



ENVIRONMENTAL  
LAW • INSTITUTE®

ENVIRONMENTAL LAW INSTITUTE  
WORKSHOP REPORT

# United States-Mexico TRANSBOUNDARY ENVIRONMENTAL ENFORCEMENT

September 2000

**United States - Mexico**  
**TRANSBOUNDARY ENVIRONMENTAL**  
**ENFORCEMENT**

**Workshop Report**  
**May 3-4, 2000, San Diego**

**U.S. Environmental Protection Agency**  
**Procuradería Federal de Protección al Ambiente (PROFEPA)**  
**Environmental Law Institute**

**September 2000**

***Workshop Report: United States - Mexico Transboundary Environmental Enforcement***

Copyright © 2000, Environmental Law Institute®, Washington, D.C. Non-profit institutions and government agencies may make and distribute reproductions of this workshop report in its entirety for non-commercial purposes. This notice of copyright must appear on each copy. All other rights reserved. ELI Project # 981603.

(Environmental Law Institute®, The Environmental Forum®, ELI®, and the Environmental Law Reporter® are registered trademarks of the Environmental Law Institute)

## ***Acknowledgments***

The workshop and this report were prepared by the Environmental Law Institute (ELI) with funding from the U.S. Environmental Protection Agency (U.S. EPA) under an Assistance Agreement. It does not represent the view of the U.S. EPA and no official endorsement should be inferred. ELI staff contributing to the project were Susan Casey-Lefkowitz and Julie Teel. Thanks to those who helped by providing advice, including especially Miguel Angel Cancino, Miriam Gonzalez, John Rothman, and Timothy Whitehouse.

# ***Table of Contents***

<b>Introduction</b>	<b>1</b>
<b>Session One: Moving Goods Across the Border: Hazardous Wastes and CFCs</b>	<b>3</b>
<b>Session Two: Pollution with Transboundary Effects</b>	<b>6</b>
<b>Session Three: Liability and Use of Courts Across the Border</b>	<b>9</b>
<b>Conclusions and Future Directions</b>	<b>13</b>
<b>Annex I: Agenda</b>	<b>16</b>
<b>Annex II: List of Participants</b>	<b>18</b>

## **Introduction**

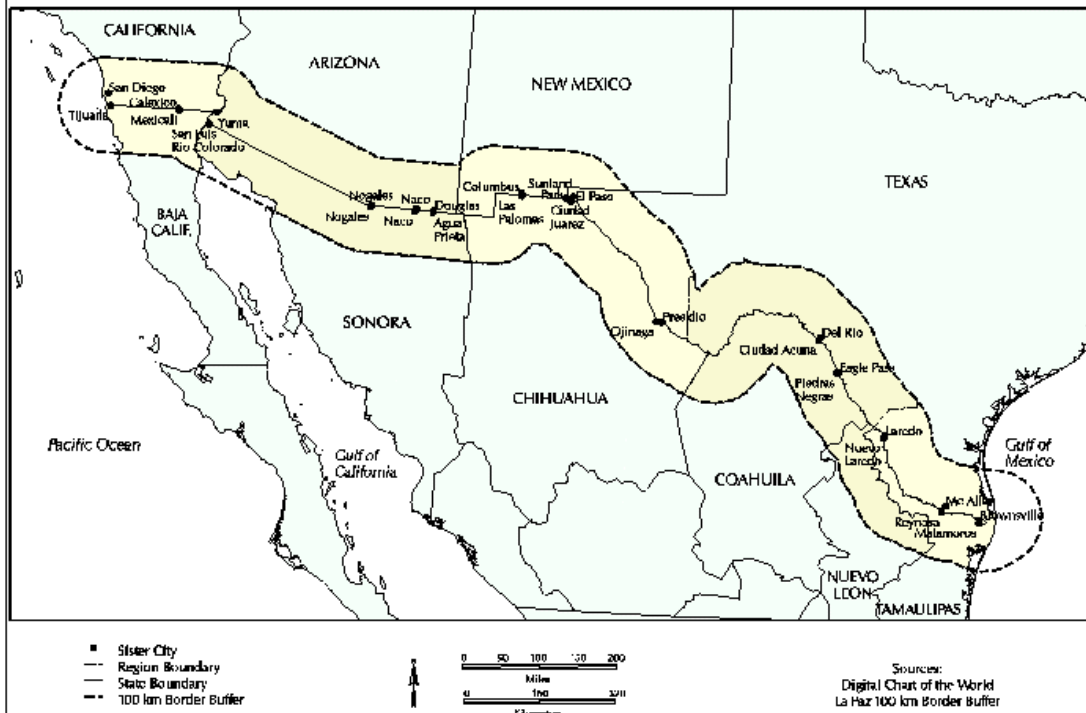
On May 3-4, 2000, the Environmental Law Institute (ELI) convened the third United States – Mexico Workshop on Transboundary Environmental Enforcement. The workshops, co-sponsored by the Mexican Office of the Attorney General for Environmental Protection (Procuraduría Federal de Protección al Ambiente or PROFEPA) and the United States Environmental Protection Agency, Region IX (U.S. EPA), have brought together Mexican and U.S. border environmental enforcement officials and border citizen environmental organizations for the purpose of exchanging information, experiences, and strategies in transboundary environmental enforcement. Enforcement officials and attorneys from PROFEPA headquarters and border state offices, the Mexican Attorney General's Office (Procuraduría General de la República (PGR)), and Mexican NGOs joined representatives from U.S. federal agency headquarters and regional offices (U.S. Customs, U.S. EPA., and U.S. Department of Justice), border state environmental departments, state attorney general offices, and NGOs to share their expertise and learn from the other participants.

Each of the three workshops held over the last six years has approached issues in environmental enforcement from a different angle. The first workshop of this series, held in 1996, focused on transboundary movement of hazardous wastes. The second workshop in 1998 focused on cooperative mechanisms for transboundary environmental enforcement, such as evidence protocols, inspection protocols, and information exchange. The 2000 workshop broadened the types of cases examined to include transboundary pollution and cases where the perpetrator flees over the border and focused on cooperative mechanisms for overcoming the legal barriers presented in these cases.

This summary aims to capture the range of ideas and overarching themes of the third workshop, which was divided into three broad topics: (1) moving goods across the border: hazardous wastes and CFCs; (2) pollution with transboundary effects; and (3) liability and use of courts across the border. Each session was introduced by panelists from the U.S. and Mexico who shared their perspectives with the group and stimulated discussion on the topics before them.

After many years of formal and informal cooperation in transboundary environmental enforcement, it is clear that the level and effectiveness of coordination is rising. It is also clear that further effort is needed to improve understanding of our respective environmental enforcement institutions and systems; coordinate efforts; increase the quality and quantity of information exchange among government agencies and with the public; and enhance the capacity of citizen enforcers.

