

ENVIRONMENTAL ADVISORY COUNCIL

Lansing, Michigan

Thursday, May 20, 2004 – 1:00 – 4:00 p.m.

Members in attendance: Chris Bates, William Beckman, Janis Bobrin, Steve Chester, Chuck Hersey, Terry Link, Steve Luzkow, Terry Miller, Bill Murphy for Don Inman, Paul Murray, Mark Parrish, Scott Piggott for Wayne Wood, Pamela Pugh, Lana Pollack, Allen Reilly, Debby Rowe, Amy Spray for Jack Bails, Andy Such, Dr. Janet Vail.

DEQ Staff in attendance: Linda Albro Sparks, Frank Baldwin, Dave Fiedler, Andy Hogarth, Lynelle Marolf, Thomas Occhipinti, Frank Ruswick, Eric Way.

Guest in attendance: Dr. Michael Libbee.

OPENING

Frank Ruswick described that this meeting will discuss DEQ outreach and education activities. He indicated that there were two initial items that needed to be addressed first. As the result of schedule conflicts and likely summer vacation plans, the DEQ proposed cancellation of the July 15, 2004, if EAC members had no objection. There was a consensus to cancel that meeting.

Frank then indicated that one of the tasks in the DEQ's plan to implement the EAC's public involvement recommendations is to develop a model public hearing statement. A draft of this statement was provided to EAC members on May 10, 2004. Frank asked for member comments.

A member commented when the DEQ staff is introduced at public hearing they should be introduced using functional title rather than their civil service title. Their civil service title means nothing to the public. There is also a small correction necessary in the 4th paragraph on the first page.

A member recommended that the DEQ provide information on decision-making criteria prior to the hearing. That will allow the public to have more effective input into the DEQ's decision.

CURRENT ISSUES

In response to a question, Director Chester described the recent public forum in Grand Rapids. There as a large contingency at the forum from Spring Lake; they were mostly interested in wetlands issues. There were perhaps 50 people in attendance. There were many good questions. Director Chester indicated that these forums have been very productive. Director Chester also noted that DEQ had organized a big wetland conference in Traverse City that is starting today. Four hundred people have registered.

A member noted that the Dow Chemical Company had recently taken out a full page ad in Saginaw papers concerning the dioxin issue. The member thought the ad very much mischaracterized the situation and wondered about a response from the DEQ.

Director Chester indicated that the City of Midland had also taken out a full page ad in conjunction with a public meeting being organized by the City on May 26th. The DEQ's priority is to provide clear and accurate information to the public. The DEQ will be participating in the May 26th meeting and will do its best to set the record straight.

A member asked about a current legislative initiative that would require DEQ permits to be issued within short time frames.

Frank described HB 5876 that would set time limits for decisions on a variety of permits issued by the DEQ. The bill would also limit the time the DEQ has to determine if an application was administratively complete. The bill does not address air permits under Part 55 or hazardous waste permits under Part 111. A number of other permits, including many administered to protect sensitive lands like wetlands, are involved. The bill includes a provision that permit fees would have to be refunded, if decisions were not made within the time specified in the bill. The DEQ objects to various provisions in the bill, but it was passed out of house committee on May 18. The DEQ would like to work with the legislature to structure the bill so that it can serve a purpose without hampering the DEQ in its administration of the law.

A member indicated that not all business associations support this bill. This general approach has been tried before and it doesn't work. The DEQ has to have enough resources to do both permitting and inspection/enforcement activities. The best way to speed up the permitting process is to work with the DEQ, and there have been significant strides in air permitting through such an effort. Frank indicated that changes underway in the air permitting program would be discussed with the EAC at the June 17th meeting.

Director Chester indicated that he thought these bills are bad policy and bad government. It is a priority for each division to improve its permitting process and some great strides have already been made. If there are delays, we have to look at how both the DEQ and the applicant are contributing to those delays. We also have to look at resources available to do the job. He cited the aquatic nuisance program as one where the timeliness of permit decisions was greatly improved after the legislature provided the DEQ with the resources to do the job. We have been able to eliminate a permit backlog in that program in just one season after the legislature provided more resources allowing for more staff.

A member agreed that actions by an applicant can delay a permit decision. The DEQ's average time for an air permit decision is 127 days. However, of these days the application is in the DEQ only 31 days; the remainder of the time is awaiting action by the applicant.

