CONTROLLING ENVIRONMENTAL POLICY pdf

1: Economic Incentives | Environmental Economics | US EPA

The author, Susan Rose-Ackerman, dispels the notion that Germany should be the mold from which other nations' environmental policies should be cast. She compares regulatory law and policy in the United States and Germany. Focusing on the political and social implications of Germany and Eastern.

Definition[edit] It is useful to consider that environmental policy comprises two major terms: Environment refers to the physical ecosystems, but can also take into consideration the social dimension quality of life, health and an economic dimension resource management, biodiversity. Environmental issues generally addressed by environmental policy include but are not limited to air and water pollution , waste management , ecosystem management, biodiversity protection, the protection of natural resources , wildlife and endangered species , and the preservation of these natural resources for future generations. Relatively recently, environmental policy has also attended to the communication of environmental issues. An example of an externality is when a factory produces waste pollution which may be dumped into a river, ultimately contaminating water. The cost of such action is paid by society-at-large, when they must clean the water before drinking it and is external to the costs of the factory. The free rider problem is when the private marginal cost of taking action to protect the environment is greater than the private marginal benefit, but the social marginal cost is less than the social marginal benefit. The tragedy of the commons is the problem that, because no one person owns the commons, each individual has an incentive to utilize common resources as much as possible. Without governmental involvement, the commons is overused. Examples of tragedies of the commons are overfishing and overgrazing. Governments may use a number of different types of instruments. For example, economic incentives and market-based instruments such as taxes and tax exemptions, tradable permits, and fees can be very effective to encourage compliance with environmental policy. Another instrument is the implementation of greener public purchasing programs. Since environmental issues have many aspects, several policy instruments may be needed to adequately address each one. Furthermore, a combination of different policies may give firms greater flexibility in policy compliance and reduce uncertainty as to the cost of such compliance. Government policies must be carefully formulated so that the individual measures do not undermine one another, or create a rigid and cost-ineffective framework. Overlapping policies result in unnecessary administrative costs, increasing the cost of implementation. The current reliance on a market-based framework is controversial, however, and many environmentalists contend that a more radical, overarching approach is needed than a set of specific initiatives, to deal with the climate change. For example, energy efficiency measures may actually increase energy consumption in the absence of a cap on fossil fuel use, as people might drive more fuel-efficient cars. The Cap and Share and the Sky Trust are proposals based on the idea. Environmental impact assessments EIA are conducted to compare impacts of various policy alternatives. Moreover, it is assumed that policymakers make rational decisions based on the merits of the project. Eccleston and March argue that although policymakers normally have access to reasonably accurate information, political and economic factors often lead to environmentally destructive decisions in the long run. The decision-making theory casts doubt on this premise. Irrational decisions are reached based on unconscious biases, illogical assumptions, and the desire to avoid ambiguity and uncertainty. An example is the European environmental research and innovation policy , which aims at defining and implementing a transformative agenda to greening the economy and the society as a whole so to achieve a truly sustainable development. Europe is particularly active in this field, via a set of strategies, actions and programmes to promote more and better research and innovation for building a resource-efficient, climate resilient society and thriving economy in sync with its natural environment. Research and innovation in Europe are financially supported by the programme Horizon , which is also open to participation worldwide. Earth Day founder Gaylord Nelson, then a U. Senator from Wisconsin, after witnessing the ravages of the massive oil spill in Santa Barbara, California. Administrator Ruckelshaus was confirmed by the Senate on December 2, , which is the traditional date used as the birth of the agency. At the time, Environmental Policy was a bipartisan issue and the efforts of the United States of America helped spark countries around the world

to create environmental policies. In the European Union, the very first Environmental Action Programmed was adopted by national government representatives in July during the first meeting of the Council of Environmental Ministers. EU environmental policy has thus become a core area of European politics. Overall organizations are becoming more aware of their environmental risks and performance requirements. In line with the ISO standard they are developing environmental policies suitable for their organization. Written by top management of the organization they document a commitment to continuous improvement and complying with legal and other requirements, such as the environmental policy objectives set by their governments. Environmental policy integration[edit] The concept of environmental policy integration EPI refers to the process of integrating environmental objectives into non-environmental policy areas, such as energy, agriculture and transport, rather than leaving them to be pursued solely through purely environmental policy practices. This is oftentimes particularly challenging because of the need to reconcile global objectives and international rules with domestic needs and laws. While there is not a standard curriculum , students typically take classes in policy analysis , environmental science , environmental law and politics , ecology , energy , and natural resource management. Graduates of these programs are employed by governments , international organizations , private sector , think tanks , universities , and so on. Due to the lack of standard nomenclature , institutions use varying designations to refer to academic degrees they award. However, the degrees typically fall in one of four broad categories: Sometimes, more specific names are used to reflect the focus of the academic program. For example, the Middlebury Institute of International Studies at Monterey awards master of arts in international environmental policy MAIEP to emphasize the international orientation of the curriculum.

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2: Environmental policy in the United States - Ballotpedia

Get this from a library! Controlling environmental policy: the limits of public law in Germany and the United States. [Susan Rose-Ackerman] -- "Although many people feel that Germany provides a model for environmental policymaking, this book shows that it does not.

