



Regulating from the Inside

Can Environmental Management Systems
Achieve Policy Goals?



Edited by
**Cary Coglianese and
Jennifer Nash**

Regulating From The Inside Can Environmental Management Systems Achieve Policy Goals

Cary Coglianese, Jennifer Nash



Regulating From The Inside Can Environmental Management Systems Achieve Policy Goals:

Regulating from the Inside Cary Coglianese, 2010-09-30 Environmental Management Systems EMSs offer an approach to regulatory policy that lies somewhere between free market and traditional command and control methods Worldwide hundreds of thousands of private firms have adopted or are considering adopting these internally managed systems for improving environmental performance In the United States the Environmental Protection Agency has established a special recognition for firms that adopt EMSs Already numerous state agencies have proposed or adopted green tier systems that allow firms with EMSs to be exempted from otherwise applicable requirements Yet while private and public sector interest in EMSs is booming limited empirical evidence is available about the efficacy of EMSs To close the gap between advocacy and analysis *Regulating from the Inside* brings together cutting edge work of leading scholars providing the most comprehensive analysis to date of environmental management systems Intended to frame the future policy and the research agenda about EMSs the discussions are organized around two critical questions How have EMSs worked in firms that have already adopted them What potential and limitations do they have as policy tools in the future Addressing the arguments of both advocates and skeptics the chapters examine why firms adopt EMSs how firms implement EMSs how EMSs answer concerns about fairness corporate social responsibility and sustainability and what kind of impact EMSs may have on the global economy

Environmental Governance Reconsidered Robert F. Durant, Daniel J. Fiorino, Rosemary O'Leary, 2004-05-07 A comprehensive in depth and thematically integrated analysis of key issues in environmental governance today from perspectives including environmental economics democratic theory public policy law political science and public administration

Multilevel Regulation and the EU Andreas Føllesdal, Ramses A. Wessel, Jan Wouters, 2008 Rules are no longer merely made by states but increasingly by international organizations and other international bodies At the same time these rules do impact the daily life of citizens and companies as it has become increasingly difficult to draw dividing lines between international EU and domestic law This book introduces the notion of a multilevel regulationa TM as a way to study these normative processes and the interplay between different legal orders It indicates that many rules in such areas as trade financial cooperation food safety pharmaceuticals security terrorism civil aviation environmental protection or the internet find their origin in international cooperation Apart from mapping multilevel regulation on the basis of a number of case studies the book analyses its consequences in relation to forms of legal protection and legitimacy In that respect it proposes an agenda for research to study how to cope with multilevel regulation This work offers valuable resources for researchers involved in studying the interplay between international European and domestic law For practitioners it offers background information on the ways in which many international rules come into being

Taming Regulation Robert T. Nakamura, Thomas W. Church, 2003-10-27 Despite three decades of vigorous efforts at deregulation across the government regulation remains ubiquitous It also continues to be unpopular because it forces individuals and businesses to do things

frequently costly and unpleasant things that they don't want to do. If regulatory programs are to survive and remain effective, the challenge posed by their endemic unpopularity and political vulnerability must be met. Unlike much of the existing literature on regulation, *Taming Regulation* begins with the assumption that the government's capacity to utilize regulation as a policy tool is vital. The book examines the questions of how to make the inherently coercive aspects of regulation more politically acceptable in the present antiregulatory environment and how the legal and administrative challenges of reform in ongoing regulatory programs might best be approached. The authors explore these issues through a case study of administrative reform in the Superfund program. Chartered with an ambitious mission to clean up the nation's hazardous waste sites, Superfund was from its inception a uniquely aggressive and unpopular program. Yet despite the election in 1994 of a Republican Congress committed to fundamental changes in environmental regulation, the Superfund program weathered the storm and remains intact today. The authors credit this political and programmatic success to a series of artfully designed and orchestrated internal reforms that softened Superfund's implementation, thus increasing its political support while retaining its potent coercive tools. *Taming Regulation* provides a cautionary discussion of both the necessity and the difficulty of regulatory reform. It is essential reading for students of regulation and environmental policy, for practitioners contemplating reform of ongoing regulatory programs, and for those interested in the checkered history of Superfund.