## U.S.-MEXICO BORDER REGIONS



## Session One: Moving Goods Across the Border

This session addressed the issue of goods moving across the border, with a focus on hazardous wastes and CFCs. Both the U.S. and Mexico have regulations governing the movements of potentially dangerous substances, such as hazardous wastes and CFCs. Yet every day, enforcement officials see illegal transports, falsifications of manifests, and other problems associated with the disparity in the hazardous waste classification and labeling systems of the U.S. and Mexico. In addition, officials note that despite improvements, there is still insufficient communication and coordination between various customs and environmental agencies.

Much has been accomplished over the past years through the Border XXI process and through informal meetings and exchanges. Coordination in enforcement is fairly routine in those transboundary hazardous waste cases where transporters and others comply in general, but may violate a particular rule concerning manifests or other requirements. In such cases, enforcement coordination is fairly straightforward, and the participants suggested that the border should disappear as a barrier to enforcement in these cases in the coming years.

The more difficult cases involve actors who avoid compliance with the law at all costs. This can include sham recycling, dumping of hazardous waste, intentional labeling of hazardous wastes as normal goods, and other serious violations. In these cases, there often is not even a manifest or label to inspect, leaving enforcement officials with no routine way of uncovering illegal behavior. Many participants noted that it is this second category of cases that will need the full focus of U.S.EPA, PROFEPA, state enforcement officials, and citizen enforcers in the future.

The following are needs, opportunities, and potential next steps identified by the workshop participants for improving transboundary environmental enforcement in cases of transboundary movements of goods such as hazardous wastes or CFCs.

- **Database of enforcement actions and officials.** For border monitoring and inspections, it is crucial that each country knows the other's regulatory systems and has contact information for individuals in various departments with expertise in specific areas. Border enforcement officials should also be able to quickly determine who has been sanctioned and what the nature of the sanctions has been. This information is crucial to the success of the programs. It could be shared with the public in a quarterly bilingual newsletter of the subgroups to be distributed in paper and electronic formats to a well-developed list of concerned parties, including government agencies, periodicals, and NGOs.
- **Electronic reporting and tracking.** Although electronic reporting and tracking of the transboundary shipments of materials such as hazardous waste is increasing, it would enhance the ability of enforcement officials to react quickly and cooperatively to violations if electronic reporting and tracking were given even higher priority. Instantaneous transmission, for example, would be very helpful along with other steps to refine the technology.
- **Further harmonization of hazardous waste classification systems.** U.S. EPA has software that provides a waste code correlation dictionary, which tells if something is classified as waste in another country. In addition to the U.S. and Mexico, Canada, the OECD, and the United Nations are included on this software. This software is an important first step toward demystifying our hazardous waste classification systems, making them accessible and user-



friendly for enforcement officials in the field, and identifying areas that might benefit from harmonization.

- **Cross-border training for enforcement officials.** These training sessions are extremely useful and could take place more frequently and be accessible to an even wider range of enforcement officials. Enforcement officials would benefit from sessions focused on CFCs and hazardous wastes, tracking hazardous wastes, and inspection of shipments.
- **Use of criminal prosecution.** Criminal prosecution in cases of transboundary movements of goods is still fairly rare. Even rarer is bilateral coordination of criminal enforcement actions—although this can be very effective. Participants identified a need for a better understanding of each other’s criminal process and for more open avenues of communication in potential criminal prosecutions.

**Environmental Crimes in Mexico**

The Mexican Attorney General’s Office – the Procuraduría General de la República (PGR) has three special prosecutor offices that handle environmental crimes in different regions of Mexico. With respect to transboundary issues, PGR may prosecute environmental crimes involving activity in the U.S. that could have been foreseen to have an impact in Mexico. It also has jurisdiction over activities in Mexico that impact the U.S. PGR has completed some research on CFC court opinions and legislative loopholes and has successfully imposed fiscal responsibility on some individuals, yet CFC cases are still rare in Mexico. While PGR has been successful in hazardous waste tracking cases, it feels a need to shift the focus of environmental enforcement from traffic to environmental harm. For example, PGR could send a clear message to industry that it has a high capacity to raid facilities, but it has not done so to date.

PGR is not handling many international, on-going investigations. While PGR attorneys hear anecdotes about actionable behavior, they need hard facts in order to activate the legal process. To this end, NGOs are a very important source of information for prosecutors. It only takes a few high-quality cases to set the right precedent. In addition, specialized prosecutors need to work on sharing experiences through workshops and training.

- **Improved coordination between customs offices and environmental agencies.** One very important question is how to coordinate the different organizations that have a role in enforcement at the federal, state, and local levels. The most important link is between customs and environmental organizations on both sides. Currently, however, the highest priorities for customs are illegal crossings and the interdiction of drugs, not hazardous wastes. Many participants expressed interest in increasing the involvement and cooperation of environmental agencies with other sectors, such as transportation and customs. To improve effectiveness, environmental enforcement officials need to work with states on both sides of the border and customs at all ports of entry to coordinate and train employees.
- **Need to focus on a variety of transportation modes.** Another important question is how to regulate the movement of hazardous wastes by different modes of transportation. The regulation of transport by truck and rail are currently different. In addition, the potential danger of transporting hazardous substances is rarely considered. For example, a new railway route is planned for along the San Pedro River from Mexico to the U.S. for the transport of hazardous materials, and it remains to be seen whether an Environmental Impact Statement will be required.

- ***Improve consistency of regulations and their application.***

U.S. and Mexican regulations are not consistent, which can sometimes send the wrong message to potential violators. For example, recently a Mexican company was fined for sending mining waste to Laredo, Texas, while the U.S. company was not fined for accepting them. These inconsistencies arise from the different legal traditions of both countries, which were shaped by each country's sovereignty and jurisdiction to regulate conduct within its borders.

- ***Explore regional mechanisms.***

The Commission on Environmental Cooperation (CEC) is working to establish tracking, monitoring, and networking mechanisms to support enforcement officials. In addition, the CEC provides a regional citizen appeal process for environmental violations. These regional efforts could be better integrated into the border enforcement strategies and discussions.

### **Enforcement and the Commission on Environmental Cooperation**

The NAFTA environmental side agreement created the Commission on Environmental Cooperation (CEC). The primary activity of the CEC's research and policy arm is enforcement cooperation. Under the side agreement, the U.S., Mexico, and Canada are obligated to enforce their laws. The citizen submission process under NAFTA allows citizens to submit complaints of environmental law violations to the CEC. Although there have been twenty-seven submissions, only one factual record has been prepared, with three others now recommended. The CEC does not have power to issue sanctions or make recommendations. It engages in fact-finding and indicates the full range of facts surrounding the challenge. It is too soon to know whether these fact-findings have had an impact.

