Environmental public policy: An analysis of public opinion and environmental legislation in North Carolina

John Carson Cato

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Environmental Public Policy:  
An Analysis of Public  
Opinion and Environmental  
Legislation in North Carolina  
by  
J. Carson Cato

M.B.A., Winthrop College, 1988  
B.S., North Carolina State University, 1981

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A Dissertation Submitted in Partial Fulfillment  
of the Requirement for the Degree of  
Doctor of Philosophy

Walden University  
February, 1995

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ABSTRACT

Environmental Public Policy: An Analysis of Public Opinion and Environmental Legislation in North Carolina

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Abstract

The research was designed to give additional insight into the public policy process. Specifically, the focus of the study was on environmental public policy and the assumed relationship between public opinion on environmental issues and environmental legislation. A secondary emphasis of the research was to review environmental quality and consider the environmental quality as a function of legislative and regulatory impact. The study was restricted to the state of North Carolina and used a public opinion survey, legislative record review, and environmental quality data as the primary indicators.

The results of the study showed that (a) citizens in North Carolina have a high degree of concern and personal responsibility for environmental issues, (b) a significant volume of environmental legislation is introduced and ratified in the state's General Assembly, and (c) the state's environmental quality has improved or held its level of quality over the past 5 to 20 years.

The conclusions and directions for future inquiry should be of benefit to students of the public policy process, politicians, regulatory agencies, and environmental advocacy groups. Public opinion on environmental issues appears to be reflected in the introduction and ratification of environmental legislation. The relationship between public opinion and environmental legislation has been examined and the impact of the environmental legislation analyzed from the perspective of the state's environmental resources.
Dedicated To

Sarah Caroline Reid Cato
and
Mary Margaret Mendenhall
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Environmental Public Policy: An Analysis of Public Opinion and Environmental Legislation in North Carolina

Chapter I

Introduction

For the past 25 years environmental issues have continued to grow in popularity. With the passage of the National Environmental Policy Act (NEPA) in 1969 the United States accepted responsibility for the quality of its environment. Since 1969 significant pieces of Federal legislation have been passed to address the environmental concern of the majority of Americans. Major legislation includes the 1970 Clean Air Act (CAA), the 1974 Safe Drinking Water Act (SDWA), the 1976 Toxic Substances Control Act (TSCA), the 1976 Resource Conservation and Recovery Act (RCRA), the 1977 Clean Water Act (CWA), the 1980 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the 1986 Superfund Amendments and Reauthorization Act (SARA), and the 1990 Clean Air Act Amendments (CAAA).

Public sentiment for the environment was evidenced by the scale of the Earth Day celebrations on April 22, 1970. The environmental legislation enacted reflects the assumed link between public opinion and governmental action generally believed to exist in democratic societies. While the degree of correspondence between public opinion and policy development is a matter for debate, it is assumed that the efforts to protect the public welfare are enhanced and dependent on supportive public opinion. It is the intent
of this author to explore the link between environmental public opinion and environmental public policy.

The formation of public policy in the United States is a complicated process with multiple inputs, competing agendas, limited resources, and system constraints. As such, public policy is an extension of our societal value system that impacts all citizens. These societal values are communicated through legislatures and public entities designated to make difficult decisions. Public desires are communicated to policy-making entities through popular votes, legislative law, interest group activity, and public opinion polls.

Since the first Earth Day in 1970, environmental issues have occupied a significant place on the public policy agenda. The continued interest in environmental issues over the past two decades is evidenced in public opinion polls, journal articles, legislation, news reports, and scholarly publications. As such, environmental sensitivity and environmental protection have become factors of significant interest for public policy decision makers.

The formulation of any government policy is an involved issue. Environmental policy, as a component of public policy, is therefore similar in its promulgation to policies addressing crime, education, or health care. Like most policy problems, understanding environmental policy is best approached as a multidisciplinary problem.

Examination of policy formulation considers the determinants of policy, the participants involved, and the decisions reached. However, no information is known to this author that attempts to specifically confirm the public's sensitivity to environmental
issues and then relate the concern to legislative passage of environmental policy. In other words, is legislation enacted commensurate with the public's desire for environmental quality?