A member asked of the legislature's motives in developing legislation that may actually hinder DEQ actions. In response, another member indicated that the legislature is generally well intentioned, but sometimes just doesn't understand the history and particulars of how decisions are made. The Director indicated that he is very interested in improving the DEQ operations, and wants to work with anyone that has ideas. There can be a problem, however, when actions

are taken on the basis of anecdotes without the opportunity to present other facts or considerations.

Several members agreed that times for making decisions on DEQ permits is not the problem for economic development that some make it out to be. The DEQ has been good about responding to priority needs when informed of them and the needs are reasonable.

The Director reiterated his commitment to improving DEQ operations. He pointed to MiTAPS, the electronic application process being developed at Governor Granholm's direction. Of the first 12 permits being put on-line, 11 of them are administered by the DEQ. Michigan is also the first state to provide electronic reporting capability for water discharge permits.

PRESENTATIONS AND DISCUSSIONS – Education and Outreach

Frank Baldwin, Assistant Chief of the Environmental Science and Services Division, began a presentation regarding education and outreach being done by that Division. He introduced Dave Fiedler and Eric Way who will present information on specific activities of ESSD.

Dave Fiedler, Chief of the ESSD Education and Outreach Unit made a presentation (See Attachment 1) on the services provided by that unit. He asked the EAC to consider how the Division can improve marketing for our workshops and how it can better meet the needs of target audiences. He pointed out informational materials, such as guidebooks on regulations for various industries that have been very well received. He invited EAC members to contact him, if there is an interest in attending a conference to get a feel for them.

A member asked if there are requests for assistance that ESSD cannot meet. Dave indicated that ESSD doesn't often need to turn down a request, unless there isn't enough lead time. Usually 5 – 6 months are needed to adequately plan for and organize a large conference. Another limiting factor is the staff available to work on a conference.

A member described that the Education and Outreach Unit does an excellent job in preparing and assisting speakers at DEQ conferences. The member also noted web based training provided by the Water Division as an example of another training opportunity provided by the DEQ.

Eric Way, Chief of the ESSD Operator Training and Certification Unit, continued the ESSD presentation. (See also Attachment 1). This unit provides training and certification to operators of wastewater treatment plans and drinking water systems.

A member asked if these services were constrained by budget, and if there was an opportunity to facilitate attendance through, for example, scholarships. Frank Baldwin indicated that ESSD very carefully considers charges for this training in order to cover out of pocket costs (i.e., not including staff costs). This is thought to make classes sufficiently affordable to encourage attendance.

A member asked if the ESSD is able to meet demand for the training they provide. Both Dave and Eric thought they were, although Dave thought that there may be some programs in the DEQ that aren't fully aware of ESSD services. If recognition of these services grew, there might be trouble meeting demand.

A member recommended that it was most important to provide a quality program and that quality should not be sacrificed in favor of quantity. The cost of the training for recipients is often in time away from the job, rather than registration fees per se. Recipients will be willing to take time away from their jobs, only if the training is really worth their effort. Attendees will spread the word on the quality of training provided.

A member suggested that the DEQ can make most effective use of its limited resources by partnering with other organizations who are offering training to the extent possible. This allows staff to avoid the effort of organizing and can focus on presenting information.

A member suggested that ESSD market its training through various trade, professional, and other associations. Dave indicated that much of this is currently done, but the DEQ could probably get better at it.

A member suggested that, in order to better target direct mail, it may be worth the effort to send out a questionnaire asking people on the mailing list to describe what type of information they are interested in receiving. There was an ensuing discussion about the use of e-mail, and the need to reconcile duplications on mailing and e-mail lists.

A member indicated that some members of the regulated community are not doing training that used to be done because of the good job being done by the DEQ. E-mail announcements should be sent to associations with a request to forward the information to the associations' members. Try to create a "brand" perception for DEQ training, much like MIOSHA as done. Have district offices identify which members of the regulated community are most in need of compliance related training and target outreach efforts to them. Invest money in staff so that they are more effective at conveying information in a training setting.

A member indicated that the number of attendees at DEQ events is impressive. This number would be even more impressive, if the DEQ tallied attendees at additional sessions, at which the DEQ might have made a presentation, but did not formally organize or sponsor.

A member indicated that based on his experience, organizing training can be very difficult and labor intensive. The DEQ should consider outsourcing these activities and focus on the content of training.

A member commented that much of the DEQ training is focused on narrow audiences of environmental professionals. The member suggested that community directed training, such as involving the dioxin issue in Midland, should also be considered. Another member noted that the wetlands conference which starts today, is an example of an alternative, community focused training.

