

EPA OECA Echo

Enforcement and Compliance Assurance for a Cleaner Environment

From the Assistant Administrator
Steven A. Herman



Legislation Has New Tools To Protect Public Against Environmental Crimes

It was my pleasure to represent EPA when Attorney General Janet Reno transmitted the Environmental Crimes and Enforcement Act of 1996 legislation to Congress in September. It is legislation that will strengthen our ability to protect communities by giving federal, state and local governments new tools to investigate and prosecute environmental crimes, and will help foster a new level of cooperation between the federal government and state and local law enforcement officials on the front lines of community-based law enforcement efforts.

Criminal enforcement has been the fastest growing component of EPA's enforcement program over the last several years, reflecting the agency's stepped-up targeting of the worst polluters and the most significant threats to public health and the environment. In fiscal 1995, for example, EPA initiated 562 criminal cases and referred 256 to DOJ, both one-year records.

In the course of expanding criminal enforcement efforts, EPA and DOJ have identified several areas where new or more explicit legislative authority will enable us to fight environmental crimes more effectively. The Administration's environmental crimes bill responds to the repeated concerns of federal, state, and local law enforcement officials to recurring obstacles to the safe and effective investigation and prosecution of environmental crimes. It includes new resources for training state, local and tribal governments in safely investigating crimes involving hazardous wastes and other dangerous substances.

Here is a summary of some of the bill's major provisions:

- **Reimbursement for State, Local and Tribal Governments.** During the last several years, EPA and DOJ have developed system-

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New Jersey Superfund Site Cleanup Settlement Is One of Largest in History of CERCLA

More than 90 companies, federal and state agencies have agreed to contribute at least \$221.5 million to help cover the cost of cleaning up the Bridgeport Rental and Oil Services (BROS) Superfund site in Logan Township, NJ, under an agreement reached on the last day of fiscal 1996 with EPA, DOJ, and the state of New Jersey.

One of the largest Superfund settlements ever, it will cover about 70 percent of the cost of completed and anticipated clean-up actions. The private companies will complete and pay up to \$95 million for the remaining remedial work of cleaning up groundwater and wetlands affected by site contamination.

The site has long been considered one of the most technically challenging under Superfund. It had been used for waste oil collection and chemical waste storage for almost three decades.

When it was closed in the late 1970s, millions of gallons of waste oil and other pollutants were left behind, mostly in a 13-acre lagoon. Spills and leaks had also contaminated groundwater and adjacent wetlands.

Negotiations leading to the settlement involved EPA, DOJ, the New Jersey Department of Environmental Protection (NJDEP), the New Jersey Attorney General's office, and the settling parties. A unique "risk-sharing" provision that addresses unforeseen cleanup needs is included in the settlement.

"The risk-sharing and related features of the BROS consent decree respond to concerns subsequently addressed in a policy announced by Administrator Carol Browner last June," said Steve Herman, OECA assistant administrator.

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New Tools To Deal With Environmental Crimes

(Continued from Page 1)

atic relationships with state and local law enforcement agencies to more effectively combat environmental crimes. EPA criminal investigators now participate in over 70 federal/state/local task forces and Law Enforcement Coordinating Committees throughout the country. The bill authorizes federal courts to order those convicted of environmental crimes to reimburse state and local governments for costs incurred in supporting federal investigations and prosecutions. Only funds expended by a state or local government in support of a federal investigation and prosecution of a case are reimbursable, and can be used only for environmental law enforcement.

. Extension of the Statute of Limitation for Environmental Crimes. Many environmental crimes, especially those involving illegal disposal or dumping of hazardous materials, are hard to detect. The bill extends the statute of limitations where a violator has affirmatively concealed the environmental crime. The traditional five-year statute of limitations can be extended up to three additional years, providing a maximum of eight years to prosecute the case from the time the violation is committed.