Your policy should demonstrate commitment by senior management and is usually signed by the chairman or chief executive. You may want to integrate your environmental policy with other policies on health and safety, quality management, corporate social responsibility or sustainability. Choose examples of the statements that would apply to your business and make the statements as specific as possible for your operations: These are key to ensuring that there is continual improvement in environmental performance and that more specific environmental targets are set on a yearly basis. Bear in mind that if your business activities or operations change significantly, the policy may need to be amended. Consequently, they may decide to take their business elsewhere. Similarly, if your policy says that you are taking your environmental responsibilities seriously but you fail to back this up, you may face questions over the quality of operations in other parts of your business. This could tarnish your reputation with customers and suppliers. If employees are expected to deliver on environmental policy commitments, they may be a good source of ideas for improvements. The environmental policy should be available for all new employees to read and to all existing employees if it changes significantly. In fact, it can be useful to extend the scope of your policy to cover corporate social responsibility and sustainable development. You could choose to develop this either within a single policy or create separate, linked policies. An extended policy acknowledges the fact that different groups of people rely on your business and outlines how you go about minimising your impact on the environment. By developing a corporate social responsibility CSR policy, you are showing that you are: Dealing with suppliers and employees in a responsible way - for example by being open and honest about your products and services and avoiding pressure selling. It also means going beyond the legal minimum when dealing with employees and promoting best practice. Building up a good relationship with the local community - for example by supporting a local charity or sponsoring a local event. Minimising your impact on the environment and cutting pollution and waste â€" by using energy efficiency measures, e. You could also consider minimising waste and reducing the environmental impact of your business generally, e. Equally, you can show that you take sustainable development seriously by: Because of its general nature the information cannot be taken as comprehensive and should never be used as a substitute for legal or professional advice. We cannot guarantee that the information applies to the individual circumstances of your business. Despite our best efforts it is possible that some information may be out of date. The websites operators cannot take any responsibility for the consequences of errors or omissions. You should always follow the links to more detailed information from the relevant government department or agency. Any reliance you place on our information or linked to on other websites will be at your own risk. You should consider seeking the advice of independent advisors, and should always check your decisions against your normal business methods and best practice in your field of business. The websites operators, their agents and employees, are not liable for any losses or damages arising from your use of our websites, other than in respect of death or personal injury caused by their negligence or in respect of fraud. For any inquiries, please contact our information agents. Was this information useful?

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3: Pollution Prevention Law and Policies | Pollution Prevention (P2) | US EPA

The environmental policy of the United States is a federal governmental action to regulate activities that have an environmental impact in the United States. The goal of environmental policy is to protect the environment for future generations while interfering as little as possible with the efficiency of commerce or the liberty of the people and to limit inequity in who is burdened with environmental costs.

I will discuss the various types of pollution in respect of different economic measures to control them. In presence of various tools to reduce the negative externalities, there is discussion and suggestion on other parallel development of policies and institutional measures in hope to bring long term political economy changes to control pollution. Introduction Pollution is a global issue which requires local-based economic solution. Both developing and developed nations are struggling to control their level of pollution. The challenge is same, but geophysical diversity, economic policies and cultural differences urge for cooperation and knowledge sharing to save our system ecological, economical and social from the disease of pollution. Land, energy, water, air are invaluable natural resources. They carry direct-use value, indirect-use value and no-use value. Long term existence of natural resources is essential to appreciate and utilize the value of these precious scarce resources. But present system produce output with huge amount of unwanted or useless by-products. Those have been accumulated in all our surroundings and their presence makes our earth sick and ugly. Yes, I am talking about pollution â€" the result of our inefficient economies. To make my point, I would like to borrow an example from Janine M. She stated that in our body we 2 need both veins and arteries. Veins that carry the impure blood and bring it back to heart to get it purified and arteries to again carry the pure blood to different body organs. Her point is that we have industries working as arteries but there is huge opportunity to develop new industry to function like veins. Industries those can help to absorb or reuse those externalities. I would like extend this example by implementing some physical exercises like jogging, swimming, walking, cycling, dancing to control fat, cholesterol, sugar and free radicals for healthy heart and body. Hence, we can understand pollution control tools like; taxes, expenditure and regulation; as physical exercises to keep economies in good shape means reduction of pollution. What is Web of Pollution? Our more than six billion survival depends upon the availability of earth resources. There was a time when we had a choice to exploit the resources as much as we can. Because we were less in numbers and the nature has the ability to recover the incurred losses. But the pressure of human development has broken the resilience power of earth and left our economies with mammoth pollution. A population, whose even leftover food itself has become pollution. Hence, pollution is anything in excess that earth system cannot digest or absorb. Gradually, that will take the shape of an ugly fat belly huge amount of waste or dangerous killing cancer green house gases. You are welcomed to a diseased world. The most visible form of pollution is waste disposed in open surroundings called as land pollution. Next closely related to land is water pollution. Land pollution and water pollutions are intensified due to air pollution. All above mentioned types of pollutions are originates Table 1 due to various economic activities. They altogether formed a Web of Pollution Figure 1. Invasive Species Pollution Sources: Land based negative externalities, externalities like industrial pollution, land transportation pollution, radioactive pollution, light pollution, noise pollution and visual pollution; lead to air as well as water pollution. Similarly, air based externalities, like industrial pollution, air transport pollution and chemical pollution, pollution noise pollution promote water as well as land pollution. The web of connectivity, connectivity among the various sources of pollution and their impact impact, indicates a balanced mix of economic reforms and policies to reduce pollution. Trade Our worry for tomorrow and understanding of economics grow in parallel parallel. He proposed that people who generate negative externalities should have to pay a fee reflecting the costs they impose on others â€" known as Pigovian tax Krugman, In year , a seminal book Silent Spring by Rachel Carson has unveiled the negative impact of industrial chemical on environment and society which has strengthened environmental revolution of s. David Pearce put forward the pros and cons of carbon taxes over the command and control policies. He described that the carbon tax has been set on the basis of the carbon content of fossil fuels. He hopes that carbon taxes will promote cleaner