Frank noted that the question of who is the target audience for DEQ training is a very important issue that the EAC may need to return to at some point in the future.

PRESENTATIONS AND DISCUSSIONS – Environmental Education

Tom Occhipinti, Environmental Education Coordinator began the next presentation on the DEQ environmental education project to develop a science based curriculum for middle school students. The curriculum will include ecosystems, energy and resources, water quality, air quality, and the individual's impact on the land. Dr. Janet Vail, an EAC member, is directly involved with that project. Project coordination is being done by Central Michigan University. The development process includes a number of iterative steps, including field testing, to obtain and respond to comments. Eventually, 3,000 teachers in Michigan will be trained in use of the curriculum. Publication is targeted for Spring 2005. Tom introduced Dr. Michael Libbee, Professor of Geography from Central Michigan University, who is the Project Coordinator.

Dr. Michael Libbee gave a power point presentation on the project. See Attachment 2.

A member agreed with the description of the curriculum as needing to be balanced and based on scientific principles. There should be presentations on multiple perspectives and conflict management. The information upon which decisions are made must be based on scientific principles. Perhaps there should be an assessment of students' attitudes toward multiple perspectives before and after the course. Dr. Libbee agreed that this could have value.

A member followed up on the concept of multiple perspectives. Environmental issues seldom present right and wrong choices. It is a matter of balancing, so it is important to provide students with the skills to understand the issues and make good decisions. It is also important that the various units are linked so that, for example, students learn that what we do on the land also affects the water.

Another member agreed, citing the fact that in a recent survey in Ann Arbor, 40 percent of the adults didn't know that storm drains go right to the rivers, and not to waste water plants. The member suggested that teachers be given the option of bringing in local speakers on topics in the curriculum.

A member suggested that the curriculum include a discussion of policy development. Environmental choices also present social science issues, and it is important for students to understand how policies affecting the environment are developed.

Noting that this training model is geared towards upper elementary and middle schools, Dr. Libbee asked the EAC if the curriculum should include a discussion of best management practices and the role of government.

Noting the amount of information available through the training, a member suggested that the program should include testing of retention, after the training is received, and then later in high school. Dr. Libbee indicated that the project did not include a testing component. Competency testing is a very difficult subject from an education perspective.

A member indicated that a growing trend in business decisions was to consider, in addition to economic and environmental issues, social and community implications. Dr. Libbee viewed this as an interesting idea that should be considered in development of the curriculum.

A member suggested that the curriculum address responsibilities of citizenship. That is, do individuals have a responsibility to address environmental issues? Dr. Libbee indicated that the curriculum is designed to inform choices, and would not be imposing an answer to the question of what the responsibilities of individuals are.

A member said that, based on experience as a middle school student government advisor, an aim of the curriculum should be to empower students to understand and make choices.

A member suggested that the curriculum should use a “systems” approach. The member suggested using the example of food, from production to consumption to illustrate a systems approach.

A member suggested putting the information into a DVD format so that it could be interactive. Dr. Libbee explained that the purpose of the project is to develop a product that the teacher can use as a resource, not one that would be employed directly by the student.

A member observed that the curriculum was presenting pretty complicated material. The developers should be careful to set reasonable boundaries and expectations so that students were not turned off. The member suggested using a problem solving exercise based on Garret Hardin’s “The Tragedy of the Commons” to illustrate how individuals and society make decisions.

Dr. Libbee agreed that finding the right level of complexity of material is very important. The group developing the curriculum has had many discussions on trying to find that line. The key is to present information in a way that is both learnable and teachable.

In response to a question, Dr. Libbee indicated that comments could be forwarded to him at 1-800-279-1423 or michael.libbee@cmich.edu. He again raised the question of presenting information on industry best practices.

A member responded that actual technology used in best practices is dynamic. It can not be presented as a static concept. Another member indicated that students should be able to recognize that companies do care about the environment and, further, that as consumers, we all ultimately impact how companies behave. EAC members agreed that information should not be presented in terms of the economy versus the environment. Rather, it should be presented as how different considerations (economic, environmental, and social), might affect a decision.

A member observed that we want students to be hopeful about the ability to address environmental issues. Students should feel like they can make a difference.

A member noted that students need to understand the role of the individual in creating environmental issues citing the adage “we have met the enemy and he is us.”

The EAC thanked Dr. Libbee and Tom Occhipinti for their presentation and the opportunity to comment on the developing curriculum.

Notes by Linda Albro Sparks; summary by Frank Ruswick.