1970

“The 1970's must be the years when America pays its debt to the past by reclaiming the purity of its air, its waters, and our living environment...it is literally now or never.”

President Richard M. Nixon

President Nixon signs the National Environmental Policy Act, requiring an environmental impact statement for every large project approved or funded by the federal government, January 1.

The first Earth Day celebration occurs, with an estimated 20 million people participating throughout the United States raising peoples' awareness of threats to the environment, April 22.

The Clean Air Act is amended, creating stringent anti-pollution laws, setting auto emissions standards, and requiring state implementation plans to achieve new air quality standards, December.

The United Stated Environmental Protection Agency (USEPA) is created to administer environmental laws and issues, December 3.

EPA Region 2 established with Regional Administrator Gerry Hansler.

1971

“We cannot afford even a slight pause in the on-going efforts to preserve and improve our environment.”

USEPA Administrator William D. Ruckelshaus

1995 marked two significant anniversaries in the history of environmental protection. April 22, 1995 was the 25th anniversary of Earth Day and December 2, 1995 was the 25th anniversary of the creation of the US Environmental Protection Agency.

To commemorate these anniversaries, EPA Region 2 invited its former Regional Administrators to reflect on the history of EPA's work in the region. We also invited selected environmental activists and observers to comment, and concluded our observance with the creation of an Environmental History Timeline.

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It has been twenty-five years since Earth Day One, a blink-of-the-eye in the evolution of the earth's environmental, but long enough for the environmental movement to mature, develop a little paunch, and begin to gray.

In the years since Sen. Gaylord Nelson convinced Denis Hayes to drop out of Harvard University and coordinate the nationwide activities that gave birth to Earth Day, we have seen the stunning and unprecedented reversal of complex environmental crises, a culture built on boundless exploitation and a society wedded to disposability. Our air is cleaner; our waters are cleaner; we have stopped the creation of toxic dumps and have begun the clean up of our poisonous past; we recycle, at the factory as well as at home; we are re-foresting our land and seeing species rebound. And yet, no one seems pleased.

I recall sitting, as a reporter, in the Save The Manatee headquarters in Florida as results of a new census were being reported. A deep cold-snap had driven the threatened mammals to seek protection at warm water outflows, some at natural springs, others at area power plants. Airborne naturalists photographed great herds of the animals and, indeed, as the count came in, it was clear that the manatee population had grown far larger than anyone knew.

"That's great!," I said. "You don't understand," the Executive Director replied, propping her head in her hands. "This is awful. This is terrible news. Don't you realize what this will do to fund raising?"
An energy crisis grips the world, exacerbated by an oil embargo by the Arab nations. On May 1, 1973, President Nixon acts to end the oil import quota system in place since 1959.

Eighty nations sign the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES). The agreement is regarded as the most successful wildlife conservation treaty ever.

Congress passes the Endangered Species Act establishing a program for the conservation of threatened and endangered species.

1974

"There was no moment when I yelled, 'Eureka!' I just came home one night and told my wife, 'The work is going very well, but it looks like the end of the world.'"

The basic theory of how chlorofluorocarbons (CFCs) destroy the stratospheric ozone layer, which is necessary to protect the earth from ultraviolet radiation is first published.

Congress enacts the Safe Drinking Water Act. The Act requires EPA to set standards governing the quality of the public water supply, including requirements for physical and chemical treatment of drinking water, December 16.

1975

"It seems to me that the power of the environmental movement represents at least as much concern with the purity of air and water as a mature belief that we must move beyond consumption to find fulfillment."

Gerald Hansler (1971-1977)

The Nixon Administration's organization plan which formed the U.S. Environmental Protection Agency was set forth in Executive Order No. 3 in early July of 1970. The plan was developed by the Ashe Council, named for its chairman, Roy Ashe, who then directed the Office of Management and Budget. The first version of that plan would have placed EPA in the Department of Interior. However, some forward thinkers convinced the White House that was the wrong location--for two reasons.

First, environmental regulation would have been placed in a natural resources oriented department, such as Interior, which leased or sold oil, coal, minerals,
1976

“We’re all living in a chemical soup”

Lance A. Wallace, Newsweek

Congress enacts the Resource Conservation Recovery Act (RCRA), mandating cradle-to-grave regulation of hazardous waste, including the generation, transportation, treatment, storage and disposal of such waste.

President Gerald Ford signs the Toxic Substances Control Act (TSCA). The passage of this legislation marks the beginning of EPA's power to control the development, manufacture, and distribution of chemical substances that result in an unreasonable risk of injury to public health or the environment. TSCA specifically mandates the phase-out of production and use of polychlorinated biphenyls (PCBs), a hazardous substance determined to cause cancer, October 12.

1977

“Alternative energy is a future idea whose time is past. Renewable energy is future whose time has come.”

Bill Penden, quoted in Atlas World Press Review

President Carter submits to Congress the National Energy Plan designed to allow a smooth transition to the time when the world's oil would become far more scarce and costly. Its focus is on conservation and renewable, non-polluting energy resources.

Congress enacts the Surface Mining Control and Reclamation Act to rid the land of the environmental scars associated with mining activities.