In addition, the CEC brings the countries together to share strategies and build networks concerning issues such as wildlife enforcement, CFC smuggling, and hazardous waste management. The CEC uses tracking, monitoring, publicity, and training to promote enforcement strategies.

## **Session Two: Pollution with Transboundary Effects**

This session focused on the various implications of pollution with transboundary effects. Mexico and the U.S. share a long border with many opportunities for pollution to migrate. Border cities and towns find air pollution from cars, electrical utilities, and industrial facilities drifting across the border. Rivers flow both north to south, as well as south to north providing opportunities for wastewater discharges and nonpoint source runoff to pollute the water that eventually reaches each side of the border. States on both sides of the border share common natural and environmentally sensitive areas. They also share common groundwater tables easily affected by water seeping through contaminated soils.

There have been several recent cases that illustrate the problem of transboundary pollution. One involved a spill that led to surface water contamination in Mexico and threatened to cross the border. Due in part to interaction with the Sonora – Arizona subgroup of the Border XXI air working group, which provided access to cleanup technology and media attention, the spill was contained. There have been similar transboundary issues involving aquifer contamination from solvents used in the maquiladora industry. In addition, air quality standard violations on the U.S. side of the border have provided another opportunity to improve environmental conditions through binational cooperation.

### **Paso del Norte Air Quality Project**

The Paso del Norte Air Quality project involves the cooperation of three cities in three states of Mexico and the U.S. and demonstrates how cooperation between countries can combat serious environmental problems. In this instance, air quality problems in the region were exceeding U.S. national air quality standards for particulates and carbon monoxide. The Joint Advisory Committee (JAC), a subgroup of the Border XXI air working group, is devoted to building partnerships and looking for ways to gather and use information. The JAC consists of a broad membership that draws on the resources of their individual institutions, which include universities, NGOs, and environmental agencies on both sides of the border. The JAC's basin-wide approach includes projects on point sources of air pollution, education and outreach, and economic incentives (a voluntary environmental audit program, market mechanisms, and a Clean Air Investment Fund). The JAC is looking creatively at mechanisms in, and potential funding from, both the private and public sectors to combat transboundary problems.

The JAC has helped to identify areas with the greatest emissions levels, which allows officials with jurisdiction to target reductions in these areas. The JAC approaches industry with mechanisms that result in a win for industry and a win for the environment. The JAC requires that a percentage of what businesses save must be contributed locally to improve environmental conditions. This is a way of financing an ongoing effort that the maquiladora sector is unlikely to reject.

The following are needs, opportunities, and potential next steps identified by the workshop participants for improving environmental enforcement in cases of pollution with transboundary impacts.

- **Health data collection and statistical comparison.** Although anecdotal evidence suggests higher environmental and other health threats in maquiladora industries than in others, there is no official collection of such data. A statistical comparison of environmental health and other public health issues in the maquiladoras as compared with other industries would help target enforcement actions.
- **Partnerships.** As the basis for targeting enforcement actions constructively, agencies can build partnerships among environmental agencies on both sides of the border, NGOs, and other institutions to cover monitoring, education, and outreach as a first phase of compliance and enforcement.

**Maquiladoras and Environmental Health**

There are over 1000 maquiladora or manufacturing plants in Tijuana. Maquiladoras are concentrated on the border for obvious economic reasons, including easy transport of goods back to the U.S. As a result of this industry, there are many cases involving health problems resulting from the handling of hazardous chemicals by workers and from improper training of workers. In addition to jeopardizing worker safety, many maquiladoras have significant environmental effects – e.g. from discharges into water bodies, which can cross the border, and from transport of hazardous substances through populated areas. Transboundary environmental harm can also result from the siting of these facilities. A proposed solvents recycling facility in Tecate, for example, has been preliminarily sited above an aquifer. Tecate is a border town; consequences would be felt in both the U.S. and Mexico.

- **Take advantage of local knowledge.** Local knowledge of contaminants and culprits can help in identifying and building potential enforcement cases. If the system interaction between government and community were strengthened, government agencies would be able to take better advantage of local knowledge.
- **Use of economic incentives.** Economic incentives, such as environmental audit programs, market mechanisms, and investment funds can go a long way to improving compliance, which would allow limited government resources to be targeted to the most serious violators.
- **Financial assurance mechanisms.** Financial assurance is a powerful and highly effective mechanism to ensure environmental clean-ups associated with transboundary pollution. Many U.S. federal and state environmental statutes require owners or operators of facilities to demonstrate that they have adequate financial resources to fund closure and post-closure activities associated with clean-up. There are similar provisions in Mexican laws for activities that pose a potential risk to public health and the environment. Financial assurance mechanisms could be used on both sides of the border and particularly be required of those facilities most likely to cause pollution with a transboundary impact. New industry from the U.S. should be required to guarantee that it will pay for damages before receiving authorization to conduct business in Mexico. This financial ability could be guaranteed in the U.S., where the companies are headquartered, before they can establish themselves in Mexico. One participant suggested that U.S. companies in Mexico should be required to comply with the same standards that they would have to follow in the U.S.
- **Supplemental environmental projects.** As a remedy in enforcement cases, supplemental environmental projects (SEPs) are becoming more common in the U.S. So far there is only very

limited use of SEPs in a transboundary context and no use of SEPs in Mexico where they are not yet authorized by Mexican law. SEPs could be very beneficial in transboundary cases.

### **Supplemental Environmental Projects**

Supplementary Environmental Projects (SEPs) are voluntary environmentally-beneficial projects that are undertaken as part of settlement agreements with corporations alleged to be in violation of environmental laws. Through SEPs, the company may receive a reduction in civil and administrative penalties in exchange for a commitment to implement environmentally beneficial measures in excess of regulatory requirements. Although SEPs must be a result of an enforcement action and have a nexus to the case, they allow agencies a tremendous amount of flexibility and discretion.

SEPs resulting from enforcement actions could be an important transboundary tool for improving the border environment. The first international SEP in the United States was negotiated by U.S. EPA Region 6 in 1997. It concerned the actions of General Instrument Co., which used an illegal transporter to transport maquiladora wastes from Mexico to the United States. The SEP required changes in the Mexican facility's operations that would remove waste from the environment and completely eliminate wastewater generation at the Juarez maquiladora facility. PROFEPA was consulted and endorsed the SEP. Texas law now specifies that a SEP can be located wholly in Mexico if it benefits territory in Texas.

## Session Three: Liability and Use of Courts Across the Border

Session three focused on strategies for using the courts and engaging in cooperative enforcement actions. Although the border does not hamper the flow of pollution, it can serve as a shield to liability for perpetrators and complicate the enforcement process. A discussion of liability, courts, and the border involves a consideration of some difficult issues, such as sovereignty and trade implications.