Reinventing Environmental Regulation Alfred A. Marcus, Donald A. Geffen, Ken Sexton, 2010-09-30. Project XL, Excellence and Leadership, was the flagship effort by the Clinton administration for cleaner, cheaper, and smarter regulation. Under Project XL, business promised better performance in exchange for a regulatory approach focused more on results than means, with the Environmental Protection Agency (EPA) measuring pollution reduction across rather than at individual sources within a facility. *Reinventing Environmental Regulation* is a compelling account of the breakdown in negotiations to implement Project XL at a tape manufacturing plant of 3M, a company widely recognized as environmentally progressive. Marcus, Geffen, and Sexton discuss the conflicting goals of participants, the influences of personality and organizational culture, and complications caused by changes in 3M's external business environment. They compare the 3M case with EPA negotiations involving Intel, Merck, and Weyerhaeuser, finding similarly contentious though less fatal disagreements about the meaning of superior environmental performance. In common with other recent proposals, Project XL emphasized cooperative, flexible regulatory approaches. *Reinventing Environmental Regulation* demonstrates the difficulty of putting these appealing ideas into practice while offering encouragement for continued innovations.

Leveraging the Private Sector Cary Coglianese, Jennifer Nash, 2010-09-30. *Leveraging the Private Sector* offers the first sustained analysis of public and private sector initiatives designed to encourage firms and industries to use their own management expertise to improve their environmental performance. Cary Coglianese and Jennifer Nash bring together original empirical studies by the nation's leading experts on recent public and private sector experiments. Do management

based strategies lead to improved environmental outcomes What kinds of strategies hold the most promise Leveraging the Private Sector addresses these questions through studies of state pollution prevention planning laws private sector purchasing requirements and federal risk management regulations among others The contributors show that efforts to leverage private sector experience and knowledge can have a distinctive contribution in the future of environmental protection Ultimately a firm's broader management practices shape its environmental performance Public and private sector strategies that seek to influence these practices directly can help bring about further environmental improvements This book breaks new ground by investigating a new and promising approach for advancing the economy and the environment

Environmental Law Peter S. Menell, 2019-01-15 This title was first published in 2002 Since the importance of environmental governance was realised in the late 1960s and early 1970s this vibrant area of law has witnessed much change Assembling insightful essays from a number of key contributors Environmental Law takes stock of developments to date and outlines the challenges for the future

Handbook on Theories of Governance Ansell, Christopher, Torfing, Jacob, 2022-02-18 The thoroughly revised and updated Handbook on Theories of Governance brings together leading scholars in the field to summarise and assess the diversity of governance theories The Handbook advances a deeper theoretical understanding of governance processes illuminating the interdisciplinary foundations of the field

Decision Making for the Environment National Research Council, Division of Behavioral and Social Sciences and Education, Center for Economic, Governance, and International Studies, Committee on the Human Dimensions of Global Change, Panel on Social and Behavioral Science Research Priorities for Environmental Decision Making, 2005-05-31 With the growing number complexity and importance of environmental problems come demands to include a full range of intellectual disciplines and scholarly traditions to help define and eventually manage such problems more effectively Decision Making for the Environment Social and Behavioral Science Research Priorities is the result of a 2 year effort by 12 social and behavioral scientists scholars and practitioners The report sets research priorities for the social and behavioral sciences as they relate to several different kinds of environmental problems