The formation of environmental policy is similar to most public policy in the United States—a complex process. Theories explaining the public policy process are limited. However, within the field of public policy we can examine the process from a perspective of policy formulation, policy implementation, and policy impact. Specifically looking at the process of policy formation lays the concern that elected officials be bound by the direction of their constituencies. Legislative representation is an important element for democratic society.

Environmental issues are social issues affecting the current populace and future generations. Many social activists and groups were involved in the environmental movement of the late 1960s and 1970s. These individuals and groups helped to change public attitudes on the environment that were a product of America's industrial age. The early environmental movement was initially a component of significant social change, coexisting with the sociopolitical issues of racial discord, anti-war demonstrations, feminism, and a changing value system. The young were rejecting the established attitudes of the 1950s and their parents. Each movement operated independently but in concert with the changing social issues of the time.

The public and government place a value on environmental issues based on perceived personal and social importance. Environmental value and importance is indicated by
popular votes on environmental issues, public opinion surveys, interest group representation and legislative action.

The Overall Context: Environmental Character of North Carolina

The State of North Carolina covers approximately 53,000 square miles and has traditionally been considered one of the most rural states in the nation. The state has three main regions -- Coastal, Piedmont, and Mountain. The Coastal region borders the Atlantic Ocean with a shoreline of 320 miles and is characterized by flat terrain, sandy beaches, and a chain of barrier islands. The Piedmont region is characterized by rolling terrain and major population centers. The Mountain region includes the Great Smoky and Blue Ridge Mountains, the Pisgah and Nantahala national forests, and the Eastern Continental Divide.

The "environmental character" of North Carolina can be examined from a number of perspectives in order to reveal the general tendency within the state toward environmental issues. For the purpose of benchmarking North Carolina's environmental posture, an analysis of the environmental situation is presented along the lines suggested by Lester (1989). Lester has suggested that a State's environmental effort be considered from the perspectives of organizational capacity, state wealth, pollution severity, and political partisanship.

Organizational capacity focuses on administrative, legislative and bureaucratic structures in describing environmental effort. Centralization of authority and
responsibility are key elements of the organizational capacity position. Centralization is suggested to increase a state governor's span of control and facilitate policy making and implementation. Centralized state bureaucracies are needed as the federal government continues to shift authority for environmental control to the states.

North Carolina has an active legislature when compared to other southern states and expresses in its laws and its public information statements a commitment to achieve the "twin goals" of environmental protection and economic progress. "North Carolina passes more environmental laws than any other Southern state except Florida" (Hall and Kerr, 1991, p. 135). State legislatures are considered powerful and influential forces in shaping environmental policy. Increased policy activity, or legislative activity, is an indication of organizational capacity and environmental responsibility.

In 1971 agency consolidation was first proposed by the Governor. Agency consolidation is thought to increase the power of the Governor by eliminating duplication and inefficiency between agencies. In 1989 the Department of Human Resources and the Department of Natural Resources and Community Development were centralized and brought together under one umbrella. The centralized group was renamed the Department of Environment, Health and Natural Resources. Primary stewardship of North Carolina's natural resources is the responsibility of the Department of Environment, Health and Natural Resources (DEHNR). DEHNR is a comprehensive bureaucratic agency that addresses virtually any environmental issue likely to arise.
The wealth argument for environmental action suggests that states with increased financial resources have a greater propensity for environmental protection. "Wealth accounts for a significant amount of the variation in state efforts to protect the environment" (Lester, 1984, p. 193).

North Carolina's fiscal status appears sound. The state's budget in 1970 was $962 million and has increased over the years to an excess of $8.5 billion in 1994. The growth on the appropriation's side of the ledger has been paralleled by growth on the revenue side. North Carolina has always avoided deficit spending and carries the highest bond rating.

On the negative side of environmental effort, Hall and Kerr (1991) point out that,
* North Carolina ranks in the bottom 10 of all states in per capita spending for environmental issues, and

* Of the Southern states, only Texas spends a smaller share of its budget on enforcement and implementation than North Carolina.

