

**STARS Advisory Committees Focus Call**  
**Tuesday, November 13, 2007**

**Topic: Environmental Health & Safety**

*Participants:* Peter Ashbrook, Bruce Backus, Tom Balf, Rich Bankowski, Ed Becker, Bob Benson, Mary Ann Coughlin, Andrea George, Gail Hall, Mary Jensen, Matt Malten, Mark Kelly, Kyle Rosato.

*Present from AASHE:* Julian Dautremont-Smith, Scott Hollis, Stephanie Sims, Judy Walton

## **Agenda**

### **1. Operations Prerequisite 2 – Compliance**

*QUESTION 1: Is requiring compliance with EH&S regulations the best way to highlight the importance of compliance as a foundation for sustainability efforts, and to underline the concept that sustainability should be about going "beyond compliance"?*

Discussed pros & cons of compliance prerequisite as currently written, and ideas for improving it or finding a better alternative.

Pros – if we could determine a threshold for “serious” violations, it avoids embarrassing situation of awarding sustainability rating to institution in major violation of environmental regulations. If sustainability is “beyond compliance” shouldn’t basic compliance be a prerequisite?

Cons – compliance violations difficult to compare – not always apples to apples. Hard to compare different sized schools in terms of “number of compliance violations.” Enforcement of environmental rules not consistent across colleges & states. For example, one study found some get hit more with OSHA violations than others. Some institutions get inspected more often than others. Listing all violations in past x years may be good for an assessment or GRI but not useful in a rating system – needs a basis for comparison. Issue of time lag - sometimes agencies will find a violation but not get back to you for over a year, by which time it may have been corrected. Have to ask as well: is there real environmental harm involved in particular violations? Being in perfect compliance is problematic.

*QUESTION 2: Can we define "compliance" in such a way that it doesn't penalize those making a good faith effort to comply with EH&S regulations, yet occasionally having minor violations, but that does exclude a campus in serious violation from achieving a STARS rating?*

Size of violation is very important; but hard to clearly and fairly define “serious environmental violation” vs. minor violation. Could we tie it to consent decrees? Higher level of enforcement? Institutions that have had SAPs? How about “monetary value of significant fines + total number of non-monetary citations”? (Based on GRI.) Problem: can’t set meaningful thresholds for serious violation. Difference in campus size and frequency of inspections makes it difficult to set threshold. Easy to get minor violations, especially larger campuses. Also, variations exist among enforcement divisions and even different inspectors.

*QUESTION 3: With which regulations specifically should we require compliance?*

Can we require compliance with EPA regulations only? Maybe; but difficulties in comparing schools fairly still apply. Discrepancies more pronounced in OSHA regulations. What about Transportation? NIH?

*QUESTION 4: Is just having dedicated EH&S staff and programs sufficient in itself to ensure environmental compliance, or could this result in the situation of awarding a sustainability rating to a campus in serious violation of EH&S regulations?*

Having staff not sufficient in itself; doesn’t cover all bases. Challenge for small schools without designated, specialized staff.

#### **OTHER IDEAS:**

Prerequisite: “Does your campus have programs and processes in place to meet applicable regulations?” Having programs in place represents good faith attempt to be in compliance. Maybe 3-

tired approach:. 1. Compliance program. 2. Self-auditing program. 3. Program in place for corrective action.

Prerequisite: Sign a STARS certification agreement that to the best of your knowledge you aren't in violation. Either you've been inspected and passed or you've conducted your own independent inspection. This won't be perfectly black & white. Problem is coming up with good language. Another problem is specifying what you're signing off on – generally these sign-offs are project related, not entire campus.

Credit – No serious violations in 3 years. Problem: What is a serious violation? How to deal with discrepancies above? Should we limit to EPA violations only?

Credit – no violations per x inspections. Problem: some campuses get inspected many times; others not at all. Only way to claim compliance if no inspection would be by independent auditor. Small schools may not have resources to do internal audit.

