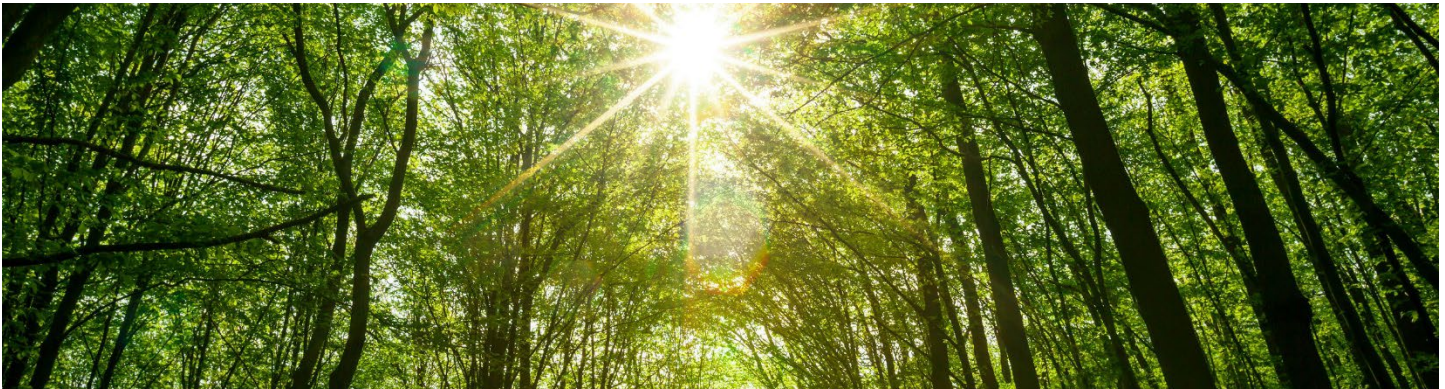


A Baker's Dozen Tips for Working with the Environmental Protection Agency



The government can feel like a large bureaucracy, but at its core, it is just a group of people doing their jobs the best way they know how.

Understanding the people who work at an agency is key to understanding the agency itself. These tips can help you better understand how best to work with EPA.

- 1. Consider what is important to the Agency.** EPA staff are mission driven so try understanding their point of view. Approach the Agency with a compliance mindset.
- 2. Wisely use the chain of command and only strategically request meetings with senior level decision makers.** It's always best to try and work issues out with the appropriate staff. If that isn't possible, first or second level managers can resolve many problems quickly and easily in the time that it takes to get on a more senior decision maker's calendar. You also will likely have limited opportunities to meet with senior officials so you should use that opportunity wisely.

When requesting management meetings, either do that through the staff or provide a courtesy notice to your staff contact. The goodwill generated by that type of communication is meaningful.

- 3. Respect the staff.** The staff are there because they strongly believe in environmental protection. Many of them gave up

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lucrative jobs to work in public service. Do not act condescendingly and respect their expertise and their time.

4. **Carefully consider changes to standard model terms.** It might be irritating to agree to all those model provisions in documents, but typically avoid comprehensive challenges and select the terms that are most important to you. EPA is a public service organization that looks at the impact of one decision on many other parties. Precedent is important and even minor changes to model documents can have a big impact. The agencies typically don't agree to many of those broad requests anyways, resulting in time consuming and ineffective negotiations. Focusing on the most important terms will yield the best results.
5. **Tailor FOIA requests to the extent possible or offer to discuss in order to tailor.** While EPA has FOIA response deadlines, vague requests will necessarily take more time.
6. **Timely respond to questions and information requests.** Failure to fully respond to a formal info request can result in penalties and erosion of trust. If an information request is burdensome, discuss that with the Agency.
7. **Make personal connections.** Develop a rapport with staff contacts. Make sure they understand why you are taking a certain position or making a request. Staff are often happy to share their knowledge and provide advice.
8. **Be prepared.** Take the time to research and explain your views. Educate the staff on your business or process. Respectfully and clearly explain what's important to you.
9. **Get all the right people together.** EPA, particularly the Headquarters office, is more siloed than you might think. At times, different offices may not always share information and talk with each other even on related matters. Understand who the decision maker is and who is involved in recommending action to that decision maker.
10. **Understand the culture of the office you're working with.** Each regional and HQ office has a slightly different culture, so do some research.
11. **Act with integrity.** It builds trust and helps to develop a good reputation with the Agency. Communicate clearly, openly, and honestly.
12. **Be proactive if you find a violation.** EPA's audit policy requires among other things to identify the violation within 21 days and to return to compliance. If a violation is found, it's best to proactively identify it and take the corrective actions needed.
13. **Stay calm.** Receiving a letter demanding information or worse yet, a lot of money can be frustrating, scary, and infuriating. Release all that before talking with the agency. Communicate clearly and be well organized and prepared.

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