. Enhanced Sanctions for Violations Causing Injury or Death. One of the most tragic environmental crimes occurred in 1992, when two nine-year-old boys died after being overcome by solvent fumes illegally put in a dumpster where they had been playing. A criminal investigation revealed that the company — despite warnings from county officials — had routinely disposed of waste toluene in the dumpster and treated and disposed of hazardous waste on site without a permit. In exceptional circumstances like this, greater sanctions are appropriate. The bill provides for enhanced punishment when a criminal violation of specified environmental law "directly or proximately" causes serious bodily injury or death to any person. It applies to death or injury suffered by public officials — police, firemen, or any other public safety officers — who may arrive at the scene of an environmental crime, or members of the general public.

. Ability to Prosecute "Attempts" to Commit Environmental Crimes. Law enforcement officials engaged in surveillance operations are often faced with a difficult choice — whether to protect human health and the envi-

ronment at the risk of subverting the case against a violator literally "caught in the act." That is because, under current federal law, the government cannot prosecute where investigators are able to stop a crime in progress before the environment is harmed. The bill would eliminate this loophole by providing an "attempt" provision for environmental statutes, similar to those found in many other criminal laws. The government could still prosecute where investigators are able to stop a violation in progress, when it is able to prove beyond a reasonable doubt that the defendant was attempting to commit an environmental crime.

. Restitution/Securing Assets for Cleanup. One of the basic principles of federal environmental enforcement efforts is that violators should pay for and correct the damage they cause. The federal government seeks such restitution in its criminal enforcement efforts, where feasible. The bill would amend federal restitution statutes to clarify that courts may order convicted defendants to pay restitution of the damage caused by their environmental crimes, including the costs of removal and remediation of the environmental pollution and restoration of the environment, if the pollution or damage results from the violation.

For the "polluter pays" principle to be implemented, the government must be able to make sure that a defendant charged with an environmental crime cannot evade this responsibility by shielding his assets. The bill prevents a defendant from "concealing, disposing of, or otherwise dealing with his assets" so that if he is convicted and ordered to pay the cost of the harm he caused, his assets will be available.

. Enhanced Training of State and Local Law Enforcement Personnel. The bill provides additional resources for EPA's National Enforcement Training Institute to help train state, local and tribal law enforcement officials in the investigation and prosecution of environmental crimes. It establishes a program dedicated to training state, local and tribal law enforcement officials in investigating environmental crimes.

The public is right to expect government to take swift, effective action to protect against environmental crimes and against those who willfully ignore environmental standards and pollute the public's air and water. The new environmental crimes bill will help ensure that every community can be protected from toxic pollution. This Administration looks forward to working with Congress to enact it.

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Superfund Administrative Reform Policies In Place

Steps to implement three Superfund Administrative Reforms have been taken by EPA to accelerate the Administration's efforts to shift from litigation to prompt cleanup of the worst toxic waste dumps. Two are new policies, the third the appointment of regional ombudsmen.

Under a new "orphan share compensation" policy, EPA will help cover a portion of the cleanup costs attributable to parties who are now insolvent or defunct at Superfund sites where viable responsible parties agree to perform the cleanup. Under CERCLA, liable solvent parties are responsible for the total costs of cleaning up a site, including that share of costs attributable to companies that no longer exist or have no financial assets. EPA offered over \$57 million in fiscal 1996 nationwide towards covering the orphan share at sites where cleanup agreements are being negotiated.

A second policy revises and expands EPA's 1993 "de micromis" policy which stated the agency's intention to protect very small volume waste contributors. The revised policy doubles earlier cutoffs to provide that a party could have sent up to .2 percent of municipal solid waste or up to .002 percent or the equivalent of two drums of materials containing hazardous substances without being held liable by the federal government for a portion of cleanup costs. The policy also protects them from "third party" suits from larger waste contributors by settling with them for zero dollars.

