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BINATIONAL TOXICS STRATEGY STAKEHOLDER FORUM
TEN YEAR ANNIVERSARY EVENING RECEPTION & DINNER

Ten Years of Strategy Achievements

Keynote Address

By

G. Tracy Mehan, III
Principal
The Cadmus Group, Inc.
gmehan@cadmusgroup.com

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Good evening, my fellow North Americans.

Thank you for the opportunity to deliver this keynote address to a truly landmark, binational gathering.

Whenever I come to Chicago and the Great Lakes region, I am overwhelmed with fond memories. Not only did I have the pleasure of working on Great Lakes issues for many years, but my wife and I spent our honeymoon at the Drake Hotel!

Chicago is a great place to gauge the progress we have made in protecting the waters of the United States. Upton Sinclair's famous muckracking novel, *The Jungle* (1906) excoriated conditions in the Chicago stockyards and packing houses. There you will find this description of a body of water surpassing even the much maligned Cuyahoga River in terms of past degradation:

"Bubbly Creek" is an arm of the Chicago River, and forms the southern boundary of the yards; all the drainage of the square mile of packing houses empties into it, so that it is really a great open sewer a hundred or two feet wide. One long arm of it is blind, and the filth stays there forever and a day. The grease and chemicals that are poured into it undergo all sorts of strange transformations, which are the cause of its name; it is constantly in motion, as if huge fish were feeding in it, or great leviathans disporting themselves in its depths. Bubbles of carbonic acid gas will rise to the surface and burst, and make rings two or three feet wide. Here and there the grease and filth have caked solid, and the creek looks like a bed of lava; chickens walk about on it, feeding, and many times an unwary stranger has started to stroll across, and vanished temporarily. The packers used to leave the creek that way, till every now and then the surface would catch fire and burn furiously, and the fire department would have to come and put it out. Once, however, an ingenious stranger came

and started to gather this filth in scows, to make lard out of; then the packers took the cue, and got out an injunction to stop him, and afterward gathered it themselves. The banks of “Bubbly Creek are plastered thick with hairs, and this also packers gather and clean.

Conditions such as these are unimaginable today, even on Bubbly Creek where you can now catch an occasional four-pound coho salmon or buy a million-dollar house (<http://chicagobusiness.com/cgi-bin/news.pl?id=13288>).

Is it any wonder that former EPA Administrator Bill Ruckelshaus is reported to have said that even if all our waters are not fishable or swimmable, at least they’re not flammable.

Last August lake whitefish, the number one commercial fish in the Great Lakes and a key indicator of water quality, returned to the Detroit River (<http://soundwaves.usgs.gov/2006/08/research.html>). They were found spawning there for the first time since 1916.

The Detroit River lost this valuable fishery due to a witch’s brew of oil, phosphorus, mercury, and organochlorine pollution over many years. Relative to 1972 levels, oil and phosphorus pollution levels are down 98 percent and 95 percent respectively. Mercury contamination in fish tissue is down 70 percent, and PCB contamination is down 83 percent as measured in herring gulls from a nearby island.

No Garden of Eden, the Detroit River now has naturally reproducing populations of peregrine falcons, lake sturgeons, and bald eagles, not too mention a world-class walleye fishery for which it shares honors with Lake Erie, itself once declared dead or dying.

It is important to recall these successes, for our children's sake especially, in order to avoid the corrosive cynicism and hopelessness which so often tinges debate over environmental policy in this country. We have it within our power to improve human health and the natural world.

So I am very pleased to be here tonight. I am extremely happy to join in this celebration of one of the most effective public-private partnerships with which I have ever had the privilege to be associated. International, even global in scale, the Binational Toxics Strategy has exceeded all expectations-certainly mine at least.

I count it one of my great personal and professional blessings to be a charter member of this great undertaking for many reasons, not the least of which are the many friendships which the Strategy brought my way during my years with the Michigan Office of the Great Lakes and as a member of the Water Quality Board of the International Joint Commission.