The Federal Vision Kalyapso Nicolaïdis, Robert Howse, 2001 The Federal Vision is about the complex and changing relationship between levels of governance within the United States and in the European Union Based on a transatlantic dialogue between scholars concerned about modes of governance on both sides it is a collective attempt at analysing the ramifications of the legitimacy crisis in our multi layered democracies and possible remedies Starting from a focus on the current policy debate over devolution and subsidiarity the book engages the reader in to the broader tension of comparative federalism Its authors believe that in spite of the fundamental differences between them both the EU and the US are in the process of re defining a federal vision for the 21st century This book represents an important new contribution to the study of Federalism and European integration which seeks to bridge the divide between the two It also bridges the traditional divide between technical legal or regulatory discussions of federal governance and philosophical debates over

questions of belonging and multiple identities It is a multi disciplinary project bringing together historians political scientists and theorists legal scholars sociologists and political economists It includes both innovative analysis and prescriptions on how to reshape the federal contract in the US and the EU It includes introductions to the history of federalism in the US and the EU the current debates over devolution and subsidiarity the leaf federalism and theories of regulatory federalism as well as innovative approaches to the application of network analysis principal agent models institutionalist analysis and political theories of citizenship to the federal context The introduction and conclusion by the editors draws out cross cutting themes and lessons from the thinking together of the EU and US experiences and suggest how a federal vision could be freed from the hierarchical paradigm of the federal state and articulated around concepts of mutual tolerance and empowerment

Leaders and Laggards Neil Gunningham, Darren Sinclair, 2017-09-08 Consensus is growing internationally that traditional command and control approaches to environmental regulation have borne much of their low hanging fruit Yet it is far from clear what should complement or replace them Regulatory agencies and policy makers are struggling with a lack of information about regulatory reform about what works and what doesn't and about how best to harness the resources of both government and non government stakeholders Progress is being impeded unnecessarily by a lack of shared knowledge of how similar agencies elsewhere are meeting similar challenges and by a lack of data on the success or otherwise of existing initiatives Despite recent and valuable attempts to deal with such problems in the European Union and North America these remain islands of wisdom in a sea of ignorance For example when it comes to dealing with small and medium sized enterprises very little is known and what is known is not effectively distilled and disseminated Much the same could be said about the roles of third parties commercial and non commercial as surrogate regulators and more broadly of many current initiatives to reconfigure the regulatory state Based on the authors work for the OECD Victorian Environmental Protection Authority and the Western Australian Department of Environment Protection **Leaders and Laggards** addresses these problems by identifying innovative regulatory best practice internationally in a number of specific contexts evaluating empirically the effectiveness of regulatory reform and providing policy prescriptions that would better enable agencies to fulfil their regulatory missions Focusing primarily on the differing requirements for both corporations and small and medium sized enterprises in North America and Europe the book aims to complement existing initiatives and to expand knowledge of regulatory reform by showing how existing experience can best be put to practical use on the ground by drawing lessons from experiments in innovative regulation internationally by reporting and extrapolating on original case studies and by advancing understanding on which instruments and strategies are likely to be of most value and why The authors argue that the development of theory has outstripped its application In essence **Leaders and Laggards** aims to ground a myriad of theory on the reinvention of environmental regulation into practice The book will be essential reading for environmental policy makers regulatory and other government officials responsible for policy design and implementation academics and

postgraduate students in environmental management environmental law and environmental policy and a more general readership within environmental policy and management studies It will also be of interest to those in industry such as environmental managers and corporate strategists who are considering the use of more innovative environmental and regulatory strategies and to environmental NGOs