Congress enacts the Clean Air Act Amendments of 1977 which serve as the backbone for protecting air quality and visibility in pristine areas such as national parks and wilderness areas.

Proposed Westway project announced for Manhattan's West Side.

and grazing lands--as well as built dams (Bureau of Reclamation). And second, the President might lose his re-election if the well-organized environmental movement strongly objected to such placement.

After the Reorganization Plan was announced, the big question was who would be the first fearless leader of EPA. President Nixon wisely chose Bill Ruckelshaus, then Assistant Attorney General for the Civil Division under John Mitchell.

Bill, as he's known to all of us, had impeccable credentials: Princeton graduate (a Region 2 university); Harvard Law School grad (we'll forgive him for that); Assistant Attorney General in Indiana assigned to resolve water pollution cases; knowledge of the federal scene; and most importantly, a fisherman.

Bill asked a few people with environmental management experience, among others, to assist him in the initial establishment of the new EPA; Dr. John Middleton, the head of HEW's air pollution control program; Doug Costle, a White House Fellow; and a hillbilly from the west coast.

The most important recommendation from his group of "knowledgeable" advisors was:

"Decentralize implementation of the myriad rules, regulations, standards, state and local grants, compliance schedules, monitoring and surveillance, enforcement, and federal approval of mandated state actions to the regional offices."

Mr. Ruckelshaus accepted and followed that advice because the pollution problems, people creating them, persons exposed, press reporting/exaggerating on such conditions, and congressmen, mayors, governors and other elected officials climbing on the "environmental" bandwagon all were out in the regions.

For seven years, EPA in Region 2 labored under that wonderful mandate--decentralization. Our problems in those days were big and obvious, and hence probably more easily resolved:

95% of the raw municipal sewage discharged in the U.S. emanated from New York City;

Most oceanic sludge and industrial waste dumping was off the N.Y. Bight;

The PCBs whistle was blown on the Hudson River;

Toxic landfills such as Kin-Buc and Love Canal reared their ugly heads;

And, Puerto Rico was running out of water, running out of water...

Based upon my seven years in Region 2, and the seventeen years since (by viewing from the sidelines), I'm both proud and grateful to have been a part of
"When people hear of toxic waste they almost instantly think of Love Canal."

Lois Gibbs, environmentalist and community activist, Pollution Engineering

The New York Department of Health declares Love Canal, used as an industrial dumping ground since the 1930s, a "grave and imminent peril" to the health of hundreds of nearby residents, August.

EPA and other agencies ban the use of chlorofluorocarbons (CFCs) as a propellant in most aerosol cans.

"Not only will atomic power be realized, but someday we will harness the rise and fall of the tides and imprison the rays of the sun."

Thomas A. Edison, August 22, 1921

An accident at the Three Mile Island nuclear power generator, near Harrisburg, PA, creates increased public awareness and debate about the safety and necessity of nuclear power generators, March 28.

EPA withdraws the herbicide Agent Orange from the U.S. market. Agent Orange, used as a defoliant in the Vietnam War, is strongly linked to cancer and birth defects. Production of this substance is ultimately banned in 1985.

"We have found the sources of hazardous waste and they are us."

USEPA booklet, Everybody's Problem: Hazardous Waste

Congress passes the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly referred to as Superfund. This law addresses the release of hazardous substances from inactive and abandoned disposal sites and requires EPA to establish a list of hazardous substances.

Mount St. Helens in Washington
State erupts, and spews forth volcanic ash, killing many people, fouling automobile and truck engines, and blocking the Columbia River with an estimated 51 million cubic yards of sand, dirt and rocks, May 18.

50,000 drums at Chemical Control site in Elizabeth, NJ erupt in fire and explosion—on Earth Day!

1981

“Sooner or later, wittingly or unwittingly, we must pay for every intrusion on the natural environment.”

Barry Commoner, Science and Survival, 1966

The Interagency Task Force on Acid Precipitation, reports that the acid rain problem is intensifying in the Northeast part of the United States and Canada, and outlines a proposed 10-year global research plan into the causes and effects of acid rain.

1982

“The nuclear peril is usually seen in isolation from threats to other forms of life and their ecosystems, but in fact it should be seen at the very center of the ecological crisis.”

Jonathan Schell, The Fate of the Earth

Congress enacts the Nuclear Waste Policy Act to provide long-term, safe disposal of the nation’s most dangerous radioactive waste from nuclear power plants and weapon production.

1983

“The estuary is the point where man, the sea -- his immemorial ally and adversary -- and the land meet and challenge each other.”

US Department of the Interior, National Estuarine Pollution Study

The Chesapeake Bay Agreement outlines cleanup actions to rid the Bay of water pollution stemming from sewage treatment plants, urban runoff and agricultural activities.


When I was appointed Regional Administrator for Region 2 EPA in the fall of 1979, there were many controversial issues waiting for me. I had come from EPA Headquarters where I was Director of the Office of Legislation and was looking forward to seeing how EPA really worked at the Regional level.

I was not disappointed. The staff in the Region was terrific! Dedicated, enthusiastic and fun to work with. We grappled with a great many interesting and important issues and made a serious effort to improve the environment in the Region.