However, on the positive side Davis and Lester (1989) indicate that per capita state spending has risen faster than any other spending at other levels of government. This increase in spending is indicative of the Federal government's program of decentralization. The increase in per capita spending affects environmental appropriations. As calculated by Hall and Kerr (1991) North Carolina spends $14.85 per capita on all environmental programs.
North Carolina spends approximately 1% of the state budget on environmental programs. That would rank it 42nd compared to other states. Clearly, North Carolina does not fund its environmental effort through the state treasury at levels equal to most states. However, this may not be the full picture as states find other ways to fund their environmental objectives. For example, the cost for many monitoring and reporting programs is transferred to those holding environmental permits and not a direct expense to the state.

Pollution severity can also be used to assess a state's environmental effort. Literature (Lester, 1989; Lester and Lombard, 1990) suggests that states with greater environmental problems are more inclined to have increased environmental policy. The environmental policy generally comes in the form of legislative action. Linking a state's environmental pollution problem to legislative action seems reasonable. However, concrete and direct relationships between environmental effort and pollution severity are still unproven.

Much of the pollution severity argument is associated with a state's industrial base and population density. Areas of high population and high manufacturing density are expected to be more inclined toward pollution problems. In the manufacturing area, certain types of industrial operations have a poor past record of environmental stewardship. Representative of these industries are oil, automotive, pulp and paper, and chemical.
The annual population growth in North Carolina during the last decade was 20% greater than for the United States as a whole. The increase in the state's population should be kept in mind when considering the state's environmental effort and environmental quality. Common thought would associate increased pollution with increased population density. The population of North Carolina is slightly greater than 6.8 million. The ethnic and racial makeup of the state is 75.6% White, 22.0% Black, 1.2% Native American, 1.2% Hispanic and other (Otterbourg, 1993, p. 32).

By comparing North Carolina to the other 49 states we can begin to put the state's environmental effort into perspective. Some facts worth noting on the status of the pollution problem in North Carolina are indicated below.

* North Carolina is the state with the largest percentage of its population served by wells.
* The Tarheel state ranks 30th in surface and ground water that may be contaminated and 49th in households using septic tanks.
* Per capita consumption of energy in North Carolina has posted some of the largest increases across the nation.
* North Carolina is included among the Southern states which rank 35th or worse for the production of the most dangerous chemicals -- those causing either cancer, birth defects, or nerve damage (Hall and Kerr, 1991).

Lester (1989) and Hall (1991) place North Carolina's environmental pollution effort low on the list of comparable states. Lester groups states into four categories according to their commitment to environmental protection activities and institutional capability.
Based on these dimensions he assigns states to one of the four categories -- progressives, stragglers, delayers, or regressives.

*Progressives* have a high degree of commitment to environmental protection and strong institutional capabilities; *stragglers* have a strong commitment but limited institutional capacity; *delayers* have a limited commitment but strong institutional capacity; and *regressives* have both a weak commitment and a weak institutional capacity. Lester groups North Carolina into the regressive category alongside Arizona, Colorado, Idaho, Kansas, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Rhode Island, Utah, and Wyoming.

Research has attempted to link a state's environmental effort with the *partisanship* of the House and Senate (Calvert, 1989; Dunlap and Gale, 1974; Lester, 1989). It is generally believed that increased environmental action is associated with predominately Democratic Party representation.

In 1971 Governor Robert Scott, a Democrat, pushed for passage of the North Carolina Environmental Policy Act. It was this act that set the tone for the state's environmental regulatory effort and has survived the years as the guiding document. The North Carolina Act was modeled after the federal government's National Environmental Policy Act (NEPA), which established the EPA. The federal Act was advocated by President Richard M. Nixon, a Republican.

North Carolina has a history of electing representatives and leadership from the Democratic party. A review of party affiliation over the past 10 years indicates that 8 of
the last 10 Governors were registered Democrat. In fact, there have been only two Republican governors elected in the state during the 20th century.

The legislative make-up of the state over the years has been predominately Democrat. During the past 10 years the legislative make-up in the House and Senate has averaged 72% Democrat (Otterburg, 1993). Established thinking would associate big business to the Republican party. Democrats, on the other hand, have been associated more with active liberal, social, and environmental agendas.