In a third action, EPA announced that a Superfund ombudsman has been appointed in each of the 10 regional offices. The ombuds-

men constitute an outreach effort by the agency to improve understanding of the hazardous waste cleanup program. The ombudsmen are charged with facilitating the resolution of concerns and questions raised by the public. They have direct access to top-level management to help resolve cleanup site issues.

ES Web Site Use Rises; BBS Platform To End

There were 25,712 web system connections to OECA's Earth 1/Enviro\$ense (E\$) World Wide Web site in August, up nearly 5,000 from the previous month. Of this number, 22,215 documents on the site were visited.

The Earth 1/Enviro\$ense network includes about 10,000 files, including about 1200 from OECA (mostly policies) alone. E\$'s documents include regulations, policies and guidance, case studies, technical data, and regulatory and vendor points of contact.

Because of the success of the E\$ WWW platform, and growing funding limitations, the network's electronic bulletin board system (BBS) platform will be discontinued at the end of the year. All of OECA's documents on the BBS will be transferred to the world wide web.

The web address for Earth 1/Enviro\$ense is <http://es.inel.gov/>. Direct connection to the OECA portion of Earth1/Enviro\$ense is made using the extended address of <http://es.inel.gov/oeca>. For more information about Earth1/Enviro\$ense, contact Louis Paley (202/564-2613, or Jonathan Packman (202/546-2617).

EPA Refers Record Number Of Criminal Cases to DOJ

EPA referred a record 256 criminal cases to the Department of Justice in fiscal 1995. The agency started 562 new criminal investigations and obtained \$23 million in penalties for environmental crimes.

As a result of targeted civil enforcement, EPA secured almost \$1.65 billion which will directly benefit the environment by funding pollution control equipment and other environmental projects.

EPA collected more than \$70 million in civil penalties and took over 3,200 civil enforcement actions. Collections for Superfund private party cleanups amounted to \$851 million.

The figures are part of EPA's "1995 Enforcement Accomplishments Report", released in July.

Government, Industry Learn From Each Other In Foundry Compliance Assistance Program

Region 6 Program Succeeds in Oklahoma

To be effective, federal government policy initiatives require innovative thinking at the local level and industry cooperation. That's what it took in Oklahoma last year when EPA's Region 6 set out to implement national policy guidance related to various federal initiatives, chief among them being the Administration's government-reinvention of regulations program.

From that strategy several EPA programs were initiated such as the Environmental Leadership Program and Project XL. These programs are designed to help industry comply with environmental laws and provide environmental protection that moves away from the one size fits all approach. Region 6 tested the concept with a hands-on program involving the foundry industry in Oklahoma.

"We were encouraged to form partnerships with state environmental agencies, to find new ways to measure industry compliance, and to think of ways to develop industry compliance outside the usual parameters," says Mark W. Potts, Region 6's hazardous waste enforcement section chief. Potts set up a working arrangement with the Oklahoma Department of Environmental Quality. Together, the agencies developed a voluntary compliance pilot project for foundries in the state which had a history of air and hazardous waste disposal problems.

The plan was to provide training to foundry facility personnel on environmental regulations affecting their operations and to encourage facilities to find ways to meet the regulatory requirements. The state negotiated a six-month period during which the foundry facilities would not be inspected for violations but would learn about and voluntarily do what was necessary to come into compliance.

The key to granting this six-month grace period was found in a Clean Air Act provision, Section 507, which establishes programs to help small businesses comply with the Clean Air Act. This was the basis for establishment of the Interim Policy on Compliance Incentives for Small Businesses. The pilot modeled the small business incentives policy by providing either on-site compliance assistance upon request or the facility could volunteer to perform a self-audit of its operations and disclose its audit findings to the state. If the facility self-corrected and self-reported its violations to the state in a specified period of time, no penalty was required. In the Oklahoma project, about 50 percent of the facilities participating on the pilot audited their environmental operations and the state helped the

foundries come into compliance with the applicable environmental regulations.

To make the program work, industry cooperation was essential. A first step was to invite facility representatives to discuss the plan. Of the 47 foundries located in Oklahoma, representatives of 23 attended the initial meeting and ultimately agreed to participate in the program.