In the border area and beyond, some businesses have a great sense of responsibility and cooperate with law enforcement officials, but others do not. In the face of enforcement actions, business leaders may flee across the border, leaving no one to take responsibility for the wastes. When such a situation implicates labor, business, and environmental issues, it is not easily resolved without the cooperation of both sides of the border. In rare cases, the violations occur in the U.S. and the perpetrators flee to Mexico with their corporate assets. For example, in one case, a waste recycler created several hundred drums of leaking acid sludge that it was unsuccessfully trying to turn into fertilizer. The State of California filed a civil suit against the company, which later declared bankruptcy and set up a maquiladora. A scenario like this one presents many complicated issues, such as how to address the company's assets when the business is now in Mexico but the owners remain in the U.S. In this case, the company's insurance agencies covered the cleanup costs, but with little left for the payment of penalties.

In most of the cases that enforcers are aware of, perpetrators violate Mexico's environmental laws and flee to the U.S. If a company creates and leaves a problem in Mexico then takes its business to the U.S., it makes sense that an agency in California would conduct an aggressive investigation with noticed surveillance and inspections or secret surveillance of the California facility. While Mexican and U.S. laws do not have extraterritorial reach if the business and violations only take place in one country, violations in both countries would create an opportunity to discuss transboundary solutions.

The following are needs, opportunities, and potential next steps identified by the workshop participants for improving enforcement in cases where the perpetrator uses the border as a shield to liability.

- **Increase public participation and encourage NGO monitoring.** NGO monitoring, from both environmental and business angles, can help bring good facts to the attention of government enforcement agencies, leading to strong precedent-setting cases. Each citizen should be encouraged to serve as a watchdog and help activate the enforcement system.
- **Increase access to information.** There should be greater access to monitoring and other data as well as to enforcement-related information for the public. While both countries have access to information provisions in many of their laws, there is room to improve this process, particularly in transboundary cases. In addition to providing with public with access to this information, publicizing results of enforcement actions and other data is an indirect way to manage industry.
- **Increase access to courts and agencies.** There are several barriers to citizen access to judicial and administrative remedies. Often, citizens are priced out of challenging environmental violations, especially in Mexico. Another problem is the insufficiency of public access to environmental information, which also is critical to the development of a strong case.

- **Ensure appropriate remedies in transboundary environmental cases.** It is important that U.S. and Mexican laws and regulations provide for sufficient remedies to mitigate and deter environmental violators, including injunctions, civil penalties, supplemental environmental projects (SEPs), and criminal penalties. Some remedies, like SEPs, are relatively new and infrequently used in transboundary contexts, but could be very effective in improving the border environment.

- **Extradition.** In cases where the violator flees the country, extradition may be the only available method of prosecution, yet extradition is a cumbersome and rarely used process. A timely and efficient extradition process for border environmental cases would send a clear message to companies that if they want the privilege of doing business in Mexico or in the U.S., they must be responsible actors.

#### **Questions Raised by the Metales Case**

The Environmental Health Coalition and government agencies on both sides of the border have been working on the *Metales* case. *Metales* involves a San Diego-based company that operated a smelting facility in Tijuana, violated Mexican environmental laws by failing to either nationalize the hazardous waste produced by the facility or repatriate the waste to the U.S., and abandoned the contaminated site. The Environmental Health Coalition is interested in exploring various enforcement mechanisms that could be used in the U.S., in Mexico, and binationally to reprimand a company that creates an environmental and public health disaster in Mexico and then flees to the U.S. to shield itself from cleanup liability. While administrative and criminal enforcement will play a role, it would be helpful to explore other tools. In *Metales*, the owner of the polluting company continues to live in San Diego. While the Environmental Health Coalition filed a citizen-submission before the CEC that raised the issue of extradition to Mexico, the CEC has decided not to engage in fact-finding on the extradition issue. To the Environmental Health Coalition, extradition is the most natural next step when a criminal case is pending in Mexico, but the violator remains in the U.S.

- **Establish precedent.** Enforcers need to develop more cases based on severe violations rather than just those based on manifest or company log violations. Setting more judicial and administrative precedent in transboundary environmental cases will not only serve to expose more instances and variations of unlawful behavior, but will also help to expand the world of enforcement options for citizens and officials in different areas on the border.
- **Keep a centralized and accessible record of enforcement actions.** An accessible record that centralizes the fact patterns, proceedings, and outcomes of enforcement actions on both sides of the border would be a great resource for government and citizen enforcers. Such a record could be a source of knowledge, inspiration, coordination and confidence for enforcers.
- **Provide judicial training.** Training and seminars could be of great assistance to judges along the border in Mexico and the U.S. They are often faced with complex environmental cases and yet do not have the expertise to understand how aspects of the case, like evidentiary rules, time-sensitive issues, and remedies, play out in an environmental context.

- **Understand how to choose the most appropriate forum: U.S. or Mexican court.** There are many issues to consider when choosing where to bring a case. The laws and rules of the U.S. and Mexico differ concerning forum, jurisdiction, choice of law, conflicts of law, remedies, procedure, and other areas that may influence a strategic choice about where to seek redress for environmental harm in a transboundary case. For example, in any case based on harm in Mexico brought before a U.S. court, defendants are likely to invoke the doctrine of *forum non conveniens* in an attempt to have the case dismissed. A good understanding of the factors that weigh in on the court's determination may help overcome a defendant's attempt to have the case dismissed and adjudicated in Mexico.

- **Understand sovereignty concerns.** Defendants often raise sovereignty and the presumption against extraterritoriality as defenses to transboundary environmental enforcement. These issues need to be addressed in the context of enforcement. They are both closely guarded.

- **Develop a better understanding of corporate responsibility across the border and under U.S. and Mexican law.** Environmental enforcers could benefit from a better understanding of corporate responsibility, including when corporations are liable for the acts of subsidiaries set up across the border, how to reach the assets of a corporation when the owners flee across the border, what the requirements are for a corporation seeking to conduct business in another country, how financial assurance mechanisms can be used as a condition for doing business, and the possibility of using unfair competition laws in the environmental context.

### Choosing a Forum

In transboundary environmental cases where the harm occurs in Mexico, plaintiffs might desire to bring the case before a U.S. court for reasons such as: U.S. courts provide larger potential damage awards, which is good for plaintiffs and may further deter the polluter; and U.S. courts have had a several decade-long experience looking at environmental harm and causation issues.

However, even when a court can exercise jurisdiction over the defendant, there are additional hurdles to overcome, including the doctrine of *forum non conveniens*. Under this doctrine, U.S. courts can decide that another court is a better location for the suit. To dismiss a case based on *forum non conveniens*, a court must determine that there is an adequate alternate forum with a truly independent judiciary. Differences in damage awards do not render a forum inadequate. Courts will consider factors such as the location of witnesses, the enforceability of a judgment, and the interest of the U.S. in adjudicating the case.