**Background of the Problem**

There are several reasons to study state-level environmental policy. First, state politics and environmental policy are considered major concerns. Second, generalizations about national environmental policy can be made on the basis of state-level analysis. Third, the assessment of public opinion and legislative records should serve as an indicator of any linkage between elected officials' actions and public sentiment.

State politics are a microcosm of national politics. In the case of environmental regulation, state enforcement of federal law is required. The states have the basic responsibility for environmental protection under the umbrella of federal oversight. However, all states have the authority to pass environmental legislation and promulgate environmental regulations more strictly than federal mandates. Therefore, states can be involved in progressive and proactive environmental activities that eventually may find their way to the federal level. State action is believed to be more flexible and responsive
than federal intervention when dealing with localized concern. In most states the capacity to administer environmental programs has increased as they undertake greater responsibility.

By the late 1980s, state governments were the driving force in policy innovation. State policy leadership is perhaps best illustrated by recent developments in four policy domains - economic development, education, welfare, and environmental protection. In each instance, the states, not the federal government, have initiated successful policy experiments that have eventually been copied by the national government. And in each case, state governments are providing the lion's share of funds to carry out new public strategies. (Van Horn, 1989, p. 110)

Initially, and prior to 1970, the regulation of environmental activities was the responsibility of individual states. During this time the states were generally uninterested in environmental control. It is suggested that this general disinterest paralleled low public concern for the environment. In addition, the fear that environmental regulation would restrict economic growth and force business into neighboring states with fewer regulations was certainly a factor.

With these forces in place, the federal government took the leadership role with the passage of the National Environmental Policy Act, the formation of the Environmental Protection Agency, and passage of the Clean Air Act.

Over the past 25 years, state involvement with environmental issues has increased as public concern has increased. The states now recognize the marketing potential of environmental quality for economic growth and have improved their capacity to implement environmental programs.
Problem Statement

There are a number of questions that one posits when beginning to consider the formation of environmental public opinion, environmental public policy, the policy-making process, legislation, and regulation. A few of these questions are:

* Is there really an environmental problem?
* Are environmental problems being adequately addressed?
* Does public opinion influence legislative action?
* To what degree does legislative action represent public opinion?
* Does the public feel that government regulation is needed to address environmental problems?
* Is legislative action a mandate from the public?
* Does the voting public consider a candidate's environmental position when making election decisions?
* Has environmental quality improved as a result of environmental regulation?
* What is the relationship between state and federal environmental policy?
* How much is the public willing to pay to address environmental problems?

Public opinion analyst Riley Dunlap (1989, p.131) has suggested that environmentalism is a highly consensual value but low in its ability to sustain public intensity. If this is the case, then public opinion surveys would indicate public approval of environmental issues and financial expenditure to protect the environment. But, failure by elected officials to enact protective environmental legislation would have no major
negative political consequences. Dunlap maintains that there is a weak link between a political candidate's chance for election and the candidate's legislative record.

However, a unified and coherent public opinion related to environmental issues should influence legislative voting. It is this unified public interest in environmental issues that has made environmental policy a recurring theme on the political agenda. The problem is that we do not know if public interest in the environment is translated into legislative action. The present research will attempt to throw some light on this intriguing question in the context of one state of the nation, North Carolina.

**Purpose**

This study is designed to explore the relationship between citizen concern for environmental quality, legislative action, and regulatory impact. The three basic research questions used to examine this relationship are: (a) What is the extent of North Carolina citizens' concern for the environment?; (b) if, and to what extent, does the legislative system respond to public concern about the environment by the introduction and passage of appropriate legislation to protect the environment; and (c) how effective is the state's environmental policy implementation?

In order to address these questions the researcher intends to verify the following propositions:

1. North Carolina citizens have a high degree of concern for the environment.
2. Citizen concern is reflected in the elected state representatives' and senators' introduction of environmental legislation.