A self-audit checklist, developed by the state environmental agency, was key to the program's success. The checklist contained questions about the facility's process operations and about pollution prevention procedures. The state encouraged facility personnel to look for new and better ways to make their product through the use of less toxic raw materials. The checklist suggested pollution prevention methods and urged plant personnel to find ways to apply them to their facility and their production procedures.

The effort helped change mindsets on both sides. When the program began, it was thought most foundry environmental problems would relate to RCRA issues because of suspected lead-contamination problems. Instead, the state found that many foundry problems stemmed from failure to meet permit requirements. Landfill disposal, for example, requires state landfill approval letters which facilities often did not have. Facilities that had RCRA-related waste, mostly from paint, coating, and cleaning operations and graphic arts materials, were encouraged to improve their storage and handling procedures.

An air quality permit was another requirement that was sometimes lacking. Few foundry facilities generated enough emissions to qualify as a major air pollution source, but many emitted enough pollution to require a state minor air permit. Foundries with storm water permits worked to improve their pollution prevention plans. The pilot also succeeded in increasing the awareness of facility personnel on SARA Title III reporting requirements.

After initial reluctance, foundry personnel fully committed themselves to the compliance assistance pilot program. The American Foundry Society (AFS) helped bring the facilities together for frequent discussions on specific issues and concerns. A spokesman was appointed to work with the state and EPA. The AFS was instrumental in simplifying the self-audit forms developed by the state and helped educate the government representatives about the foundry business.

Government also gained a number of insights from the program. It learned, among other things, that education and customer satisfaction can go a long way in preventing pollution. It learned that mutual respect and trust can help win an ally without compromising environmental integrity. (Contact: Bonnie Romo, (214) 665-8323)

**The
American
Foundry
Society
helped
bring fa-
cilities to-
gether to
discuss is-
sues and
concerns**

Case Closed

Georgia-Pacific Settlement Shows Benefits Of Federal Initiatives Against Large Corporations

The EPA/DOJ settlement with the Georgia-Pacific Corporation covered more facilities and alleged violations than any other case brought under Clean Air Act provisions that ensure that air quality does not deteriorate in areas that currently have clean air.

Under the consent decree, which was lodged on July 18, Georgia-Pacific will spend \$35.25 million to settle charges that it failed to report complete information about pollution emissions, obtain required permits, and control the amount of pollution-causing volatile organic compounds (VOCs) it poured into the environment at 26 of its wood panel manufacturing facilities, mostly located in the southeast.

Part of EPA's initiative to bring the wood products industry into compliance with CAA regulations, the action reflects the agency's emphasis on comprehensive multi-state, multi-facility settlements that will significantly protect public health and environment.

Background of Settlement

Since the late 1970s, the CAA's New Source Review Program has required major sources of air pollution to control emissions of certain pollutants and use best available control technology to prevent significant deterioration in areas that meet ambient air quality standards. These regulations require a source, before it constructs or modifies its plant, to accurately estimate and report pollutant emissions so the state or EPA can determine air pollution levels and issue appropriate permits.

VOCs are the main pollutants at wood processing facilities. They are created during production of "engineered" wood products such as particle board and plywood.

Wood Products Situation

The wood products industry has known at least since the late 1970s that wood panel manufacturing facilities emit VOCs. They are emitted from glues during the production process and from wood as it is dried before being processed.

Facilities already emitting VOCs when CAA regulations were enacted were grandfathered in at existing levels. But large facilities whose modification could potentially lead to large increases in VOCs above certain thresholds are required to go through a complex permitting process.

EPA's regulations concerning permitting and control of major sources have been in effect

since the late 1970s and responsible companies have obtained proper permits and installed pollution control equipment to lower their VOC emissions. When EPA found widespread non-compliance in the engineered wood products industry in 1991, it initiated a sector-wide compliance assessment.