### Piercing the corporate veil

U.S. corporations can do business in Mexico through subsidiaries, although it should be noted that many, if not most, maquiladoras are not subsidiaries. When a U.S. corporation tries to avoid liability for the environmental damage caused in Mexico by its subsidiary, enforcers can challenge the corporation's avoidance tactics by "piercing the corporate veil." This is accomplished by revealing certain facts, such as the extent of the parent's involvement in the day-to-day operations of the subsidiary, common directors and officers of both companies, and the undercapitalization of the subsidiary. For example, in a case involving a pesticide spill by a U.S. parent's subsidiary in Colombia, the U.S. parent had signed all of the planning documents that in essence led to the spill. This enabled the court to hold the parent liable.



- **Domestic laws in the international context.** There may be underutilized provisions of U.S. and Mexican law that could be powerful transboundary environmental enforcement tools. In the U.S., for example, environmental attorneys are invoking the Alien Tort Claims Act (ATCA) for violations of customary international environmental law. This provides a good example of how we can think creatively about ways to hold actors responsible for their actions across the border.

**The Alien Tort Claims Act**

The Alien Tort Claims Act (ATCA) of 1789 provides that “[t]he district courts shall have original jurisdiction of any civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States.” A couple of decades ago, human rights advocates began to use ATCA to challenge human rights violations, such as genocide. Now, ATCA is being invoked for violations of customary environmental law.

Environmental ATCA claims generally challenge the environmentally destructive activities of U.S.-based multinationals in other countries, which are engaged in natural resource exploration and exploitation. Heinous environmental damage is similar to piracy, which is a violation of international law. Lawyers are taking on the challenge of persuading courts that these activities violate customary international environmental law. There is also room to think creatively about bringing an ATCA claim based on a violation of a treaty of the U.S. Although many treaties have been signed by the U.S., but not ratified by the U.S. Senate, if the U.S. would ratify the Basel Convention and new protocol for individual responsibility, it could be used in the *Metales* case.

- **Develop a manual on environmental litigation/prosecution.** It would be very useful to develop a manual on environmental enforcement on both sides of the border. The manual could serve to overcome some of the barriers to transboundary environmental enforcement by plainly laying out the relevant institutions, laws, regulations, protocols, and enforcement experiences on both sides of the border.
- **Plan enforcement actions strategically at home and for binational cooperation.** Enforcement actions often occur in reaction to a single violation rather than as part of an overall enforcement strategy. Especially when using limited resources, binational cooperative enforcement actions would benefit from strategic planning so that the enforcement actions are carefully chosen to meet the priorities of the environmental and other agencies on both sides of the border.
- **Enforcement of Foreign Judgments.** Recent cases have demonstrated that, at least in a commercial setting, U.S. courts will enforce the money judgments of Mexican courts. If it is possible to get a money judgment in Mexico for a company’s violations, enforcement officials ought to be able to take that judgment to a U.S. court for enforcement. This should apply as well for court-ordered reimbursement for a cleanup. The U.S. and Mexico could begin to experiment more with bringing enforcement actions against violators who have fled and then seeking enforcement of the judgment in the other country where the violator is located.

## Conclusions and Future Directions

The third U.S.-Mexico workshop on transboundary environmental enforcement primarily served as an opportunity for government and citizen enforcers to meet and discuss their experiences, express their conception of the critical issues, and explore opportunities for enhancing binational cooperation in transboundary environmental enforcement. Enforcers on both sides encounter similar obstacles to transboundary enforcement and barriers to cooperation. As a result, several overarching themes emerged from the workshop's discussion of the movement of goods across the border, transboundary pollution, cases where the perpetrator flees over the border, cooperative enforcement mechanisms, and accessing the courts.

***Enforcers need better access to information.*** This general need could be addressed from many angles, including: publicly available information databases on enforcement actions; better monitoring and tracking systems, with an emphasis on electronic reporting and tracking; and increased communication and coordination between agencies and countries.

***There are institutional weaknesses that hamper enforcement efforts.*** More resources need to be devoted to judicial and enforcement official training. Many participants also noted a lack of thorough knowledge, understanding, and evaluation of existing laws and regulations on the part of enforcers. This may translate into underutilization of viable methods of holding polluters responsible in both legal systems and ensuring appropriate remedies.

***A lack of coordination can seriously undermine environmental enforcement efforts.*** There is room for improved coordination of U.S. and Mexican enforcement strategies between enforcement agencies in both countries, between customs and environmental agencies within each country, and between enforcement officials and NGOs.

***The capacity of citizen enforcers must be increased.*** Part of achieving this goal includes improving access to information. However, to successfully pursue polluters, other resources must accompany access to information: time, money, and technical expertise.

***There is a need to expand legal and administrative precedent.*** New enforcement tools should be tested to document and sanction more egregious transboundary violations. Creative approaches and remedies, such as the use of international law, SEPs, financial assurance mechanisms, unfair competition and corporate law, the enforcement of foreign judgments, and economic incentives, should be further explored in the transboundary context.

On the second day of the workshop, the participants generated specific potential projects that could improve transboundary environmental enforcement by addressing one or more of the themes that had emerged. This exercise sought to synthesize the two-day discussion, clarify needs, and provoke further ideas or action by the agencies and organizations that participated in the workshop.

## **Environmental Enforcement Agency Border Newsletter**

- What type of information to include?
- How wide to make distribution? (NGOs, citizens, businesses, media)
- How to handle issues of confidentiality and defamation?

## **Binational Information Tracking Databases**

- Tracking enforcement cases and shipments of hazardous waste, CFC, and other hazardous materials (Haztraks and others already exist)
- Location of facilities and their pollutant releases and transfers (TRI, RETC)
- Issues of technology: real-time tracking and harmonization of reporting, labeling
- Issues of accessibility and user-friendliness: for government agencies and the public

## **Binational Documents**

- Hazardous waste manifests
- Hazardous material shipping paper/ bill of lading

## **Environmental Enforcement Law and Practice Manual**

- USEPA-PROFEPA Information and Mutual Legal Assistance Guide already exists
- ELAW Public Participation Guide already exists
- CEC Access to Courts document exists

## **Training and Capacity Building Efforts**

- Legislature, Courts, Public, Customs, Law Enforcement Agencies, Environmental Agencies

## **Worker Information and Environmental Justice Project**

## **Binational Strategic and Prioritized Planning in Enforcement**

- Inventory of locations of facilities
- Inventory of actors and programs
- Understanding of baseline environmental conditions

Binational coordination between Mexican and U.S. enforcement officials in environmental cases is becoming more sophisticated and widespread through the Border XXI and other processes. Cooperation between bordering states in both countries through the sub-groups established under the La Paz Agreement and Border XXI and informal communication also is increasingly common. The border region is also home to sophisticated environmental citizen organizations that are monitoring the air, soil, water, and public health and stand ready to supplement governmental enforcement efforts. Within these agencies and organizations there are many yet-untapped opportunities for both formal and informal cooperation in environmental enforcement. Government agencies and citizen organizations on both sides of the border have similar goals. The barriers to transboundary environmental enforcement arise in the process of establishing a common method for working towards those goals. The formal workshops of the Border XXI process, informal workshops such as the transboundary environmental enforcement series, and the day-to-day bilateral communication and cooperation in enforcement matters are helping both Mexico and the U.S. to gain compliance, deter violations, punish violators, and remedy environmental and public health damages in the border region.