technology and energy conservation. While he worried about the reaction of industry and consumers on carbon taxes; and towards the certainty of emission reduction are carbon taxes. According to Wallace E Oates , pollution taxes are a potentially powerful tool for environmental management. He has appreciated the double dividend hypothesis of environmental taxation. But he has suspected the assurance of welfare gains of revenue cycling. He argued that there are chances in increase project investment just due to the presence of more money. He found pollution taxation tricky legislative and administrative issue which involves two separate policy makers: He considered trade of emissions as weak and flexible mechanism. Metcalf accepted that it is difficult to calculate a point where the tax equals the social damage from the pollution. Green et al argued that trading may be superior to control and command approach, but it is not necessary that it is better than other alternatives like carbon-centred tax reform. But imposing pressure on pocket but still cannot cannot predict the maximum limit of neither taxes nor reduction in emission. Paul Krugman considered the emission of carbon dioxide and other greenhouse gases as classic negative externalities. Even though he sees es cap and trade as a way to reduce emission but he cannot find a political will. Does economics require change in fundamentals to control pollution? Scarcity and efficiency are the fundamental reason behind the existence of economics. We understand that through these proposed theoretical models: I In figure I, A denotes notes the limited amount of a particular natural resource. E denotes any economy running on principles of scarcity and efficiency. A1 is outcome of the economic process by using input A. After consumption of A1 will break down into A0 recyclable waste going back to make resources and 1 waste exist in system. And, And some of outcome A2 and A3 is going back to natural system. The blue up-arrow up indicates in the rise of 1 and amount could be infinite in number as economies continu continue. Now question is that can we use the same principles and theories of economies which are based on scarcity and efficiency on tthe quantities which are not in scare but abundant. Developing Economies The path of development has been prepared, followed and harvested by western nations. They had done large scale exploitation of resources found along the path. These countries of rich club, being first to taste so called development, reacted aloof towards the catastrophes like global warming, climate change and; degradation and loss of biodiversity, irreplaceable loss of earth plasma resources. Developed economies like United States of America, Japan, and United Kingdom have major share in generating pollution. Out of altruism they do not want developing nations to commit the same mistakes and exaggerate the pollution. Hence they had prepared policy and framework for emerging economies like China, India, and Brazil to bear the cost of pollution reduction and blindly believe their good consensus. But developing nations took a stand of negotiations, instead of affirmation. They have denied the adoption of emission taxation or trading pacts if developed nations especially USA did not actively involve themselves. They had the point that both developed and developing nations have not contributed the emissions in same proportions in past. And, being developing nations it is obvious to have an increase in pollution levels. Hence, developing nations are not liable to pay the same amount of fines or taxes as the developed nations. Being second on the way of development, developing economies have asked the western nations for technologies transfer to control the global pollution. According to recent statement of Indian environment minister Jayanthi Natarajan that transfer of technology is the most important issue, which has not yet happened The Hindu, Economics run on the twin themes of scarcity and efficiency Samuelson and Nordhaus. Those will decide what to produce and in what quantity; how to produce and; for whom to produce. In past, we partly answered these questions before exploiting natural resources to fulfil social needs and demands. Hence, need to figure out how to organize society in a way which produces the most efficient use of resources. From scarcity or efficiency anyone aspect being neglected will lead to pollution. Developing and developed both economies should acknowledge the reality of resource scarcity and pollution abundant. That is where economics makes its unique contribution. Double dividend hypothesis, golden rule and welfare distribution. Journal of environment economics and management 51 , Green, K. American Enterprise institute for public policy research, No. Building a green economy. The New York Times. A distributional analysis of green taxes reforms. National Tax Journal 52 4 , Can we protect the environment and improve the tax system at the same time? Southern Economic Journal, 61 4 , The role of carbon taxes in adjusting to global warming. The Economic Journal ,

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4: Holdings : Controlling environmental policy : | York University Libraries

In , Congress passed the Pollution Prevention Act which states: "the Environmental Protection Agency must establish a source reduction program which collects and disseminates information, provides financial assistance to States, and implements the other activities." EPA is responsible for.