The New Environmental Regulation Daniel J. Fiorino, 2006 Winner 2007 Louis Brownlow Award presented by the National Academy of Public Administration NAPA and 2006 Best Book in Environmental Management and Policy American Society for Public Administration Environmental regulation in the United States has succeeded to a certain extent in solving the problems it was designed to address air water and land are indisputably cleaner and in better condition than they would be without the environmental controls put in place since 1970 But Daniel Fiorino argues in *The New Environmental Regulation* that given recent environmental economic and social changes it is time for a new more effective model of environmental problem solving Fiorino provides a comprehensive but concise overview of U S environmental regulation its history its rationale and its application and offers recommendations for a more collaborative flexible and performance based alternative Traditional environmental regulation was based on the increasingly outdated assumption that environmental protection and business are irreversibly at odds The new environmental regulation Fiorino describes is based on performance rather than on a narrow definition of compliance and uses such policy instruments as market incentives and performance measurement It takes into consideration differences in the willingness and capabilities of different firms to meet their environmental obligations and it encourages innovation by allowing regulated industries especially the better performers more flexibility in how they achieve environmental goals Fiorino points to specific programs including the 33 50 Program innovative permitting and the use of covenants as environmental policy instruments in the Netherlands that have successfully pioneered these new strategies By bringing together such a wide range of research and real world examples Fiorino has created an invaluable resource for practitioners and scholars and an engaging text for environmental policy courses

Environmental Policy and Politics Michael E. Kraft, 2021-07-22 For more than twenty years *Environmental Policy and Politics* has kept instructors and students abreast of the challenges presented by contemporary environmental energy and natural resource problems in the United States Now in its eighth edition Michael E Kraft has updated his definitive text to capture the changing nature of environmental problems as well as policy proposals made through 2020 Drawing from work within environmental science policy analysis and political science this text continues to help readers think critically about how best to address problems through a variety of public policy tools and strategies at all levels of government Important updates to this new edition include The latest information about environmental challenges and governmental responses to them with extensive citation of key sources and websites Key political and policy decisions through late 2020 including presidential appointments budgetary decisions major legislative initiatives and congressional actions New learning objectives to facilitate student understanding of key concepts and their applications arguments

advanced over environmental challenges and policies and the goals and methods of environmental policy analysis Coverage of new topics that have emerged during the Trump presidency including the Clean Power Plan repeal and reduction of environmental regulation climate change land conservation changes in natural resources policies and a comparison of the Republican and Democratic positions on climate change in 2020 Updated summaries of scientific studies government reports and policy analyses Revised discussion questions and new suggested readings Environmental Policy and Politics is an essential resource for upper level undergraduate and graduate students in political science and environmental studies looking for an accessible well researched and up to date text written with style and flair

Design for Environment as a Tool for the Development of a Sustainable Supply Chain Maurizio Bevilacqua,Filippo Emanuele Ciarapica,Giancarlo Giacchetta,2012-01-05 Environmental Design is becoming an increasingly significant agenda for many manufacturing companies and yet there is no standard to their approaches strategies or their levels of execution Applying Design for Environment DfE methodologies to develop a more sustainable supply chain has formed procedures and techniques which allow designers to integrate these methods with environmental supply chain management Design for Environment as a Tool for the Development of a Sustainable Supply Chain aims to define relevant target specifications for a product throughout its life cycle from conception and design to the end of its operating life Be considering this new approach to the supply chain environmental responsiveness can work in tandem with sounds business management The usual focus on suppliers manufacturers and customers is expanded in Design for Environment as a Tool for the Development of a Sustainable Supply Chain to include stakeholders such as government bodies and recycling companies The influence of these additional groups is analyzed alongside concepts such as Product life cycle development aimed at environmental impact minimization Supplier selection and management based on environmental criteria and Marketing and communication choices which increase the value of environmentally sensitive products By including several case studies alongside theoretical topics Design for Environment as a Tool for the Development of a Sustainable Supply Chains acts as a foundation for professionals across the supply chain from industrial designers to marketing and sales departments who are involved in environmental issues

Coming Clean Michael E. Kraft,Mark Stephan,Troy D. Abel,2011-01-14 An investigation into the policy effects of requiring firms to disclose information about their environmental performance Coming Clean is the first book to investigate the process of information disclosure as a policy strategy for environmental protection This process which requires that firms disclose information about their environmental performance is part of an approach to environmental protection that eschews the conventional command and control regulatory apparatus which sometimes leads government and industry to focus on meeting only minimal standards The authors of Coming Clean examine the effectiveness of information disclosure in achieving actual improvements in corporate environmental performance by analyzing data from the federal government s Toxics Release Inventory or TRI and drawing on an original set of survey data from corporations and federal state and local

officials among other sources The authors find that TRI probably the best known example of information disclosure has had a substantial effect over time on the environmental performance of industry But drawing on case studies from across the nation they show that the improvement is not uniform some facilities have been leaders while others have been laggards The authors argue that information disclosure has an important role to play in environmental policy but only as part of an integrated set of policy tools that includes conventional regulation

