EPA celebrated its 20th birthday this week. It was a dismal affair.

Do you remember back when you got into your first environmental fight and you first learned of the existence of EPA (U.S. Environmental Protection Agency)? "Thank the Lord," you probably said, "I've finally located a government agency that's on my side; they'll put these polluters in jail—that's their job, that's what they're paid to do."

Then you got deeper into the issues and you found that EPA officials are indifferent or even antagonistic. You found that you yourself, rather than the polluters, are viewed by EPA as the enemy and that the hazardous waste dumpers and EPA and state officials work closely together while you, the public, are the outsiders.

You found that you have to spend your own time, and hire outside experts with your own money, to gather data while EPA sits on the same data, gathered at public expense.

You ask, why should people paid by the public to protect the environment not do so? The answer isn't simple—but now, finally, an EPA official has written down on paper "Why the EPA Is Like It Is."

William Sanjour—a 20-year employee of the EPA and a well-known friend of grass-roots environmentalists—has laid it out in just 13 pages. Your heart will sing when you read this little jewel.

"To understand why the EPA is the way it is," says Sanjour, "you must start at the top, at the White House." The President has four or five top priority programs (defense, the budget and so forth); these are programs he cares about and from which he wants real results. Then he has a private, personal agenda—keeping himself out of the clutches of the law, getting reelected, and "where will we go after our term of office is over?"

Then there is all the other business of government, including transportation, housing, education, environment, and other relatively unimportant stuff. That's how it is, folks. The President is, after all, human and he can only focus on a few things.

The President wants real performance from his highpriority programs. From all the others, he wants peace and quiet. He wants not to be annoyed or distracted. Thus an EPA administrator should be someone everyone can more or less agree on. He or she can make tough-talk speeches, but above all else, he or she must not make waves.

People who work for EPA must not be people who like to get things done. "People who need to see concrete results for their efforts don't last long at EPA," says Sanjour. "When it comes to drafting and implementing rules for environmental protection, getting results means making enemies of powerful and influential people. The kind of people who get ahead [within EPA] are those clever ones who can be terribly busy while they procrastinate, obfuscate, and can consistently come up with superficially plausible reasons for not accomplishing anything." Sanjour says. "Thousands of people have spent hundreds of millions of dollars over decades with nothing to show for it but their own career advancement."

But, you say, what about those instances in which EPA has issued regulations, has collected millions in fines and has even put a few polluters into jail? "In most cases," says Sanjour, if you look carefully, you will find that EPA was forced or coerced into taking action and rarely ever initiated it."

Sanjour points out that EPA more often than not opposes Congress passing really tough environmental laws; a whole industry has been created by such organizations as Environmental Defense Fund (EDF) and Natural Resources Defense Council (NRDC) suing EPA to make them do what the law already requires them to do and for which they are already being paid; more time and money is spent figuring out how to remove companies from regulation than is spent getting companies regulated; fines that EPA collects are usually smaller than the profits polluters earned by breaking the law in the first place; and most importantly: most enforcement cases against influential polluters are started by some combination of environmental organizations, the media and local citizens.

Anyone who has to deal with EPA and wants to succeed must know what the agency's real priorities are, and act accordingly. Each office within EPA is slightly different, but the Office of Solid Waste (OSW—where Sanjour has worked for years) provides a good example. Sanjour lists the groups that have the most influence on OSW, in this order: the waste management industry, state governments, powerful waste producing industries (oil, mining, electric utilities, chemicals), important Congressmen, national environmental groups, and, last, the national media.

Just because you (grass-roots groups) are not on the list doesn't mean you can't influence EPA—you just need to know roundabout ways to make it happen. More on this later.

The major clients of OSW are the companies who make money "managing" solid and hazardous wastes. This is the industry that has the most to gain or lose by OSW decisions. The commercial waste business is a business. Its income is produced by taking wastes through the gate. Waste is money, the more the better. Expense is incurred by treating the waste so as to protect the environment. This costs money. A successful business maximizes income and reduces expenses to the lowest possible level. The waste "management" business, by its very nature, must do everything it can to thwart serious attempts to reduce the amount of waste produced in America and at the same time must take any shortcuts it can get away with in the treatment of that waste.

"Most people in EPA equate the waste management industry with the protection of the environment and the industry's opponents and anti-environment NIMBYs," Sanjour says. "EPA finds it very comfortable to be allied with a big powerful industry which presents itself as the protector and defender of the environment."

Waste management has been the growth industry of the '80s and is likely to continue into the '90s. The industry has grown rich through its ability to control the governments who are supposed to be controlling it and they share the wealth with its benefactors," says Sanjour. "Bureaucrats learn that crossing the industry can get them into a lot of trouble, whereas cooperating with them has many rewards including the hope of lucrative employment. Scores of federal and state employees have already done so, including several former administrators of EPA. Many others have gotten high paying jobs in law firms representing the hazardous waste industry and other companies such as consulting firms and engineering firms with industry clients," says Sanjour.

Sanjour has formulated a law, which he has named after his former EPA boss, Gary Dietrich (now a very successful waste management consultant); "Dietrich's law" is: "No one in EPA ever went to jail, or lost his job, or suffered any setback in his career for failing to do what the law required him to do and for which he was being paid." And the corollary to Dietrich's law is: "Lots of people have ruined their careers in EPA by trying to do what the law required them to do and for which they were being paid." Or, as Sanjour's friend, Hugh Kaufman, has often said, "No good deed will go unpunished."

To influence EPA, you must develop the power to influence people who can influence management-level EPA officials. This means organizing at the local level, then expanding to statewide organizing. "If you organize and have a block of supporters, or at least give the impression that you do, then you can influence local elections for county officials, state legislatures, and U.S. Congressmen. You can also use your influence on local banks, merchants, or anyone else who might be tempted to profit from having a hazardous waste facility in your back yard," Sanjour
advises.

"By extending your influence throughout the state, you can affect state officials and U.S. Senators as well. But in order to do this, you must make your issue a state issue, otherwise you will just be brushed off as NIMBYs. Don't just try to shift your issues to some other part of the state. Emphasize instead: (a) not letting your state become the dumping ground for the rest of the world; (b) the track record of environmental abuse and corruption of officials of the waste management industry; (c) the inevitable cleanup and liability costs to the state; (d) corporate responsibility for its own waste; (e) if waste facilities are needed, they should be operated by the state, trade associations, or other institutions for the purpose of environmental protection, not for profit.

"Someone once said all politics is local. If you can win locally, then EPA will follow," Sanjour concludes.


--Peter Montague

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