Environmentalists are regrouping to try and get the House to reject Senate-passed, business-backed legislation that would relax the state’s proposed program to regulate toxic air pollution.

The bill, SB875 by Sen. Willie Crain, D-Monroe, awaits action in the House Natural Resources Committee, after clearing the Senate last week in a 21-14 vote that outraged environmental groups.

The bill would relax the state’s proposed plan to promulgate an aggressive set of regulations designed to reduce by half the state’s toxic air pollution by 1994. Although environmentalists see the move as regressive, backers of the Crain bill say the Department of Environmental Quality is going beyond the intent of the Legislature.

Marylee Orr of the Louisiana Environmental Action Network said her group is organizing some 42 other groups in an effort to stop the Crain bill in the House.

“We’re going to get together a pretty good representation of folks,” Orr said.

Orr said it’s hard to believe the Legislature would even think about undoing something that it passed only two years ago.

“We really feel like we’re going back into the dark ages” Orr said. “The message is, the people in the Legislature don’t care about the citizens and our health or they wouldn’t even think about going back on something they passed two years ago.”
Rules

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Orr said the group wants to kill the bill in the House rather than rely on the governor to veto it.

A draft of the controversial regulations had been scheduled to go before an oversight subcommittee of the House Appropriations Committee Friday. However, the meeting was canceled, with DEQ officials saying it was apparent some aspects of the regulations need rewriting.

Mike McDaniel, assistant secretary in DEQ, said the cancellation and rewrite don’t have anything to do with the controversy over Crain’s legislation.

“It’s unfortunate timing,” McDaniel said.

McDaniel said DEQ is working on further refinements, rather than major alterations.

“We have made tremendous progress to this point, with a lot of compromise and a lot of work,” McDaniel said. “We’ve done in about a year or year and a half work that took Wisconsin about eight years to do.”

McDaniel said it may be another three or four months before DEQ officials are ready to go before the oversight committee with the changes.

Crain said he brought the bill because the proposed regulations by DEQ are more stringent than those proposed under the federal Clean Air Act and would be oppressive to business, particularly small businesses.

“Businesses in Louisiana will be at a competitive disadvantage,” Crain said, adding some small businesses, such as gas stations and grocers, would be forced out of business because of the cost of regulating such toxins as benzene.

Crain said DEQ has gone beyond the intent of the Legislature when it passed a 1989 law authorizing the agency to regulate toxic air emissions.

Rep. Kip Holden, D-Baton Rouge, the author of the 1989 legislation, said changes were made when the bill was passed to accommodate industry.

“The bottom line is the hypocrisy in everything on their part,” Holden said of industry. “Industry came to the table, and we worked on amendments to satisfy them. . . . At that point they embraced the bill.”

But now, two years later, “their changing the rules of the game is a personal affront to the citizens of Louisiana,” Holden said.

Eloise Wall, representing coalitions of environmental groups, also denounced industry’s tactics in opposing the bill.

When the bill was passed in 1989, she said, oil and chemical industry representatives complained about the bill’s zeroing in on them, she said. The environmentalists agreed to bring in other, smaller businesses, she said, and now big industry is claiming that small businesses can’t afford to meet the air toxic regulations and the standards should be lowered.

“The battle now going on is bigger than the Department of Environmental Quality and the gripes some legislators and industry representatives have about the agency,” Holden said.

Holden said that industry representatives are being very aggressive in working on members of the House Natural Resources Committee.

“They (industry lobbyists) now want to scuttle what they backed two years ago,” he said.

“If the public is not frightened (at what industry is seeking to do), they should be,” Holden said. “There seems to be a complete disregard for what they (the public) want.

“The question is now whether we let big industry dictate environmental direction, or do we give the average citizen a say-so?”

Holden said he is almost embarrassed about what is happening, recounting the time two years ago when he went before a congressional committee and touted Louisiana’s moving ahead on clean air regulations.

“Industry’s reneging on an agreement we made adds to Louisiana’s lack of credibility” with the rest of the nation, Holden said.