Governing Uncertainty Christopher Bosso, 2012-06-25 Nanotechnology promises to transform the materials of everyday life leading to smaller and more powerful computers more durable plastics and fabrics cheap and effective water purification systems more efficient solar panels and storage batteries and medical devices capable of tracking down and killing cancer cells or treating neurological diseases Policy analysts predict a radical change in the industrial sector at present the U S government spends nearly 2 billion annually on nanotechnology research and development Yet the nanotechnology revolution is not straightforward Enthusiasm about nanotechnology's future is tempered by recognition of the hurdles to its responsible development including the capacity of government to support technological innovation and economic growth while also addressing potential environmental and public health impacts This is the first volume to engage scholarly perspectives on environmental regulation in light of the challenges posed by nanotechnology Contributors focus on the overarching lessons of decades of regulatory response while posing a fundamental question How can government regulatory systems satisfy the desire for scientific innovation while also taking into account the direct and indirect effects of 21st century emerging technologies particularly in the face of scientific uncertainties With perspectives from economics history philosophy and public policy this new resource illuminates the various challenges inherent in the development of nanotechnology and works towards a reconceptualization of government regulatory approaches

Renascent Pragmatism Alfonso Morales, 2017-07-05 Pragmatism is experiencing a resurgence in law philosophy and social science with pragmatists seeking a consistent comprehensive and productive understanding of social life In its four sections Renascent Pragmatism aids the reinvigoration of pragmatism as an important intellectual tradition and contributor to inquiry and change in social life The book is a first of its kind for combining essays on theory method public policy and empirical scholarship presenting contributions from philosophers legal scholars and social scientists Throughout the book the concrete linkage between policy theory and method is emphasized while recognizing the philosophical tradition in which the inquiries and prescriptions rest

The Components of Sustainable Development David Crowther, Shahla Seifi, 2019-07-17 This book focuses on the application of sustainable development principles through consultation with and partnerships between commerce and the community Offering international perspectives the authors show that the issues are global and that we can best arrive at solutions through a synthesis of these various perspectives The book also examines changes to corporate and institutional behavior and discusses the extent to which the focus has changed making it necessary to consider new approaches to our understanding of

sustainability and differing effects in practice This approach is based on the tradition of the Social Responsibility Research Network which in its 17 year history has sought to broaden the discourse and to treat all research as inter related and relevant to business This book consists of the best contributions from the 17th International Conference on Corporate Social Responsibility and 8th Organisational Governance Conference held in Bangalore India in September 2018 **Governing Climate Change** Jolene Lin, 2018-06-21 First systematic study of global cities as lawmakers in the world of transnational climate change governance **The Handbook of Transnational Governance** Thomas Hale, David Held, 2018-02-12 When we speak of global governance today we no longer mean simply state to state diplomacy international treaties or intergovernmental organizations like the United Nations Alongside these traditional elements of global politics are a host of new institutions ranging from global networks of governmental officials to private codes of conduct for corporations to action oriented partnerships of NGOs governments corporations and other actors These innovative mechanisms offer intriguing solutions to pressing transnational challenges as diverse as climate change financial governance workers rights and public health But they also raise new questions about the effectiveness and legitimacy of transnational governance An expanding body of scholarship has sought to identify and assess these new forms of governance but this young body of work has lacked a sense of the larger picture This volume seeks to fill that need by presenting a comprehensive overview of new forms of transnational governance This resource is essential for those who want to explain why transborder governance has changed and to understand what implications these changes have for global politics

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