

# State Innovations Project Kick-Off Meeting 6-23-06

## OPENING REMARKS

Ira Leighton (EPA New England)

- Challenged to Inspire

## PROJECT GOALS & FUTURE STATE

### Comments/Questions from Participants

Julie Churchill (ME DEP)

- Must present credible information to agency officers and get buy-in.

Terri Goldberg (NEWMOA)

- Is the ultimate purpose of the project to transfer ERP as a whole program to other states?

### **RESPONSE**

#### Steve DeGabriele, MA DEP

- *This project is about using ERP type measurement approaches to compare data and adopt effective group performance improvement strategies. Transferring a whole ERP is not a specific goal for this project. However, if the project is successful, it could generate additional state interest in either learning more about these ERP-type measurement approaches or in adopting a whole ERP program in the future.*
- *Other ERP transferability efforts, coordinated by EPA, are underway.*

## UNDERSTANDING DATA CHOICES

Tom D'Avanzo (EPA New England)

- We may want to consider ways of thinking outside the box in terms of collecting sources of data for this project, e.g. OMD looking at human health data.

Rudy Cartier (NH DES)

- What kind of data quality will be necessary for this project? How much will be considered enough for EPA?

### **RESPONSE**

#### Suzi Peck, MA DEP

- *It's up to our group to determine what's "good enough."*

#### Steve DeGabriele, MA DEP

- *It's good enough when a reasonable person at the end of the day sees that we took the necessary steps for good measurement and that it's a credible program.*
- *The point of today's discussion is to think about these issues, how we collect data, how we look at bias, etc. and to say with a degree of confidence that we looked at all these issues and are able to compare data among states. Our challenge is to find the right balance between perfect data and data that is good enough.*

Rudy Cartier (NH DES)

- When MA did the ERP Credit Proposal, what was the level of analysis required to get the credit? Was the analysis similar to what we'll be doing on this project?

**RESPONSE**

**Steve DeGabriele, MA DEP**

- *We convinced EPA early on with the ERP design. Systems were already in place in Mass.*
- *The data has to be credible and backed up to support the evidence. I am confident that we can do this project successfully as a collective state.*

Tom D'Avanzo (EPA New England)

- To what extent will this project use data that currently exists and is manipulated and/or analyzed versus the need for new data that has to be collected? Inspectors are getting different kinds of data and with collection being done so differently, this could impact what sectors and data we select.

**RESPONSE**

**Suzi Peck, MA DEP**

- *Collecting new data could be more reliable. We'll have to look and see what old data is a show stopper. If all this measurement is going to work, it has to be integrated into the program. It would be a great win for us all to pick something that we've already done and simply tweak it as opposed to doing new work.*

Terri Goldberg (NEWMOA)

- Issue of transparency must be part of the mix when trying to prove program credibility.

**RESPONSE**

**Suzi Peck, MA DEP**

- *This issue of transparency will be mapped out in the QAPP and incorporated into the final report.*
- *Documenting everything will allow us to determine where there is a lack of data as well.*

Mike Crow (Cadmus)

- The group will need to consider the different measurement options, specifically with benchmarking progress and using aggregate data.

Rudy Cartier (NH DES)

- What do the ERP results show with voluntary programs?

**RESPONSE**

**Suzi Peck, MA DEP**

- *It's harder to generalize with this population because they tend to already be good performers. But if data shows improvement as a result of the program, that's a good result. You have to understand the population you're measuring and who it applies to.*

**Beth Termini, EPA New England**

- *It is possible to compare mandatory versus voluntary as RI DEM has successfully done.*

**Ron Gagnon, RI DEM**

- *In RI's case, a voluntary program gave them information on a group that was off the radar. This allowed them to get information without having to go to a mandatory program.*

**Mike Crow, Cadmus**

- *Voluntary vs. Mandatory is something the group will have to grapple with. You can get good data for each using the random inspection approach. It is more difficult when you introduce the self-reporting bias which is not part of the project.*

Tom D'Avanzo, (EPA New England)

- There may be a lot of data that can be used from external sources. I encourage people to consider collecting data in other ways, and those ways may not necessarily use ERP indicators.

## **CONSIDERATIONS WHEN PICKING INDICATORS**

### Testing the Value of Selected Indicators

Suzi Peck (MA DEP) Contrapositive

- If you inspect a facility and determine that it was in compliance with indicators, I would feel confident that overall environmental performance is high.
- If you inspect a facility and determine that it was out of compliance with indicators, I would feel confident that overall environmental performance was poor.

Steve DeGabriele (MA DEP)

- Whatever number of indicators we end up choosing, this will not limit us from measuring other things beyond those indicators.

Julie Churchill (ME DEP)

- Mass has a good model for how we start the discussion of indicators. ME is interested in knowing the key lesson learned from Mass.

Ron Gagnon (RI DEM)

- RI collected data on all requirements and then picked indicators that had the greatest statistical significance.

Terri Goldberg (NEWMOA)

- When picking indicators, asking industry's input on the specific things we want to measure may not be appropriate.

Mike Crow (Cadmus)

- Don't get too hung up on measures collected from one year of data. There may be a big enough difference after collecting multiple years of data.

