

# LIBERTARIAN LIFELINE

## What's Wrong with the EPA?

by William Sanjour

For decades, the Westinghouse Corporation disposed of its toxic waste at several dump sites in Bloomington, Indiana. In the early '80s, the dumps came under the aegis of the U.S. Environmental Protection Agency's Superfund program. While negotiations with Westinghouse over how to cleanup the waste dragged on for years, EPA, in order not to upset the negotiations, kept from the public the fact that toxic air levels near the sites were more than 15 times greater than the Superfund target risk level. At the same time that EPA was secretly recommending to its staff that they wear respiratory protection whenever on-site, it was assuring the people of Bloomington that they were in no immediate danger.

This sort of behavior is symptomatic of the bigotry festering at the core of EPA. In my 25 years with EPA, I have heard countless remarks and witnessed many heartless actions denigrating environmental concerns, environmentalists, environmental organizations and, most particularly, community environmental activists. While for the outside world, EPA puts on a face of concern and caring for the unfortunate victims of environmental pollution, the agency is permeated with contempt for these same people.

This prejudice manifests itself in countless EPA actions: in decisions to locate hazardous-waste facilities in already heavily polluted poor neighborhoods; in Superfund cleanups that ignore community concerns in favor of giving big bucks to favored contractors; in the agency's lax and corrupt enforcement of regulations governing polluting industries; and in its suppression of employees who advocate for the public interest.

Not all EPA employees are bigoted. In the early days, in fact, many people joined the agency out of a strong environmental ethic. But 27 years later, most of the idealists are long gone, having abandoned EPA in disillusionment. They have been replaced by careerists whose environmental ethic, if it exists at all, is subordinate to their ambition. This translates into blind loyalty to the organization, regardless of whether it is right or wrong. The Russians have a word for these people:

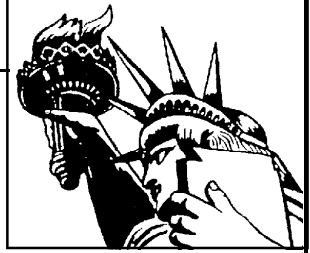
apparatchiks.

In the minds of EPA personnel, the agency represents the public interest. Since environmentalists and community activists also claim to represent the public interest, EPA employees view them, in a sense, as competitors. The instinctive reaction of these employees is to attack and eliminate the competition. Hard-core, loud-mouth bigots are a small minority, but a much larger majority passively shares many of the same views. Congress and the White House have tended to view polluters, especially the big corporations, the way the Salvation Army might regard a sinner: "He's not really bad. He just needs to be reformed, shown the light and set on the path of righteousness." This attitude filters down through all levels of EPA.

EPA is soft on polluters for other reasons as well. EPA personnel are much more comfortable with industry types, who are more likely than environmentalists to share their cultural background and outlook. Many EPA staffers aspire to high-paying corporate jobs through the "revolving doors" between government and industry. For instance, former EPA administrator William Ruckelshaus (a Republican) now works for waste hauler Browning-Ferris and former EPA general counsel Joan Burnstein (a Democrat) works for Waste Management Inc. It's not, however, just political appointees who make the leap. Literally hundreds of career civil service EPA employees have left or retired from the agency to work for the companies they once regulated.

Years of neglect and condescending treatment have made communities affected by industrial pollution deeply skeptical of EPA's ability and desire to help them. These poor and often minority communities have become more organized and militant, forming literally thousands of grass-roots organizations to contest EPA's handling of their environmental concerns.

These grass-roots groups include the Times Beach Action Group, contesting EPA's incineration of dioxin-contaminated soil in Times Beach, Mo.; Mothers Organized to Stop Environmental Sins, fighting to close a hazardous-waste treatment facility in Winona, Texas; Citizens Against Toxic Exposure, fighting EPA's botched handling of the "Mt. Dioxin" Superfund site in Pensacola, Fla.; and the Ocean County Citizens for Clean Water, documenting pollution-related childhood cancers in Toms River, New Jersey.