Information disclosure as regulation. EPA has also pursued a number of non-regulatory approaches that rely on voluntary initiatives to achieve improvements in emissions controls and management of environmental hazards. These programs are usually not intended as substitutes for formal regulation but instead act as important complements to existing regulation. Others have been developed to improve environmental quality in areas that policymakers expect may be regulated in the future but are currently not regulated, such as greenhouse gas emissions and non-point source water pollution. Types of economic incentive and hybrid-based approaches Marketable Permit Systems or Trading Programs There are two types of trading programs currently used in the United States: ERCs are uncapped trading systems, meaning there is no set limit on the maximum allowable level of pollution within a regulated area. Instead, pollution limits are rate-based, meaning polluters cannot exceed a rate of emissions e. Polluters earn credits by reducing emissions below their specified rate. The largest criticism of ERCs is that there is not a cap on total emissions, so if, for example, more companies enter the market, emissions can actually increase with economic growth. A capped allowance system or cap-and-trade system sets a maximum allowable cap on total emissions. The cap is equal to the total number of allowances or permits allocated to a group of polluters. These allowances are distributed among the individual polluters and the number of allowances held by each firm sets the limit on the amount of pollution they have the right to emit. Allowances can be doled out through grandfathering, where polluters receive free allowances based on their historic emissions levels i. Once allocated, firms must either reduce their emissions directly, or they can purchase allowances from other firms who have reduced below their required level. An example is the U. Acid Rain Program, a cap-and-trade system that cost-effectively reduced sulfur dioxide emissions from electric utilities. Other examples include voluntary carbon trading schemes, such as the Chicago Climate Exchange; and nutrients trading programs between water polluting firms and agricultural producers that aim to reduce excessive loading of fertilizer and pesticides into water bodies. Top of Page Emissions Taxes, Fees, and Charges Fees, charges, and taxes are widely used incentives which generally place a per unit monetary charge or fee or tax on pollution emissions or waste to reduce the overall quantity. The main drawback is that fees, charges and taxes cannot guarantee a specific amount of pollution reduction, only that those who pollute will be penalized. Examples include pollution taxes, water user fees, wastewater discharge fees, and solid waste disposal fees. Top of Page Subsidies for Pollution Control Subsidies are forms of financial government support for activities believed to be environmentally friendly. Rather than charging a polluter for emissions, a subsidy rewards a polluter for reducing emissions. Examples of subsidies include grants, low-interest loans, favorable tax treatment, and procurement mandates. Subsidies have been used for a wide variety of purposes, including: While subsidies offer incentives to reduce emissions similar to a tax, they also encourage market entry to qualify for the subsidy. Top of Page Tax-Subsidy Combinations e. Deposit-Refund Systems Deposit-refund systems are a prominent example of a Tax-Subsidy incentive approach. Take, for example, a beverage container recycling program. First, a product charge or tax is initiated that increases the upfront cost of purchasing the container. Second, a subsidy is rewarded to the consumer for recycling or properly disposing of the container. Deposit-refund systems are also available for lead-acid batteries, automobile parts, pesticide containers, propane gas containers, large paper drums, and beer keys. Hybrid Approaches Combining Standards and Pricing Approaches Pollution standards set specific emissions limits, and thereby reduce the chance of excessively high damages to health or the environment but may impose large costs on polluters. Emissions taxes restrict costs by allowing polluting sources to pay a tax on the amount they emit, but because there are no emission limits, taxes leave open the possibility that pollution may be excessively high. A combination of standards and pricing mechanisms, referred to as a "safety-valve", may be used to limit both costs and pollution in these cases. This combination imposes the

same emissions standard on all polluters and all polluters are then subject to a unit tax for emissions in excess of the standard. This policy combination has some attractive features. First, if the standard is set properly, proper protection of health and the environment will be assured since the standard provides protection against excessively damaging pollution levels. Second, high abatement cost polluters can defray costs by paying the emissions fee instead of cleaning up. Top of Page Liability Rules Liability assignment is most often targeted at producers of waste or emissions that are easily identifiable and hazardous to public health. The purpose of liability is to not only hold polluters accountable for the proper management and disposal of their waste or emissions, but also for cleanup and remediation costs. There are two major U. These two laws not only give polluters an incentive to make more careful and socially conscious decisions, but also hold them financially responsible to the victims of pollution. Top of Page Information Disclosure Information disclosure programs are designed to influence firm behavior through the dissemination of information on items such as production processes, labor standards, and pollution levels, to the federal, state and local government agencies, or to the public. By making business owners, employees, shareholders and customers a part of the regulatory process, all parties have an incentive to practice behavior that is socially responsible. Both voluntary and mandatory reporting programs exist in the United States. An EIS is a report specifying potential environmental damages and alternative approaches to the agency action to minimize adverse impacts. Labeling schemes are widely used voluntary reporting programs. Generally, a non-profit organization or government agency sets standards for a product to meet environmentally sustainable goals. Top of Page Voluntary actions Voluntary programs are useful for policy-makers who wish to test potential policy options or who want to encourage better production or consumption practices. Goals of voluntary actions include providing participating firms with a competitive edge firms that participate in a voluntary program might have larger social appeal than those that do not , increase-value added to businesses, and reduce pollution. Most voluntary programs are designed and implemented by the U. There are several benefits available to companies who wish to join a voluntary program. First, participation can improve their public image. Second, the program might offer technical or other types of assistance in exchange for participation. Third, because voluntary programs are sometimes initiated as a pilot test to a regulation, participation can help the company to more quickly transition to a formal law, and possible limit potential litigation and monitoring and enforcement costs. A general problem with voluntary action programs is that it is quantitatively difficult to assess the success of the program. Program evaluators have developed several statistical methods, however, to research success rates. Top of Page Key Considerations The selection of the most appropriate market-based incentive or hybrid regulatory approach depends on a wide variety of factors, including:

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5: China strengthens environmental laws | Environment | The Guardian

Controlling environmental policy: the limits of public law in Germany and the United States / Susan Rose-Ackerman. K R67 Pollution of the atmosphere and international environmental law / by Barbara Maria Rozalska.