EPA found that Georgia-Pacific had modified many engineered wood product plants since 1980. EPA estimates that during this period, G-P plants were annually emitting over 5,000 excess tons of VOCs into the environment. Although the company could have determined the extent of the emissions at the time these modifications were made or plants constructed, it often ignored its legal responsibility to report the changes — and the resulting increase in VOCs — or to apply for the proper permits.

Georgia-Pacific Notified

After months of negotiations, EPA and Georgia-Pacific agreed on a consent decree filed in federal District Court in Atlanta on July 18, 1996. Georgia-Pacific will pay a \$6 million penalty and apply for appropriate state air pollution control permits at 19 of its facilities. It also will take major steps to reduce air pollution at the facilities and across the southeast.

The company will install state-of-the-art pollution control equipment designed to reduce VOC emissions at 11 of the 26 plants that still require controls, at an estimated cost of \$25 million. It will spend \$4.25 million on several innovative supplemental environmental projects that will be of particular benefit environmentally in southeastern U.S., including development of ozone-control strategies to figure out where the problems are coming from and addressing them at the source. The company is required to conduct comprehensive clean air audits at 26 of its wood product facilities nationwide and to monitor compliance with emission limits on a daily basis.

What It Means

The settlement highlights the federal government's unique role in a nationwide enforcement action. States were involved in prosecuting the case, but because Georgia-Pacific had similar facilities and violations in a number of states, no single state had the resources to address them in a systematic and coordinated way and to fashion a comprehensive settlement combining injunctive relief, penalties, and extra beneficial environmental projects.

Georgia-Pacific case involved more facilities and alleged violations than any other brought under these Clean Air Act conditions

\$221.5 Million Cleanup Payment Makes BROS One of Superfund's Largest Settlements

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"Under that policy, EPA will, in appropriate cases, share in cleanup costs when some of the responsible private parties are defunct or financially insolvent. This reflects the government's common sense efforts to substitute action for litigation."

Lois Schiffer, assistant attorney general for environment and natural resources, noted the settlement assures cleanup of one of the country's messiest Superfund sites and was the result of "effective mediation led by an experienced third-party neutral, along with a sizable financial contribution by the federal government."

Under terms of the agreement, the responsible parties will pay \$115.5 million to EPA and NJDEP as reimbursement for past government cleanup costs. The sum includes monies to be paid by the United States on behalf of the departments of Defense and Transportation, each of which allegedly sent waste to the site.

Jeanne M. Fox, EPA region 2 administrator, said, "this settlement means that we have been able to recover a significant part of our federal cleanup costs. It also provides a mechanism for financing the remaining cleanup work, and frees up funds for use at other Superfund sites."

The private companies will complete a study of the groundwater and wetlands contamination. EPA will select the remedy to address those areas, and the private companies will carry out the work with partial reimbursement from the settling federal agencies. EPA and NJDEP will share groundwater cleanup costs with the settling parties if those costs exceed an amount set by a formula in the agreement. If the groundwater work costs less than that amount, most of the balance will be paid to EPA and NJDEP in further reimbursement of the governments' past costs.

The private companies also will be required to design and implement the selected wetlands remedy. With funding from the settling federal agencies, the private parties will perform that work until they have spent \$10 million, plus interest. Costs beyond that amount will be borne by EPA and NJDEP. If the actual cost of the wetlands work is less than that amount, the balance will be paid to EPA and NJDEP.

Cleanup of the site has been carried out by EPA working with NJDEP, and is now nearly complete. From 1992 to 1996, more than 172,000 tons of hazardous waste from the

former toxic lagoon were safely incinerated. The lagoon cleanup also included treatment of more than 190 million gallons of contaminated water and the off-site disposal of 10,000 tons of contaminated debris.

Other actions included the dismantling of a waste oil recycling facility and tank farm including 100 abandoned tanks containing a total of 400,000 gallons of waste. EPA and NJDEP also installed individual carbon filtration units for more than 30 families whose private wells had been contaminated by the site, and later constructed an alternate drinking water supply system for the public.