A major battle involved the Westway project and related transportation issues in New York State. One of the first problems that I was faced with was a request by the Westway sponsors that EPA withdrew its staff from participating in the hearing on the air permit for Westway. That was easy to reject. Next came the disapproval of the New York State transportation plan which we deemed inadequate because of lack of resources devoted to mass transit. This was difficult decision and brought a storm of protest, denunciation in the newspapers, and a summons to the White House. Eventually New York was able to submit an improved plan that was approved by Headquarters.

The Love Canal crisis also boiled up at that time because the local homeowners were still greatly concerned about moving more groups of people out of the area and proceeding with the cleanup. At one point, the late Frank Napal, who was in charge of the press office, was held hostage by Lois Gibbs and other homeowners at Love Canal to generate publicity for their cause. We waited them out since Frank was in no danger and seemed to be enjoying the experience. In fact, he was released after a short time.

In New Jersey, we made a major effort to support the Pine Barrens Commission which achieved great success in regulating development in that area and came up with an innovative way to place conditions on sewage treatment grants which would be protective of sensitive areas. This approach was later challenged as being beyond the scope of EPA’s legal authority and was overturned, but it was worth the effort and demonstrated the creativity of the staff.

In the Virgin Islands, we were able to get the Governor and legislature to enact a user charge law so that improvements could be made to the pollution control infrastructure of the islands. I vividly remember meeting with the Governor on a Thursday afternoon and hearing that the legislation was passed by the following Tuesday. There was no such thing as gridlock in the Virgin Islands with its 17 member Senate being the only legislative body.

I shall always remember my tenure as Regional Administrator as an exciting and interesting time in my life. Most of all I remember fondly the staff in the
1984

"The earth we abuse and the living things we kill will, in the end, take their revenge; for in exploiting their presence we are diminishing our future."

Marya Mannes, More in Anger, 1958

- Methyl isocyanate, a poisonous gas used to make pesticides, leaks from an underground storage tank at a Union Carbide facility located in Bhopal, India, killing over 2000 people and injuring scores of others.

- Canada and U.S. (New York and Region 2) agree on a plan for cutting toxics discharged to Niagara River.

1985

"I think the environment should be put in the category of our national security. Defense of our resources is just as important as defense abroad. Otherwise, what is there to defend?"

Robert Redford, Yosemite National Park dedication

- British scientists report that a giant "hole" in the earth's ozone layer is opening up each spring over Antarctica.

- The Vienna Convention for the Protection of the Ozone Layer calls for international cooperation and adopts a protocol for the elimination of substances that deplete the ozone layer.

1986

"When the well's dry, we know the worth of water"

Benjamin Franklin, Poor Richard's Almanac

- Number 7 reactor at the Chernobyl nuclear power plant near Kiev in the former Soviet Union blows up, resulting in the worst release of radioactive materials in history. The disaster causes thousands of deaths, the evacuation of 450,000 within a 30-square-kilometer area, and significant long-term effects on the environment of the surrounding

Region who worked so hard to do things which would improve the lives of so many people.

Christopher J. Daggett (1984-1988)

I fondly remember my four years at Region 2. I was lucky enough to lead some of the most creative and dedicated people I've ever worked with. It was also a time of major change in thinking about environmental regulation.

Bill Ruckelshaus was at EPA then, and he led the Agency out of a difficult period into a time of new purpose and creative thought. We saw that the command-and-control approach to pollution control had begun to outlive its usefulness. We also saw that the thicket of regulations needed in response to increasingly specific legislation was counterproductive. In Region 2, we called this problem, "Environmental Gridlock," and we sponsored an important seminar on the subject at the Eagleton Institute of Politics at Rutgers University.

Those ideas blossomed under Lee Thomas and Bill Reilly into the concepts that form the modern approach to environmental protection -- waste minimization, pollution prevention, market incentives, sustainable development. Not all the problems have been solved -- we must still make regulation fairer, simpler, more effective and more efficient.

There is a great movement for change today in Congress. However, this is not a time to slash and burn environmental regulation, nor to roll back the clock. This would be to seriously misread the public will. People are demanding more efficient, less intrusive government, but all the polls show support for environmental protection is stronger than ever.

Instead, we should follow the advice of Peter Drucker: look at each regulation, ask why it was put in place, whether it's still needed or needs to be changed, or whether there's a better way to meet the goal. EPA is not the enemy in this process -- it still has the energetic and dedicated public servants who will get the job done if we give them the direction and the chance.


I arrived at 26 Federal Plaza in September, 1989, as a "green" consultant, to be met by an executive staff who were just as curious about me as I was about them. I think my first impression of the people working for EPA in the Region can be typified by the fact that in the elevators of the Federal Building, one could always tell who worked at EPA and who worked across the hall at the Immigration and Naturalization Service. The former seemed
As a result of Bhopal, Congress enacts the Emergency Planning and Community Right-to-Know Act which requires States to designate emergency planning districts and requires industries to retain a material safety data sheet for hazardous substances used and to report releases of hazardous substances.

Westway project abandoned.

1987

"The supreme reality of our time is...the vulnerability of our planet."
John F. Kennedy, speech, June 28, 1963

24 nations sign the Montreal Protocol, an historic agreement that commits nations to phase out production of chlorofluorocarbons (CFCs).