Sedimentation Pollution Control Act of The sedimentation of streams, lakes and other waters of this State constitutes a major pollution problem. Sedimentation occurs from the erosion or depositing of soil and other materials into the waters, principally from construction sites and road maintenance. It is the purpose of this Article to provide for the creation, administration, and enforcement of a program and for the adoption of minimal mandatory standards which will permit development of this State to continue with the least detrimental effects from pollution by sedimentation. In recognition of the desirability of early coordination of sedimentation control planning, it is the intention of the General Assembly that preconstruction conferences be held among the affected parties, subject to the availability of staff. As used in this Article, unless the context otherwise requires: Applicability of this Article. This Article shall not apply to the following land-disturbing activities: Forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts. Dairy animals and dairy products. Poultry and poultry products. Livestock, including beef cattle, llamas, sheep, swine, horses, ponies, mules, and goats. Bees and apiary products. Mulch, ornamental plants, and other horticultural products. For purposes of this section, "mulch" means substances composed primarily of plant remains or mixtures of such substances. The Forestry Technical Advisory Committee shall consist of one member from the forest products industry, one member who is a consulting forester, one member who is a private landowner knowledgeable in forestry, one member from the United States Forest Service, one member from the academic community who is knowledgeable in forestry, one member employed by the Department of Environmental Quality who is knowledgeable in erosion and sedimentation control, one member who is knowledgeable in wildlife management, one member who is knowledgeable in marine fisheries management, one member who is knowledgeable in water quality, and one member from the conservation community. Repealed by Session Laws , c. Powers and duties of the Commission. The Commission shall adopt or revise its rules and regulations in accordance with Chapter B of the General Statutes. The Commission shall approve, approve as modified, or disapprove local programs submitted to it pursuant to G. The Commission shall approve, approve as modified, or disapprove programs submitted pursuant to G. Approval of erosion control plans. The Commission shall approve, approve with modifications, or disapprove a draft erosion and sedimentation control plan for those land-disturbing activities for which prior plan approval is required within 30 days of receipt. Failure to approve, approve with modifications, or disapprove a completed draft erosion and sedimentation control plan within 30 days of receipt shall be deemed approval of the plan. If the Commission disapproves a draft erosion and sedimentation control plan or a revised erosion and sedimentation control plan, it must state in writing the specific reasons that the plan was disapproved. Failure to approve, approve with modifications, or disapprove a revised erosion and sedimentation control plan within 15 days of receipt shall be deemed approval of the plan. The Commission may establish an expiration date for erosion and sedimentation control plans approved under this Article. The Director of the Division of Energy, Mineral, and Land Resources may disapprove an erosion and sedimentation control plan or disapprove a transfer of a plan under subsection d1 of this section upon finding that an applicant or a parent, subsidiary, or other affiliate of the applicant: The successor-owner of the property submits to the Department a written request for the transfer of the plan and an authorized statement of financial responsibility and ownership. The Department finds all of the following: The plan holder is one of the following: A natural person who is deceased. A partnership, limited liability corporation, corporation, or any other business association that has been dissolved. A person who has been lawfully and finally divested of title to the property on which the permitted activity is occurring or will occur. A person who has sold the property on which the permitted activity is occurring or will occur. The successor-owner holds title to the property on which the permitted activity is occurring or will occur. The successor-owner is the sole claimant of the right to engage in the permitted activity. There will be no substantial change in the permitted activity. Nothing in this subsection shall prevent the Commission from

requiring a revised plan pursuant to G. The person who performs the inspection shall maintain and make available a record of the inspection at the site of the land-disturbing activity. The record shall set out any significant deviation from the approved erosion control plan, identify any measures that may be required to correct the deviation, and document the completion of those measures. The record shall be maintained until permanent ground cover has been established as required by the approved erosion and sedimentation control plan. The inspections required by this subsection shall be in addition to inspections required by G. Fees collected under this section shall be credited to the Account and shall be applied to the costs of administering this Article. Authority of the Secretary. The sedimentation control program developed by the Commission shall be administered by the Secretary under the direction of the Commission. To this end the Secretary shall employ the necessary clerical, technical, and administrative personnel, and assign tasks to the various divisions of the Department for the purpose of implementing this Article. The Secretary may bring enforcement actions pursuant to G. The Secretary shall make final agency decisions in contested cases that arise from civil penalty assessments pursuant to G. Jurisdiction of the Commission. In addition to the authority granted to the Commission in G. Mandatory standards for land-disturbing activity. No land-disturbing activity subject to this Article shall be undertaken except in accordance with the following mandatory requirements: Provided, however, that the Sedimentation Control Commission may approve plans which include land-disturbing activity along trout waters when the duration of said disturbance would be temporary and the extent of said disturbance would be minimal. This subdivision shall not apply to a land-disturbing activity in connection with the construction of facilities to be located on, over, or under a lake or natural watercourse. In any event, slopes left exposed will, within 21 calendar days of completion of any phase of grading, be planted or otherwise provided with temporary or permanent ground cover, devices, or structures sufficient to restrain erosion. An erosion and sedimentation control plan may be filed less than 30 days prior to initiation of a land-disturbing activity if the plan is submitted under an approved express permit program, and the land-disturbing activity may be initiated and conducted in accordance with the plan once the plan has been approved. The agency having jurisdiction shall forward to the Director of the Division of Water Resources a copy of each erosion and sedimentation control plan for a land-disturbing activity that involves the utilization of ditches for the purpose of de-watering or lowering the water table of the tract. Enforcement authority of the Commission. In implementing the provisions of this Article the Commission is authorized and directed to: The Commission in conjunction with the soil and water conservation districts, the North Carolina Agricultural Extension Service, and other appropriate State and federal agencies shall conduct educational programs in erosion and sedimentation control, such programs to be directed towards State and local governmental officials, persons engaged in land-disturbing activities, and interested citizen groups. Local erosion and sedimentation control programs. An ordinance adopted by a local government may establish a fee for the review of an erosion and sedimentation control plan and related activities. Local governments are authorized to create or designate agencies or subdivisions of local government to administer and enforce the programs. An ordinance adopted by a local government shall at least meet and may exceed the minimum requirements of this Article and the rules adopted pursuant to this Article. Two or more units of local government are authorized to establish a joint program and to enter into any agreements that are necessary for the proper administration and enforcement of the program. The resolutions establishing any joint program must be duly recorded in the minutes of the governing body of each unit of local government participating in the program, and a certified copy of each resolution must be filed with the Commission. The Commission shall only approve a program upon determining that its standards equal or exceed those of this Article and rules adopted pursuant to this Article. If the local government has not taken corrective action within 30 days of receipt of notification from the Commission, the Commission shall assume administration and enforcement of the program until such time as the local government indicates its willingness and ability to resume administration and enforcement of the program. The Commission shall be responsible for the administration and enforcement of all other components of the erosion and sedimentation control program and the requirements of this Article. The local government may adopt ordinances and regulations necessary to establish a limited erosion and sedimentation control program. An ordinance adopted by a local government that establishes a limited

