

State Legislative Bulletin 1971

Governors' Messages and Addresses/Excerpts

ENVIRONMENTAL PROTECTION AGENCY

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WASHINGTON, D.C. 20242

WATER QUALITY OFFICE


2239

MEMORANDUM

TO : Regional Directors

FROM : Assistant Commissioner
Enforcement and Standards Compliance

SUBJECT: State Legislative Bulletin 1971 - Governors' Messages
and Addresses/Excerpts



Governor Albert P. Brewer, ALABAMA, issued January 13, 1971. --
... "One of the most serious problems confronting you relates to our environment. This has been a time of great concern with the problems of our environment. Our State has experienced vast fish kills, resulting in some instances from industrial pollution of our waterways. I have insisted that the health and safety of our people must be protected. I am advised by the Alabama Water Improvement Commission that within a short period of time every industry and municipality discharging waste into our streams will have treatment facilities sufficient to insure the preservation of aquatic life and the health and safety of our people. Recently, the State Department of Conservation, in cooperation with Auburn University, received a federal grant matched by funds which I made available from the Emergency Fund to survey and define the heavy metals present in our rivers and streams. This program is a first in our nation and should enable us to avert future occurrences such as the mercury pollution problem.

The Air Pollution Commission, created by the last Legislature has adopted stringent air control standards for the Birmingham area, and as it extends its control program over the entire state, it needs and deserves your support and backing."

Governor Jack Williams, ARIZONA, issued January 11, 1971. --
... "Environmental and ecological concerns inspire a growing anxiety in our people.

You have already created a magnificent instrument so far as air and water pollution is concerned in the statute passed by the 28th Legislature and strengthened by the 29th.

My office has received encouraging evidence of increasing cooperation from the smelter companies and other industries regarding their efforts to develop and install new methods of eliminating pollutants from their stacks.

We must preserve the delicate balance of the public interest in maintaining a healthy, productive economy, and at the same time eliminating within the maximum limits of the technology available the discharge of pollutants into the environment.

The motor car is one of our greatest offenders.

On July 31, 1970, our Health Department established exhaust pollution standards.

We now need legislation authorizing an inspection system to begin control of air pollution from motor vehicles.

I would also recommend that we institute studies on the best methods of providing an incentive for the recycling of all solid waste. Such materials as tin cans, glass bottles, and newspapers can be recycled. Proper incentives might take the form of a special tax on containers not manufactured in part with recycled material.

The Resources Recovery Act of 1970 was of substantial significance to the states. It provides experimental funds from the federal government and throughout the new Act there is considerable emphasis on recycling and recovery of material."

Governor Dale Bumpers, ARKANSAS, issued January 12, 1971. --

. . . "The matter of maintaining our clear streams, clean air and clean earth cannot be postponed. Arkansas is endowed by beautiful scenic rivers and undisturbed wilderness areas. These must be preserved for future generations.

But a more pressing immediate problem is how we will dispose of our solid waste, and control the pollution of our air and streams. History will judge us harshly, if we do not attack these vital problems on a crash basis.

Under our consolidation and reorganization efforts we will establish a Department of Pollution Control and Ecology, and I will request the Legislature to fund this department at a substantially higher level so that we can both attack the problem at the state level, and give more assistance to the cities and towns of this State in dealing with their problems."

Governor Ronald Reagan, CALIFORNIA, issued January 12, 1971. --

. . . "In the area of environment and ecology, it is and must be our continuing goal to refurbish and reclaim what has been debauched and to protect that which is still clean and fresh and open--and to do this in a sensible, responsible and balanced manner.

To attain these goals, I intend to deliver to you a message on environment which will propose a high level environmental protection body, and will also outline some further steps to improve the quality of our air and our water.

Californians account for slightly more than 20 pounds of solid waste per person per day. In an uncompacted condition, one year's accumulation of paper, bottles, cans, trash of all sorts could build a wall 100 feet wide and 30 feet high from Oregon to Mexico. I'm not suggesting we do that.

I am suggesting one state agency should be given the authority to coordinate, encourage and assist local and regional entities to plan for and regulate solid waste disposal systems and sites. This would enable us to work closely with the federal government through the recently enacted National Resources Recovery Act."

Governor John A. Love, COLORADO, issued January 12, 1971.--

. . . "We at the governmental level will strive to carry out effectively our obligations and provide the climate within which the citizens of Colorado themselves can provide ever greater progress toward the goals we all share. One of our shared goals is of increasing and demanding importance -- the preservation and improvement of Colorado's environment. We have moved but we must move farther and with more immediate effect.

I submit that our greatest achievement can be to so act during our period of responsibility that we may pass on to the next generation this great inheritance that is Colorado, not despoiled and polluted, but glorious still in its beauty, its cleanliness and its quality of life."

Governor John A. Love, COLORADO, issued January 15, 1971. --

. . . "In another area of mixed concern and performance, we made commendable and measurable progress in the vitally necessary programs designed to preserve, protect and improve our environment, but the need and the growing impatience of all of us point up the need for increased action and greater effectiveness..

Our water, all of which, by the way, arises within our state, had been allowed to decline severely in quality. Acting under the direction of programs provided by this body, significant progress has been made. Acting for the first time with its full authorized staff, the Water Pollution Control Commission has moved effectively.

Thirty-four domestic waste treatment facilities or projects were completed during the year, and fifteen more are under construction. Approximately 95 per cent of the population of Colorado is now served by secondary treatment facilities -- a requirement of our Commission.

The commission successfully has brought abatement proceedings against many industrial firms, and has developed up-graded standards and regulations in the area of mine drainage, feedlots, and septic tank disposal systems. We must continue to fund, support and provide all necessary tools to complete the job of providing high quality pure water -- a goal that is truly realizable in the near future.

In the area of air pollution, we have all viewed with dismay the severely polluted air on some days and the general pollution on most days. The concern must continue, but we should not lose sight of the progress that is being made. With appropriate support, our officials can complete, in a reasonable time, the control of the stationary sources of pollution. Obviously, some of the larger installations which are in violation cannot be changed overnight to new mechanisms and technologies. Equally obvious is the fact that there is growing impatience on the part of our citizens. I believe that our officials are moving responsibly and as swiftly as is reasonably possible. They have asked for a few more tools and we shall support these requests. But even after solution in the area of stationary sources, the more difficult area in our pollution remains -- the internal combustion engine.

It is my firm opinion that the solution to this problem must come nationally. It is encouraging to note that the Federal Congress has required cars manufactured since 1968 to include devices to reduce the polluting emissions. Congress has further established a deadline of 1975 for necessary action on the part of automobile manufacturers to produce an engine free of polluting emissions. In the meantime, the devices should be made mandatory for cars produced prior to 1968 and our Commission is now holding hearings concerning such devices."

Governor Thomas J. Meskill, CONNECTICUT, issued January 6, 1971.--
. . . "The deterioration of our environment is a massive but not insurmountable problem. The most effective way to combat pollution can be summed up in a very few words, "Strict standards, strictly enforced." Enforcement procedures must be streamlined and simplified. Opportunities for procedural delay must be eliminated. We must enlist Connecticut citizens in the battle to save their environment. We should give them standing before our courts to halt environmental excesses. A counsel for environmental matters should be established in the office of the Attorney General. He should be responsible for appearing before the Public Utilities Commission to represent

the public interest in environmental matters involved in new or expanded public utilities projects. Legislation dealing with abandoned cars, one way containers, water polluting detergents and noise and air pollution by air liners should also be adopted."

Budget Message of Governor Russell W. Peterson, DELAWARE, issued January 20, 1971. -- . . . "Another goal is to clean up virtually every major stream in Delaware by 1978. Towards this end, we authorized \$4 million this year to help local governments improve sewage facilities. I am recommending another \$4 million in fiscal 1972. "

The six-year capital improvements program calls for a total of \$22 million for this program. Completion of these projects will mean that 90 per cent of the people of Delaware will be served by sewage facilities providing at least 90 per cent treatment. I am told we would be the first state in the nation to accomplish this.