3. Citizen concern is reflected in the passage of environmentally related legislation.

4. The state's environmental quality has improved as a result of citizen concern and enacted legislation.

**Significance of the Study**

The environmental movement has changed the character of our society. By studying the public policy process as it relates to environmental issues this study stands at the cutting edge of environmental policy research. The generalizations and conclusions drawn from this study will be of value to students of the policy process, potential and current elected officials, and environmental interest groups.

The growing complexity of environmental problems and human dependence on the environment requires that we spend the time analyzing these issues before environmental issues get out-of-hand and ecological survivability is jeopardized. Environmental policy impacts human and ecological health, and as such warrants study.

Furthermore, state level environmental policy analysis is not very common, generally. In particular, this study explores an otherwise unexplored territory: the relationship between state environmental legislation and public opinion on environmental issues.
Chapter II

Literature Review

In 1975, critics pointed-out that "very little research had been done by political scientists on environmental policy" (Mann, 1975, p.5). Environmental studies at the state level were scarce and in general the literature was deficient. However, in the late 1970s and progressing into the 1980s, the research and literature published on environmental politics began to expand. The increased attention on environmental public policy was primarily concerned with the public policy process at the federal level and investigation into the state and local process remained open for investigation.

This literature review is organized under the following categories:

1. Environmental public opinion.
2. Environmental public policy formation.
3. Environmental public policy implementation.
4. Environmental public policy impact.

Environmental Public Opinion

Environmental Concerns

One of the first events that moved the environment into the national spotlight was the publication of Rachel Carson's book Silent Spring (1962). Carson, a biologist by training, was particularly concerned with the pesticide DDT. The book implied that
unless something was done about pesticides and pollution in general, there would be no birds remaining to sing in the spring. Carson warned about the grave ecological and societal repercussions of pesticide use and the lack of government intervention to address the problem.

Additional publications warned about the environmental crisis and inevitable consequences of inaction. During the 1970s, Commoner (1972), Meadows (1972), Mesarovic and Pestel (1974), Brown (1972), Reich (1970), and Schumacher (1975), all published papers, articles, and books that helped bring environmental concern to a level of paramount public and national concern.

**Opinion Surveys on Environmental Issues**

Prior to 1970 there was very little emphasis given to environmental issues as evidenced by the lack of public opinion surveys on the issues. Louis Harris was perhaps one of the first to perform polling on environmental issues and in 1964 found that rising public interest in the problems of air and water pollution were the most recurring themes. The number of public opinion polls increased into the 1970s but few polls were repeated regularly so that trend analysis is difficult. However, a body of data now exists that offers information on the public's attitudes and behaviors toward environmental issues.

Over the years, polls on environmental issues have become more sophisticated and, increasingly, questions about tradeoffs are asked. For example, individuals are asked to make choices between environmental protection, higher prices, personal sacrifice, and
economic growth. However, environmental issues are considered post-materialist values and direct trade-off comparisons with materialist cost is difficult if not inappropriate.


In 1980, Resources for the Future, a nonprofit organization, conducted a national public opinion survey for the Council for Environmental Quality (CEQ), Executive Office of the President. A sample of 1,576 civilian adults over the age of 18 was randomly selected and interviewed. The poll's stated purpose was to determine public opinion trends over the past decade, to obtain information about new areas of environmental concern and the degree of support for environmental protection, and to determine public responses to difficult choices between environmental protection and other values.

The overall results of the RFF survey ... demonstrate the fact that environmental protection enjoys continued strong backing. The intensity of public concern about environmental problems has lessened somewhat since its peak on Earth Day 1970. Other problems, in particular, national defense and inflation, are more urgent now. But the answers to a broad range of probing questions show abiding public support for national efforts to protect environmental quality. Environmental issues seem to have become an enduring social concern, much like health care, education, and other basic issues. (CEQ, 1980, p. 2)

Since 1970 the government has devoted much attention to environmental matters and the state of the environment is no longer viewed as a crisis. Support for environmental protection remained strong as reflected in a 1980 CEQ survey. Forty-eight percent (48%) of the 1980 survey respondents indicated that the country spends too little for environmental protection (CEQ, 1980).
Highlights of the 1980 survey are as follows:

* Concern for the environment ranks sixth on the list of social issues behind crime, unemployment, disease, public education, and aid to low income families.