A score of professional environmental organizations have evolved to assist and educate these communities. Organizations such as Communities for a Better Environment in San Francisco, Southern Organizing Committee in Atlanta, Citizens for a Better Environment in Chicago, the North Carolina Waste Awareness and Reduction Network, and the grand daddy of them all, Lois Gibbs' Center for Health, Environment and Justice (formerly Citizens Clearinghouse for Hazardous Waste) in Arlington, Virginia. National organizations such as Greenpeace and the Sierra Club have also actively supported the grass-roots movement.

EPA has tried to stem this tide by continually inventing new initiatives of its own. Typically these efforts succeed in little more than spawning new bureaucracies. At headquarters, we have the Complaints Resolution Staff, the State and Community Outreach Staff, the Common Sense Initiative, the Office of Environmental Justice, the Outreach/Special Projects Staff, the Community Involvement Outreach Center, the Complaints Resolution and External Compliance Staff, the Alternative Dispute Resolution Team and numerous other communication and outreach branches. Every EPA regional office has its own Environmental Justice Staff, Alternative Dispute Resolution staff, Community Involvement staff and so forth.

While some of these initiatives, such as the National Environmental Justice Advisory Committee, do good work, most of them are more palliatives to blunt community outrage without changing the internal EPA policies that cause the problems in the first place. This, ironically, produces the need to create still more little bureaucracies.

One worthy EPA initiative is the Office of the Hazardous Waste Ombudsman, created by Congress in 1984. Robert Martin, the ombudsman, has gotten EPA regional Superfund directors to back down when citizens complained to him about the agency's policies. For example, Martin successfully intervened on behalf of the community in a dispute over a toxic dump site in Brio, Texas, in which EPA's cleanup methods would have exposed the community to more toxic chemicals than if EPA had done nothing at all. As a result of such actions, Martin is held in high esteem by community activists and is despised by the Superfund directors, who are more concerned with the prosperity of Superfund contractors than with the health of the public.

But these success stories are often short-lived. When EPA Administrator Carol Browner decided to augment the ombudsman function by creating 10 additional ombudsmen, one for each EPA region, many of the regional Superfund directors undermined the plan by insisting that the regional ombudsmen report to them rather than to Martin. Thus, EPA created a new "public outreach" initiative to kill one of the few initiatives that worked.

In a meeting last year of these regional ombudsmen, which I attended, participants bandied about disparaging and condescending remarks about environmentalists and community activists. The head of EPA's Community Involvement Outreach Center didn't interject. I'm used to hearing these kinds of put-downs at internal EPA meetings, but I was taken aback to hear them from the lips of the very people selected by EPA to investigate community complaints. These attitudes obviously affect EPA policy. I later learned from two different communities that one regional ombudsman was using his office to isolate and discredit complainants rather than to address complaints. EPA's cynicism and contempt for the public interest is not limited to the regional offices or to the Superfund program but is part of the institutional culture of the

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agency. In 1997, the newspapers were full of stories about Browner's struggle to win the administration's approval of tough new air standards for ozone and particulates over the vociferous objections of industry. The impression created in the press and fostered by industry was of a zealous agency hell-bent on forcing these strong standards on the country regardless of the consequences. Not mentioned was the fact that the Clean Air Act of 1970 required EPA to review and, if necessary, revise these standards every five years. EPA stopped doing so in 1979. Only after it lost a lawsuit filed by the American Lung Association in 1991 and was under court order to act did EPA write the minimal standards it thought it could get away with. The only zealousness shown by the agency was in using taxpayer money to fight in court for their right to disobey the law.

An EPA executive in charge of the Common Sense Initiative, founded to bring together industry, state and environmental representatives to reform EPA regulations, once commented to me—with a straight face—how much easier it would be to reach a consensus if only the environmentalists weren't involved. EPA deals with its dismal environmental record the same way industry deals with its pollution: not by changing what it does but by papering over problems with slick PR. The only difference is that EPA uses taxpayer money to pay for it.