Governor Russell W. Peterson, DELAWARE, issued January 13, 1971. -- . . . "A year ago, we pledged to launch in 1970 a major war not only on pollution of the water and air, but also on pollution of the mind and body by drugs and alcohol.

We have done so. .

Reorganization spurred our progress. For the first time in the state's history, the essential management of our natural resources and environmental control was placed under a single "umbrella."

Here are some of our key accomplishments in protecting the environment:

-- Water quality standards have been established for all of our interstate streams.

-- Major water pollution control measures, such as the Kent County sewerage system, expansion of the new Castle County sewerage system and the Wilmington Sewage Treatment Plant, the Bethany Beach regional system, and preliminary planning of the Lewes-Rehoboth regional system, are well underway, in partnership with local government.

This year \$4 million was provided to aid this work. We recommend that next year another \$4 million in capital funds be allocated for this program.

We are making good progress toward our goal to clean up virtually every major stream in Delaware by 1978.

-- Air quality standards have been adopted. The proposed implementation plan is in Washington for review.

-- We have instituted a comprehensive air quality monitoring system.

-- All State-owned facilities this year started burning low-sulfur fuel.

-- A special study has been completed of all fuel burning and incinerating equipment operated by the state. Implementation is expected to save the state about \$500,000 a year.

-- Controls have been clamped on some major sources of air pollution, including open burning for auto salvage and refuse disposal.

-- A law has been enacted to control motor vehicle exhaust fumes.

One of the serious environmental blights is the litter.

We have:

-- Contracted for construction of a pilot plant that would process trash and other solid wastes, reclaiming salable materials. One million dollars has been authorized for design.

-- Formed a Delaware clean earth committee to spearhead anti-litter efforts and coordinate private and public efforts, and tightened anti-litter laws.

-- Initiated a pilot program with the Department of Highways and Transportation whereby abandoned cars are being removed.

Another approach that could have a telling impact is a state-wide authority that would collect and dispose of all liquid and solid wastes. I propose that we look into this possibility during 1971."

Governor Cecil Andrus, IDAHO, issued January 11, 1971. --

. . . "In Idaho we have been richly endowed with natural resources and a clean environment. We have been free of the great pressures of population and industry that have degraded the environment of many of our sister states. But these pressures are now crowding in upon us with the growth of industry and population. We must face up to the growing threat to the quality of our air and water, our soil and landscape.

Additionally, it has become more and more apparent that we are not meeting our full responsibilities in management of our state lands and our fish and game resources. We lack well defined, coordinated management policies for the state agencies and departments having

responsibilities in these fields.

As steps toward meeting these problems I suggest the following:

- 1) Continuance and expansion - within the limit of our means - of the program initiated a year ago which provides 25% state matching funds for construction of sewage treatment facilities. With the 50% federal matching funds available, this permits our local communities to meet this problem with a minimum of local tax burden.
- 2) A stream protection law is urgently needed to minimize damage to our streams. In recent years we have provided protection to a considerable degree against damage caused by dredging. But actually, we appear now to be faced with far greater damage from road construction, so-called flood control works and many strictly unauthorized stream channel alterations. Thus, hundreds of miles of precious Idaho streams have been virtually destroyed as producers of fish and for recreation, and their flood control and irrigation capacity have been diminished. I urge that you consider and pass legislation that will provide adequate protection to prevent further loss of stream quality in Idaho.
- 3) Another serious problem is that posed by unregulated open pit or surface mining. Mining represents one of our leading industries and contributes significantly to Idaho's economy and tax base. And certainly the Idaho mining industry generally has shown, in recent years, a commendable concern and sense of responsibility in its attempts to carry on its task with a minimum of damage to other resources.

Recognizing this, it is my feeling that we surely do not want to place any unnecessary problems in the path of our mining industry. But I think most of us have recognized the need for a more responsible approach on the part of state government. This was evident when the second session of the 40th legislature created an interim committee to work on this problem.

In keeping with the legislature's concern in this matter, I urge consideration and enactment of legislation that will provide state supervision of surface mining operations designed to ensure the greatest possible environmental protection. To accomplish this purpose I strongly urge that such legislation include the right of the state to deny a permit to mine where such mining would destroy a higher and better public use of the land resource.

- 4) The State Land Board has historically held the responsibility for management of state lands. I think it has become increasingly evident in recent years, with the growing complexity of government and the additional burdens now carried in the normal course of their duties by the elected state officials who make up this board,

that they no longer have the time to devote to their land board responsibilities. I therefore suggest that a constitutional amendment be considered to be placed before the people of the state of Idaho at the next general election proposing the abolition of the State Land Board as a constitutional agency and that the state legislature be empowered to create a board or commission of qualified persons to undertake the responsibility of directing the management of our state lands.

5) I am sure we all recognize that we are encountering growing pressures on our big game resources - pressures from increasing numbers of hunters and pressure from declining habitat. As one step toward meeting this problem I suggest that you consider legislation to limit the number of out-of-state big game hunters. We must substantially reduce the number of out-of-state hunters without destroying the outfitter and guide industry.

6) We have other, and possibly more urgent problems, as custodians of our portion of this good earth, the air and the water - problems such as coordinating the efforts of the several agencies involved in resource management so that they all work together with a minimum of duplication and wasted effort and a maximum of harmony and coordination. And we are certainly woefully deficient in our air and water pollution control programs. But, though these problems are urgent, I believe the solution is not a simple, easy one. I find, for example, no dominant organizational pattern that has proven particularly successful in other states. Indeed, many of our sister states all across the country are embarking now on new, different and untried paths aimed to solve these problems. Few of their approaches have really been fully tried and tested.

I suggest, then, two steps: First, I will recommend appropriations sufficient to enable the Department of Health and the Air Pollution Control Commission to make a serious effort to enforce their respective duties in the control of air and water pollution and solid waste disposal.

Second, I shall insist that department and agency heads involved in any action affecting natural resources management and pollution control meet on a regular basis to review and coordinate related activities. And, while the actions of public agencies must always be open to scrutiny by the public and the press, we intend to eliminate public relations positions wherever possible. There should be more state employees doing something to protect and enhance the environment, and fewer just talking about it - or worse, trying to cover up or explain away our deficiencies.

During my administration, I intend to pursue the following policies related to water:

- 1) Continue progress towards the completion of a comprehensive State Water Plan which will provide a balanced use of water resources of our state for wild rivers, recreation, fish and wildlife, agriculture, municipal and industrial water supply, power, navigation and other purposes. We must insure that all these uses receive adequate consideration in planning for the disposition of our water. This has not always been the case in recent years.
- 2) Support additional wild and scenic rivers in our state.
- 3) Guarantee that enforcement of state water quality standards is pursued to clean up our polluted waters and to guarantee that the pure streams that we now have remain in that condition. We must establish minimum flow rates on Idaho streams and rivers, sufficient to support aquatic life, protect water quality and preserve scenic and recreational values.
- 4) Support water resource development when there is a demonstrated need and where such developments do not adversely affect anadromous fish runs or stream fishery and aesthetic resources."

Governor Robert D. Ray, IOWA, issued January 14, 1971. --
... "The question is not: "How well is government doing?"

The question is "How well are the people doing?"

This is the question raised by the present over-riding concern about the condition of our environment--a concern that includes, but does not stop with, the natural environment, because it embraces also the condition of our human environment. The people--including that tool of the people which we call government--are vitally concerned with both aspects of environment, because upon them depend not only the people's welfare, but also the people's survival."

... "It is important that this General Assembly combine into a single Environmental Quality Control Agency the commissions and boards presently charged with establishing and enforcing rules, regulations and standards for the prevention of pollution.

One of Iowa's prime assets is also one of the greatest pollutants--her productive soil that washes into our streams and rivers. To control siltation and to stop continuing waste and spoilage, it is important that this General Assembly adopt a reasonable soil conservancy law."