* Forty-two percent (42%) believe that protecting the environment is so important that requirements and standards cannot be too high, and continuing improvements must be made regardless of cost.

* Twenty-seven percent (27%) of respondents said that growth should be sacrificed to protect the environment.

* Thirty-nine percent (39%) said that both economic growth and environmental protection can be achieved. These two goals are considered mutually exclusive.

* Eighty percent (80%) are concerned a "great deal" about inflation, matching the concern shown during the 1974 recession.

* Levels of concern about environmental issues are nearly evenly distributed, within five percentage points, across sex, race, income, and age.

* Sixty-seven percent (67%) of the public has a "great deal" or "some" confidence that the government will be able to protect the environment.

* Less than a majority, forty-four percent (44%), believe that the government is responsive to the public's views and only thirty-six (36%) believe the federal government considers the views of individual citizens.

The results of the RFF survey in 1980 indicate that concern for the environment remains strong despite no longer being viewed as a crisis issue. There appears to have
been no reduction in the emphasis the public places on environmental issues despite the
claims that once the true cost of environmental protection was known attention would
decline. Environmentalism is predicted to be a continuing concern in the future.

Roper Public Opinion Survey, 1990

The Roper publication "The Environment: Public Attitudes and Individual Behavior"
(1990) commissioned by S.C. Johnson and Son, Inc., is based on a poll of Americans and
explores responsibility for protecting the environment, solutions to environmental
problems, and interest in environmental issues.

The survey is based on a sampling population of 1,413 adults, 18 years of age and
older, who were asked questions during personal interviews. The findings of the survey
are organized into two sections:

* Part I - The Environment: Problems, Causes, Solutions

* Part II - American Consumers: From Brown to Green

Part One of the report examines general public attitudes toward the environment,
including the perceived seriousness of environmental problems; national versus local
environmental problems; causes of blame for these problems; and the roles of
business, government, and Americans themselves in finding the solutions.

Part Two focuses on individual actions and behavior regarding the environment, and
specifically on the nature of the five groups of Americans who behave so differently
in this area. It assesses the important influences on why some individuals are truly
environmentalists while others are not; consumer purchases of 'green products'; the
effects of advertisements and labels that stress environmental benefits; sources of
information about environmental issues; and the types of environmentally friendly
practices people are pursuing. (Roper, 1990, p. iii)
The highlights of Part I: The Environment: Problems, Causes, Solutions are as follows:

* Improving the environment ranks fourth on the list of national priorities after the problems of crime and drugs, AIDS, and health care costs. Improving public school education ranks fifth.

* Since 1987, public concern over the environment has grown faster than concern about any other national issue. Since 1987 concern for the environment, expressed as major environmental efforts needed, has increased from 56% to 78%.

* Solid waste problems are perceived to be caused by disposable diapers, plastic packaging, plastic bottles, and aerosol containers topping the list. This is an erroneous perspective in that these four waste streams account for only about 10% of what goes into a typical landfill.

* Local environmental conditions are generally rated as good but in need of improvement.

* Nearly three quarters of the public believe that business must be forced by government to develop environmentally safe products.

* About 7 in 10 think that environmental laws and regulations have not gone far enough.

* Most people think that the individual can do little to help solve the environmental problem and improve the environmental quality of life. Most people do not feel
empowered to solve environmental problems, which may explain the tendency to support stronger government regulation.

* Generally, Americans believe that answers to the environmental issues must be found at the institutional level and favor additional and stronger government regulation.

Highlights of Part II: American Consumers: From Brown to Green are as follows:

* There are five distinct groups of Americans when it comes to environmental attitudes and behavior. Two of them are environmentalists, two are not, and one is a "swing" group on environmental issues.

* Group 1, the "True-Blue Greens" (11% of the population) are environmental leaders and activists. They are well educated, hold good jobs, and are rather affluent.

* Group 2, the "Greenback Greens" (11% of the population) are willing to pay money to improve the environment but have little personal time to be personally involved. They are also well educated and affluent as well as the youngest of all the groups.

