

EPA Encourages Environmental Audits and Voluntary Disclosures

Airport operations can impact the environment in a variety of ways, e.g., chemical pollution resulting from aircraft maintenance and deicing, contaminated runway and grounds runoff, erosion, sedimentation, etc. Airport operators have a number of environmental obligations related to discharges of pollutants into waters of the United States, releases of hazardous substances and other potentially applicable requirements. Failure to comply with applicable environmental statutes, regulations and permit requirements may subject the airport operator, and/or possibly tenants, to penalties and injunctive actions. EPA offers an innovative opportunity - through the EPA Audit Policy - to work with the Agency to achieve full compliance and protect the environment without entering into costly litigation.

Recently, EPA and American Airlines (AMR Corporation) entered into a settlement under EPA's Audit Policy that demonstrates how voluntary audits, disclosures and corrections may be carried out. EPA cut penalties potentially totaling \$1.4 million by over 90% for violations of §211 of the Clean Air Act that were voluntarily disclosed and corrected. American Airlines also agreed to purchase 12 electric-powered belt loaders to replace existing gas-powered loaders at Boston's Logan airport, an improvement expected to eliminate nearly 700 tons of pollutants from the air annually at Logan. This settlement serves as a model for air transport industry companies that want to come forward and resolve multiple federal environmental violations at one time.

The Audit Policy offers incentives for eligible companies - like American Airlines - to discover, disclose and correct environmental violations. Incentives can include waiving punitive penalties for violations that are discovered through an environmental audit. To assist in conducting environmental audits, EPA has also developed audit protocols as well as screening checklists, which can serve as evaluation tools. The screening checklists and audit protocols are available at the website at www.transource.org.

EPA is in the process of sending letters to airport operators that provide information regarding regulatory requirements commonly applicable to the industry and information about EPA's Audit Policy. The Agency encourages recipients to read the letters and conduct environmental audits and disclose under the Audit Policy as appropriate. EPA's audit policy website, www.epa.gov/oeca/polguid1.html, provides information on EPA's Audit Policy and related issues.