Governor Robert D. Ray, IOWA, issued January 12, 1971. --

. . . "You can further see genuine concern and determined effort to preserve the Iowa environment. Air pollution standards have been adopted, and our lingering controversy with the federal government over water quality standards pertaining to the Mississippi River has been settled. We look forward to increased effectiveness among our many agencies and commissions of government charged with conserving and improving our environment."

Governor Robert B. Docking, KANSAS, issued January, 1971. --

. . . "One of our greatest concerns in Kansas, in the nation and the world, must be to assure future generations an abundant supply of clean water. We must begin today to attack the problem here at home, for in each city in each state of our nation we are polluting our streams, which in turn feed into our great rivers, which empty into the oceans. There is great concern among our scientists that already a large percentage of undersea life is dead or dying as a direct result of stream pollution. Today, I request the legislature to approve the program for waste treatment which I have included in the budget.

I have committed \$2.7 million as the state's contribution toward constructing secondary waste treatment facilities in Kansas. This state money, together with funds committed by the federal government and local cities and counties, will total more than \$10 million for this waste treatment program. It also will mean an additional \$10 million will feed into the economy of Kansas, generating employment for 525 workers.

The state can take the initiative by approving this \$2.7 million expenditure toward improving our water supply and aiding to end pollution of our waterways. The state has the opportunity to show good faith, and enter into full governmental cooperation between city, county, state and federal governments. Constructing secondary waste treatment facilities will directly assist municipalities and stimulate our state economy at a time when the national economic slowdown has affected nearly every aspect of life in this nation.

If the legislature approves these funds, the federal contribution for the project will increase considerably. This increased federal participation, together with the state's participation, will reduce the property tax requirements in those cities required to construct secondary treatment facilities."

Budget Message of Governor Kenneth M. Curtis, MAINE, issued January 13, 1971. -- . . . "We have arrived at a time when Environmental protection is no longer just a desirable function of Government, but a dire necessity to life itself. I will strongly support the adoption of an environmental bill of rights and other Legislation establishing higher standards of regulation. But words and declarations are meaningless without support. The Environmental Improvement Commission is a new agency, just two years old, now operating with a skeleton force, and struggling to meet its critical responsibilities of improving the quality of our air and water as well as determining the appropriate location for desirable industries and other facilities.

I have, therefore, requested \$1,012,396 to add 36 employees and operating capability to the Commission. I have also asked for \$50,000 of funds so the State Planning Office can match federal monies and continue the development of a Coastal Land Use Plan."

Governor Kenneth M. Curtis, MAINE, issued January 7, 1971. -- . . . "In Maine, as elsewhere, protection of the environment has become a matter of prime public concern. We responded to that concern by enacting the site location and oil handling laws which make Maine a national leader in the delicate effort to achieve the proper balance between economic growth and preservation of our natural environment.

Yet our concern has not been limited to prohibiting future abuses.

We firmly committed ourselves to a massive cleanup of our air and our waters. By passing the largest bond issue in history to build long-overdue waste treatment facilities, we are finally using money, instead of just words, to erase the legacy of a century of neglect."

Governor Francis W. Sargent, MASSACHUSETTS, issued January 7, 1971. -- . . . "In research for the environment, for example, there is vital work to be done, as our national economy makes an inevitable conversion. And we are unique here: we have the talent and we have the will. In our great universities, many clustered within a few miles of where we gather, there is the source of new ideas, new approaches. The state government can blend these---and be the catalyst for research into solution of the threat to the environment."

Governor William G. Milliken, MICHIGAN, issued January 14, 1971. -- . . . "In the past two years, Michigan moved at an unprecedented pace toward a quality environment. Much of our landmark environmental legislation is being adopted in other states and in Washington. Our record stands today as a model for the nation.

I am absolutely committed--as I know you are--to eliminating the climate of carelessness that has abused our environment. This means we must move vigorously to deal with such problems as non-returnable containers, billboard blight, detergents, junk automobiles, and noise pollution.

In the next few weeks, I will send you a special message outlining new approaches to protect our air, water, and land resources and to establish a new environmental awareness in every Michigan industry, unit of government, and individual citizen."

Governor Wendell R. Anderson, MINNESOTA, issued January 6, 1971. --
. . . "Our first need here is a clear statement of environmental policy. The need is so compelling that it deserves to be incorporated into our state Constitution. It must be accompanied by a comprehensive, tough pollution program. It may be controversial - it will not be cheap. It will include a financing program to help fund needed sewage disposal facilities.

If we err, let it be on the side of public health. If we are too cautious, too careful - let it be caution and concern for our natural resources.

We can prevent Lake Superior from becoming a Lake Erie, if we act now. We can prevent the Mississippi from becoming an Illinois River, if we act now. We can preserve our northern wilderness in a national park, if we act now.

The public expects and will support a firm, meaningful program to save our environment. If we fail, then somebody else should be given the chance."

Governor John Bell Williams, MISSISSIPPI, issued January 7, 1971. --
. . . "Recent studies and the attendant publicity accorded them have brought about a keen public awareness of the dangers of the air, land and water pollution. They have accentuated the need for taking action to abate this menace to the health and safety of our people.

The ultimate responsibility for the health, safety, and welfare of the people of Mississippi rests upon the State government, and the increasingly complex responsibilities of the times have created a need for cooperating with our sister states in meeting them.

The task of relating environmental quality programs and policies to one another and to those of adjoining States and the Federal Government is a responsibility that States cannot avoid. The need is increasingly recognized for a regional planning organization and for planning procedures capable of coordinating environmental policies of the States

and relating the Federal program to State and local activities and resources. To this end, I executed a proclamation in May 1970, committing Mississippi to participation in the Southern Regional Environmental Conservation Council, a creature of the Southern Governors' Conference. The SRECC, composed of representatives of the jurisdictions of the Southern Governors' Conference, is presently working to develop an acceptable "unbrella-type" interstate compact to be submitted to the several participating States and to the Congress for approval. Should Mississippi ratify the proposed compact and become a member State, we would be in a position to make agreements with our sister States regarding the control of environmental problems common to our respective areas without the need for additional approval by the Congress. Further, it would enable the participating States to establish an appropriate region-side network of environmental statistics and forecasts as we have done in some other areas of concern. It is my expectation and hope that the work of drafting the proposed compact will have been completed in time for this to be presented for your approval during this session. I am pleased to inform you that it will not have to be accompanied by a corresponding request for funds."

Governor Warren E. Hearnes, MISSOURI, issued January 6, 1971. --
... "Environmental quality, the fight against pollution, affords us the chance to look toward tomorrow. We can take yesterday's responses to pollution, combine those responses, add new authority, strength and guidance, and be capable then of speaking with a strong voice and acting with decisiveness.

We can and should take the initiative not only for clean air and pure water, but to stop the fouling of our land and to reclaim land which lies useless. Life will be rich and productive only if we protect the beauty and purity of our environment."

Governor J. James Exon, NEBRASKA, issued January 7, 1971. --
... "Environment. Our choice is not whether to participate, but how to catch up in the desperate race to save our environment, a race that has been basically ignored in Nebraska save for words of concern. We are recommending an emergency appropriation to fund the state's portion and to qualify our cities for Federal matching funds for secondary sewage treatment facilities. This appropriation will allow us to utilize Federal funds which will otherwise lapse by May first. A continuing appropriation for the similar functions will be a recommended budget priority. In addition, we must immediately review the coordination of environmental activities which now involve some eleven separate state agencies. This administration will not be satisfied with mere reaction. Water and air pollution demand positive action."

Governor William T. Cahill, NEW JERSEY, issued January 12, 1971. --
... "The pollution of our environment is a fact of grave concern to all thinking citizens. Recognizing that it will soon be too late to purify our air and to breathe life back to our dying streams and lakes, I placed a high priority, when I assumed office, upon implementing effective and tough corrective measures. I stated last January in my Inaugural Address:

"I am impatient with our inability to prevent the erosion and pollution of our most prized natural resource, the seashore and beaches of New Jersey. I am apprehensive and deeply troubled by the danger to health from the continued and increased pollution of air, streams, rivers and even our oceans."

