

Date: Monday, December 10, 2001 12:43 PM
Subject: RE: Memo from Co-Chairs

>TO: Transition Team Members

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>FR: Jim Sinclair & Sara Bluhm

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>RE: Additional Suggestions

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>In addition to the 15 items that we distributed at the last meeting (we have
>included them at the end of this memo), members of the NJBIA Environmental
>Network are suggesting the following activities that are part of a
>short-term action plan for a new administration. These activities would not
>cost a lot and could help to improve employee morale in the department,
>focus the short-term agenda on achievable goals, provide public support for
>an environmental agenda and greater political support for the department
>and its employees.

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>1. Develop clarity in short-term objectives and long-term goals for the
>improvement of the environment. Cultivate stakeholder and broad political
>support for NJDEP and its Environmental Agenda. Build a broad coalition of
>support for the development, adoption and implementation of a five-year
plan >that will carry through to the second administration. Be specific, go for
>substance not symbolism.

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>2. Use the office of the Commissioner to acknowledge individual,
>organizational and unit performance. Reward excellence by small management
>actions such as employee of the month, special parking, and taking
>designated staff to special senior events (i.e. cabinet meetings, senior
>staff meetings, external speaking engagements).

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>3. Update the Easy Access system on a regular basis and post it on
>line. Design a readable graphic depicting the organizational relationship
of agencies, staff, and umbrella groups.

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>4. Help develop and provide support (key staff briefings and e-mail
>updates) for an external Support Group for the Department. Group would be
>limited to past (key) employees of the NJDEP. This grassroots group could
>provide a public voice in support of departmental policy and program
>initiatives and support for a sound fiscal budget.

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>5. Coordinate and/or consolidate the capital spending programs of the
>external agencies of the NJDEP. Provide institutional support for increased
>but prioritized funding for environmental infrastructure, repair and
>maintenance.

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>6. Develop partnerships with regulated community to help with
>technology improvements that are directly related to cost reductions or
>program improvements in efficiency. This could include increased
application of information technology to permit applications, reporting, public
>information and inspection/ compliance.

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>7. Start the administration with a clear picture of the existing state
>of the environment (using environmental indicators, federal requirements
and state standards), also identify performance data for all programs including
>information required under the EMAP program. Publish or share this
>information with the stakeholders, legislature and the public. Use this
>environmental baseline to assess current performance and assess the impact
>of proposed new initiatives.

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>8. Develop a comprehensive committee and working group index for the
>entire department. Keep it current-it provides an instant group of
potential support for broader initiatives. List goals of each group, meeting times,
>and staff member responsible for coordination. End non-functioning
>committees. Always send a Commissioner's letter of thanks for serving to
>each member.

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>9. Increase the amount of online information to assist in compliance,
>i.e. flow charts designed by the chemical industry project, tutorials on
>permit applications, etc.)

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>10. Coordinate enforcement activities on the facilities, sectors or
>areas that represent the greatest risk to the environment or public health
>and safety. Do not start a broad public campaign of increased inspection or
>enforcement without adequate information concerning the intended outcome or
>results. A non-focused program will be seen as a general attack on the
"good >actors" as well as the bad apples. We would encourage the new
administration to carefully look at what actual environmental results been achieved by the
>legislative and regulatory initiatives of the past ten years. We would ask
>for continued support for a broad range of voluntary compliance activities
>by the regulatory community that reduce the need for hands-on departmental
>inspection or approval (i.e. voluntary environmental audits, pollution
>prevention,) Reduce unnecessary applications, permits, reporting and
>inspections.

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>Fifteen environmental policy ideas and regulatory reform initiatives:
>Potential areas of cooperation between the business community and the new
>Administration

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>1. Treat the process of managing the environment as a great opportunity
>to work cooperatively with the business community to achieve significant
>results. Use independent data such as environmental indicators to baseline
>the state of the environment and to measure progress, acknowledge
>accomplishments and target resources on actual problems. Encourage a
>greater understanding and use of risk analysis in the development of public policy
>and rule proposals. Government and business should be allowed to take
>credit for what has been accomplished.

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>2. Undertake a detailed review of legislation, rules and management
>policies in NJDEP with a starting goal of reducing the actual costs of site
>remediation for government and parties cleaning up industrial sites.
>Everyone would benefit if we could lower the total cost of remediation in
>New Jersey (average cost per case) by 25%, increase the productivity of
>internal NJDEP site remediation activities (reducing oversight cost/case)
>by 25% and by improving the average time for issuing approvals. Many of these
>projects will have a significant economic development impact on urban
>areas. Local officials would appreciate faster movement on many of these projects.

