

LEGISLATIVE PRIORITY: THE ENVIRONMENT

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State Chamber Position

Since the 1970s, the Delaware State Chamber of Commerce has maintained that state government has a legitimate regulatory duty in matters relating to conservation of our natural environment. The State Chamber also believes that regulators must always work closely with those they regulate and be receptive to innovative and cost-effective ways of achieving common environmental objectives. The goal of the state should be to create a balanced regulatory atmosphere that supports a positive business climate while meeting our common expectations for a clean and safe environment.

Recent History

Great strides have been made in developing technology that will further improve air and water quality. The past 35 years have witnessed the creation of the Environmental Protection Agency (EPA), the implementation of Delaware's Coastal Zone Act and formation of the Delaware Department of Natural Resources and Environmental Control (DNREC). Along with these entities have come an increase in regulations.

However, many small businesses do not possess the resources available to larger companies to meet state and federal guidelines. When designing regulations, it is especially important that government officials look for ways to accomplish regulatory objectives without unduly burdening small businesses.

The state's Brownfields cleanup and development program is one area where businesses and government have been able to work together. The Brownfields program provides incentives to the business community to purchase, clean up and redevelop abandoned industrial and commercial sites.

The legislation was signed into law in 1995. In recent years, the State Chamber has pressed for better use of the Brownfields program in encouraging rehabilitation of environmentally damaged sites.

Last year, the General Assembly passed and the Governor signed SB 157 and SB 328, legislation that made improve-

ments to this program by modifying the standards for liability, which in turn brought about a better working relationship between the regulators and the real estate developers who are willing to invest in these underused properties. However, parties must remain flexible in implementation and regulation to ensure this program succeeds in turning environmentally damaged properties into sites that will create jobs, living space and recreational opportunities.



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Burdensome Regulations

Progress has been made meeting federal standards under the Clean Air Act, but the state still faces major challenges. Delaware has imposed regulatory requirements that go beyond federal requirements for air emission standards. As a result, sweeping and burdensome requirements have been imposed on some businesses, despite the fact that industrial emitters have made major improvements and are continuing these efforts.

If regulators want to impose regulations that exceed those of the EPA and surrounding states, then DNREC must justify these alterations. Beyond explaining why they are necessary, they need to present data based upon a cost-benefit analysis that explains the economic viability of the restrictions. This is a logical step that any successful business would take when making changes to the way they conduct business.

Furthermore, Delaware must continue to show progress in reducing mobile source (car and truck) emissions. This is an obligation all citizens must take seriously if we are to address the non-attainment designation imposed on Delaware by the EPA.

Other environmental issues that need to be resolved in the next few years include: reducing pollution in the inland bays, improving water quality, wastewater treatment, leaking storage tanks and recycling.

Regulatory efforts beyond safeguarding the environment have an impact on Delaware's economy and Delaware's jobs. Delaware's business community and DNREC must work together to assess the value and the impact of proposed regulatory changes. ■