I am proud to report that we have made truly impressive strides during the past year in the direction of providing solutions to these seemingly hopeless problems. The creation early last year of the new Department of Environmental Protection was a giant step forward in our fight to preserve, protect and enhance the environment. This act, which removed the Division of Clean Air and Water from the Department of Health and placed it in the new Department, illustrates the concern of this Administration to insure that our grandchildren will have clean air to breathe and pure water to drink.

The new department now has broad enforcement powers concerning pollution, including abatement and control of pollution on a regional and statewide basis. The same legislation that created this new department also granted it authority to investigate the feasibility of establishing experimental facilities for the disposal of solid waste, and even calls for consideration of methods of utilization of waste products! In sum, this new legislation is clearly forward looking in that it recognizes that the quality of human life remains dependent on natural cycles, ecological balances, and the purity of air and water. Not only must efficient use be made of the State's natural resources and scenic places, but they must also be preserved for future generations. But this legislation is by no means the extent of our achievements in the area of environmental protection in 1970. It merely set the stage for a whole series of tough, new laws which I shall briefly summarize.

Legislation was enacted in 1970 increasing the penalties for the pollution of State drinking water and establishing stringent fines for certain violators of up to \$3,000 per day. As an incentive, the bill allows certain public agencies which prosecute such polluters to retain the penalties recovered. Another measure, enacted as companion legislation to the bill I have just mentioned, prohibits industrial waste waters from flowing into any waters of the State, and authorizes strict penalties for violation.

The Solid Waste Management Act of 1970 and the Solid Waste Utility Control Act of 1970, which were enacted into law during the first half of last year, now require firms engaged in the collection or disposal of solid waste to register with the Department of Environmental Protection and apply for an operating certificate from the Public Utility Commission in addition to complying with health laws. The new laws provide heavy fines for persons found in violation, and include constraints against monopoly. In separate legislation enacted subsequently, \$55,000 was appropriated to hire six additional staff members in the Department of Public Utilities to carry out the regulation of the economic aspects of solid waste collection and solid waste disposal under the above two acts.

In November of last year I signed into law Assembly Bill No. 505 as chapter 272 of the Laws of 1970, one of the most significant environmental bills ever enacted in the history of our State -- "The Wetlands Act of 1970." This law will have a far-reaching effect on the preservation of one of our most valuable natural resources, the coastal wetlands, extending from Sandy Hook to Delaware Bay. These lands, complex aquatic areas where fresh river waters meet the saline waters of sea, forge vital links in the food-producing chain, and thus are necessary for the continuation of all forms of life, even man. In addition, the wetlands serve as buffers against the ravages of violent storms, serve as a means of flood control, and provide natural barriers against wind and water erosion.

This law provides a critically needed balancing mechanism by offsetting the tumult and insults of urban life against an unspoiled retreat of tranquility and open spaces. It will ease the crisis caused by the gradual destruction by man of the biological and aesthetic value of these lands. It will complement the State's policy on riparian lands by allowing some measure of control of the entire ecosystem where the sea meets the land.

The thrust of this law, and of the subsequent orders which will be adopted, is to protect the State's endangered tidal marshlands. The intention is not to prohibit all future development, or to confiscate private property for public purposes. It is, rather, to allow in the future an orderly development consistent with the ecology of the wetlands. The lands to be regulated will be only those which meet both the tests established in the act: Regulated lands must have growing on them, or be capable of supporting, biologically valuable grasses, and these lands must also be below the line one foot above local extreme high water.

In addition to the Wetlands Act, three other bills were enacted earlier in the year to help reverse the continuing erosion of our shores and beaches. The first of these bills appropriated \$700,000 for inland waterways and shore protection. A second bill appropriated \$460,000 for construction of jetties and groins to protect the area of Cape May Point from shore erosion, while the third measure appropriated \$200,000 for the protection of the Delaware River shore in the Township of Pennsville, Salem County.

Chapter 147 of The Laws of 1970 was enacted to appropriate \$29 million under the 1969 Water Conservation Bond Act for the design, engineering and acquisition of land for construction of reservoirs at the following six sites in the State:

South River Tidal Dam in Middlesex County; Raritan Confluence in Hunterdon County; Manasquan Reservoir in Monmouth County; Six Mile Run Reservoir in Somerset County; Hacketts-town in Warren County, and Two Bridges in Passaic County.

In an administrative action, positive steps have been agreed to by the Passaic Valley Sewerage Commissioners to upgrade their treatment plant effluent reaching the Passaic River and the New York Bay. This obviated the immediate necessity of prohibiting new sewerage connections in the four counties serviced by the PVSC. If the timetable for action is not adhered to and an order entered by the court embodying those terms is not complied with, then the State can go back into court for appropriate relief.

One of the primary goals to be achieved in the coming year is developing an awareness on the part of all the citizens of the State of the magnitude of the environmental crisis we face, and involving all citizens in the solution of our environmental problems. Pollution is not caused by a few malefactors, but instead is the result of actions taken by all of us.

In order to create public awareness of and involvement in our initiatives in the field of environmental protection, I will sponsor a Statewide Conference on the Environment later in the year. This conference will bring together representatives of all groups in the State to find new solutions to these pressing problems.

In an effort to retain New Jersey's leadership in the field of pollution control, the administration is proposing legislation to broaden the responsibility of the Department of Environmental Protection. These Bills will give the Department the authority it needs to regulate pesticides and noise which is becoming an ever increasing problem.

In an effort to retain New Jersey's leadership in the field of pollution control, the administration is proposing legislation to broaden the responsibility of the Department of Environmental Protection. These Bills will give the Department the authority it needs to regulate pesticides and noise which is becoming an ever increasing problem.

Pursuant to Executive Order #8, issued on August 31, 1970, I named a seven-man committee, chaired by Commissioner of Environmental Protection, Richard Sullivan, to study the recommendations of the report of the Clean Air Council and asked that it report back to me. The Clean Air Council report was highly critical of motor vehicles as the largest single source of air pollution and contained many recommendations for action by the State government to reduce the amount of air pollution resulting from automotive emissions. I have just received the final report of Commissioner Sullivan's Committee, and, once I have had an opportunity to make a proper evaluation, will soon be commenting on it.

During 1970 we saw an appropriation of the first \$64.5 million of the \$271 million in bond monies authorized pursuant to the Water Conservation Bond Act, Chapter 127 of the Laws of 1969. Of this amount, approximately \$54.5 million is going for State grants to some 43 projects which also qualify for Federal assistance; and \$11 million was allocated for loans to governmental units for use in engineering studies of water pollution and control facilities. The State has thus provided sufficient monies to allow the participating municipalities and authorities to qualify for the maximum federal aid.

We have a massive problem in the attainment of clean water for our State, and a massive attack upon this problem has been mounted. I am pleased to report that progress is being made in the use of funds provided through the legislation and referendum authorizing the issuance of \$271 million for water pollution control projects and new reservoir sites. The sale of the water bonds led to very encouraging results. Thanks to the State fiscal posture as a consequence of a sweeping economy drive, brokers were willing to offer the bonds well within the legal 6 per cent limit. Monies received from the first two bond issues will be administered by the Division of Water Resources to build treatment plant facilities and related facilities such as interceptors and pumping plants. The funds will provide 25 percent state grants to projects eligible for Federal grants; eligible local municipalities will have to contribute only 42 percent of the cost. Although the Department did not receive all the Federal funds it hoped for in the 1970 fiscal year, it did receive more Federal dollars than ever before, a heartening sign in itself. We anticipate offering more of these bonds for sale in 1971 for both water pollution and reservoir projects.

To further increase the State's ability to deal with its severe water pollution problems, I will press the Federal government to declare our most polluted River, the Passaic, a model river basin. This action would mean that the Federal government, in conjunction with the State would devote special funds and expertise to cleaning up the Passaic. The actions there would serve as a model to other areas and concentrated effort will be made to accomplish this goal.

Let me refer briefly to the problem of open space and its importance during these modern days of urbanization. For two years the Open Space Policy Commission has wrestled with the problem of providing those open spaces vital to our environment and our tranquility.