Our Common Future, a report of the World Commission on Environment and Development, coins the term "sustainable development," meaning that meeting the needs of the present should not compromise the ability of future generations to meet their needs.

A barge loaded with over 3100 tons of garbage from Islip, Long Island, travels 6000 miles to at least 5 states and two countries, before returning to New York city to find its final resting place. This incident focuses attention on shrinking landfill space, forcing communities to focus on waste management alternatives such as recycling, reuse and waste reduction.

Yucca Mountain in Nevada is selected as the disposal site for the nation's radioactive waste.

1988

"A fuming smokestack is the perfect symbol of our national dilemma. On one hand, it means the jobs and products we need. On the other hand, it means pollution."
American Gas Association advertisement, Jan-Feb 1991

EPA and the Surgeon General jointly urge every homeowner to always to be smiling, and the latter, frowning.

I think we had a superb team working very hard, with support from Headquarters and from the White House, and we accomplished a great deal. Good people working very hard together on projects ranging from our regional risk analyses (which were some of the best work I saw at EPA at all levels), to our fledgling International Program in Bulgaria, Poland and other countries, to the never-ending efforts to straighten out PRASA and to bail out the Virgin Islands, to wetlands protection hassles, to Superfund removal actions, settlements, cleanups and litigation, to ending wood burning at sea and the ocean dumping of sewage sludge, to cleaning up after Hurricane Hugo and to beginning so many new and important initiatives. The list is long and I could wax eloquent about each item and more.

As I look back, I am startled at how much freedom of action and responsibility I was given. The regions were where the action was, and the decentralization of decision-making power and responsibility was a deliberate policy decision dating back to the days of Bill Ruckelshaus and Russ Train. Of course, we always felt that headquarters was full of fat--able to churn out enormous quantities of memos requiring huge amounts of staff time in the regions, without much real environmental benefit. But we were left alone politically--it was our job to handle the politics, and whenever Bill Reilly had been briefed on the merits of an issue, he backed the regions, uniformly.

During my time, I remember thinking how quickly the days passed because every moment was filled with fascination and totally involved intellectual and emotional challenges. It all ended too soon and I am left with many happy memories, and I hope that the Region 2 staff feels likewise.

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Jeanne M. Fox (1995-Present)

In the coming decade, this society will have to get smarter about the way it fights pollution, or we will find ourselves buried under a growing mountain of waste, surrounded by seriously degraded ecosystems, and under siege from environmental threats to public health.

The single biggest change needed, and one we are likely to see, is a much heavier emphasis on pollution prevention, through reduction of waste at the source, reuse of waste materials, and recycling.

 Increased reliance on pollution prevention will be dictated by several hard realities. One is the lack of disposal options for all the waste we now produce. Today, New York State exports its garbage to other states. That avenue is slowly being closed off, however, and will very likely be shut down altogether in the next ten years, when Congress allows states to ban the importation of out-of-state waste. Add to that the growing public opposition
test for the presence of radon gas, found in practically all geographic regions in the country, and a cause of several lung diseases, including lung cancer, September 12.

A law requiring EPA to track the disposal of medical wastes from hospitals responds to a string of beach closings due to such wastes being washed ashore along the East Coast of the United States.

1989

“No more Alaskan oil. That's all very well, but which of the alternatives do you like? Do you like importing oil? Do you like nuclear power? Do you like coal?”

John Chubb, Christian Science Monitor

The Exxon Valdez spills almost 11 million gallons of crude oil into Prince William Sound, formerly a pristine waterbody along the Alaskan coast. The clean-up costs for the spill are in the billions. The United States and Exxon reach an agreement on September 30, 1991, requiring a $900 million civil fine paid over 11 years and a $125 million criminal fine for partial restitution of response costs incurred by the U.S. government and the State of Alaska, March 24.

EPA announces a database called TRI (Toxic Release Inventory) which allows people to find out which toxic chemicals are being released from specific industrial facilities.

New York State declares parts of Love Canal area habitable, and sale of homes begins.

1990

“There is no social or economic issue today that isn’t also, by definition, an environmental one.”

By the 20th anniversary of Earth Day in April 1990, environmentalism has become a political movement, and has become virtually knit into the cloth of American life. Estimates of the total number of participants ranged from 100 to 200 million people.

The Clean Air Act amendments of 1990 set timetables for the reduction of acid rain, chlorofluorocarbons, and certain air toxics for both waste incineration and the siting of landfills, and the dilemma becomes clear.

Closed-loop production -- where businesses save money and reduce pollution by channelling the waste they produce back into their production processes -- will have to become the rule, not the exception. We will also have to do a better job of making marketable products out of the waste we continue to produce. And recycling must become a way of life in our communities, our workplaces and our homes.

We will have to move away from looking at environmental problems in isolation from one another, and look, instead, at the complex interplay of pollutants in our air, our water and on our land. That means taking a holistic, ecosystem-wide approach to environmental management, much as we have begun to do in the Great Lakes, where regional coordination among eight different states, Native American tribes, and Canadian provinces has produced a comprehensive management plan with the most stringent water quality standards in the country. It also means getting better scientific information on the way pollutants affect natural systems, such as the way agricultural and urban runoff pollution ends up in drinking water sources, or how air pollutants contaminate surface waters.

