

The Partnership: Suspending Disbelief

“ The Study Committee was one of the most congenial, respectful groups of people from disparate interests working together. They all came with good intentions and good will: environmentalists, bankers, consultants, realtors, and department staff all had different interests and disagreements. All hung their prejudices at the door when they walked in, and really got down to work.

We had to fix this, and we had to do it together. We talked a lot about suspending disbelief, of letting go of your history and conceptions. Everybody was united by the fact that [the current system] wasn't working for them.”

Jim Colman
Former Assistant Commissioner,
MassDEP Bureau of Waste Site Cleanup

“ The fact that we did it was amazing. Many of these people are still with DEP. They were given free rein to just create, brainstorm, and do stuff that had never been done in environmental services. They could sit down with a blank page, create it, think it, sell it, go to public meetings, and convince people that it made sense. You had to convince the scientists, the lawyers, and the public.”

Dick Chalpin
Former Regional Director,
MassDEP Northeast
Regional Office

“ It was a rare occurrence, for example, to have one of the leading environmental advocacy groups and the bankers association agreeing on something like this. That happened over and over again. In order to build consensus, everybody had to give up a little bit. The legislation went through as a single package which was not tampered with along the way because it was such a strong effort to get all the parties to buy into it.”

Dan Greenbaum
Former Commissioner,
MassDEP

“ When we first heard about the proposed new approach, we thought: This is nuts! You're going to give responsibility for investigating and cleaning up sites to the very people who created the sites in the first place? And you're going to license their consultants to do this work for you?

“We became very concerned about the development of this program and started joining other people in the environmental community to attend these meetings to design the MCP – which are the regulations we have today. MassDEP made sure there was a balance of opinions in all of the subcommittees. We finally began to realize that the other parties (environmental consultants, attorneys, etc.) were really concerned about what was going on and what needed to be addressed. We started to work hand-in-hand with them.”

Gretchen Latowsky
Former Executive Director, For a Cleaner
Environment (FACE); Past Member of the
LSP Board

The Privatized Program

“ We created this process whereby the LSP opinion had value in the marketplace to assure that those opinions were based on science and would stand the test of law.

There was instant success on October 2, 1993: people instantly knew where their cleanup endpoints were and that was magical.”

Dick Chalpin
Former Regional Director, MassDEP
Northeast Regional Office

“ We created a group of professionals with proper certifications [LSPs] who would step in, in the place of the state, and do all the same kinds of things: get the work done properly, get the sites cleaned up, and move them back into commerce.”

Dan Greenbaum
Former Commissioner, MassDEP

“ The system has been a tremendous success. The numbers of sites that have moved through the program – overseen by LSPs – have resulted in a tremendous amount of Brownfields redevelopment here in the Commonwealth. The statistics of the program are pretty stunning.”

Chris Davis
Former Senior Partner,
Goodwin Procter LLP

“ We have closed out more than 40,000 releases in 20 years. Each year about 1200 to 1500 new releases come into the system, but another 1300 to 1500 get closed out. The program is sustainable. The vast majority of releases get cleaned up in an organized, quick, and routine manner, without a lot of MassDEP input. It is remarkable that it can be so unremarkable.”

“ We have an audience of 50 to 60 people who come to our Advisory Committee meetings. We want to hear from everybody. Everybody feels a certain amount of ownership over the program. Everybody has a stake in making sure it works well. They are willing to put the time and effort in... sitting down for three hours and discussing things in detail, at a fundamental level, and proposing alternatives. People come to us with complaints as well as possible solutions.”

Paul Locke
Director, Division of Response
and Remediation, MassDEP Bureau
of Waste Site Cleanup