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*William Sanjour has been an employee of the U.S. Environmental Protection Agency (EPA) since the early '70s, originally as a manager in the hazardous-waste office. In 1980, he testified before Congress on illegal EPA efforts to quash hazardous-waste regulations. Agency officials retaliated by transferring him to an office with no functions and no personnel. Since then, Sanjour has actively helped environmental and community organizations and has written numerous articles about environmental issues and EPA. In spite of persistent harassment by the agency, he continues to work in the public interest helping communities and his fellow whistleblowers. He is on the advisory board of the North Carolina Waste Awareness and Reduction Network and the National Whistleblower Center, and is a fellow of the Environmental Research Foundation. This article has not been submitted for EPA approval and does not necessarily reflect the views of the agency. This article originally appeared in the July 28, 1997, issue of IN THESE TIMES, a bi-weekly news magazine based in Chicago.*

# Rocking The Boat

By Jeffrey Sommer

We are in an increasingly unsettled time. The Asian markets are collapsing, Russia is in financial chaos. The President is in a position (no pun intended) where 45% of the American public believes that he would start a war to distract attention from his escapades. The Dow Jones has dropped nearly 2,000 points since July.

The wolves are beginning to smell blood in the air. The boom times are over, and the smug sense of security that the larger parties enjoyed is dissolving. While the market continued to climb into the blue, there was a great reluctance on the part of people to "rock the boat" for fear it would impact negatively on their 401K's. Today, the world has begun to rock those boats, whether the owners wanted it or not.

An opportunity lies before us. In bad times, people begin to look for new solutions to their problems. A market downturn leads to increasing unemployment and lessening trust in government. Voters begin to see that we are right. Our numbers could increase substantially, but only if they hear about us. The National LP is making a serious effort to get the attention of pro-libertarian voters who may not be registered with our party.

They call it "Project Archimedes," and it looks like a winner. I encourage LP members to financially support it, and the sooner the better. But that's only one facet.

There is going to be a Candidates' Forum in Garin Park in Hayward, Oct. 10th from 11:00 a.m. to 3:00 p.m. or later. Please come and show your support for our Statewide candidates! Steve Kubby, Jon Petersen, Gail Lightfoot, Joe Farina, and many others will be there. Donations cheerfully accepted! On a purely local level, passing out Party literature, writing letters to the editor, speaking on radio talk-shows and the like will keep the LP in the voters' line of sight.

Thanks to new members Mitchell Roberts and James Cantwell, we should soon have a webpage for this Region. The new Party Banners are being assembled for the local Regions, and even music to grab the public's imagination! In other words, we are working hard at getting our rightful position as the leading Party in America.

We're still a ways away from it, and we need all the help you can afford to give. Be assured, it will be well repaid in the end.

# Hail to the Chief Embarrassment

by Katherine McKay

*When faced with his conduct perjurious,  
Bill claimed that the charges were spurious.  
"What I said I didn't do,  
It was legally true  
(By defining my terms very curious)."*

More than curious – deliberately deceptive. Is there any American who is not terminally embarrassed by the spectacle, on August 17, of our President admitting to lying to the country to cover up a tawdry affair, and trying to evade perjury charges by appeal to legal technicalities?

Once a charming and articulate spokesman for the country, Bill Clinton has now become a liability. His overseas strikes against terrorists, initiated three days after his television appearance, caused the immediate widespread surmise that he was trying to distract attention from his own woes.

A major disadvantage of the imperial presidency is that the entire nation is seen in the character of one man, and if that man is careless of his character, he can bring shame on the country that elected him in the eyes of the whole world. On a talk show in Sudan recently, an Arab caller said, "Everyone knows that the strongest power on earth is being led by a liar." Even those who supported Clinton all the way up to his August 17 disclosure now know this.

The disclosure had several parts: (1) the confession that Clinton had engaged in an "inappropriate" relationship with an intern (if he had been a Republican, the liberal press would have long since defined it as sexual harassment of a subordinate in the workplace); (2) the admission that he had "misled" his family and the country; (3) a hair-splitting definition of "sex" unrecognizable by the rest of us by which he hopes to escape charges of perjury; (4) an attempt to throw blame on the special prosecutor for prosecuting him; (5) a

contention that the whole matter is personal and can now be put to rest; and (6) the Richard Nixon tactic of deflecting attention by invoking national affairs ("Let lesser men wallow in Watergate – we have the important work of the country to do"). Instead of coming clean, Clinton engaged in more half-truths and obfuscations. To try to fool the American public with these sophistries is to insult our intelligence grossly.