Its report and recommendations will soon be published, and I will submit to the Legislature in the near future whatever legislation is necessary to implement the Commission proposals, which we believe to be in the public interest. We will also move to expand and improve already existing open spaces. In 1971 the facilities at Island Beach State Park will be increased as will those at Ringwood State Park. Also the day use area at Spruce Run State Park will be completed.

The air pollution control program in the State has accomplished much in the recent past, particularly with respect to the issuance of regulations which are required to control many sources of air pollution. For example, a new Diesel Code will enable the Department of Environmental Protection to enforce standards for emissions from diesel-powered vehicles for the first time.

It has become apparent during the year that the Division of Fish, Game, and Shellfisheries, which operates on a dedicated fund, and receives no funds from the general treasury, is facing an economic crisis so severe that it has to cutback on some of its operations. It will therefore be necessary to increase the fees that generate the Division's revenue in order for it to continue to control and preserve the State's wildlife.

Also in serious financial trouble is the Marine Patrol Activity in the Department of Environmental Protection. To provide the boating public with the safety and protection they deserve and demand, it is necessary to raise the boat registration fees, which support the Marine Patrol. I urge you to give favorable attention to A-1159 which will reuse the fees, and create a truly professional and well-equipped Marine Patrol force.

Not long ago, clean air and water were viewed as a happy, nostalgic thought of the past, because urbanization and over-population threatened to let our citizens wallow in their own waste. A good start in the battle to protect our environment has been made, particularly in New Jersey. We now have stringent rules and regulations and vigorous enforcement is necessary to ensure compliance. I promise a continued, forceful and unrelenting enforcement of all anti-pollution rules and regulations by this administration."

Governor Bruce King, NEW MEXICO, issued January 19, 1971. --
... "It has become increasingly apparent that environmental protection and the protection of man in his environment are of the utmost importance to the health, prosperity and happiness of the citizens of our State.

New Mexico is one of the last remaining areas of this nation where we still have options open for retaining or regaining an environment conducive to quality living and well-being. New Mexico citizens cannot tolerate degradation of the many interrelated environmental factors of which they are so proud. These environmental factors represent the most important and distinctive attraction and asset for the economic vitality of our State.

To accomplish this, I propose that the Environmental Services Division of the Department of Health and Social Services be given increased responsibilities and be designated as the Environmental Protection Agency of the State of New Mexico. I propose that this agency have a citizen board separate from the Health and Social Services Department board.

As the administrative costs of a separate department would reduce the already limited funds otherwise available for programs, I propose that the Environmental Protection Agency remain administratively within the Health and Social Services Department for the time being. Staff services such as legal, personnel, and budget will be provided by the Health and Social Services Department. I propose that this agency, if adequately financed, can remedy environmental hazards through methods of inspection, enforcement, consultation, research, analysis, planning, promulgating environmental policies, developing standards and regulations, recommending legislation, interagency coordination, public information, and environmental surveillance.

The Environmental Protection Agency will give balance to programs involving the industrial, commercial, institutional, residential and recreational environments, and will insure a continued high quality standard of life for this and future generations to New Mexicans."

Governor Nelson A. Rockefeller, NEW YORK, issued January 1, 1971. --
. . . "Last year marked a milestone in the State's quest to restore
a more livable environment. I refer to the creation of the new
State Department of Environmental Conservation.

This action, added to the other initiatives put forth by this
Administration and approved by the Legislature, have placed New York
in the forefront of the Nation in the continuing quest to restore
the environment--our waters, air, and land.

Over the past six years, we have developed the tools for financing
the basic costs of dealing with pollution problems. We have
matched these financial tools with reasonable legal standards to
be used in enforcing environmental protection. These standards
cover the pollution of water and air. In enforcing these standards,
we will continue to be fair. But we will be firm.

The pollution laws have been in force long enough for polluters to
comply. Consequently, those polluters with a "public-be-damned"
attitude will be dealt with sternly.

I am requesting the Commissioner of Environmental Conservation and
the Attorney General to conduct a searching review of all outstanding
anti-pollution orders:

- to determine which industries and communities are
complying with their timetables for halting pollution, and
which are not; and,
- to take prompt action against those failing to do so,
including the assessment of appropriately heavy fines.

Further, I will request these State officials to move swiftly
against new sources of pollution.

This State offers more help, financial, technical and otherwise,
to municipalities and industries with pollution problems than any
other in the Nation. Consequently, where the protection of our
environment is concerned there can be no justification or tolerance
for foot-dragging.

The administration will also explore the possible value of dealing
with environmental polluters by administrative action rather than
through the courts. We are already faced with the problem of court
congestion. Also, the resolution of environmental issues often
requires a technical expertise that is not always available in a
general court of law.

The State's Pure Waters Program enacted in 1965, has moved steadily
toward its goal. So far, 363 sewage treatment projects have been
built or are under construction or design. Virtually all pollution
from municipal sources will be ended when these plants are completed.
All remaining industrial polluters are under legal orders to end
pollution by fixed deadlines.

In brief, New York State's Pure Waters Program involves a total of \$4.2 billion in government and industry expenditure. It ranks today as the largest, most comprehensive, anti-pollution effort ever undertaken--anywhere in the world.

Our continuing priority must be to keep moving towards the completion of programs already initiated.

I will also propose other important measures meeting special water pollution problems.

I will propose legislation to curtail the sale in New York State of detergents and other cleaning products containing phosphates by 1972.

I will propose an expanded program for sampling and testing our waters for toxic and hazardous substances in order to determine their immediate and cumulative adverse effects.

This information will be used to promulgate regulations banning the discharge of dangerous substances into the environment.

I will also require firms that use potentially hazardous substances to submit emergency safety plans in the event these substances are lost to the environment.

The State already has adopted strict standards to prohibit thermal pollution of our waters from the discharge of excessively hot wastes.

These hot water wastes from such sources as nuclear power plants can be turned to advantage. I will, therefore, direct the Department of Environmental Conservation to conduct research into the beneficial uses of waste heat.

I will also ask the Department to require that potential dischargers submit reports on the possible beneficial uses of hot water wastes.

There are, of course, other highly desirable actions that we are prevented from commencing now because of the State's financial difficulties. We will, however, when funds are available, propose programs to deal with such important problems as accumulated sludge and storm water overflow. In the meantime, research and planning on these problems will continue.

Together, we have led the Nation in actions to control air pollution, including:

- the Nation's first standards of air purity for rural, residential, commercial and industrial zones;
- a ban on open burning of trash and other wastes, which has thus far eliminated over 700 open dumps;

- the first requirement in the Nation for new motor vehicles to be equipped with anti-pollution devices; and,
- a requirement that only low-sulphur fuels be used in heavily populated areas. In New York City alone, this action reduced the sulphur dioxide emissions to the air by about 50 per cent.

I will now set forth our program of stepped-up action against vehicular, industrial and other sources of air pollution.

Last month Congress passed the Clean Air Amendments of 1970, which greatly strengthened Federal controls over motor vehicle emissions and fuel compositions.

This new law, if fully and vigorously implemented, will mark a significant step forward in our efforts to control the Nation's number one source of air pollution--the motor vehicle.

These amendments--which are applicable nationwide and which mandate the manufacture and sale of virtually pollution-free vehicles by 1976--have to a large extent, preempted the states from taking meaningful action themselves in this field. Despite this broad Federal pre-emption, however, there may be opportunities for complementary State action.

Accordingly, I have directed the Commissioner of Environmental Conservation to examine all existing Federal and State controls over pollution from vehicles and to recommend whatever measures--administrative and legislative--the State may take to insure the achievement of the goals of the new Federal act. In particular, I have asked him to examine the need and appropriateness--in light of the new Federal action--for State legislation relating to:

- the sale of any auto gasoline other than lead-free or low-lead gasoline in New York State;
- installation of effective pollution control devices on 1975 and later models;
- guarantees that new vehicles, properly maintained, will perform in accordance with legal pollution standards.

In addition, I will request funds to establish mobile vehicle emission testing teams, working within the existing motor vehicle inspection system.

