

Nichols News

A MONTHLY MAGAZINE

APRIL 2010

VOLUME 14

THE Joy OF Color



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EARTH DAY 2010



By **Mary Ellen Ternes**

Today, more than at any other time in U.S. history, the environment is on the front page and at the center of dispute and focus of government, industry and public thought. It is a time of great change, nationally and internationally. Whether you believe that we in the U.S. have already done enough to protect the environment, or you think we have miles to go, there is no arguing with the fact that U.S. environmental policy has come a long way since the first Earth Day 40 years ago. For most of this 40-year period, the U.S. has led the world in not only environmental policy, but environmental protection.

The first Earth Day – April 22, 1970 – came at a time when rivers burned, the Great Lakes had been given a death sentence and valleys were full of hazardous waste drums. Tire fires had been burning underground for years, homes were built on hazardous waste disposal sites, roads were sprayed with oil contaminated with hazardous waste, and the horizons of many cities were black with air pollution. Even our drinking water was sometimes dangerous to consume.

Earth Day was a creation of Senator Gaylord Nelson (D-Wis.), who was inspired by the growing movement to respond to increasing environmental awareness, highlighted in often-controversial books like 1962's *Silent Spring* by Rachel Carson. In 1969, Congress had passed the National Environmental Policy Act, which designated the U.S. Government as the “protector” of the environment, rather than “conservator,” and called for the creation of a Council of Environmental Quality. Then, in 1970, just a few months after the first Earth Day, President Nixon formed the Environmental Protection Agency.



For the next several years, Congress passed a number of laws to regulate sources of pollution, including the Clean Air Act in 1970; the Pesticide Control Act, the Clean Water Act and the Ocean Dumping Act in 1972; the Safe Drinking Water Act and the Toxic Substances Control Act in 1974; the Resource Conservation and Control Act (regulating generation, management and disposal of hazardous waste) in 1976; the Comprehensive Environmental Response, Compensation and Liability Act, or “Superfund” in 1980 (dealing with historical waste sites); and the Montreal Protocol in 1988 (providing atmospheric ozone layer protection standards that were incorporated into the Clean Air Act in 1990).

With these statutes and others – and the regulations and policies adopted by the EPA in implementing environmental statutes – the U.S. began issuing permits to air and water pollution sources, and tracking hazardous waste generation and disposal. The U.S. set about cleaning up our waterways, oceans and hazardous waste dumps, began ensuring our water was safe to drink and started to phase out those chemicals that were shown to destroy the ozone layer.

As a result of responsive U.S. environmental policy from the late '60s and early '70s, we now count the number of fish rather than watch rivers burn. The Great Lakes' biggest challenges – rather than being a great dead sea – are now invasive zebra mussels and Asian carp. Hazardous waste dumps have been cleaned up. “Institutional controls” are used to prevent property from being used in a manner inconsistent with former industrial use, so that nobody has to face another Love Canal. Hazardous waste policy, documentation and tracking are used to prevent misuse of hazardous waste in products applied to the land, and products generally, so that there will never be another Times Beach, Missouri. The horizons that had been gray, brown or even black are now generally clear, and the hole in the ozone layer has shrunk.

While businesses have had to invest in environmental compliance at a price some consider too dear, most busi-

nesses saw benefit to the bottom line in enhanced efficiencies and waste reduction. In 2010, we seem to have come a long way toward transitioning from a country that looks at pollution as a necessary result of any process, to considering that perhaps pollution, and the generation of waste itself, may represent fundamental inefficiencies in our approach. Some of the greatest advancements today are advancements in efficiencies intended to preempt a result that includes significant amounts of waste, whether in the form of air emissions, water discharges, solid waste generation or even excess heat from inefficient use of energy.

Unlike historical pollution issues that were easy to see, today's environmental debate centers around issues such as climate change, water resources and endangered species. While these debates are challenging, in my 25 years in the environmental field, I've watched the U.S. make great progress towards an easier peace, and even partnerships, between regulated entities, regulators and the public. While these battles rage, it's always helpful to take a look back to see where we've been and gain a little perspective, so that we might see our way ahead a little more clearly. What better time to appreciate where we've been than on April 22, 2010 – Earth Day's 40th anniversary? ■



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To read more about EPA history and timeline of regulatory policy:

www.epa.gov/history/timeline/index.htm and
www.epa.gov/history/index.htm

To read about the history of Earth Day:

<http://www.epa.gov/history/topics/earthday/01.htm>

To read about EPA plans for Earth Day 2010:

www.epa.gov/EarthDay