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- ✓ More resources and training must be provided to DEQ staff so that they may actively assist companies in preventing pollution, obeying regulations, and avoiding fines and penalties.
 - ✓ Compliance efforts must be consistently applied for the mutual benefit of the environment and the economy.

5 Commit to Enforcement

The DEQ has moved progressively farther from strong measures to ensure environmental responsibility and to deter polluters. The agency's shift to compliance as the preferred tool of choice has created an unbalanced approach to managing and protecting Virginia's air, soil and water resources, as illustrated by a marked decline in fines paid by violators in recent years.

- ✓ The DEQ must concentrate its efforts on ensuring that those responsible for violating pollution laws in Virginia receive certain and appropriate penalties.
- ✓ The agency must take swift and certain regulatory action against serious or repeat violators so that environmental law breaking becomes a bad economic decision.
- ✓ To ensure that regulatory actions have a more positive impact, the tools of compliance and enforcement must be used in conjunction with one another.

6 Treat Industry Fairly

The public expects DEQ staff to fulfill the duties of their positions according to scientific criteria, free from outside factors such as political interference or a company's

financial influence. If employees feel pressured to treat certain regulated parties in different ways, the environment suffers, the integrity of state government is threatened and public confidence in agency operations is weakened.

- ✓ The determining factor is law and the agency's role must be that of an objective, science-based entity entrusted with the authority to implement regulations as written.
- ✓ All regulated parties must be treated equally according to the merits of their cases, not their ability or willingness to appeal to politicians or other high officials for relief.
- ✓ Economic influence must in no way undermine DEQ's decision-making authority.

7 Foster Open Government

Members of the public have a right to question the condition of Virginia's environment and to investigate the status of regulatory efforts. The DEQ is responsible for honestly and openly reporting to all citizens on these issues.

- ✓ Opportunities for public participation must be increased and enhanced to allow private citizens, local governments and public interest groups to get more involved in the agency's decision-making process.
- ✓ DEQ must make a commitment to ensure honest and open government by facilitating better public access to all agency records.
- ✓ Records requests for public information must be processed promptly by DEQ and at a reasonable, affordable cost to citizens.

8 Support DEQ's Mission

Budget cuts and staff reductions have impaired DEQ's ability to "get the job done." In order to function properly, it is crucial that staffing and resources are adequate to meet statutory responsibilities and to fulfill the agency's mission.

- ✓ DEQ must receive essential funding support to allow the agency to recruit and retain personnel throughout its ranks who have the best experience and expertise available in each of the technical and legal areas over which DEQ exercises regulatory authority.
- ✓ Measurement of the DEQ's performance must go beyond numerical yardsticks to ensure that environmental analyses and regulatory efforts are truly comprehensive and effective.
- ✓ The DEQ must undertake comprehensive long-range and strategic planning to assess the agency's resource protection needs.

9 Measure DEQ's Progress

Close supervision and monitoring by outside, independent bodies are essential to ensure that the DEQ does not stray from its intended mission, that agency decisions are founded in science and law, and that policies and procedures are adequately developed and implemented.

- ✓ Regular reviews must be conducted by knowledgeable auditors in order to gauge agency progress in achieving organizational objectives.
- ✓ Studies and progress reviews must from time to time

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- ✓ Employees must be valued and treated fairly during any future reorganizations.

3 Respect Employees' Rights

Loyalty to the agency should not come at the expense of individual accountability. The ultimate employer of Virginia's public servants is the citizenry of the Commonwealth. It is therefore necessary for DEQ employees, as stewards of the public's resources, to regard adherence to statutory authority as their primary responsibility.

- ✓ Employees must be protected from retaliation for taking proper regulatory actions or for informing superiors and others of scientific facts or judgments that are contrary to the leadership's political agenda.
- ✓ The constitutional rights of employees must be respected so that any official who wrongly punishes an employee must himself or herself face official disciplinary action.
- ✓ The agency must foster open communication amongst staff, without fear of reprisal, in order to increase effectiveness and efficiency of operations at DEQ.