On January 1, 1971, the toughest air pollution control standards in the country became effective and enforceable against industrial polluters in New York State.

To enforce these standards, I will propose roving smoke stack inspectors to police potential pollution sources.

Up to now, enforcement of regulations governing incinerators has been the responsibility of local agencies. I will initiate State enforcement of air pollution laws wherever local enforcement of these laws is inadequate.

How we dispose of solid wastes has an immediate impact especially on air pollution and on pollution of the water and land as well.

Over 40 million tons of solid waste are generated in this State every year, 2.2 tons for every man, woman and child. That amount is increasing sharply, by about 8 per cent a year. At this rate, more than 40 per cent of existing disposal sites will be exhausted in the next five years--and all of them within the next 25 years.

Obviously, therefore, we must reduce wastes, reuse much of our present wastes, and find better waste disposal methods to head off this space squeeze.

Few areas offer more imaginative possibilities for turning a liability into an asset than the disposal of solid wastes.

Solid wastes are now being used to extend shorelines, create off-shore islands and build man-made mountains. Waste metals, glass and other materials are being recovered from the trash heap and being reused in everything from manufacturing to road building. Much more can be done.

Under the State's new program of Clean Streets we are making money available immediately for the major cities to clean up--on a crash basis--areas blighted by accumulated trash and rubbish.

To further aid local governments, I will propose long-term, low interest, self-liquidating bond financing to help them meet the capital costs of solid waste disposal.

I will request funds for site location, preliminary planning and economic studies by the Environmental Facilities Corporation for the Development of regional Environmental Facilities Parks.

These parks would include public and private facilities for waste disposal, reuse and recycling, and for research and development in these areas. Such parks can provide the basis for the development of entirely new business and job opportunities as well as enhance our drive for a better environment.

The above State services will be proposed to help communities dispose of their solid wastes in a sanitary, non-polluting manner. Since the State expects to make this help available for proper waste disposal, I will propose the elimination of all open dumps and open incinerators by January 1, 1973.

To try to hold down the accumulation of solid wastes in the future, I will:

- recommend expanding the present 100 per cent State aid program for comprehensive solid waste studies to include planning for separating reusable from unusable wastes;
- urge Federal action to reduce the excessive amount of packaging of certain products; and,
- call for similar State packaging controls, if the Federal government fails to act in this area.

I will propose emergency State assistance to localities for a one-time removal of the 60,000 automobile hulks now abandoned across this State.

To prevent a recurrence of this atrocious form of visual blight, I will submit legislation requiring a driver to submit proof that a junked vehicle has been properly disposed of before another vehicle can be registered."

Governor William L. Guy, NORTH DAKOTA, issued January 5, 1971. --
... "There is no single concern before us today which is more important to our children and their children than conservation of our limited natural resources and the wise management of our delicate environment. It is impossible to make that statement too strongly. None of us can completely comprehend the magnitude of what we must be concerned about.

Adlai Stevenson put it well when he said, "We all travel together, passengers on a little spaceship, dependent on its vulnerable supplies of air and soil; all committed for our safety to its security and peace, preserved from annihilation only by the care, work, and I will say the love we give our fragile craft."

It is already too late in many places in our nation to recover the quality of life that once existed. But because North Dakota is a young state and because we are sparsely populated, there is yet time to take prudent action to safeguard our natural resources and wisely manage our environment.

We are now aware that there will be a continuing confrontation between the need to supply our growing population with new jobs, through development of our natural resources and the management of our environment, while at the same time we do everything possible to preserve our ecological balance and conserve limited natural resources. This will require low voices and reasoned accommodation on both sides of the confrontation.

In order to carefully examine the broad spectrum of environmental management and natural resource conservation in North Dakota, I asked the Natural Resources Council to establish task forces to make recommendations to me and to the Legislature. Eighteen task forces were established and more than one hundred North Dakotans who are authorities in their fields participated in the deliberations and recommendations of those task forces.

Some of the recommendations were for administrative change, or federal government action, or private enterprise initiative. But those major recommendations which I believe deserve your legislative support I submit to you for your consideration.

I propose that this Legislature be recorded in history as the first in our state to consider the comprehensive aspects of conservation, environment, and ecology.

Many states have established independent agencies for environmental management. This is necessary and appropriate in those states which can gracefully absorb the cost of this type of organization.

It is my recommendation that because of fund limitations and because of the nature of our state government organization, the Natural Resources Council be continued with a name change to Natural Resources and Environmental Management Council, with appropriate expansion of its mission. The Council is capable of bringing interdisciplinary study and action in most matters concerning state government in environmental management and natural resource conservation.

. . . We must be cognizant of the air pollution that has long been with us in our state, as well as that which sweeps in upon us from other regions, or from new industry which might locate within our boundaries. We know too little about the effects of air pollution upon North Dakota at the present time.

Our air pollution law established in 1969 needs time and experience to test any strengths and weaknesses it might have. I would however, recommend that Section 48-05-02 and Section 48-05-04 of the North Dakota Century Code be repealed and that the reference to "native" be stricken from Section 48-05-03.

I also recommend consideration of income tax credits for approved devices installed to control air pollution. We should follow the lead of states who have adopted laws governing open burning such as might occur in dump grounds, farm fields, oil fields, and of manufactured waste.

While this type of pollution may not seem overpowering in North Dakota air, nonetheless it is added to the total pollution of that fragile thin layer of lifegiving air which envelopes the earth.

. . . Our state has been a leader in controlling water pollution. I consider the water pollution control law passed in 1967 to be sufficient at the present time.

We are in a period of adjustment with water pollution laws at the federal level and with surrounding states.

Many laws which might be enacted in other areas of environmental management might affect water pollution control. This would include land use zoning, herbicide, pesticide and commercial fertilizer use regulations, flood plain regulation, and anti-littering laws.

In order to bolster the financial resources of municipalities to constantly upgrade their water and sewage systems, I suggest legislative action to prohibit water and sewage user fees from being used for any other purpose.

I recommend that legislative action be taken to require operators of municipal waste treatment plant facilities to be trained and certified by our Department of Health."

Governor David Hall, OKLAHOMA, issued January 12, 1971. --

. . . "It is our responsibility, and that of the entire public, to take every means necessary to prevent the spoiling and fouling of our land, air and water.

I recommend that the anti-pollution enforcement powers be concentrated in one control agency, with the exception of those functions now performed by the Corporation Commission. I recommend that the existing Pollution Control Board be designated as the agency and that it be strengthened with injunctive enforcement powers and a full-time staff and director.

As a general business management policy, I believe it is more economical to utilize an existing agency rather than create more bureaucracy. It is important to have a single source to obtain the necessary information for compliance with Oklahoma's program to protect our environment."

Governor Tom McCall, OREGON, issued January 11, 1971. -- . . . "Oregon needs from this legislature some 30 measures to improve protection and management of its natural resources, including:

More effective controls over air pollution through requiring vehicle tune-up and inspection, regulating traffic in population centers, requiring discharge permits for air contaminants, and removing statutory exemptions on burning.

Implementation of the bonding authority, approved by the voters last May, is indicated through new legislation removing the \$50 million restriction and making funds available for other pollution control needs, particularly solid waste.

Provision should be made under this pollution bonding program for a capital construction loan fund to local government and to metropolitan service districts for incinerators; tank farms to recycle our oils and chemicals; and shredders and compacters for garbage conversion and recycling plants.

Other urgent needs in the natural resources area are:

Expansion of state bonding authority to fund all water developments.

Establishment of a state agency with authority to approve sites for nuclear power plants.

Doubling of the Department of Environmental Quality's staff, and centering in that department full responsibility for management of solid waste and radioactive and nuclear waste.

Continuation of efforts to add acquisitions for the Willamette River park system and the Highway Division's park and beach access programs.

Adoption of laws for removal and disposal of abandoned automobiles and to require a "price on the head" of bottles and cans, encouraging pickup, cleanup, return and reuse.