GM Recall Underway Of Cadillacs That Violated Clean Air Act

General Motors Corporation began notifying Cadillac owners in early September that it is recalling most Cadillacs with 4.9 liter engines manufactured between 1991 and 1995, EPA and DOJ announced.

The recall, which will potentially affect 587,000 vehicles, will enable GM to replace a computer chip in the emission control system that causes carbon monoxide emissions up to three times the legal limit when the climate control system is used. The new engine computer chip will reduce by more than 50 percent the carbon monoxide emitted by the Cadillacs when the climate control system is operated. GM has tested the new computer chip and determined that it will not affect the cars' driveability.

GM agreed last November to recall the vehicles to settle the government's claims that the cars were violating the Clean Air Act. Approved by the U.S. District Court for the District of Columbia in April, the settlement also required GM to pay \$11 million in civil penalties and to spend an additional \$7.05 million on projects that reduce air pollution from automobiles.

The chip to be replaced was installed in 4.9 liter Cadillacs after customers complained of stalling and other driveability problems. While the chip addressed the driveability problems, it led to so much extra fuel being burned that the cars' catalytic converter could not clean up the excess pollutants created by the engines.

GM will notify owners of affected Cadillacs by letter to bring the car into their local Cadillac dealership to have the fix performed free of charge. The time needed to perform the fix should be less than 40 minutes.

Settlement lets government recover most of its costs, frees up funds for other site work

TSCA Compliance Initiative Closes After Assessing \$19 Million in Penalties

EPA reached a milestone in its efforts to gather reports of substantial risk from toxic chemicals with closure of one of its first industry compliance incentive initiatives. The Toxic Substances Control Act (TSCA) section 8(e) Compliance Audit Program (CAP) offered companies reduced penalties for submitting previously unreported risk information. The agency assessed \$19,032,000 in civil penalties against 73 companies that participated in CAP.

TSCA section 8(e) requires companies that manufacture, process or distribute chemicals to inform EPA of any information that reasonably supports the conclusion that a mixture or substance presents a "substantial risk of injury to health or the environment." Under CAP, EPA has received more than 11,000 previously unreported studies or reports from 89 companies on chemicals that present a substantial risk of injury to health or the environment. The 73 companies will pay penalties as provided in CAP. The remaining 16 companies are under review for appropriate enforcement action.

Congress enacted the reporting requirement so government would have information about potential dangers of certain chemicals. EPA uses information about chemical hazards and risks to guide regulatory action which

could prohibit manufacture and distribution of a particular chemical, limit its use, or the amount used, or require warning labels or record-keeping requirements.

To participate in CAP, companies agreed to conduct an audit to determine their compliance status and to pay stipulated penalties for previously unreported studies. Penalties were limited to \$15,000 per study involving human health effects, and \$6,000 for animal studies. The maximum penalty that would be assessed against any individual company was \$1 million.

One hundred and twenty three companies, including those engaged in chemical production and importation, petroleum refining, aerospace and electronic manufacturing, signed up to conduct internal chemical data audits. Of them, 34 had no outstanding 8(e) information due. The 11,000 studies submitted account for about 80 percent of all submissions received throughout the 8(e) program's history. The agency is reviewing the information to determine whether particular chemicals or mixtures of chemicals warrant further assessment and regulation. Much of the data also has been made available to the public.

***Under CAP,
123 com-
panies agreed
to conduct
audits
to determine
compliance
status and
to pay
stipulated
penalties***

Mine Owner's Assets Frozen Until Liability Fixed

EPA and the Department of Justice, using orders issued by the U.S. District Court in Denver and two Canadian courts, in August stopped a Colorado mine operator from taking \$152 million in stock so that it will be available to pay for the clean-up of a hazardous waste site.