## Annex I

### AGENDA

**United States - Mexico Workshop**  
**TRANSBOUNDARY ENVIRONMENTAL ENFORCEMENT**  
*May 3-4, 2000, San Diego*

*U.S. Environmental Protection Agency*  
*Procuradería Federal de Protección al Ambiente (PROFEPA)*  
*Environmental Law Institute*

#### **Wednesday, May 3**

##### **9:00-9:45 Welcome and Introductions**

Miguel Angel Cancino, PROFEPA  
John Rothman, U.S. EPA Region IX  
Susan Casey-Lefkowitz, ELI

##### **9:45-1:00 Moving Goods Across the Border: Hazardous Wastes and CFCs**

Myriam González, PROFEPA, *Moderator*

##### **9:45 – 10:45 Typical Fact Patterns**

Pilar Leal Hernández: Chihuahua Perspective  
David Ronald: Arizona Perspective

*10:45 – 11:00 Coffee Break*

##### **11:00 – 12:00 General Strategies**

Miguel Angel Cancino: PROFEPA Approaches  
John Rothman: USEPA Approaches  
Darlene Pearson: Regional Approaches

##### **12:00 – 1:00 Using Criminal Actions**

Gabriel Calvillo: Developing a Basis for Environmental Crimes  
Noreen McCarthy: Criminal Prosecution of CFCs

##### **1:00 – 2:30 Lunch will be served on the Lower Patio**

**2:30 – 5:30 Pollution with Transboundary Effects**

Steve Gold, San Diego City Attorney's Office, *Moderator*

**2:30 – 3:45 Typical Fact Patterns**

Francisco Maytorema: Sonora Perspective

Ramon Perez, CalEPA: California Perspective

Carla García: Impact on Citizens

**3:45 – 4:00 Coffee Break**

**4:00 – 5:30 Strategies: Information, Enforcement, and Remedies**

Carlos Rincon: Information and Other Strategies

Abundio González: Enforcement Strategies in Tamaulipas

Susan McMichael: Financial Mechanisms for Ensuring Remedies

**8:00 You are invited to a dinner in Del Mar at Restaurant En Fuego**

**Thursday, May 4**

**8:30 - 12:00 Liability and Use of Courts Across the Border**

Timothy Whitehouse, U.S. EPA, *Moderator*

**8:30 – 10:15 Typical Fact Patterns**

Francisco Antonio Sandoval: Maquiladores in Baja California

Tim Patterson: Violators Fleeing to and from California

Cesar Luna: Issues Arising from the *Metales* Case

**10:15 – 10:30 Coffee Break**

**10:30 – 12:00 Strategies for Using Courts and Cooperative Enforcement Actions**

Myriam González: Cooperative Enforcement Actions

Martin Wagner: Trends in Use of Courts

Maria Elena Mesta: Jurisdiction and Choice of Law in Mexico

**12:00 – 2:00 Putting Strategies for Cooperation into Practice (Lunch-time discussion)**

Miguel Angel Cancino and John Rothman, *Moderators*

## Annex II

### PARTICIPANTS LIST

**United States - Mexico Workshop  
TRANSBOUNDARY ENVIRONMENTAL ENFORCEMENT  
May 3-4, 2000, San Diego**

***U.S. Environmental Protection Agency  
Procuradería Federal de Protección al Ambiente (PROFEPA)  
Environmental Law Institute***

**Lic. Alejandro Aldana**  
**PROFEPA en Chihuahua**  
Thomas Alva Edison No. 1510, P.B.  
Norte Esq. con Malecón, Col. Hidalgo  
C.P. 32300, Cd. Juárez, Chihuahua, México  
Tel: (5216)11-0166 /67  
Fax: (5216)11-0220  
Email: [pfpachih@infohik.net](mailto:pfpachih@infohik.net)

**Lic. Agustín Bravo Gaxiola**  
**Centro de Derecho Ambiental del Noroeste de México CEDANEM**  
Carbonel 2715 C  
Colonia San Felipe C.P. 31240  
Chihuahua, Chihuahua  
Tel: (5214) 136-542  
Email: [cedanem@megalink.net.mx](mailto:cedanem@megalink.net.mx)

**Gabriel Calvillo**  
**Fiscal Especial para la Atención de Delitos Ambientales**  
Procuraduría General de la República  
Fernando Alva Ixtilxochilt 185, 2° piso  
Col. Tránsito, c.p. 06820  
Del. Cuahutémoc, México D.F.  
Tel: (5214)53 46 42 51  
Fax: (5214) 53 46 43 94  
Email: [gabrielc@iwm.com.mx](mailto:gabrielc@iwm.com.mx)

**Lic. Miguel Angel Cancino Aguilar**  
**Director General Jurídico**  
**PROFEPA**  
Blvd. Pipila No. 1, Col. Tecamachalco,

Naucalpan de Juárez, México, C.P. 53950  
Tel. (525) 589-0166  
Fax. (525) 589-4011  
Email: [mcancino@web.profepa.gob.mx](mailto:mcancino@web.profepa.gob.mx)

**Lic. Alejandra Cano**  
**Fiscal Especial para la Atención de Delitos Ambientales**  
Procuraduría General de la República  
Fernando Alva Ixtilxochilt 185, 2° piso  
Col. Tránsito, c.p. 06820  
del. Cuahutémoc, México D.F.  
Tel: (5214)53 46 42 51  
Fax: (5214) 53 46 43 94  
Email: [alejandra\\_cano@infosel.net.mx](mailto:alejandra_cano@infosel.net.mx)

**Susan Casey-Lefkowitz**  
**Senior Attorney**  
**Environmental Law Institute**  
1616 P Street, N.W. Suite 200  
Washington, D.C. 20036  
Tel: (202) 939-3865  
Fax: (202) 939-3868  
Email: [casey@eli.org](mailto:casey@eli.org)