Finally, in this listing, creation of a Department of Natural Resources in the general form approved by the House in 1969."

Governor Frank Licht, RHODE ISLAND, issued January, 1971. --
... "In the course of the past two years we have done much, not only to improve, but to intensify our State's efforts to protect the environment. As a result, Rhode Island today has:

- Stronger, more effective water pollution laws including new protection for the quality of our drinking water;
- New, stiff air quality standards;
- Begun to control and regulate the use of pesticides;
- Tax incentives for businesses installing anti-pollution equipment;
- Improved sewage disposal regulation;
- Provided for public disclosure of those who pollute our air and water;
- Modernized and strengthened the Air Pollution Control Laboratory;
- Established the Council on Environmental Quality to oversee and evaluate all of our environmental protection programs.

Yet, the crisis facing our environment is of such magnitude that we must accomplish even more if our citizens are to enjoy a truly clean and healthful environment.

1. There remains the need to strengthen our enforcement procedures in order to improve the effectiveness of our air pollution laws. I shall, therefore, ask you to again consider legislation to prohibit commercial, industrial and institutional open fire burning as well as legislation to insure swifter and more effective prosecution of air pollution violations.

2. We are vitally concerned with Narragansett Bay, our State's major natural resource, and we are committed to taking the necessary action to provide for its protection, preservation and wise management.

Accordingly, we have enlarged the size and scope of the Rhode Island Coastal Zone Committee so that it now includes representatives from every city and town, the General Assembly, and other organizations with a particular interest in the future of the Bay. This enlarged committee will provide the means for the expression of the interests of all concerned groups. When the Committee's recommendations are completed, I shall submit the appropriate legislation for your consideration.

3. It is estimated that 65 percent of air pollution is caused by motor vehicles. If we are to reduce the pollution resulting from automobile emission, we need new, more stringent vehicle inspection regulations. I am, therefore, asking the Department of Transportation, in cooperation with the Department of Health, to examine these areas and to formulate the necessary inspection regulations. Much of what we seek can be accomplished by such regulation. But should legislation be necessary to carry out these programs, I shall submit it for your consideration.

4. I am not unmindful of the growing problem of air and noise pollution resulting from aircraft. This is essentially a Federal matter, requiring more effective Federal regulation. We shall, therefore, continue our efforts to press for more action at the national level.

But I shall also direct the Department of Transportation to examine this entire area more carefully to determine what, if anything, can be done at the State level.

5. We in Rhode Island are fortunate that the level of air pollution in our highly urbanized areas has not reached serious proportions. The National Air Pollution Control Administration, however, has stipulated that if a State is to remain in compliance with Federal regulations and be eligible for continued Federal funding, it should have a State plan that can be quickly and effectively implemented whenever air pollution reaches a particularly dangerous level. It is therefore important that we have what is called an EPISODE Emergency Plan, which will detail the steps that can be taken by the State to either avert or end a crisis resulting from air pollution. I shall propose legislation to allow for the adoption of such a plan for your consideration in this session of the General Assembly.

6. We have made the commitment to clean our air and water, and to provide a healthy environment for all Rhode Islanders. To achieve this, we are equally committed to strengthening our programs of monitoring and investigation."

Governor Richard F. Kneip, SOUTH DAKOTA, issued January 19, 1971. --
. . . "Clean air and water and open, fertile land are among the most precious resources of this state. The protection of these resources is an urgent and vital need.

Water pollution, in particular, is a growing problem in South Dakota.

South Dakota has time to act to protect the environment if she has the will and foresight to do so.

Our laws provide the state with authority to protect the environment. This administration will take a giant step in fighting pollution by administering fully and effectively the laws we now have,

To aid in the administration of our pollution statutes, I propose a change in the water pollution committee membership to allow the appointment of conservation-minded citizens to the committee. At the present time, only government officials and representatives of special interests can serve on the committee. It is unclear from the current composition whether the committee is supposed to protect the environment or whether it is to protect those who may pollute. I believe that if we expect strong pollution administration, we need to allow environmentally concerned citizens to serve on this key pollution control committee.

We can further protect the environment by giving individual citizens greater authority to help stop pollution. I propose that any citizen, with proper safeguarding, be allowed to petition the Air Pollution Control Commission and Water Pollution Committee for a hearing on a pollution complaint.

Sound planning is another key to environmental protection and resource development. A comprehensive statewide water plan is long overdue. I call upon this Legislature to provide a coordinating body among our water resource agencies to develop that water plan. This coordinating body should be responsible for insuring that the water plan is not in conflict with any general planning efforts of the State Planning Agency. Furthermore, in developing the plan, environmental costs and benefits must be given as much attention as economic costs and benefits. We shall not purchase economic growth at the expense of our environment."

Governor Calvin L. Rampton, UTAH, issued January 12, 1971. --

. . . "For the past six years we have concentrated heavily on the economic development of our state, but while adequate paychecks are necessary for a full life, this does not provide the full answer. The pollution of our air, water and lands poses threats to our health and enjoyment of our environment. Alcoholism, drug abuse and crime are on the increase. Government bodies must be modernized. Our cities become crowded while rural areas lose their young people. Increased leisure time brings new demands for recreation facilities. The stability of our family life faces threats on all sides. There is an urgent need for housing, on-the-job training and equal treatment of minority groups. Urged on by increasing social awareness through our young people, we are re-examining our priorities.

We in Utah face a particularly difficult challenge in regard to pollution. Liquid wastes find their way into our streams and ultimately into the Great Salt Lake. We have made a creditable beginning in the control of both air pollution and water pollution in this valley. Our cities and towns that once dumped untreated sewage into the Great Salt Lake now have efficient treatment sewer plants and many sources of air pollution have been eliminated. However, the increase in our population, the mass migration to the cities, the increase in the use of automobiles, and accelerated industrialization bring new pollution threats. These threats must be met promptly and with vigorous action if we are to preserve the unique life style and ecology of this state. We must cooperate with the federal government and other states to reduce the pollution by motor vehicles. New industries must regard the cost of air and water pollution facilities as much a part of their original capital costs as are bricks and mortar and machinery. We wish not to cast any unnecessary obstruction in the way of industrial development, but if we must choose between industrialization and a clean environment, the decision must be made on the side of the environment. Likewise, we will work with our existing industries in an effort to help them adjust to the demands for clean air and clean water, but adjust they must.

. . . In 1967, the Legislature enacted the first Air Pollution Control Bill in the history of the state. Unfortunately the bill came to me for approval or disapproval after the Legislature adjourned. There were features in the bill which I felt were inadequate. However, the bill as drafted was certainly a beginning and better than no bill at all, so the act was signed and sent to the Secretary of State with a letter pointing out the weaknesses as I saw them.

At the time the Legislature met in 1969, the matter was discussed with legislative leaders and it was felt the bill had not had sufficient opportunity to prove itself. Therefore no changes were made.

During the past summer an evaluation team from the Department of Health, Education and Welfare of the United States Government, at my request, came to Utah to review our law and its operation. This team made a rather extensive report, which contained a number of recommendations. Recommendations have also been submitted by the staff of the Environmental Health section of the State Division of Health. Based upon all of these recommendations, there has been prefiled with the Legislature, a bill which, I believe, will correct the defects in the present act.

The second major change in the proposed legislation has to do with enforcement. Enforcement procedures provided in the present act are so cumbersome and timeconsuming that a polluter could actually operate in defiance of the law for many months while all the required hearings, re-hearings and appeals were being processed. The hearings and appeals procedure contained in the proposed amendment reduces sharply the period of time required to secure a final order against an offender and yet adequately assures a full and impartial hearing to any person or company accused of violation of the pollution laws."

"Governor Daniel J. Evans, WASHINGTON, issued January 1971. -- . . . Creation of the Department of Ecology by the 1970 Legislature finally concentrates in one state agency our efforts to maintain a liveable environment, and in spite of our financial difficulties I have requested an increase of 25% in operating funds for that agency; for all of the other efforts on behalf of the citizens of the state are for naught if we cannot prevent the degradation of the air we breathe, the water we use, and the land we occupy. The remaining \$16 million of the \$25 million Referendum 17 bond issue have been requested to accelerate the construction of water pollution control facilities; the battle against air pollution will be stepped up to halt the use of the air we breathe as a receptacle for toxic wastes; and funds have been requested to assist the cities and counties of the state to find ways to solve the solid waste disposal problem without creating other environmental problems.