Julie Churchill (ME DEP)

- Likes the idea of indicators that measure human health risks. ME found that if a facility is out of compliance with RCRA, it is usually out of compliance with OSHA.

## **RESPONSE**

### **Steve DeGabriele, MA DEP**

- *That is another question we have to answer. Do we want to stay within our own agencies or go outside to OSHA? This brings us back to what groups we want to pick and how much control over the data we want to have.*

Ky Asral (NJ DEP – Learning State)

- Unclear as to what kinds of indicators to select. Activity measures, outcome measures, regulatory measures, and beyond compliance measures all seem to all overlap.

## **RESPONSE**

### **Steve DeGabriele, MA DEP**

- *There is overlap but we have choices to make. Having a broad based set of indicators has worked well in the past. But there is no right or wrong answer.*

## **Complexity of Group**

Robert Isner (CT DEP)

- Suggested that photo processors should not be exempt in CT. Are requirements from state to state similar enough?

## **RESPONSE**

### **Beth Termini, EPA New England**

- *To get around this problem, states could pick two groups to analyze – expand the options for analysis.*

### **Steve DeGabriele, MA DEP**

- *Or there could be a subset of states that pick one group to work on. Or all states could work on one or both groups.*

Rudy Cartier (NH DES)

- Is it possible to use a generic template and then adapt it to different sectors selected in the future? Requested protocol for picking indicators.

## **RESPONSE**

### **Steve DeGabriele, MA DEP**

- *There is no “one size fits all.” But what MA did was to use the same hazardous waste indicators across several groups. This made things a lot easier. The indicators were very good and applied to each of those sectors. But in other areas this might not be possible.*

## OTHER CONSIDERATIONS WHEN PICKING GROUPS/INDICATORS

- Similarity of requirements across states
- Number of facilities across the states
- Pick groups that allow for set of standard indicators for each media
- Use federal as well as state requirements
- Determine if selection is addressing important environmental problems across all states, e.g. in New England mercury is a high priority. Other priorities? May or may not be federal.
- Is there an ability to link indicators to an environmental outcome
- Regulatory sophistication of group makes a difference
- Small universe may mean lower environmental benefit
- The bigger the universe the lower the per facility measurement cost
- Compliant vs. problem group
- Problem group could be so bad it's too complicated to take on
- Language barriers
- Whether or not facilities are in the system

## ADDITIONAL GROUPS TO ADD TO LIST

- Autobody
- Auto Repair
- Dental Clinics
- Used Oil Handlers & Recyclers
- Boat Builders
- Electronic Recyclers
- Furniture Strippers
- Radiator Repair
- Metal Fabricators
- Spray Booth Operators, e.g. furniture
- Municipal Operations, e.g. POTWs
- Portable Minor Sources, e.g. wood chippers, rock crushers, air sources
- Platers, e.g. nickel, chrome, job shops

Susan Zampaglione (CT DEP)

- How will data be merged when it's collected in so many different ways by the states?

### ***RESPONSE***

***Steve DeGabriele, MA DEP***

- ***The states have to think about what data exists already and use that as part of the consideration for picking groups, e.g. RCRA requirements. It is likely to be problematic if states are collecting data in different ways.***

Ron Gagnon (RI DEM)

- I suggest we pick an easy, single media group that everyone can work on right away; then pick something more challenging.

Tom Killeen (NYS DEC – Learning State)

- Each state has different levels of experience with ERP. This may present challenges with doing measurement.

Terri Goldberg (NEWMOA)

- As much as possible, states should draw on the experience of those that have already done ERP.

***RESPONSE***

***Steve DeGabriele, MA DEP***

- *If they haven't already, states should send information to Bill Cass on what ERP work they have already done.*

Jim Colman (MA DEP)

- Is the purpose of this project to collect data and compare results or is it about how to solve environmental problems?

***RESPONSE***

***Steve DeGabriele, MA DEP***

- *The primary purpose is to collect common group performance data that will allow states to learn more effective and efficient group performance improvement strategies.*

Robert Isner (CT DEP)

- Lessons from MA should be added to the training.

***RESPONSE***

***Steve DeGabriele, MA DEP***

- *Here are some of MA's lessons:*
  - *Build on work already done*
  - *Use all existing requirements*
  - *Collect information in the same way*
  - *Get support from senior managers*
  - *Pick groups where you control the data and may be similar to other states.*

**NEWMOA's ELECTRONIC COMMUNICATION PLANS**

- Develop listserv
- Look into Bulletin Board
- Develop Webpage for Project

## **HOMEWORK ASSIGNMENT**

### ACTION ITEMS FOR MADEP

- Send out instructions, schedule, and forms including example of completed chart.
- Send out electronic list of all sectors.

### States 1<sup>st</sup> Cut

- Review and select groups to be RULED OUT
- Review and select groups that state is INTERESTED IN
- Review and select groups that state is REALLY INTERESTED IN!

### States 2<sup>nd</sup> Cut

- Complete Charts

### States 3<sup>rd</sup> Cut

- Zero in on Final Groups