

Voices

**THE ROLE OF CITIZEN ACTIVISM IN PROTECTING
PUBLIC HEALTH AND THE ENVIRONMENT FROM
LAND APPLICATION OF SEWAGE SLUDGE:
AN INTERVIEW WITH EPA'S HUGH B. KAUFMAN**

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ABSTRACT

This article—an account of an interview with an Environmental Protection Agency (EPA) official—addresses the role of citizen activism in combating environmental decisions that may cause harm, including the sludge policy of the EPA.

Hugh B. Kaufman, an engineer, works for the U.S. Environmental Protection Agency's (EPA) Office of Solid Waste and Emergency Response. Here, he talks about the role of citizen activism in overturning harmful environmental decisions, including EPA's sludge policy.

Kaufman joined EPA at its inception 32 years ago, after four years of service as an officer in the U.S. Air Force. In his official capacity at EPA, he was responsible for helping to develop all of the federal laws and regulations for disposal of solid and hazardous waste in the United States. During his career with EPA, he has investigated thousands of waste disposal sites in the United States. In 1976, he devised a program to clean up toxic waste dumps with a revolving fund made up of taxes collected on polluting industries. That program was codified by Congress in 1980 and given the name "Superfund." In 1978, he "blew the whistle" on the Government's foot dragging in remediating the infamous Love Canal toxic dump. In 1983, his testimony to Congress led to the removal of all top officials of EPA and the incarceration of his boss, Assistant Administrator Rita LaVelle. For the last 20 years, Kaufman has helped citizens combat harmful national and local environmental policies, including the land application of toxic sludge.

NS: Eight years ago, several New York companies sued you for claiming that land application of sewage sludge in rural West Texas was a threat to public health and the environment. What was the final disposition of that case?

HK: The 5th Circuit Court of Appeals, one of the most conservative courts in the United States, threw out the lawsuit and ruled that there is no scientific consensus that land application of sewage sludge is safe.

NS: Have you noticed an increase in citizen activism over the last few years to thwart land application of sewage sludge? If so, why do you think that is?

HK: Yes. As more and more sludge is land-applied in the United States we are finding that more and more citizens and farm animals are being harmed, and in some cases, deaths have occurred that may have been triggered by the land application of sewage sludge. Further, experienced scientists such as Dr. David Lewis and Dr. Murray McBride have published numerous articles documenting the public health and environmental threats from land application of sewage sludge. On top of that, reputable scientific institutions, such as Cornell University and the National Research Council, have raised serious scientific questions regarding the land application of sewage sludge. Finally, EPA's promotion of land application of sewage sludge and lack of enforcement of minimal regulations in this area have raised serious doubts in the public's mind that EPA can and will protect them from this environmental threat.

NS: Why do you believe local governments around the country are banning land application of sewage sludge?

HK: Citizens around the country have done their homework in this area and do not trust the federal government (i.e., EPA) to protect them. Because of this, the only avenue open to the public to protect themselves is to lobby their local governments to ban this harmful practice.

NS: Given this state of affairs, what demonstrated actions has EPA taken to remedy this problem?

HK: EPA and its partners in state agencies, rather than strengthening and enforcing strict regulations for management of sludge, have instead lobbied local governments and citizens with threats of lawsuits if local bans on land application of sewage sludge are enacted.

NS: How do you think this conflict between the public and EPA will be resolved?

HK: Over the last dozen years, with the growth of land application of sewage sludge, a growing number of citizen activists have been successfully lobbying their elected officials to control this harmful practice. Furthermore, both local and national news media have been increasing their coverage of this conflict. This growing awareness of mainstream Americans coupled with

government and industry recalcitrance will ultimately lead to a national ban on land application of sewage sludge just as was done to ocean dumping a dozen years ago.

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