We in state government cannot demand an end to pollution by industry and our citizens and continue to allow state agencies to pollute our clean air and waters. Accordingly, I have requested sufficient funds in the Highway Department budget to provide sanitary holding tanks for 7 of our state ferries. I fully anticipate that by the 1973-75 biennium, holding tanks will be placed on our 8 remaining ferries.

In order to eliminate air and water pollution by our state institutions, I have provided \$500,000 in the Division of Institutions' budget. This amount of funding will allow us to provide adequate sewage treatment facilities, convert a number of our institutions from coal to gas heat and reduce air pollution and take other necessary actions to also comply with the need to preserve our unique environment.

The Department was established July 1, 1970, to provide a single state agency directing efforts to protect the state's natural resources and environment. The Department resulted from a consolidation of the Department of Water Resources, the Water Pollution Control Commission, the Air Pollution Control Board, and the Solid Waste Program of the Department of Health. With these responsibilities in a single agency it is expected the efforts to preserve and protect environmental resources can be carried out in a comprehensive manner consistent with the complexities of the problems faced.

The General Fund request for the Department is a \$2.8 million increase over the current biennium for increased development of environmental standards, establishment of guidelines to enable continued development consistent with such standards, and surveillance and enforcement activities to assure compliance with the standards. It also provides for necessary coordination and assistance to local agencies involved in pollution control activities and continues the solid waste planning grants to local agencies.

The request also proposes allocation of \$16 million of bond proceeds to match increased federal funds available for construction of sewage treatment facilities by local entities.

Along with creation of the new Department of Ecology the 1970 Legislature established the Pollution Control Hearings Board to resolve appeals from decisions of the Department of Ecology by a body independent of that agency.

The Board was established to operate on a part-time basis and funds have been requested to allow the Board to be engaged in its work to the part-time maximum.

Another new agency for which funds have been requested, the Council was established by the 41st Legislature to review all proposed sites for thermal power plants to assure that any new plants are located and operated in a manner which does not cause further degradation of the environment.

Initially funded from the Governor's Emergency Fund for that part of the current biennium since it was created, funds have been requested for operations of the Council for the new biennium."

Governor Arch A. Moore, Jr. WEST VIRGINIA, issued January 14, 1971. --
... "I am particularly pleased to report to West Virginians that our state has moved forcefully and aggressively in the control of air pollution.

Your Governor and the West Virginia Air Pollution Control Commission have prompted the federal government to advance the timetable for the establishment of four air quality regions in West Virginia. In fact, these regions were established in the past year and plans for implementation are now underway.

This accomplishment reflects a dramatic reversal of events, and as a consequence, it has brought West Virginia into the national forefront of air pollution control. In essence, it took action on the part of state government to move the federal government into faster response.

Several other accomplishments of the past year attest to our strong commitment to enhance the environment.

With the cooperation of the industries of the Kanawha Valley, all flyash control programs that have not been completed were shortened by at least one year and in some cases, one and one-half years. The target year is 1972 instead of the previously planned objective of the end of 1973.

Flyash emissions in the Kanawha Valley as of the first of this year have been reduced by more than 200 tons per day.

The past year also saw the completion of one of the most progressive and comprehensive process particulate regulations ever to be developed by any air pollution agency. Regulation VII will limit emissions of particulate matter, acid mists, and smoke from more than 200 manufacturing operations in West Virginia. Already, field engineering inspections have been made on nearly half of these operations, and some of major industry has completed installation of equipment to meet Regulation VII.

According to estimates, it will cost West Virginia industry \$100 million to fully comply with Regulation VII. At one facility alone, it will cost \$35 million to comply.

A total of 30 coal preparation plants which have thermal driers and/or air tables have installed control equipment necessary to meet Regulation V requirements.

The Commission also registered several hundred incinerators and more than 50 of these have been reviewed to determine if regulation requirements are being met.

The improvement of our environment also includes the conservation of our natural resources. In the Department of Natural Resources, efforts have been accelerated to protect our lands and streams."

The increase in last year's funds provided administrative monies to move forward with reclamation of abandoned lands from the effects of surface mining. Contracts to be accomplished under the Special Reclamation Fund have been awarded recently for land restoration work in excess of \$500,000.

Current economic conditions and greater demands for coal have spurred an increase in surface mining. Proportionately, the department has increased its regulatory and surveillance activities with respect to surface mining.

For our woodlands, 1970 was a good year. More effective fire suppression methods, coupled with highly favorable weather conditions, helped West Virginia to have one of the lowest years for recording forest fire damage.

Prosecutions for violations of the Department of Natural Resources' laws have increased dramatically in the past year. This is largely due to the stepped-up thrust being given to stream and road litter control. In the year just past, the department's officers had 4,085 prosecutions, with net fines totaling \$119,368. This represents a 20 percent increase over previous years.

Another successful aspect of the stream pollution control was the clean-up scenic rivers' campaign that your Governor sponsored. Last summer, hundreds of youngsters were offered jobs in the Neighborhood Youth Corps program, in which these youths helped remove litter and debris from our precious streams and waterways."

Governor Patrick J. Lucey, WISCONSIN, issued January 21, 1971. --
... "Public concern with the quality of our air, water and land has risen sharply in recent years, and there is now a very broad base of support for stronger action in this area. I have appointed a special task force on the environment and I will lay their recommendations before you as soon as possible.

I hope their recommendations will include legislation to ban high phosphate detergents; require both public and private institutions who use and discharge large quantities of air and water to install continuous monitoring devices at their own expense;

establish programs of environmental education in our schools and colleges and finance these programs initially through a tax on throw away containers;

impose tax penalties upon industries and other private institutions failing to comply fully with anti-pollution orders;

require the installation of effective emission control devices on all motor vehicles.

In addition, I believe we should take the first step in this legislative session toward the passage of a state environmental quality amendment. The main purposes of such an amendment would be to impose upon every government agency, state and local, a legal duty to safeguard the quality of our environment in every decision they made. It must also guarantee the right of private citizens to bring lawsuits against public bodies who violate that mandate.

Let me pledge at this time that the Executive Branch will take strong action within its authority to safeguard the environment. We have already begun through our participation in the Lake Superior Conference. We intend also to prosecute vigorously those who pollute our environment, to speed up the reporting of violations to the Federal Water Quality Administration, and to encourage federal prosecutions under the Refuse Act of 1899. From time to time it may be necessary for us to ask that you expand our authority to press such actions or provide us additional resources to support such actions.

Most importantly, we must reject the notion that we can tolerate misuses of our resources up to the point where a clear threat to health or safety or aesthetic values becomes apparent. Instead, we must adopt the philosophy that those who wish to use our resources carry the burden of providing that they will not abuse our environment."

Governor Stanley K. Hathaway, WYOMING, issued January 13, 1971. --
... "The Wyoming Legislature has passed landmark environmental protection laws in its last two sessions. Air quality and water quality standards as well as open cut mining reclamation regulations have now been adopted. The framework for protecting and enhancing the quality of our environment has been well laid. We must now increase our capacity for surveillance of problems and enforcement of high standards already adopted. This task requires more personnel and equipment. I have recommended substantial increases in the budget of the Division of Health which has the responsibility for enforcement of air and water quality standards.

The indiscriminate sale and use of some pesticides poses an increasing threat to our environment. To combat this threat closer regulation is indicated and I propose for your approval a pesticide registration use and application act.

A quality living environment demands comprehensive planning and zoning. There is an absence of authority and action in areas surrounding many cities and towns of Wyoming. The Department of Economic Planning and Development will be submitting five separate bills concerning county and city planning and zoning with a joint powers act permitting county and municipal governments to join together in solving their problems. This legislation will contribute