program shall conform to the minimum requirements regarding the inspection of land-disturbing activities of this Article and the rules adopted pursuant to this Article regarding the inspection of land-disturbing activities. The local government shall establish and collect a fee to be paid by each person who submits an erosion and sedimentation control plan to the local government. Fees paid to the Commission by a local government shall be deposited in the Sedimentation Account established by G. A local government that administers a limited erosion and sedimentation control program and that receives an erosion control plan and fee under this subsection shall immediately transmit the plan to the Commission for review. A local government may create or designate agencies or subdivisions of the local government to administer the limited program. Two or more units of local government may establish a joint limited program and enter into any agreements necessary for the proper administration of the limited program. The resolutions establishing any joint limited program must be duly recorded in the minutes of the governing body of each unit of local government participating in the limited program, and a certified copy of each resolution must be filed with the Commission. Subsections b and c of this section apply to the approval and oversight of limited programs. The local government shall notify the Commission if any person has initiated land-disturbing activity for which an erosion and sedimentation control plan is required in the absence of an approved plan. If a local government with a limited program determines that a person engaged in a land-disturbing activity has failed to comply with an approved erosion and sedimentation control plan, the local government shall refer the matter to the Commission for inspection and enforcement pursuant to G. Local approval of erosion and sedimentation control plans. The soil and water conservation district or districts shall review the plan and submit any comments and recommendations to the local government within 20 days after the soil and water conservation district received the erosion and sedimentation control plan or within any shorter period of time as may be agreed upon by the soil and water conservation district and the local government. Failure of a soil and water conservation district to submit comments and recommendations within 20 days or within agreed upon shorter period of time shall not delay final action on the proposed plan by the local government. A local government shall only approve a plan upon determining that it complies with all applicable State and local regulations for erosion and sedimentation control. A local government shall disapprove an erosion and sedimentation control plan if implementation of the plan would result in a violation of rules adopted by the Environmental Management Commission to protect riparian buffers along surface waters. A local government may disapprove an erosion and sedimentation control plan or disapprove a transfer of a plan under subsection b3 of this section upon finding that an applicant or a parent, subsidiary, or other affiliate of the applicant: The local government shall advise the applicant or the proposed transferee and the Director in writing as to the specific reasons that the plan was disapproved. The successor-owner of the property submits to the local government a written request for the transfer of the plan and an authorized statement of financial responsibility and ownership. The local government finds all of the following: Nothing in this subsection shall prevent the local government from requiring a revised plan pursuant to G. The hearings shall be conducted pursuant to procedures adopted by the local government. The Commission, by regulation, shall direct the Secretary to appoint such employees of the Department as may be necessary to hear appeals from the disapproval or modification of erosion and sedimentation control plans by local governments. In addition to providing for the appeal of local government decisions disapproving or modifying erosion and sedimentation control plans to designated employees of the Department, the Commission shall designate an erosion and sedimentation control plan review committee consisting of three members of the Commission. The person submitting the erosion and sedimentation control plan may appeal the decision of an employee of the Department who has heard an appeal of a local government action disapproving or modifying an erosion and sedimentation control plan to the erosion and sedimentation control plan review committee of the Commission. Judicial review of the final action of the erosion and sedimentation control plan review committee of the Commission may be had in the superior court of the county in which the local government is situated. Inspection of land-disturbing activity; notice of violation. Notice of this right of inspection shall be included in the certificate of approval of each erosion and sedimentation control plan. The Department of Agriculture and Consumer Services may inspect land-disturbing activities undertaken on forestland for the production and harvesting of timber and timber

products to determine compliance with the Forest Practice Guidelines Related to Water Quality adopted pursuant to G.

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6: Pages - Auditing the Control Environment

In Controlling Environmental Policy: The Limits of public law in Germany and the United States, Yale University Law Professor Susan Rose-Ackerman provides an informative description and critique.

Healthy Forests Initiative There are many more environmental laws in the United States, both at the federal and state levels. The common law of property and takings also play an important role in environmental issues. In addition, the law of standing , relating to who has a right to bring a lawsuit, is an important issue in environmental law in the United States. Origins of the environmental movement[edit] Main article: Environmental movement in the United States The history of environmental law in the United States can be traced back to early roots in common law doctrines, for example, the law of nuisance and the public trust doctrine. The first statutory environmental law was the Rivers and Harbors Act of , which has been largely superseded by the Clean Water Act. However, most current major environmental statutes, such as the federal statutes listed above, were passed during the modern environmental movement spanning the late s through the early s. Prior to the passage of these statutes, most federal environmental laws were not nearly as comprehensive. During this period, the U. Forest Service was formed and public concern for consumer protection began, epitomized by the publication of The Jungle by Upton Sinclair. Carson argued that nature deserved human protection and referred to pesticides as the atomic bomb for insects. She stated that these pesticides would cycle through the environment hurting humans and nature and thought they should be used wisely. Carson played a big role in environment activism that was later to come. The movement that formed held three key values: These valuesâ€”that we depend and are interconnected with the environment, that insults to the environment can affect our health, and that we should limit our dependence on non-renewable resourcesâ€”along with a uniquely sympathetic president and Congress, led to great environmental policy change in the s. In the Club of Rome report came out which was a scholarly effort to gauge the severity of the environmental problem. A team of researchers concluded with one of the most alarming appraisals of the time and set off widespread debates over the findings, its methods, and policy implications. The model was built mainly to investigate major trends of global concerns such as accelerating industrialization, rapid population growth, widespread malnutrition, depletion of nonrenewable resources and a deteriorating environment. They concluded that if the present growth trends in world population, industrialization, pollution, food production, and resource depletion remains unchanged than the limits to growth on this planet will be reached sometime within the next one hundred years. Federal Power Commission, decided in by the Second Circuit Court of Appeals , prior to passage of the major federal environmental statutes. The case has been described as giving birth to environmental litigation and helping create the legal doctrine of standing to bring environmental claims. Later in the year, Nixon created the Environmental Protection Agency EPA , which consolidated environmental programs from other agencies into a single entity. The legislation during this period concerned primarily first-generation pollutants in the air, surface water, groundwater, and solid waste disposal. Air pollutants such as particulates , sulfur dioxide , nitrogen dioxide , carbon monoxide , and ozone were put under regulation, and issues such as acid rain , visibility , and global warming were also concerns. In surface water, the pollutants of concern were conventional pollutants bacteria , biochemical oxygen demand and suspended solids , dissolved solids, nutrients, and toxic substances such as metals and pesticides. For groundwater, the pollutants included biological contaminants, inorganic and organic substances, and radionuclides. Finally, solid waste contaminants from agriculture, industry, mining, municipalities, and other sectors were put under control. The new CAA standards that were to be promulgated were unattainable with existing technologyâ€”they were technology-forcing. The standards that the EPA put into place called mainly for state implementation. The CAA also enacted deadlines and penalties for automobile emission standards in new cars, resulting in the development and adoption of catalytic converters and greatly reducing automobile pollution. For wastewater, each discharging facility was required to obtain a permit, and EPA began to issue new federal standards " effluent guidelines " that required industries to use the " best available technology " for treating their wastes. Congress also established a massive public works program to assist in the