**Ing. Rogelio Cepeda Sandoval**  
**Delegado de PROFEPA en Coahuila**  
Guadalupe Victoria No. 312, 4 y 5 y 7° piso  
Zona Centro. C.P. 25000  
Saltillo Coahuila, México  
Tel: (5284)129979  
Fax: (5284)122195  
Email: [profepa@coah1.telmex.net.mx](mailto:profepa@coah1.telmex.net.mx)

**Lucinda Chavez**  
**Arizona Department of Environmental Quality**  
3033 N. Central  
Phoenix, AZ 85012  
Tel: (602) 207-4875  
Fax: (602) 207-4138  
Email: [chavez.lucinda@ev.state.az.us](mailto:chavez.lucinda@ev.state.az.us)

**Alella Cruz**  
**PROFEPA**  
Periférico Sur No. 5000, Anexo B.  
Col. Insurgentes Cuicuilco,  
C.P. 04530 México, D.F.  
Tel: (525) 666-9334  
Fax: (525) 528-5515  
Email: [alcruz@correo.profepa.gob.mx](mailto:alcruz@correo.profepa.gob.mx)

**Lisa W. DeSiderio**  
**Resident in Charge**  
**Criminal Investigation Division**  
**U.S. Environmental Protection Agency**  
610 W. Ash St., Suite 707  
San Diego, CA 92101  
Tel: 619/557-5818  
Fax: 619/557-7233

**Laura Durazo**  
**Proyecto Fronterizo de Educación Ambiental**  
PMP #88, Suite A, 710 San Ysidro Blvd.  
San Ysidro, CA 92173  
Tel: (52-66) 30590  
Fax: (52-66) 30590  
Email: [pfea@mail.tj.cetys.mx](mailto:pfea@mail.tj.cetys.mx)

**Lic. Carla Garcia**  
**Yeuni - los que luchan**  
Ave. Batopilas 2336, Col. Cacho  
Tijuana, Baja California, Mexico  
Mailing address:  
Elsa Jimenez / Yeuni  
P.O. Box 432122  
San Ysidro, CA 92143-2122  
Tel/Fax: (52-6) 684-9069  
Tel: (52-6) 684-1443  
Email: [yeuni@telnor.net](mailto:yeuni@telnor.net)

**Jennifer Gleason**  
**Environmental Law Alliance Worldwide**  
1877 Garden Ave.  
Eugene, OR 97403  
Tel: (541) 687-8454  
Fax: (541) 687-0535  
Email: [jen@elaw.org](mailto:jen@elaw.org)

**Bradlee Godshall**  
**Special Agent**  
**Federal Bureau of Investigation**  
9797 Arego Drive  
San Diego, CA 92123  
Tel: 858/565-1255  
Fax: 858/514-5962

**Steve Gold**  
**Deputy City Attorney**  
**Consumer and Environmental Protection Unit**  
1200 Third Ave, Suite 700  
San Diego, CA 92101  
Tel: (619) 236-6508  
Secretary: (619) 533-5645  
Fax: (619) 533-5504  
Email: [fbg@sdcity.sannet.gov](mailto:fbg@sdcity.sannet.gov)

**Mvz. Abundio González González**  
**Delegado de PROFEPA en Tamaulipas**  
Hernán Cortés No. 101.  
Esq. con República de Argentina,  
Col. Pedro Sosa  
C.P. 87120 Cd. Victoria, Tamaulipas, México  
Tel: (5213)128663  
Fax: (5213)129554

**Lic. Gladis González**  
**PROFEPA en Nuevo León**  
Palacio Federal, Av. Benito Juárez y Corregidora  
2 piso. C.P. 67100,  
Cd. Guadalupe, Nuevo León, México  
Tel: (5283) 540391  
Fax: (5283) 551094

**Lic. Myriam González Villamil**  
**Directora de lo Consultivo**  
**PROFEPA**  
Bldv. Pipila No. 1, Col. Tecamachalco,  
Naucalpan de Juárez., México, C.P. 53950  
Tel. (525) 5896505  
Fax. (525) 5894011



**Quim. Ma. Del Pilar Leal Hernández**  
**Delegada de PROFEPA en Chihuahua**  
Thomas Alva Edison No. 1510, P.B.  
Norte Esq. con Malecón, Col. Hidalgo  
C.P. 32300, Cd. Juárez, Chihuahua, México  
Tel: (5216)11-0166-67  
Tel: (5216)11-0220  
Fax: (5216)11-0220  
Email: [pfpachih@intelexis.com](mailto:pfpachih@intelexis.com)

**Pamela LePen**  
**Border Coordinator**  
Department of Toxic Substance Control  
California EPA  
5796 Corporate Ave.  
Cypress, California 90630  
Tel: (714) 484-5379  
Fax: (714) 484-5369

**Lic. Nora Lucio Pena**  
**PROFEPA en Coahuila**  
Guadalupe Victoria No. 326, 4 y 5 y 7° piso.  
Zona Centro. C.P. 25000,  
Saltillo Coahuila. México  
Tel: (5284)129979  
Fax: (5284)122195  
Email: [profepa@coahl.telmex.net.mx](mailto:profepa@coahl.telmex.net.mx)

**César Luna**  
**Environmental Health Coalition**  
1717 Kettner Boulevard, Suite 100  
San Diego, CA 92101  
Tel:(619) 235-0281  
Fax: (619) 232-3670  
Email: [CesarL@environmentalhealth.org](mailto:CesarL@environmentalhealth.org)

**Sandra Martinez**  
**Red Fronteriza de Salud y Ambiente**  
E. Beraud # 6-A Col. Centenario  
Hermosillo, Sonora  
Tel: (52-62) 134555  
Fax: (52-62) 125920  
Email: [incitra@rtn.uson.mx](mailto:incitra@rtn.uson.mx)  
[Lared@rtn.uson.mx](mailto:Lared@rtn.uson.mx)

**Francisco Maytorema**  
**PROFEPA en Sonora**  
Revolución No. 111  
Col Centro, C.P. 83290, Hermosillo, Sonora  
Tel: (5262) 174698  
Fax: (5262) 132878  
Email: [procuropa@prodigy.net.mx](mailto:procuropa@prodigy.net.mx)

**Noreen McCarthy**  
**Trial Attorney**  
**Environmental Crimes Section**  
**Environment and Natural Resources Division**  
**U.S. Department of Justice**  
601 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
(202) 305-0349  
Email: [noreen.mccarthy@usdoj.gov](mailto:noreen.mccarthy@usdoj.gov)

**Susan McMichael**  
**Assistant General Counsel**  
**New Mexico Environment Department**  
P.O. Box 26110  
1190 St. Francis Dr.  
Santa Fe, NM 87502-6110  
Tel: (505) 827-0127  
Fax: (505) 827-1628