We will have to be more creative about how we regulate businesses, making regulations more market-based and more adaptive to specific industries. One model, already employed by EPA in its Common Sense Initiative, is the development of environmental compliance rules on an industry-by-industry basis, rather than applying uniform, across-the-board rules that may, in many cases, be redundant or irrelevant. We need to enforce tough environmental standards, but we should allow businesses the flexibility they need to meet the standards in the most efficient, cost-effective way possible.

Finally, we are likely, over the next ten years, to more fully appreciate the link between pollution and health problems. In the past, we have tended to focus on the connection between pollution and cancer. Now, however, we are gathering a growing body of evidence linking pollutants to birth defects, compromised immune systems and reproductive problems.

Air pollution, for example, poses a serious health threat to the sick, the elderly and the very young. Asthma is on the rise nationwide. And while we have made dramatic progress over the last quarter century ridding our air of some of the most visible pollutants, bolder steps must be taken to get rid of pollutants like carbon monoxide that continue to threaten our health.

Alternative fuels for motor vehicles will have to become the norm. Markets should be developed for electric cars. Mass transit, including high-speed trains, must become a more viable option in both our suburban and urban areas.

These are the kinds of dramatic changes we should expect -- and the changes
we need -- in the decade ahead, as we take the lessons we have learned battling pollution over the last 25 years and apply them to the environmental and public health problems of the 21st century.

Eric A. Goldstein
Atty, Natural Resources Defense Council

"It's hard to make predictions, especially about the future," baseball legend Casey Stengel reportedly mused. Even so, it is worth asking whether the region's environment will be in better shape on the 50th anniversary of Earth Day than it is today.

Of course, EPA's 25-year track record includes some shining accomplishments--the removal of lead from gasoline, automobile pollution controls, and modern sewage treatment, for example.

But the challenges over the next 25 years will be more difficult. The most obvious pollution sources have been cleaned up to some degree; yet the long-term sustainability of the region's ecosystem and the quality of life of its residents are hardly assured.

A bellwether test for EPA will be how it handles the threat to the drinking water supply for nearly 9 million New York City and Westchester County residents. EPA took the right step in providing New York additional time to implement a comprehensive watershed protection program and stave off a multibillion dollar filtration mandate. Now, however, the Agency seems poised to back away from the controversy.

Changes in Congress mean that EPA will have to do some things differently, but they do not mean that EPA should abdicate. The looming crisis over the nation's largest drinking water supply and the region's other major environmental challenges won't be solved without EPA leadership. This will include helping to marshal the scientific and technical evidence and making the public case for why pollution prevention and other innovative strategies make sense.

How EPA handles the New York watershed protection challenge will be an early indicator of the fate of the regional's environment on Earth Day 50.

Paul H. MacClennan,
Environmental Columnist, The Buffalo News

Lake Erie, Love Canal, Niagara River toxins, dirty air--an endless pattern of industrial contamination of the air, water and land along the international
Floodwaters from the Mississippi River inundate the Midwest causing animal carcasses, oil slicks, eroded topsoil and raw sewage to be swept back into the river.

End of ocean dumping.

1994

“As long as there are poor and minority areas to dump on, corporate America won't be serious about finding alternatives to the way toxic materials are produced and managed.”

Leon White, quoted in Z magazine, April 1991

The American Bald Eagle, the symbol of the United States, is upgraded from an endangered to a threatened species. This upgrade shows the effectiveness of the Endangered Species Act.

President Clinton issues Executive Order 12898, ordering government agencies to make environmental justice part of their missions. The order requires agencies to identify and address “disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations in the United States, February 11.

A comprehensive plan is unveiled for the Long Island Sound.

Conclusion: 1995 and Beyond

As Earth Day and EPA approach their 25th anniversaries, several environmental issues stand out as being significant to face the world in the 21st century. Many of these were discussed during the 1992 Earth Summit and by Administrator William K. Reilly during EPA's 20th anniversary celebration. One of the most critical concerns is the destabilization of planetary ecosystems. The depletion of the stratospheric ozone layer, the loss of forests and wetlands, and the degradation of biological systems and their productivity threaten the species of this planet as well as our boundary of New York and Ontario.

The region has seen a veritable snake pit of pollution threatening health and endangering the ecosystem, problems aggravated by the post-World-War-II heyday of chemical advances.

First it was New York that decided on the need for an overall environmental agency. That was followed in turn by the federal government when it created the U.S. Environmental Protection Agency. Both were in response to citizen demands for action as symbolized in the early Earth Days.

The agency has made strides over the years in what was once a bipartisan, non-bureaucratic drive to restore a balance between man and nature.

As the 25th anniversary of both Earth Day and EPA approaches, there is a new challenge and new disarray. Environmental groups are at odds amongst themselves and the agency that has moved from a free-spirited, free-wheeling agency into an old-line beauracracy finds itself in the midst of a political whirlwind that threatens to dismantle all in its way.

One can look back and see limited achievement and look ahead with concern. The hope is that out of today's turmoil will come a new assessment and a new vision that recaptures the original idealism that set this nation on a course leading to swimmable, fishable, drinkable waterways, clean air, toxic-free soils, greenways and open space, parks and the other elements of a quality of life fitting civilized society.