construction of sewage treatment plants for municipalities, and most plants were required to meet secondary treatment standards. The Ford Administration [edit] This section needs expansion with: You can help by adding to it. May The Carter Administration [edit] This section needs expansion with: May The Reagan Administration â€" [edit] Ronald Reagan entered office skeptical of environmental protection laws and campaigned against harsh government regulation with the environmental arena in mind. As Reagan entered office, he was given two transition reports â€" one called "Mandate for Leadership" from the Heritage Foundation and one called "Avoiding a GOP Economic Dunkirk" from conservative Congressman David Stockman R-MI â€" that called for drastic changes in environmental regulation, primarily through administrative changes. Watt at the Department of the Interior were overtly hostile to environmental protection. Through his appointments, Reagan changed the operations of environmental protection from stiff regulation to "cooperative regulation. During the first Reagan administration, the OMB was given the power to require a favorable cost-benefit analysis of any regulation before it could be implemented. This was used to delay new regulations, and changes that resulted in regulatory relief often had this requirement waived. At the beginning of the second Reagan administration, the OMB was given more power- all regulatory agencies were required to submit proposals each year for all major environmental regulation- allowing it to reduce regulatory efforts before such proposed regulations became public. Corporate self-interest, he felt, would steer the country in the right direction," the author Natalie Goldstein wrote in "Global Warming. Bush Administration â€" [edit] Environmental policy during the first Bush administration contained a mixture of innovation and restriction. Bush appointed the first environmentalist, William Reilly , to head the EPA, along with others with strong environmental inclinations. Sununu , Richard Darman , and Dan Quayle. While considerable regulation was initially passed, during his last two years in office he severely restricted regulation, and in , a total freeze was put on new regulations. Clinton eliminated the Council on Competitiveness, returning regulatory authority to agency heads, and Clinton and Gore argued that environmental protection and economic growth were not incompatible. Through a number of middle-of-the-road positions, on issues such as grazing fees in the West and clean-up of the Everglades , and through his support of the North American Free Trade Agreement in and the General Agreement on Tariffs and Trade in , Clinton dissatisfied some environmentalists. Despite criticism from environmental purists, the Clinton administration had several notable environmental accomplishments. Supreme Court cases from this period included United States v. Weitzenhoff , et al. This section needs expansion with: May See also: Domestic policy of the George W. Bush announced an environment legislative initiative titled Clear Skies. Clear Skies was to use a market based system [23] by allowing energy companies to buy and trade pollution credits. The president argued that since Clear Skies would use a market based system, millions of tons of pollution would be eliminated when compared to the Clean Air Act. The NSR initiative would require power plants to upgrade to anti-pollution technologies before they can expand existing facilities and add new technologies. Environmental advocates and their political allies would eventually prevail in defeating the Clear Skies initiative. Global environmental policy[edit] President Bush refused to sign the Kyoto Protocol , citing fears of negative consequences for the U. Also, Eileen Claussen, president of the Pew Center on Global Climate Change said the idea of a head of state putting the science question on the table was horrifying. Campaign promise on the environment[edit] In , President Bush broke a campaign environment promise by reversing a promise he had made during his presidential campaign to regulate carbon dioxide emissions from coal-burning power plants. Governor Bush pledged power plants would have to meet clean-air standards while promising to enact tougher policies to protect the environment. For example, the Bush administration ruled that factory farms can claim they do not discharge animal waste to avoid oversight from the Clean Air Act. Environmental regulation[edit] The actions taken during the Bush administration were seen by environmentalists as ideological rather than scientifically based. The Bush presidency was viewed as being weak on the environment due to ideology and close ties with big oil. However, Eli Lehrer from the Competitive Enterprise Institute contended that the Bush administration issued more regulations than any other administration in U. CAIR was aimed at reducing 70 percent of pollution from coal burning plants. Circuit Court of Appeals for the District of Columbia in CAMR was created for the purpose of establishing a permanent national cap on mercury emissions. Bush environmental legacy[edit] In the later years of the Bush