I congratulate all of you who have worked so hard these past ten years to achieve so much, sustained by a mutual commitment to the Great Lakes and the people who both depend on and revere them.

I have read with great pride and admiration the latest progress report for 2006 released today. Reviewing the major goals, among others, for mercury, PCBs, Dioxin & Furans, success is close at hand. Clearly, the Strategy continues to exhibit great energy in the quest to virtually eliminate the discharges and presence of toxics in the environment.

Consider this: we have done such a great job controlling dioxin emissions from large air and water sources that we now have to focus on backyard burning to make further, incremental progress. The effort to deal with numerous, dispersed sources of pollution does not lend itself to traditional regulatory approaches. Thus, it was and is necessary to explore new approaches such as the Binational Toxics Strategy.

Thinking back to that first organizational meeting in Windsor many years ago, there was a lurking suspicion that this was all a big mistake. (I know several of you here tonight remember that day.) The forlorn hope at that time was: If they come, they will build it! In other words none of us were quite sure if this dog would hunt. After all, the goal was to enlist industry, citizens, and governments—federal, state, local, and tribal-- in a voluntary undertaking to pursue additional reductions in and exposure to persistent, bioaccumulative, and toxic substances, over and beyond that required by very strict laws already on the books and others forthcoming on both sides of the border. Some of us would not have been surprised if everyone sitting in the room at that initial meeting would have thrown up their hands and said “Enough already!”

But they, that is, *you* came. And, indeed, you built it. Again, I thank the sponsors of this momentous gathering for providing me the opportunity to congratulate you all in person and to celebrate past and future successes.

Now I genuinely appreciate the wisdom of scheduling my Keynote Address actually during dinner, between the salad and the main course. I am a big believer in incentive-based environmental policy, and I think it is a brilliant idea to “incentivize” dinner speakers to get on with it. So I take note of the imperative of expedition and will get right to the point.

Whither the Binational Toxics Strategy? What are the strengths of the Strategy and the likely challenges appropriate to its strengths? What are the new opportunities for applying the lessons learned from this ten-year collaboration? And, just as important, what activities should the Strategy cease doing or abandon entirely, thus creating opportunities to conserve, renew, or redirect precious human, financial, and political capital for the benefit of the citizens of the Great Lakes basin?

The late Peter Drucker, the greatest of America’s management theorists (although he was Viennese by birth), is always worth studying during times of institutional change, be it commercial, non-profit, or governmental.

Drucker claimed that successful leaders do not ask, “What do I want to do?” They ask, “What needs to be done?” And of those things that would make a difference, “which are right for me?” He maintained that leaders don’t tackle things they aren’t good at.

But Drucker also insisted on what has been characterized as “Creative Abandonment.”

As Drucker put it:

A critical question for leaders is, “When do you stop pouring resources into things that have achieved their purpose?” The most dangerous trap for a leader are those near-successes where everybody says that if you just give it another big push it will go over the top. One tries it once. One tries it twice. One tries a third time. But, by then it should be obvious this will be very hard to do.

Given his view of the matter, Drucker would always tell a client or colleague, “Don’t tell me what you are doing...Tell me what you *stopped* doing.”

Recalling the characteristics of persistent, bioaccumulative, and toxic pollutants, and the progress made in reducing their presence in the environment to date, Drucker’s thoughts on Creative Abandonment are stimulating if not outright provocative.

However, I am not here to dictate outcomes to your ongoing deliberations as to the future course of the Binational Toxics Strategy but only to suggest avenues for you to explore.

It is no fun to talk about what you are *not* going to do—as necessary as such a discussion may be. So let’s consider a new, emerging challenge which might typify a proper match

for the Binational Toxics Strategy as a collaborative, voluntary, public-private partnership.

This past year Washington was atwitter with front-page stories regarding “intersex smallmouth bass” found in the Potomac River. Does this sound familiar? Yes, the issue of hormone disrupting chemicals, or “gender benders” to use a colorful term I recall from my days in Michigan, has come to Washington. As you can probably guess, the cause of this concern is not the “traditional” toxics such as PCBs.

