statement Process

The Lead Agency ...................................................................................... 331  
Conclusion.................................................................................................. 337
# Assembling a Task Force

Preparation of an Environmental Impact Analysis

Accurate Data

Time Factors

Preparation of a Draft EIS

Public Hearings

Written Comments

Outside Consultants

Public Involvement

Conclusion

<table>
<thead>
<tr>
<th>Chapter 12: Green Arthritis</th>
</tr>
</thead>
<tbody>
<tr>
<td>We Have Come a Long Way, but Is It Far Enough?</td>
</tr>
<tr>
<td>Early Symptoms</td>
</tr>
<tr>
<td>Is There Motivation for Change at EPA?</td>
</tr>
<tr>
<td>Does “no crisis, no deep pockets, no photo-op” equal “no problem”?</td>
</tr>
<tr>
<td>What’s in It for the Environmental Groups?</td>
</tr>
<tr>
<td>A New Shade of Green</td>
</tr>
<tr>
<td>The Business Environmental View—Looking Backward</td>
</tr>
<tr>
<td>But Enough of This Negativity!</td>
</tr>
<tr>
<td>Moving Forward</td>
</tr>
<tr>
<td>First, Get a “Check-Up”</td>
</tr>
<tr>
<td>Second, Develop a Broader View of Corporate Responsibility</td>
</tr>
<tr>
<td>Third, Understand Your Own Environment</td>
</tr>
<tr>
<td>Fourth, Change Your Perspective—This Is Enlightened Self-Interest, and Should Not Be Viewed by You or Your Company as Tree Hugging</td>
</tr>
<tr>
<td>Fifth, Make Sure That You Have the Right Resources</td>
</tr>
<tr>
<td>Sixth, Create the Right Climate for Innovation</td>
</tr>
<tr>
<td>Conclusion</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 13: Conclusion</th>
</tr>
</thead>
</table>

Appendix A: Environment, Health, and Safety Acronyms

Appendix B: Environmental Auditing Policy Statement

Appendix C: Policy on Criminal Prosecutions for Environmental Violations

Appendix D: Health, Environment, and Safety Policy

Appendix E: Sample Health, Environment, and Safety Department Organizational Chart

Appendix F: Elf Atochem North America, Inc.’s Health, Environment, and Safety Policy

Appendix G: Checklist for Acquisition Review

Appendix H: Incentives for Self-Policing: Discovery, Disclosure, Correction, and Prevention of Violations

Appendix I: Sample Internal Environmental and Safety Audit Questionnaire

Appendix J: Code of Ethics & Standards of Conduct
Appendix L: Performance and Program Standards for the Professional Practice of Environmental, Health & Safety Auditing ........................................ 527
Appendix M: Sustainable Development Concerns ........................................ 567
Foreword

Frank Friedman’s *Practical Guide to Environmental Management (PGEM)* has earned its place among the classic texts on environmental management. *PGEM* provides readers with the firm grounding in history necessary to put environmental issues in context and a practical survey of the management systems and tools to produce good environmental performance. *PGEM* now enters its 11th edition after a thorough editing and updating with new material on practical implementation of sustainability as a management strategy, the implications of environmental justice concerns for business operations, current trends in enforcement, and ways to maintain environmental management effectiveness in an era of cost-cutting. This edition of *PGEM* retains its focus on the practical, while also surveying the developing trends in environmental management. As Mr. Friedman notes, environmental management systems (EMS) and corporate behavior, particularly in developing countries, increasingly serve as the de facto system of environmental governance and are key to ensuring environmental protection goals are met. In this new edition, Mr. Friedman does a superb job of orienting the environmental manager in this new era.

As a former environmental executive in federal and state government as well as two corporations, I would stress that Frank Friedman’s book has much to offer to both public and private-sector environmental lawyers and managers. Professionals in both sectors contend with the day-to-day demands of promoting compliance with laws and encouraging management foresight to head off new problems. In the end, they can succeed only by building environmental awareness, responsibility, and competence in the other disciplines and operations in their organizations. That is true whether they work in a corporation, a municipal water treatment agency, or a big department of state or federal government. Mr. Friedman’s book contains good advice on what and how to communicate about environmental objectives inside organizations to achieve broader support and stronger performance by business and government.

Mr. Friedman’s long history in the environmental management arena has served only to inform, not date, *PGEM* as he has kept it current with this quickly developing field. After graduating from Columbia Law School in the mid-1960s, he joined what was then the Lands Division (now known as the Environment and Natural Resources Division) of the U.S. Department of Justice. He moved to Atlantic Richfield Corporation in 1970, when major companies began responding to the cleanup challenges presented by the new federal pollution control laws. Mr. Friedman also served as Vice President of Occidental Petroleum Corporation, and later as Senior Vice President at Elf Atochem North America, Inc. He also served as a
partner with the law firm of McClintock, Weston, Benshoof, Rochefort, Rubalcava & MacCuish. He now heads a successful consulting business.

Few people could have written $PGEM$ with Mr. Friedman’s depth of understanding and clarity. Frank is an exemplar for the modern environmental manager, with his focus set firmly on the goal of achieving commonsense environmental protection without being swept away by the politics and controversies of the day. In that way, he typifies the goals and aspirations of the Environmental Law Institute (ELI). This is no coincidence; ELI turned to Mr. Friedman to write $PGEM$ in 1988 because of these qualities. While the opinions and content of $PGEM$ are Mr. Friedman’s alone, the book advances ELI’s mission to foster innovative, just, and practical law and policy solutions for leaders in all sectors, including the business community.

ELI has long recognized that corporations play a central role in ensuring environmental protection and natural resource conservation. Many corporations have been leaders in operationalizing sustainability in their organizations and achieving better environmental, economic, and social outcomes in their communities. The Institute is proud to have some of the foremost domestic and international corporations as members of ELI and represented on its Board of Directors. We are enormously grateful to Frank for his many contributions to the field of environmental protection as a lawyer, manager, author, colleague, ELI board member, and friend. We are proud to publish this 11th edition of $PGEM$, and hope you will find it a useful guide and reference.

—Leslie Carothers, President
Environmental Law Institute