**Lic. Maria Elena Mesta**  
**Mexican Center for Environmental Law**  
**(CEMDA)**  
Atlixco No. 138, Col. Condesa  
México, DF 06140  
Tel: (525) 211-2457, ext. 16  
Fax: (525) 211-2593  
Email: [memesta@cemda.org.mx](mailto:memesta@cemda.org.mx)  
Or [general@cemda.org.mx](mailto:general@cemda.org.mx)

**Lic. Rubén Martín Olvera y Aguilar**  
**Fiscal Especial para la Atención de Delitos**  
**Ambientales**  
Procuraduría General de la Republica  
Fernando Alva Ixtilxochilt 185, 2° piso  
Col. Transito, cp.p. 06820  
del. Cuahutemoc, mexico d.f.  
Tel: (5214)53 46 42 51  
Fax: (5214) 53 46 43 94

**Timothy Patterson**  
**Deputy Attorney General**  
**Attorney Generals Office**  
P.O. Box 85266  
San Diego, CA 92186-5266  
Tel: (619) 645-2013  
Fax: (619) 645-2012

**Darlene Pearson**  
**Law and Policy Program**  
**Commission on Environmental Cooperation**  
393 rue St. Jacques Ouest, bureau 200  
Montreal, Quebec,  
H24 1N9 Canada  
Tel: (514) 350-4334  
Fax: (514) 350-4314  
Email: [dpearson@cceamt.org](mailto:dpearson@cceamt.org)

**Ramon Perez**  
**California /EPA /DTSC**  
**Office of Legal Counsel**  
San Diego, CA  
Tel: (619) 710-0024  
Fax: (619) 236-7200

**Marilyn Querejazu**  
**Texas Natural Resource Conservation**  
**Commission (MC-130)**  
P.O. Box 13087  
Austin, TX 78711  
Tel: (512) 239-6884  
Fax: (512) 239-6410  
Email: [mquereja@tnrcc.state.tx.us](mailto:mquereja@tnrcc.state.tx.us)

**Cyrus Reed**  
**Texas Center for Policy Studies**  
P.O. Box 2618  
Austin, TX 78768  
Tel: (512) 474-0811  
Fax: (512) 474-7846  
Email: [tcpscr@onr.com](mailto:tcpscr@onr.com)

**Chris Reiner**  
**USEPA / Region 9**  
WST-1  
75 Hawthorne Street  
San Francisco, CA 94105  
Tel: (415) 744-2096  
Fax: (415) 744-1078  
Email: [reiner.chris@epa.gov](mailto:reiner.chris@epa.gov)

**Carlos Rincon**  
**Environmental Defense**  
1100 N. Stanton, Suite 805  
El Paso, TX 79902  
Tel: (915) 543-9292  
Fax: (915) 543-9115  
Email: [crincon@environmentaldefense.org](mailto:crincon@environmentaldefense.org)

**Margarita Rodriguez**  
**PROFEPA**  
Blvd. Pipila No. 1, Col. Tecamachalco  
Naucalpan de Juárez  
Edo. de México C.P. 53950  
Tel: (525) 5896505  
Fax: (525) 5894011

**David Ronald**  
**Chief, Environment Unit**  
**AZ Attorney General Office**  
1275 West Washington  
Phoenix, AZ 85007  
Tel: (602) 542-8505  
Fax: (602) 542-5997

**John Rothman**  
**Office of Regional Counsel**  
**U.S. Environmental Protection Agency,**  
**Region IX**  
75 Hawthorne Street  
San Francisco, CA 94105  
Tel: (415) 744-1353  
Fax: (415) 744-1041  
Email: [rothman.john@epa.gov](mailto:rothman.john@epa.gov)

**Ing. Francisco Antonio Octavio Sandoval**  
**Sánchez.**  
**Delegado de PROFEPA en Baja California**  
Av. Alfonso García González No. 555  
Col Profesores Federales, C.P. 21370  
Mexicali, B.C., México  
Tel: (5265) 617-491  
Fax: (5265) 617-930

**Iliana Tamacas**  
**RCRA Enforcement Officer**  
**USEPA / Region 6**  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202  
Tel: (214) 665-8491  
Fax: (214) 665-7264  
Email: [tamacas.iliana@epamail.epa.gov](mailto:tamacas.iliana@epamail.epa.gov)

**Julie Teel**  
**Law Fellow**  
**Environmental Law Institute**  
1616 P Street, N.W., Suite 200  
Washington, D.C. 20036  
Tel: (202) 939-3813  
Fax: (202) 939-3868  
Email: [teel@eli.org](mailto:teel@eli.org)

**Tomas Torres**  
**USEPA**  
610 West Ash St., Suite 703  
San Diego, CA 92101  
Tel: (619) 235-4775  
Email: [Torres.Tomas@epa.gov](mailto:Torres.Tomas@epa.gov)

**Dora Uribe Jimenez**  
**Representante Legal**  
**Comité para la Protección de los Recursos**  
**Naturales**  
Quinta Avenida No. 398, Entre 3 y 5  
Col. Centro, Cozumel, Quintana Roo  
Tel: (521) 987-23680  
Email: [doraUribe@yahoo.com](mailto:doraUribe@yahoo.com),  
[coprenat@cozumel.com.mx](mailto:coprenat@cozumel.com.mx)

**Jorge Urquijo**  
**Special Agent**  
**Criminal Investigation Division**  
**U.S. EPA**  
600 South Lake Ave. Suite 502  
Pasadena, California 91106  
Tel: (626) 583-6745  
Fax: (626) 583-7533

**Martin Wagner**  
**Earthjustice Legal Defense Fund**  
180 Montgomery Street, Suite 1725  
San Francisco, CA 94104  
Tel: (415) 627-6700  
Fax: (415) 627-6749  
Email: [mwagner@earthjustice.org](mailto:mwagner@earthjustice.org)

**Timothy Whitehouse**  
**International Enforcement and Compliance**  
**Division**  
**U.S. EPA**  
Ariel Rios Building, MC 2254A  
1200 Pennsylvania Avenue, N. W.  
Washington, DC 20460  
Tel: (202) 564-2315  
Fax: (202) 564-0073  
Email: [whitehouse.tim@epa.gov](mailto:whitehouse.tim@epa.gov)

#### **Interpreters**

**Felipe Perez**  
1714 Deerfield Drive  
Austin, Texas 78741  
Tel: (512) 656-8972  
Email: [fperez@texas.net](mailto:fperez@texas.net)

**Tony Beckwith**  
602 Carolyn Avenue  
Austin, TX 78705  
Tel: (512) 479-8865  
Email: [104607.2510@compuserve.co](mailto:104607.2510@compuserve.co)