The mine operator, Robert M. Friedland, had obtained the money through a merger of Diamond Fields Resources, Inc., in which he was a shareholder, with Inco, Ltd, a large Canadian mineral exploration firm. The federal and state governments claimed Friedland operated a mine as an individual. The governments sued Friedland to recover sufficient funds to clean up the Summitville Mine Superfund site, located about 25 miles south of Del Norte, Colorado.

The site had been a heap leach gold mining operation run by Friedland through Galactic Resources, Ltd., a Canadian-based mining company, and two of its subsidiaries. The Galactic companies abandoned the site in December 1992, leaving the facility in imminent danger of releas-

ing catastrophic amounts of metal and cyanide contaminants into the Alamosa River. EPA has been cleaning up the site since that time.

Orders were served on Friedland while he was in the process of trading shares he owns in Diamond Fields, a company owning claims to significant mineral deposits, for shares of Inco, Ltd, a Canadian mineral exploration firm. DOJ took the unusual step of filing its actions under seal in both the U.S. and Canadian courts to prevent Friedland from discovering the plan and aborting the stock trade.

Friedland, who is believed to hold dual U.S. and Canadian citizenship, now lives either in Singapore or Australia. Had he succeeded in completing the stock trade, he could have moved his assets to frustrate the ability of federal and state government to satisfy anticipated judgments.

The next step in the litigation process is to determine Friedland's liability under U.S. Superfund cleanup statutes.

NETI's First Venture Into Satellite Training Reaches 103 Sites, More than 3000 Participants

**Program
will be
packaged
into stand-
alone
video
course,
available in
March.**

EPA's National Enforcement Training Institute took a first step into the world of satellite technology with a highly successful training program down-linked to 103 sites throughout the country on November 13-14.

The broadcast, which reached an estimated 3,000 federal, state, local, and tribal environmental enforcement personnel in nine of EPA's regional offices and in 46 states, provided a course intended to help employees improve their ability to manage the negotiations process individually and as a team. Running four and a half hours each day, the program featured live discussion by a panel of experts, pre-recorded video clips of simulated negotiating situations which were followed by critiques by the panel, and on-the-spot answers to questions telephoned or faxed in by viewers. More than 250 questions were faxed in and about 20 calls were received. Questions came in from sites in small as well as large cities, an indication of the range of interest in the program.

"The broadcast proved we can greatly increase the number of people we can reach through a single training session," said Gerald A. Bryan, NETI director. "It greatly enhances the agency's goal of building partnerships with states and others. Satellite broadcasts are a cost-effective means of delivering training to large numbers of environmental field personnel."

A year in development, the course is one of NETI's most ambitious attempts to spread the environmental message through distance-learning technology. In addition to the live broadcast,

a tape of the program will be packaged into a stand-alone video course, available in March.

NETI used facilities of the Food and Drug Administration in Gaithersburg, MD to stage the live broadcast, which was interspersed by 16 pre-recorded segments of simulated situations. On-site facilitators conducted mock negotiation sessions following the first day's broadcast. The exercises covered various tools and tactics used to reach settlement, ways to prepare, focus, and influence the negotiation process, and how to manage time wisely.

The panel of recognized experts on negotiation techniques consisted of Martha R. Steincamp, regional counsel for Region 7; David Janik, senior enforcement attorney and manager of Region 8's legal enforcement program; Barrett E. Benson, principal environmental engineer at EPA's National Enforcement Investigations Center in Denver; Janice Whitney, indigenous policy officer in Region 2; and Arthur W. Ray, deputy secretary of environment for Maryland.

A tape of the program will be re-broadcast December 12-13 at 12 noon to 4:30 pm EST to digital downlink sites serviced by AT&T.

In addition to NETI, other sponsors of the program were the Northeast Environmental Enforcement Project, the Midwest Environmental Enforcement Association, the Southern Environmental Enforcement Network, and the Western States Project.

For specific information, contact Production Manager Lisa Nelson (202/564-2637), or Alice Mims (202/564-6069).

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