Is anyone surprised at finding out now that our President is a liar? Early in the 90's he showed us his habit of evading the truth in his answer to the question, initially denied, as to whether he had ever smoked marijuana. When he had to admit that he had tried it, he said that he "didn't inhale," the type of reflexive lie (causing much ridicule at the time) engaged in spontaneously by habitual liars to try to mitigate their previous lies.

Mrs. Clinton is equally guilty of these childish tactics, trying to throw disrepute on those who question her husband by references to a "vast right-wing conspiracy" and, more recently, to prejudice against the state of Arkansas. These transparent ad hominem fallacies are as embarrassing to thinking people as the admissions of the lies themselves.

It is not only the matter of a private peccadillo and a panicky cover-up for which Clinton stands accused. For years investigations have been made into other irregularities: misusing FBI files, tampering with witnesses, obstruction of justice, giving and receiving payoffs, and, worst of all, accepting (possibly soliciting) campaign contributions from a foreign power, presumably in exchange for favors. Many people feel there is a real possibility Clinton may have committed treason.

Editorials in major newspapers and some members of Congress are now calling for President Clinton to resign before impeachment charges are brought. Even if he evades the current charge of perjury, do we really want a president whose main talent is for escaping indictment by technicalities?

Do we want a president who is glib and articulate and who considers truth dispensable when it does not suit his current wishes?

Can we ever believe him again?

The Constitution does not call for an imperial presidency but for a balance among the three

branches. When a president has arrogated more power to himself than the other two branches have, he is able to put through policies which may distort the country's economic and political balance for decades to come.

The prime example in this century, of course, has been Franklin Roosevelt, who started the country on the road to socialism. Many national policies that Libertarians want overturned, such as the bloated welfare state, stem from Roosevelt's activist presidency.

The current episode in our history, embarrassing as it is, may prove to be a boon to the country by disgusting large sections of the electorate so much that the influence of the imperial presidency is reduced. The Libertarian Party is sure to be a benefactor of this disgust. Let us not waste our opportunity to bring to the attention of others the virtues of a smaller and more accountable central government.

#### Resources:

Mark Helprin, "My Dear Mr. President," Wall Street Journal, August 25, 1998

George Melloan, "Morality Can't Be Divorced from Foreign Policy," WSJ, August 25, 1998 (quote from Sudan from this article)

Various editorials in Investor's Business Daily and WSJ

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MONICA WITHHOLDING EVIDENCE



# East Bay Region Plans BBQ With The Candidates

The East Bay and San Mateo Regions of the Libertarian Party of California are proud to announce their Candidates' Get-Together to be held at Garin Park in Hayward on Saturday, October 10, 1998. It will run from 11:00 a.m. to 3:00 p.m. Candidates participating will include Steve Kubby, the LP's candidate for Governor, Tom Tryon, the LP Candidate for Lieutenant Governor, State Treasurer Candidate Jon Petersen, Secretary of State candidate Gail Lightfoot, Assembly Candidate Duncan Wheat and other Libertarians who are going to be there to meet their supporters and answer questions. Get to know your candidates!

Garin Park is easy to find. Take Interstate 880 to south Hayward until you reach the Industrial Parkway exit. Follow Industrial East until you reach Mission Boulevard. Turn right on Mission and the first left turn will be Garin Avenue. Turn left onto Garin, and it will lead you straight to the park.

Tickets for the picnic are \$5.00 per person, with a \$3.50 parking fee, and of course, additional donations will be gladly accepted. There will be food, beer, music and fun! Take friends and family out for an old-fashioned All-American party in the park! For more information, call 510-531-0760.