Damian Duda
Project Manager, Love Canal Superfund Site

The fenced 70-acre Love Canal site (Site), encompassing the original 16-acre hazardous waste landfill, is currently covered with a 40-acre clay/synthetic liner cap. A leachate collection and treatment and barrier drainage system is also in place and operating. The Site includes the original canal that was excavated by Mr. William T. Love in the 1890's for a proposed hydroelectric power project, which was never implemented. Beginning in 1942, the landfill was used by Hooker Chemicals and Plastics (now Occidental Chemical Corporation (OXY)) for the disposal of over 21,000 tons of various chemical wastes, including dioxins. Dumping ceased in 1952, and, in 1953, the landfill area was covered and deeded to the Niagara Falls Board of Education. Subsequently, the area near the covered landfill was extensively developed, including the construction of an elementary school and numerous homes. Problems with odors and residues, first reported in the 1960's, increased in the 1970's as the water table rose, bringing contaminated groundwater to the surface. Studies indicated that numerous toxic chemicals had migrated into the surrounding area directly adjacent to the original disposal site. Runoff
climate. A second crucial issue is the lack of sustainable environments throughout the world, including the United States. As populations increase, particularly in developing nations, our land, water and natural resources will become stressed to their limits. There must be systems of economic growth in place to ensure environmental sustainability in all areas of the world.

In 1988, EPA issued the Love Canal EDA Habitability Study (LCHS), a comprehensive sampling study of the EDA to evaluate the risk posed by the Site. Subsequent to the issuance of the final report of the LCHS, the New York State Department of Health issued a Decision on Habitability, based on the LCHS’s findings. This Habitability Decision concluded the following: 1) that Areas 1, 2 and 3 of the EDA are not suitable for habitation without remediation but may be used for commercial and/or industrial purposes and 2) that Areas 4, 5, 6 and 7 of the EDA may be used for residential purposes, i.e., rehabilitation.

Over the years, there have been numerous cleanup actions, both Superfund and non-Superfund, that have been completed at the Site, including landfill containment, leachate collection and treatment and the excavation and removal of contaminated sewer and creek sediments and other wastes. As a result, of these actions, the significant contamination exposure pathways at the Site have been eliminated. The Site is, thus, now deemed safe for nearby and new residents and the environment. As a result of these remedial actions, new homeowners are now repopulating the habitable areas of the Love Canal EDA through the revitalization efforts of Love Canal Area Revitalization Agency (LCARA), a New York State agency. Currently, LCARA is implementing the Love Canal Land Use Master Plan to restore the Love Canal EDA to its rightful place as a viable part of the Niagara Falls community once again.

Cindy Zipf
Director, Clean Ocean Action

When Clean Ocean Action began in 1984, eight ocean dumpsites scarred the New York Bight—the area of water from Montauk Point, New York to Cape May, New Jersey. In addition, our inshore coastal waters were plagued by point and non-point source pollution problems, such as municipal and industrial discharges, CSOs [combined sewer overflows], polluted runoff, and floatable trash.

Since then, the ocean has achieved many victories, mainly because of an educated public willing to motivate elected officials, government agencies,
and themselves.

Under the oversight of EPA Region 2, Clean Ocean Action has seen seven of eight ocean dumpsites close. They are: 12-Mile Sewage Sludge Site (1987), the 106-Mile Sewage Sludge Site (1992), the 17-Mile Woodburning Site (1993), the 106-Mile Industrial Waste Site (1989), the 140-Mile Toxic Waste Incineration Site (never used--closed 1988), and the Cellar Dirt Site (1991).

Inshore, our coastal waters have improved dramatically from a reduction of point source discharges, while non-point source pollution has been attacked with a variety of innovative controls.

But much more needs to be done. The EPA must aggressively work to close the Six-Mile Mud Dump, and end the legacy of contaminated sediments dumping. The region desperately needs leadership from within to clean up polluted sediments--the forgotten legacy of previous pollution. A bureaucracy exists within EPA Region 2 that has made these goals hard to reach. That bureaucracy must be broken.

Meanwhile, other things like CSO abatement, more aggressive non-point source pollution management, and the restoration of degraded areas must be tackled as well. Most importantly, EPA must never lose sight of its mandate--to protect the environment.

Paul Sacker
Water Management Division, USEPA

In 1989, after years of negotiation -- and decades of ocean dumping -- a plan was finalized to stop the dumping of sewage sludge in the ocean.

At that time, the United States, New York state, and New Jersey signed consent decrees with nine sludge dumpers that required them to phase-out the practice and phase-in land-based alternatives.

All six of New Jersey's dumpers stopped by their deadline of March 17, 1991, while Nassau and Westchester counties stopped at the end of that year. Six months later, New York City -- the last municipal sludge dumper in the nation -- stopped its dumping, bringing an era of environmental degradation to a close.

The phase-out was not achieved easily. The consent orders stipulated tight time schedules for the sewerage authorities, so they had to fast-track the construction of their dewatering facilities. (Dewatering is a necessary first step since it reduces volume and changes the sludge from a liquid to a semi-solid "cake.")