Credit – Having a proactive system like an EMS (with metrics) and/or internal audit program. This is what we're really getting at. Counting violations is not useful. Maybe also look at credit for ISO 14000 certification; although having an EMS may be more important as a process indicator. **Tom and Ed will work on this credit.**

EMS Discussion – important to state scope of EMS – some have EMS for one school or unit, but not entire campus. Currently there are different levels of EMS. Same issue with process indicators. Certain criteria can make a legitimate EMS. Credit for 3<sup>rd</sup> party certification. EPA has one version that others can reference as a standard. But there are many different visions for what an EMS is. Nothing wrong with being difficult to get a point – we can come up with the language.

Further Research – Draft ASTM standard – standard guide for environmental compliance assessment. (Maybe only used in property assessments.)

## 2. **Operations Credit 26 – Stormwater Management**

*QUESTION 1: Can this be measured reasonably accurately?*

No, not really. Would be extremely hard to come up with metric. Can't quantitatively say, "we mitigate x% of rainfall."

*QUESTION 2: Is there another quantitative way of analyzing an institution's performance on stormwater management that would allow for reasonably fair comparisons across institutions?*

Not really. Only measurement is x% of pollution; not x% of water mitigated. Best to have a process-based credit. Make sure there's a plan taking stormwater into consideration.

*QUESTION 3: Would requiring the implementation of a series of best practices for stormwater management be better?*

Yes - example best practices include: streetcleaning, construction-related programs, etc. Should also include innovative practices like bioswales, green roofs to prevent runoff. Not every process is appropriate for all campuses or projects. Also have to consider scope (is one bioswale sufficient?)

Credit - Perhaps a 3-tiered credit: Do you have: 1) plan or programs in place and 2) series of best management practices that you can choose from, and 3) ways of auditing those programs? Need reporting or auditing mechanism to gauge progress; to validate that your process is sufficient, being implemented. **Rich Bankowski will send BMPs for stormwater program.**

## 3. **New Credits**

*We'd like to add a credit on Indoor Environmental Quality. What are the most important elements of an IEQ program? Can they be measured in a way that would allow for reasonable comparisons across campuses and wouldn't be unduly burdensome to carry out?*

Hard to devise quantitative metric that's fair and applicable. IEQ parameters generally measured in response to complaint; not on general basis across campus buildings. Find problems all over campus

every day; make recommendations; pose questions that bring facilities folks into it. EHS usually deals with it, but often in conjunction with facilities. Many complaints, but main driver is decreasing lost time due to discomfort. Important not to ignore IEQ in STARS; but could be tied into other credits such as green cleaning (measures that affect IEQ).

Credit – Do you address & track IAQ complaints?

Credit – Do you have processes to address problems and bring solutions?

Credit – Most difficult: Do you do customer perception surveys?

Credit - Ask institutions to give some evidence that they've mitigated problems, solved them permanently and will not be repeating them. Permanently reducing incidences. (Difficult to word as a credit.)

Credit – Do you have an interdisciplinary team in place and process for responding to IAQ problems? Interdisciplinary means containing facilities and safety staff and building occupants.

What we're really trying to get at with IAQ/IEQ indicators is "Wellness." Are faculty, students and staff healthy? We've been talking to reactively above. Should look at proactive programs that prevent situations in first place. IAQ fits in with same concept. May want to factor in absenteeism (but many other factors involved in absenteeism). Maybe need another subcategory in STARS.

*New credit on hazardous waste management*

Largest impact EHS has on sustainability is on waste side - regulated wastes in particular. Reducing them, recycling chemicals, hazardous waste management. Chemical usage is only partly covered in the Green Seal credit. Green chemistry programs, toxics reduction. Trying to get researchers to change over to non-hazardous chemicals. Need to make sure this work is reflected in credits – not captured in credits we've been discussing. **Andrea will suggest language for a credit or series of credits on hazardous waste management and toxics reduction. Ed will send some stuff on how to write a credit for above; and will get CSHEMA community to weigh in with ideas for EHS indicators. Mark will work on compliance subcommittee.**