# Got Milked?

For more than 60 years, the economic principles of supply and demand have been turned upside down by protectionist policies of the California Department of Food and Agriculture. In February 1997, the *Libertarian Lifeline* reported on the irony of the California dairy industry's massive multi-million dollar "Got Milk?" advertising campaign designed to promote milk as a consumer beverage like fruit juice and soft drinks, despite the fact that antiquated, depression-era dairy subsidies keep the price of milk in California artificially high.

Now, a consumer activist group calling themselves Mad About Milk has gone on the offensive to try to strike down these ridiculous laws with facts and figures. Mad About Milk is an alliance of consumer, senior, taxpayer and civic organizations working to end state barriers to cheaper milk and consumer choice. Coalition members include the Center for Public Interest Law, Consumers First, Waste Watchers, Consumers Coalition, Seniors for Action, The Customer Company, Inc., Gray Panthers of Santa Barbara, San Diego, and Studio City, Orange County Taxfighters, Inc., Shamrock Foods, and D. Kuiper Dairy.

In a free market economy, the price of commodities in surplus (perishable commodities, in particular) should logically fall to encourage consumption, while the price of scarce commodities should rise. But the CDFA's regulations have caused milk prices in California to skyrocket this year, despite record surpluses of dairy products statewide, while prices have fallen in neighboring states. How can this be?

The CDFA mandates a minimum wholesale price for milk to ensure that no California dairy ever loses money. Furthermore, there is a "mandatory mark-up law" that prevents retailers from selling milk at a discount to their customers as a "loss leader" so that grocers cannot even put milk "on sale" to bring in customers. Finally, the state imposes such a high tariff on less expensive milk imported from out-of-state dairies that it effectively eliminates competition.

A recent study sponsored by Mad About Milk (and derived from the CFDA's own figures) found that California's protectionist regulations cost consumers \$632 million last year. That's how much more California consumers paid for milk than they would have

spent had they bought the same amount of milk in nearby Phoenix, Arizona. Largely as a result of these policies, per-capita milk consumption in California is 25% -30% lower than per-capita consumption in neighboring states.

The CDFA claims the higher price is justified because California milk is "healthier" than milk produced in other states. These laws require producers to replace the butterfat removed from 1% and 2% lowfat milk with additional calcium and protein components, and thus raise the cost of production. But the same laws serve as an effective ban on "natural" milk that contains no artificial additives that can be commonly found on store shelves in the other 49 states. In fact, experts at Cornell University and at the Center for Science in the Public Interest (CSPI) say adding solids to milk increases the cost, but does not significantly increase milk's nutritional value. The dairy industry deceives consumers by making sweeping claims that California milk has 33% more calcium and protein than FDA-approved milk when, in fact, this is not true for nearly 90% of all milk consumed in California, which is whole milk that does not contain the additives.

No wonder the industry is spending so much money on funny billboards and slick television commercials to get you to buy more of their product. As it is, California's low-income families with small children are *less* likely to buy as much milk as a healthy diet suggests due to its exorbitant cost. So the citizens who need to drink milk the most--children--end up drinking less. When a gallon of artificially flavored carbonated soda costs half as much as a gallon of milk, the shopper on a tight budget is going to skimp on the healthy beverage to stock up on the sugar water.

For more information on the problem and to obtain the facts about the California dairy industry and their government cohorts, contact Mad About Milk at 111 Anza Blvd., Suite 406, Burlingame, CA 94010, or call them at 650-340-0470 (FAX 650-340-1740), or visit their website at <http://www.madaboutmilk.org>.



# Marin LP News

Greetings Marin Supporters! This month we are gearing up for the November elections. As you may know the Statewide candidates are coming to our area in October. Come join the fun!

We had to say good-bye to the Renaissance Faire on Labor Day weekend. The old growth black oak grove that has housed the faire for over twenty five years is slated to be removed to make way for a golf course.

If you like theatre, come on by October 11th for brunch and watch a local group in action. Watch the Impromptu and enjoy the antics of our lovable actors as they try not to let themselves show through.

Do you think tobacco smoker's should have rights? Join us at the Smoker's Forum as we award local businesses for their support of freedom. Find out about local, state and national smoker's policies.

