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Environmental Laws: Summaries Of Major Statutes Administered By The Environmental Protection Agency



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Synopsis

With congressional approval, the Nixon Administration established the Environmental Protection Agency (EPA) in 1970 under an executive branch reorganization plan, which consolidated numerous federal pollution control responsibilities that had been divided among several federal agencies. EPA's responsibilities grew over time as Congress enacted an increasing number of environmental statutes and major amendments to these statutes. EPA's primary responsibilities have evolved to include the regulation of air quality, water quality, and chemicals in commerce; the development of regulatory criteria for the management and disposal of solid and hazardous wastes; and the cleanup of environmental contamination. The implementation and enforcement of many of these federal authorities is delegated to the states. EPA also provides financial assistance to states and local governments to aid them in administering pollution control programs and in complying with certain federal environmental requirements. Several federal statutes provide the legal authority for EPA's programs and activities. The major provisions of each of the following statutes are summarized in this report, as laid out in existing law as of this writing.

The Clean Air Act (CAA) authorizes EPA to set mobile source limits, ambient air quality standards, hazardous air pollutant emission standards, standards for new pollution sources, and significant deterioration requirements; to identify areas that do not attain federal ambient air quality standards set under the act; to administer a cap-and-trade program to reduce acid rain; and to phase out substances that deplete the Earth's stratospheric ozone layer.

The Clean Water Act (CWA) authorizes the regulation and enforcement of requirements that govern waste discharges into U.S. waters, and financial assistance for wastewater treatment plant construction and improvements. The Ocean Dumping Act focuses on the regulation of the intentional disposal of materials into ocean waters and authorizes related research. The Safe Drinking Water Act (SDWA) authorizes EPA to establish primary drinking water standards, regulate underground injection disposal practices, and administer a groundwater control program.

The Solid Waste Disposal Act and Resource Conservation and Recovery Act (RCRA) govern the regulation of solid and hazardous wastes, and corrective actions to address improper waste management practices. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) focuses on the cleanup of contamination resulting from the past release of hazardous substances, but excludes petroleum which primarily is covered under the Oil Pollution Act. Amendments to the Solid Waste Disposal Act specifically address the cleanup of petroleum leaked from underground storage tanks that are not covered under CERCLA.

The Toxic Substances Control Act (TSCA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) require regulation of commercial chemicals to reduce risks to human health and the

environment. The Pollution Prevention Act (PPA) authorizes various mechanisms intended to prevent pollution by reducing the generation of pollutants at the point of origin. The Emergency Planning and Community Right-to-Know Act (EPCRA) requires industrial reporting of toxic releases and encourages chemical emergency response planning. Under these and other statutes, Congress has assigned EPA the administration of a considerable body of law and associated programs and activities. This report is not comprehensive in terms of summarizing all laws administered by EPA, but covers the major, basic statutory authorities underlying the agency's programs and activities, and those which EPA has delegated to the states.

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Customer Reviews

this information was just what I needed to finish my report to Governor Kilmer. I would recommend it to anyone who is interested in the environment and works with the City Councils and County Councils to address their issues in a lawful rather than an angry way.

This is a good reference even if environmental sciences is not your field. Good starter for industrial

folks and quite accurate.

As someone very interested in environmental law I found this to be very interesting. Granted it is not an in-depth analysis, but that wasn't what I was expecting; so all in all I couldn't be happier with it.

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