administration, the president engaged in a series of environmental proposals. He called on countries with the largest greenhouse gases to establish a global goal to control emissions [32] and in initiated the U. S to join the United Nations to negotiate a post global climate plan after Kyoto expires. The plan calls for inclusion of both developed and developing nations to address greenhouse gas emissions. The president had taken steps in the later years of his presidency to address environmental criticism of his broken campaign promises, and argued that the Kyoto protocol was a plan to cripple the US economy. This stern position caused him serious credibility challenges on environmental issues both nationally and globally. Upon election, appointments such as that of the Nobel prize -winning physicist Steven Chu were seen as a confirmation that his presidency was serious about environmental issues. The Trump Administration â€"present [edit] Main article: Environmental policy of the Donald Trump administration The environmental policy of the Donald Trump administration represents a shift from the policy priorities and goals of his predecessor, Barack Obama. Within days of taking office he signed executive orders to approve two controversial oil pipelines and to require federal review of the Clean Water Rule and the Clean Power Plan. He also invited American manufacturers to suggest which regulations should be eliminated; industry leaders submitted comments, of which nearly half targeted Environmental Protection Agency rules. Several of his cabinet picks, such as Rick Perry as Secretary of Energy and Scott Pruitt as Administrator of the Environmental Protection Agency , were people with a history of opposition to the agency they were named to head. While the initial emphasis was on conventional air and water pollutants, which were the most obvious and easily measurable problems, newer issues are long-term problems that are not easily discernible and can be surrounded by controversy. Acid deposition[edit] Acid deposition, in the form of acid rain and dry deposition, is the result of sulfur and nitrogen dioxide being emitted into the air, traveling and landing in a different place, and changing the acidity of the water or land on which the chemicals fall. Acid deposition in the Northeast United States from the burning of coal and in the West United States from utilities and motor vehicles caused a number of problems , and was partially exacerbated by the Clean Air Act, which forced coal power plants to use taller smoke stacks , resulting in farther transmission of sulfur dioxide in the air. During the Carter administration, the United States undertook a risk-averse policy, acting through the EPA and Council on Environmental Quality CEQ to research and control the pollutants suspected to cause acid deposition even in the face of scientific uncertainty. The Reagan administration was more risk tolerant. It argued that, given the scientific uncertainties about harm and exposure levels, new expenditures should not be undertaken that would curtail energy security and economic growth. In , after he was elected, amendments to the Clean Air Act were finally passed that cut emissions by over 12 million tons per year, set up a market-like system of emissions trading, and set a cap on emissions for the year These goals were achieved to some degree by the installation of industrial scrubbers. Part of the reason for the relatively low costs is the availability of low-sulfur coal. Chlorofluorocarbons CFCs , which were used beginning in the s in a number of important areas, were determined in to be responsible for much of the depletion of the ozone layer. As research in the s indicated that the problem was worse than before, and revealed a controversial massive hole in the ozone layer over Antarctica , three international agreements were made to reduce the ozone-damaging substances- the Vienna Convention , the Montreal Protocol , and a third agreement in in London. Although the phase-out of CFCs took almost two decades, the policy is generally seen as a success. While a crisis seems to be averted, due to the longevity of CFC particles in the atmosphere, the ozone layer is only expected to start showing sign of recovery by

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7: Office of Environmental Quality Control

In one sense, the aim of Controlling Environmental Policy is simply policy- analytic, to identify a number of substantive flaws that plague environmental regulation in both countries. The book's main focus, however, is arguably on a much larger issue: the nature of modem democracy and the role that public law may play in achieving it.

Our blog Free Sample Environmental Policy Statement An Environmental Policy statement is the communication of your policy internally within your organisation and externally to your customers and suppliers. Once you have understood the principles involved and have accepted responsibility for the pollution generated by your Company, the first step on the journey towards sustainability is to create a written commitment in the form of an Environmental Policy Statement. This should acknowledge the reasons for doing it, be specific and achievable and clearly written for an audience of staff, suppliers, customers and general public. It must be signed by a senior executive to demonstrate that it is a Company Policy and reviewed at regular intervals. Like your policy it should be concise and probably on one sheet of A4. Sample of an environmental policy statement XYZ Limited is committed to leading the industry in minimising the impact of its activities on the environment. The key points of its strategy to achieve this are: Minimise waste by evaluating operations and ensuring they are as efficient as possible. Minimise toxic emissions through the selection and use of its fleet and the source of its power requirement. Actively promote recycling both internally and amongst its customers and suppliers. Source and promote a product range to minimise the environmental impact of both production and distribution. Meet or exceed all the environmental legislation that relates to the Company. Use an accredited program to offset the greenhouse gas emissions generated by our activities. Signed by Senior Director of company. Another Sample Policy Statement Newly-Enlightened Co accepts responsibility for the harmful effects its operations have on both the local and global environment and is committed to reducing them. Newly-Enlightened Co will measure its impact on the environment and set targets for ongoing improvement. The Company will comply with all relevant environmental legislation. Newly-Enlightened Co will encourage the adoption of similar principles by its suppliers. Signed by Mr Green, Company Director. Feel free to use elements of the above policy statements in your own business. More Information on "Greening Your Business" Why not download our complete guide to getting your business completely green? Every topic required has been developed by our award winning environmental team and can be used on any business.

8: How to write an environmental policy

Environmental policy is the commitment of an organization to the laws, regulations, and other policy mechanisms concerning environmental www.enganchecubano.com issues generally include air and water pollution, waste management, ecosystem management, maintenance of biodiversity, the protection of natural resources, wildlife and endangered species.

9: Free Sample Environmental Policy Statement

An environmental policy is a written statement, usually signed by senior management, which outlines a business' aims and principles in relation to managing the environmental effects and aspects of its operations.

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