Coming up with alternatives has proven to be even more complex. When the consent orders were signed, five of the six New Jersey authorities planned to
incinerate their sludge, while the sixth planned to chemically stabilize it, then use it for landfill cover. New York City, however, still had not selected an alternative.

Today, all nine authorities are now committed to developing long-term plans that will beneficially use 100 percent of their sludge. Three of the former dumpers -- Rahway Valley Sewage Authority, Middlesex County Utilities Authority, and the Nassau County Department of Public Works -- have completed their plans and their files have been closed.

Another three -- Westchester County Department of Environmental Facilities, Bergen County Utilities Authority, and the Linden-Roselle Sewage Authority -- should be in full compliance by the end of this year. The Joint Meeting of Essex and Union County is scheduled to be fully in compliance by the end of 1997; New York City, in 1998.

Finally, the modification for the Passaic Valley Sewerage Commissioners is still under review, but 100 percent beneficial use is a keystone to the plan.

Of all the plans, only two (Middlesex and the Joint Meeting of Essex and Union) presently revolve around the construction of a sludge treatment facility. The rest all rely on the use of private vendors to haul and make beneficial use of their sludge.

At the end of 1991, then-Regional Administrator Constantine Sidamon-Eristoff said: "Bringing an end to ocean dumping of sludge has been a long, tough effort by our agency and other federal, state, and local agencies, legislators, and environmentalists through years of negotiations, court cases, and enforcement actions. We are immensely pleased that the national commitment to protecting the environmental quality of the ocean is closer to its goal."

Rosa Hilda Ramos
Community Activist, Catano, Puerto Rico.

The history of environmentally abused communities is the same all over the United States. First, authorities locate unwanted polluting activities close to poor or minority communities with a promise of new jobs. Then the surveillance of the polluting activities from the agencies who "protect the environment" becomes lax, inefficient and accommodating to industry needs. Consequently, the exposure to toxins is disproportionately high. Years of exposure to low level toxins or brief periods of exposure to high levels of pollution take their toll on the health of people in these communities, with a high incidence of diseases such as cancer, emphysema, allergies, skin eruptions, neurological disorders, genetic disorders and reproductive problems.
In time, the members of the community who manage to educate themselves or to improve family income move as far as they can from the pollution in order to protect their families. Only the poorest, the least educated and the least healthy remain behind. Dependence on federal and state government can come to dominate life in the community. No one outside the community wants to move in because of the visible plumes, the awful smells, the discharges of pollution. The neighborhood becomes degraded. The infrastructure deteriorates. The spiritual and physical deterioration of the community corrodes the residents’ self esteem even more. Crime and political corruption intensify. Federal and state authorities begin to administer services as if they were personal favors. A total degradation in the quality of the life of the community becomes the unifying characteristic of environmentally abused communities. I know because I live in one of them.

It is very difficult for communities such as mine to overcome this kind of abuse. The community does not have the resources to defend itself. Typically, those in power find all kinds of excuses to avoid investigating the causes and the extent of the harm. Subconsciously, government officials, focusing on the high crime rate in these areas, may even think that the people deserve the degradation in which they live. The community leaders, usually housewives or church leaders, lack the skills to address issues adequately and use the system effectively to halt the abuse. They do not have the money to hire experts to validate their allegations scientifically or to complete any kind of study.

The system does not allow the community to really participate in the decision-making procedures. For example, in public hearings or meetings poor communities cannot prepare themselves to present informed opinions, because of a lack of information. Most of the time they do not even know what relevant documents they must examine in order to fully understand the proposed changes in industrial activities. Sometimes the documents are far away and cannot be inspected by the community. By the time they receive them through the Freedom of Information Act the complexity of the technical issues and the scientific jargon used are beyond their comprehension. This problem is aggravated by the lack of truthfulness in documents prepared by unscrupulous industry `consultants' who will say anything their client wants in order to obtain the desired permits. The only thing an abused community can do is express its rage in public hearings. With time, a feeling of powerlessness permeates the lives of the people. The lack of resistance from the community then opens the door to more industrialization and more sources of pollution, and the abuse is perpetuated.

How can this be changed? Only after each and every one of EPA's officials fully understands that no human being should be forced to withstand a disproportionate risk to their health just because he or she is poor or from a different race, religion or ethnic group.

If pollution is a necessary evil, then every member of society should suffer his
or her share, and each should pay equally to control the pollution. Only then will EPA be able to empower the powerless. Only then, will EPA administer environmental justice.

Marcie Benstock  
Executive Director, Clean Air Campaign

Preserving the integrity of natural aquatic ecosystems is essential, both for survival and to provide billions in benefits at minimal cost. Crucial Hudson River habitats, for example, which EPA defended against the Westway boondoggle for a decade, are a national treasure. essential for the survival of fisheries up and down the Atlantic coast. Public authorities calling themselves conservancies now want to destroy these irreplaceable habitats with fake wetlands, and pilings and floating structures in the name of "public access." Unless EPA protects such natural habitat against piecemeal destruction, migratory routes will be obliterated, whole species will perish, and more thousands of jobs in fishing industries will be lost.