4 Strengthen Compliance

Compliance has too often been used in place of enforcement. In fact the two strategies, while complimentary, are entirely separate and are not interchangeable.

- ✓ The DEQ mission must include proactive efforts to inform and educate all industries, regardless of their size or the nature of their business, of necessary procedures and requirements to help them comply with the law.

① Get Politics Out of DEQ

Political appointments should in no way adversely effect the mission and purpose of DEQ, which is the protection of human health and the environment through enforcement of the law. With each new political administration this mission must be re-affirmed and made the basis for every decision by or affecting the agency.

- ✓ Leaders chosen for the Natural Resources Secretariat and DEQ Director must have proven expertise in environmental sciences and regulation, dedication to environmental improvement, and a demonstrated commitment to effective government.
- ✓ Hiring decisions within the agency must be based on knowledge, experience and merit. Cronyism disguised as bureaucratic layering must not be tolerated.
- ✓ DEQ employees must be allowed to carry out their duties in an objective manner based on scientific evidence, and regulatory requirements.

② Promote Stability

Numerous reorganizations within DEQ have weakened morale and negatively affected resource management. The most recent "realignment" removed staff from key regulatory programs and reassigned many into positions less suited to their experience and technical expertise.

- ✓ DEQ's organizational structure and employee job functions must be altered only in measured and appropriate response to clear and demonstrated needs.
- ✓ Employees must be informed of proposed changes within the agency and updated throughout the process of implementation.

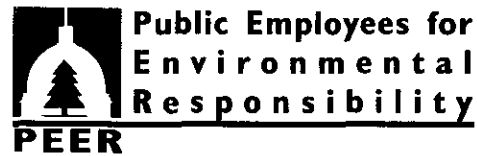
be commissioned by the state legislature, and when applicable, should be conducted by outside parties from academia, nonprofit interests, and the commercial and industrial sector.

- ✓ The public must be updated and kept informed of DEQ developments through reports, open hearings, symposiums and other methods.

⑩ Find Common Ground

On certain issues the DEQ may lack necessary expertise, equipment and resources to adequately address environmental problems. In an effort to improve and maintain the environmental health of the state, it is mutually beneficial for the DEQ to forge a productive partnership with federal regulatory authorities.

- ✓ The agency must foster enhanced cooperation between Virginia and appropriate federal entities to achieve shared objectives, particularly those related to regional environmental issues like air quality and protection of the Chesapeake Bay.
- ✓ To achieve stated environmental mandates, the DEQ must seek and accept guidance from the U.S. Environmental Protection Agency in setting resource management priorities and in determining effective solutions.
- ✓ The DEQ must adopt regulations aimed at protecting and safeguarding Virginia's unique natural resources that are not limited to arbitrary or uniform measures which merely meet minimum federal standards.



Public Employees for Environmental Responsibility (PEER) is a national alliance of state and federal resource professionals. *PEER protects employees who protect the environment.*

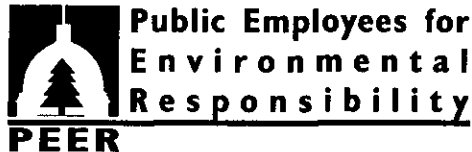
To obtain additional copies of this document or to find out more about PEER's work with concerned employees of Virginia's Department of Environmental Quality, contact PEER at:

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Ten Ways To Clean Up Virginia's Environment *by Restoring Principles of Good Government at DEQ*

Through the coordination and assistance of Public Employees for Environmental Responsibility (PEER), employees of the Department of Environmental Quality put forth the following recommendations for changing the way the agency does business. These recommendations are based on information obtained through private meetings with DEQ personnel as well as from dozens of written responses to PEER's request for input from all employees of the department.

In the interest of protecting and restoring environmental and public health, Virginians deserve and demand no less than immediate reform of existing agency practices. In order to best serve Virginia's environment, the taxpayers and regulated "customers," it is the hope of the DEQ employees who participated in this process that the state's elected leaders—and particularly the next governor of Virginia—will pledge themselves to these fundamental principles.



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