The U.S. Geological Service (USGS) recently completed a study of the Potomac, noting a high incidence of male smallmouth bass exhibiting female characteristics (pubs.usgs.gov/of/2006/1393). It found pesticides, flame retardants, and personal-care products containing known or suspected endocrine-disrupting chemicals in several tributaries and the bass that inhabit them.

Pharmaceuticals in untreated wastewater and agricultural runoff are implicated in the study, and antibiotics were found in some but not all wastewater samples with municipal effluent having at least seven such compounds.

Now I would be the first to admit that the issue of pharmaceuticals in wastewater is not ready for prime time in terms of decisive regulatory action. Further research is definitely indicated. Yet, a collaborative, voluntary, public-private partnership, very akin to efforts

to divert mercury or grass clippings from the waste stream, might be an initiative to consider.

The Strategy already includes similar efforts such as those of Earth Keepers in Michigan's Upper Peninsula. This multi-denominational, faith-based group, with the help of judicious funding from other partners, has conducted very successful clean-sweep programs aimed at toxics, pesticides, electronic goods, and pharmaceuticals. Earth Keepers represents an entirely new set of constituencies promoting environmental stewardship which were not envisioned ten years ago.

The Oregon Association of Clean Water Agencies (ACWA) has been exploring a "Drug Take Back Program." It has identified several benefits of such an effort: reduction of accidental poisonings by children or even adults; prevention of prescription drug abuse and addiction, mostly focused on teenagers; and protection of water quality. ACWA estimates that there are 60,000 pounds of unwanted drugs disposed of annually in Oregon.

The sources of drugs immediately call to mind prospective new partnerships: long-term care facilities, hospitals, homes, and veterinary clinics to name a few. Given the implications for federal drug enforcement, very different kinds of governmental partnerships might be involved.

San Francisco has Safe Drug Disposal Days. Other communities are piloting collection programs at pharmacies.

Again, there are regulatory (civil and criminal) and financial barriers to be overcome. But if the key players came to the table, maybe they would build the necessary partnerships and take proactive steps without incurring the transaction costs of time and regulation. They would get out in front of an emerging issue.

I am not in a position to judge whether or not the matter of pharmaceuticals in wastewater is one worth tackling. But it is the kind of issue that the Binational Toxic Strategy should be investigating, the elements of which include prevention, collaboration, and voluntarism among numerous stakeholders—public, private, and non-profit.

Another emerging issue comes to mind, a challenge which might suit the strengths of a partnership such as the Binational Toxics Strategy: nanotechnology. This new, innovation promises to be a boon to mankind as long as we remain vigilant for any unforeseen consequences. The regulatory picture is still unsettled. Some argue existing laws are adequate for protection of the public while allowing the commercial applications of nanotechnology to thrive. Others say a new regulatory regime is necessary.

In any event wise public policy and enlightened self-interest would suggest that we do everything we can to monitor the presence of such material in the environment and limit unnecessary exposure while striving to fully comprehend the science of the matter. A

collaborative, voluntary, public-private partnership might be appropriate in the circumstances.

There are many uncertainties which have to be considered in undertaking any new initiatives under the auspices of the Binational Toxics Strategy. For instance, the review of the Great Lakes Water Quality Agreement is a major contingency. The interaction of the Strategy with other international efforts aimed at toxic reduction is another.

But you have worked through these kinds of issues before. I have no doubt you will do so again.

Thank you for allowing me to join the party. I wish you all another ten years of environmental success.

G. Tracy Mehan, III, was Assistant Administrator for Water at the U.S. Environmental Protection Agency, 2001-2003. He served as Director of the Michigan Office of the Great Lakes from 1993-2001, during which time he also was a member of the Water Quality Board of the International Joint Commission, the Great Lakes Commission, and the board of the Great Lakes Protection Fund.