The same special interests and campaign contributors assaulting environmental laws in congress must be resisted at federal agencies as well. If the great laws of the 1970s are gutted, the natural resources lost will be gone forever. Saving Section 404 Clean Water Act prohibitions on building in coastal waters when there are practical alternatives should be a top priority. Going along with wolf-in-sheep's clothing schemes like mitigation banking only invites increased aggression. It's not too late to stem the tide of environmental destruction if EPA will join with citizens in fighting fraudulent schemes that can't work: trading away critical links in natural systems that evolved over centuries for money or "mitigation" far away; "public/private partnerships" which put the fox in charge of the hen coop; comprehensive estuary and "ecosystem" plans that are blueprints for destruction; dumping toxic dredge spoil, incinerator ash or construction debris in the water in the guise of habitat "management," "enhancement" or "restoration"; the same state and local control that turned rivers into sewers and dumps in the past; and non-regulatory substitutes for genuine protection and laws that apply equally to all.

Barry Commoner  
Director, Center for the Biology of Natural Systems  
Queens College

In this age of hothouse history, we should not be surprised that the 25-year-old US environmental program may be incapacitated in less than 100 days. With the impending passage of the "Job Creation and Wage
Enhancement Act" in the House of Representatives, we are well on the way to what Carol M. Browner has aptly called "[a] costly procedural maze that will delay or stop the regulatory process so drastically that we could not adequately fulfill our duty to protect public health."

Why did this happen? Clearly, the new bill is motivated by the perception that environmental protection is bad for business; that there is a conflict between environmental improvement and the economy. Unfortunately, this is close to the truth--not because this conflict is build into environmentalism, but because of the particular strategy of environmental improvement that has governed the U.S. program from its start. That strategy--tacking control devices onto the industrial activities that generate the pollutants--was an environmental failure; none of the goals of the environmental laws based on it have been met. This was openly acknowledged in 1989, when Lee M. Thomas, the retiring Administrator, declared that henceforth the EPA was to be guided, not by a strategy of control, but by a policy of pollution prevention.

The control strategy is also an economic failure, for it created a conflict between economic development and environmental improvement. The conflict is build into the nature of control devices. First, for thermodynamic reasons, such a device becomes progressively more costly as its efficiency is improved. For example, while is costs $50 per kilowatt of capacity to remove 70% of a coal-burning power plant's sulfur dioxide, to remove 99% would cost $4,270 per kilowatt--about ten times the cost of the plant itself. Since we can never afford a control device that reduces pollution to zero, its environmental benefit is reduced as the pollution-generating activity grows. Because the catalytic converter on the auto's exhaust lets some of the pollution through, increased traffic--a sign of more economic activity--means reduced environmental quality. Moreover, the capital used to install and maintain control devices produces no salable goods, diverting funds from productive investments. Thus, the conflict between the environment and the economy is not an ecological imperative, but an outcome of the failed attempt to improve the environment by relying on the strategy of control.

The strategy of pollution prevention cures this conflict. Pollution prevention means redesigning the production process so that it no longer generates the pollutant at all. That breaks the link between economic development and environmental degradation. Implementing pollution prevention would release the huge sums now spent on the futile effort to control pollution, which could be better used for environmentally sound, economically productive investment in electric vehicles, solar energy, and recycling-based manufacturing. This is the best answer to the Republican majority's cynical attack on the environment.
In 1991, all signs of the historical tension between Williamsburg's majority Latino community and its minority Hassidic community pointed to the kind of catastrophic confrontation that would dwarf the infamous Crown Heights Riots. A turbulent history marked by disputes over housing, education and criminal justice issues had all of Williamsburg locked into warring camps. At the request of one of the young leaders of El Puente's Toxic Avengers, I attempted the unthinkable. Through the Jewish Community Relations Council I invited the leader of the United Jewish Organization (UJO), an umbrella group of Hassidic community organizations, to attend an El Puente environmental justice meeting.

Since 1982, El Puente, as a leadership center for community and youth development, has led major human rights movements, especially in the areas of public health, education, the arts and the environment. Major struggles revolved around El Puente's defense of the Latino, Caribbean and African American constitutional and civil rights vis-a-vis Hassidic religious imperatives. As a result, I well understood Rabbi David Niederman's concerns for his safety during his visit to El Puente.

Those fears notwithstanding, Rabbi Niederman took the courageous and heretofore unimaginable step of walking through the doors of El Puente. For Williamsburg, his commitment to meet with El Puente was an historic turning point. He was greeted as Nixon going to China, or Sadat going to Israel.

A year later, 1,200 Hassidic, Latino, Black and White ethnic Americans stood up and pledged to build the Community Alliance for the Environment. CAFE, as it is known, founded by El Puente and UJO with the help of the New York Public Interest Research Group, now involves every major organization of Williamsburg's many ethnic, religious and racial communities.

We have had a number of successes with CAFE. We have checked the expansion of a nuclear and chemical storage plant, forged a coalition against lead poisoning, exposed a potential Love Canal at the old Brooklyn Navy Yard, and educated ourselves about the community's spiralling rates of cancer and upper respiratory problems.

Through all of these efforts, we have built a bridge of development, democratic action, healing and human rights. In recognizing the sacredness of our common space, the Earth, we have found common ground in the ground itself.