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>3. Improve the efficiency and effectiveness of the Air Pollution
>Control Program through implementation of additional air reengineering
>recommendations such as more general permits, consolidation of
>inspection/plan review functions for major facilities, focused inspections
>on the greatest problem areas and continued improvement and development of
>the RADIUS computer reporting program. Ease the regulatory burden on small
>business by reducing the number of permits and by rewriting the rules to
>make them understandable and accessible online.

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>4. Encourage voluntary energy conservation, fuel switching, recycling
>and new technologies to minimize Greenhouse Gas Emissions and, therefore,
>address Global Warming issues while saving operating/overhead costs.

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>5. Undertake a serious analysis of New Jersey's long-term water supply
>needs including, but not limited to, drought planning, cross basin
>interconnects, groundwater recharge, additional storage needs, availability
>of groundwater from the Pinelands and other sources, salt water intrusion
>in coastal aquifers, desalinization, security of the system and facilities
>from bioterrorism or disruption, opportunities for water conservation, and
>incentives for water recycling and gray water use.

>6. Provide appropriate penalty discretion to NJDEP Commissioner for
>mandatory clean water enforcement violations that are consistent with other
>regulatory programs.

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>7. Revise and streamline reporting requirements (EMAP) concerning
>caseloads, permit application backlogs and other potential administrative

>bottlenecks encountered by NJDEP and the establishment of revised benchmarks for ascertaining managerial efficiency that will be made available to the >public and the Legislature on NJDEP's Web site. Also, appoint the committee >authorized by Chapter 5, PL 2001 (A-1482/S-1306) to review the scope and >content of regulatory impact statements required in rule proposals.

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>8. Adopt a workable watershed planning and management process that >builds a shared vision for each management area, which maintains and >improves the quality of the environment without imposing a dramatic negative economic impact on the region or the state. Development restrictions, where >appropriate, should be phased-in over time.

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>9. Continue to support and encourage the redevelopment of Brownfield >properties across the state through direct grants, public awareness >campaigns and conferences that promote these sites. The Administration >should provide leadership in marketing significant regional sites and should publicly acknowledge successful local efforts at redevelopment.

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>10. Prioritize budget allocations for the modernization or replacement >of environmental and public transportation infrastructure to accommodate >projected expansion in growth areas.

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>11. Increased support by elected and appointed officials at all levels >of government, business and labor groups to improve New Jersey's access to >the global marketplace and our competitiveness through continuous >development of our international ports in North Jersey and along the >Delaware to include:

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- >· adequate super ship canal depth and width;
- >· expansion of shipping piers and berths;
- >· storage and warehouse capacity and availability;
- >· roadway infrastructure;
- >· truck and railway access and interconnection;
- >· availability of sites for basic manufacturing, assembly and >packaging;
- >· support for an ongoing program of dredging;
- >· establishment of reasonable standards for determination of >acceptable clean dredge spoil;
- >· cost-effective disposal of clean dredge spoils at sites within the >harbor or the ocean; and
- >· willingness to stand up to antibusiness groups who will attempt to >prevent all of these things from happening.

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>12. Support for expanded good actor policies, (i.e. silver track, >facility wide permit holders or gold track) that provide incentives such as >accelerated permitting, less paper work, cooperative compliance

inspections, etc., to companies that develop and utilize first class environmental
>management programs, environmental self audits and/or major pollution
>prevention programs. Work for the removal of legislative, regulatory or
>policy constraints that prevent the effective use of environmental audits.

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>13. Support the development of programmatic, philosophical and
>managerial changes at the federal level of government in USEPA that would
>allow for greater program flexibility at the state level. Push for program
>efficiency at EPA, through Project XL and reinvention reforms, and rule or
>federal law changes.

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>14. Revise and streamline New Jersey's siting and permitting criteria
>for major environmental infrastructure, transportation projects, and energy
>production and distribution facilities.

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>15. Continue to cooperate on the development of a program to help small
>businesses to comply with environmental rules and regulations through basic
>training programs, online assistance, and through the development of a small
>60-page guide for Small Business Compliance with New Jersey Environmental
>Rules that will be posted on NJBIA's Web site.