Are you bored with all this political rigmarole? Come join us for a soothing wine tasting tour and ferry ride. Leave all your cares behind and enjoy your Friday afternoon with friends and welcomed guests.

On October 9, 1998 at 3:00 p.m., we will be

sponsoring a wine tasting at the Winsor Vineyard, located at 72 Main Street in Tiburon. Then at 5:00 p.m., ride the "Blue and Gold" ferry to San Francisco to tour Fishermen's Wharf and Pier 39 with Steve Kubby. At 6:00 p.m., join all the Statewide LP Candidates at the Candidates' Reception to be held at McCormick's & Kuleto's at 900 North Point Street. The Ferry trip will cost \$5.50, and dinner will be only \$20.

On October 11th, from 10:30 to noon, enjoy Brunch and a play. Tickets are \$7.00 (which includes food) for a live performance of "Impromptu" with the LP's Candidate for Secretary of State Gail Lightfoot. That afternoon, from 1:00 p.m. to 3:00 p.m., join us for a Smoker's Forum. Tickets are \$5.00 and Freedom Awards will be given to Milani's, The Silver Peso, and Sport's-a-Mania and will feature the LP's Candidates for the U.S. Senate Ted Brown and State Attorney General candidate Joe Farina. Both of these October 11 events will be held at the Mill Valley Masonic Lodge, Bldg # 19 Corte Madera Avenue in Mill Valley.

RSVP for all events by October 6th (415) 339-7887 or [MarinLP@webtv.net](mailto:MarinLP@webtv.net) Website: [www.sirius.com/~pagangas](http://www.sirius.com/~pagangas). □

## MEMBERSHIP APPLICATION

*(For those joining the LP as a voting member)*

*I hereby certify that I do not believe in nor advocate the **initiation** of force as a means of achieving social or political goals.*

Signature(s) \_\_\_\_\_ Date \_\_\_\_\_

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# CALENDAR OF EVENTS **SEPTEMBER**

**Tuesday, September 15, 1998 7:30 p.m. East Bay Region General Meeting** at the Albatross Pub in Berkeley, located at 1822 San Pablo Avenue (near the corner of University and San Pablo). Come welcome our UC Student Libertarians back to Berkeley. For more information, contact Jeffrey Sommer at (510) 537-3212.

**Saturday, September 19, 1998, 6:30 p.m. ISIL Free Exchange** at Laissez-Faire Books, 938 Howard St., #202 in San Francisco. Come hear objectivist Phil Coates and author George H. Smith debate limited constitutional government vs. anarcho-capitalism. Potluck dinner begins at 6:30 with the program scheduled for 8:00 p.m. A \$5.00 donation is requested, but not required. For details, call Jean Kennedy at (415) 970-0400 or email [jeaniekennedy@hotmail.com](mailto:jeaniekennedy@hotmail.com).

**September 25-27, 1998. "Critical Resistance: Beyond the Prison Industrial Complex,"** a national conference and strategy session at UC Berkeley. For details, call (510) 643-2094.

**Tuesday, September 29, 1998, 7:00 p.m. Oakland/Berkeley Libertarians** in the 16th Congressional District will meet to discuss regional issues at the Albatross Pub in Berkeley, located at 1822 San Pablo Avenue (near the corner of University and San Pablo). For more information, contact Jeffrey Sommer at (510) 537-3212.

**Wednesdays at 6:00 p.m. Free The People 2000 Initiative Organizational Meetings.** Coco's Restaurant, 330 E. Hamilton in San Jose. Join the Free the People organizers every week to help draft another ballot initiative to repeal the State Income Tax. For more information, visit the FTP2000 website at <http://www.freethepeople.com>.

**Wednesdays, 6:30 p.m. UC Berkeley Libertarians** meet in Room 206 of Dwinelle Hall on the campus of the University of California in Berkeley. Help us welcome back the students and keep the Cal Berkeley Libertarians enthusiastic and active. For more information on the student libertarian group, contact George Lee at (510) 664-2237 or check their website at <http://www.ocf.berkeley.edu/~callib>.

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