
WELCOME TO MONTEREY

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Thank you very much, Pieter. It is a great pleasure and an honor for me to make some welcoming remarks at the Fifth International Conference on Environmental Enforcement and Compliance. I am told, although I did not have the pleasure of attending your prior meetings, that each meeting has been better than the one that went before. I sense just from being among you here for dinner and breakfast this morning that there is a growing brother and sisterhood, if you will, of environmental enforcement officials and NGOs and other experts around the world, which is really building a network of cooperation that is unparalleled in the history of our work together. It is really a pleasure to welcome you here to this beautiful place in this state of California, which is one of the environmental leaders, if not the environmental leader, among all of the states in the United States.

We all face a tremendous challenge as environmental officials and as people interested in furthering the cause of environmental protection. And no where is that challenge greater than in the area of enforcement.

On my way out to this conference, I happened to buy the latest issue of TIME magazine. In that issue is an article about subsidies that companies in the United States have been receiving to locate highly polluting activities in different states of the union solely for the purpose of job creation. I will just show you, you can go out and get it at your local news stand, the article. It's entitled "Paying a Price for Polluters." What this article demonstrates is that even here in the United States where we have achieved a fairly high standard of living and a relatively advanced industrial structure, there is still this tremendous pressure for job creation through industrial development. That pressure in many cases threatens to overwhelm efforts by federal or state or local officials or environmental NGOs to clean up the environment and prevent pollution.

So, the challenge that we're all here to discuss of effective enforcement is not going to go away. It is going to continue. It is very much a challenge that Steve Herman and his colleagues face everyday and that their counterparts at the state and local level face every day. It is one we're just going to have to continue to address year after year.

Now I thought I would just say a few words this morning about some of the lessons, if you will, that we have learned and are learning in our work in the office of international activities to share experience, provide some technical assistance, and generally to cooperate with all of you and your counterparts in raising standards of environmental protection and actual environmental performance around the world.

The first challenge that we have found in many, many countries, and this includes parts of the United States, is to build an enforcement culture. Most countries with which we deal, including I am sure most of the countries that you come from, have at least in some cases strong laws and regulations which if they were actually complied with would produce virtuous environmental results. The problem obviously is that in many cases they are not enforced and they are not complied with. In some countries, Russia I am going to cite as a fairly extreme case, you have an overlapping network of environmental standards, some of which are considerably stricter than standards we attempt to enforce in the United States. However just visiting any major city – other perhaps than Moscow or St. Petersburg which

are better today – any industrial site, any agricultural site in Russia you understand that these laws are simply not being enforced. Part of the reason for that is that some of them almost cannot be enforced because they are inoperable.

Which brings me to the second lesson. That is, you have to design laws from the beginning in a realistic way so that they are actually enforceable in the particular circumstances of the country in question. We are indeed working with the Russian Federation and some of the states and localities there to help them redesign their environmental laws by in many cases simplifying them, making them less stringent but making them at least potentially enforceable. One example is in the city of Bolgegrad we are training local officials in measuring opacity of the smoke coming out of industrial facilities. Basically the blacker it is, the dirtier it is. Now this sounds very crude but actually it turns out to be a pretty good benchmark of particulates and other types of air pollution and is something that they are able to enforce and able to make operable.

Which leads to a third lesson which is in many cases we have found simpler is better. If you can get not only local officials but the enterprises they are attempting to regulate and the local populace to understand some basic rules and some basic techniques for enforcing those rules, which leads to actual compliance, that is much better than having a very complicated and sophisticated set of rules which simply are not being applied at all.

A fourth lesson is the power of information. As I think many of you have heard in past conferences, we in the United States were totally amazed at the effectiveness of our community 'Right to Know' law which was passed back in the 1980s. First we were amazed at the amount of pollution which companies reported as being discharged into the environment. Then we were amazed at the force that disclosure and the accompanying embarrassment and in many cases shame had in terms of getting them to reduce that pollution. With respect to toxic chemicals, I do not know the exact statistics, but I would guess that today of the major categories of toxic chemicals emitted into the environment that law is responsible for at least a 50% reduction. In many cases the reduction is more in the neighborhood of 70-80% in emissions. This is a result we simply could not have achieved through conventional enforcement techniques without public information. We are working with many countries around the world. We have an active program with Mexico. We are working with Canada. We are working with many countries further away to help them strengthen their pollutant release and transfer registry systems so that the public can be empowered with the kind of information which will allow them to directly or indirectly put pressure on polluters to reduce their emissions. I think that it is a very important complement to any enforcement program.

Finally, and this I know is a central theme of this conference and past conferences, is international enforcement cooperation. I know that we in the United States simply cannot achieve the results intended by our domestic laws without international cooperation (particularly laws designed to implement multi-lateral environmental agreements like the Montreal Protocol on ozone depleting substances or CITES or hopefully when we do pass implementing legislation of the BASEL Convention on transboundary shipments of hazardous wastes or our air quality agreement with Canada or the many air quality agreements we've entered into within the Economic Commission for Europe, and many, many other agreements). I am very pleased that international cooperation has been advancing at a rapid pace and has become a high priority for governments in many different parts of the world.

I will give you just one example of our work. We are currently, along with other donor countries, with the GEF (the Global Environmental Facility) and with the World Bank financing the phase out of CFC, ozone depleting substance production in Russia. It is a very

complicated task. There are many different players. It has taken years to put together. But I think finally we will succeed. This will make a major difference in drying up the black market for illegal freon and other substances in the United States and around the world.

So, we are here engaged in a very, very important enterprise. Really, the success of any program of environmental protection depends on it. Without enforcement you simply cannot, in the end, achieve the improvement in environmental conditions that you are aiming for. All of our future experiments, all of our future efforts to make the process of environmental protection less costly, more effective, more politically acceptable, have to have their foundation in effective enforcement. This is a theme I know that Steve Herman and others will pick up on. In the United States, you know, we talk about all these reinvention activities and various voluntary initiatives and partnerships and so forth. Well none of those would be possible or effective unless they were built on the foundation of strong enforcement.

So welcome to Monterey. I am proud to be among you and I look forward to getting to know many of you during the course of the conference. Thank you.