* Group 3, the "Sprouts" (26% of the population) are the swing group with attitudes and behavior both pro- and anti- environment. This group is a picture of middle America.

* Group 4, the "Grousers" (24% of the population) are not very involved in environmental activities and do not believe that others are doing much for the environment either. They are less affluent and educated than average.
* Group 5, the "Basic Browns" (28% of the population) are the least concerned with environmental issues. They are also the most disadvantaged of the groups in both educational and financial terms. They are mostly male and concentrated in the South.

* The three demographic variables of income, education, and gender correlate most closely with environmental concern. The more affluent and better educated, and more women than men, are likely to be involved.

* Consumers, on average, are willing to pay 6.6% more for environmentally friendly products.

* Recycling is the most frequently practiced environmental activity.

* About 25% of consumers read packaging labels and make purchasing decisions based on perceived environmental impact.

* The most popular reason that individuals hesitate on doing more about the environment is that they feel that companies should solve the problem.

* Technology, although not seen as the panacea for solving the environmental problem, is believed to play a part in the solution.

* Greater government regulation of environmental practices, both corporate and individual, is seen as a likely prospect for correcting environmental problems and practices.
Gallup Public Opinion Survey, 1990

The Gallup organization conducted a national telephone survey of 1,223 persons in April 1990, to determine their concern for environmental issues. Approximately half of the respondents were male and half were female. All demographic variables were considered representative of the population, except race. From the tabulated data over 90% of those surveyed were white.

Consistent with the 20th anniversary of Earth Day celebrated in April 1990, the Gallup poll found that Americans are strongly in tune with the Earth Day purpose of drawing attention to the environment. However, a significant number of people (72%) believe that not enough attention is given to environmental issues.

Many Americans (54%) feel that drastic and immediate action is necessary to protect the environment and avoid major environmental disruptions. These people are willing to pay an economic price to help solve the problems.

Roughly the same number of Americans as in 1970 spontaneously list environmental concerns as the No. 1 problem facing the U.S. today. Concerns about the environment are overshadowed by the drug problem and economic top-of-mind considerations today, just as they were overshadowed by Vietnam in 1970. Even activists environmentalists who say that environmental concerns are critically important do not list the environment as this country's most important problem. (Gallup, 1990, p. 5)

However, 66% of Americans say they worry "a great deal" about water pollution and soil contaminated by toxic wastes. Fifty-eight (58%) are concerned "a great deal" about air pollution, 52% are concerned with beach and ocean pollution, 51% are concerned about the loss of natural habitats, and 48% are concerned with pollution from radioactivity. In each case, the percentages concerned are down approximately seven (7)
percentage points from the survey responses to the same questions received in 1989 (Gallup, 1990, p. 5).

Concerns not directly related to the individual are less likely to be of paramount importance to Americans. For example, damage to the ozone layer, loss of rain forests, the greenhouse effect, and acid rain are not seen as the most important environmental problems. This personal attachment to specific environmental issues may help explain some cases of "not-in-my-back-yard" (NIMBY) syndrome and the limited concern seen for international and global environmental issues.

Adding to the significant majority of Americans who feel that hardly anyone is concerned enough about the environment (72%), is that more than half of those polled agreed with the statement "life on earth will continue without major environmental disruptions only if we take additional and drastic action concerning the environment."

Recycling has become the most frequently practiced environmental activity with over 85% of Americans reporting some recycling.

Additional highlights of the survey responses are:

* Forty-nine percent (49%) have contributed money to an environmental, conservation or wildlife preservation group.

* Forty-two percent (42%) have avoided buying a product because it was not recyclable.

* Twenty-eight percent (28%) have boycotted a company's products because of its record on the environment.

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* Eighteen percent (18%) did volunteer work for an environmental, conservation or wildlife preservation group.

* Seventy percent (70%) say that environmental protection should be given priority even if it means a slowdown in economic growth. This figure is up from the 61% who gave this response in 1984.

Gallup classifies about 20 percent of the American public as hard-core environmentalists—those who call themselves strong environmentalists, feel that major disruptions are coming if we don't take drastic environmental actions, and favor environmental actions even at the cost of economic growth. These hard-core environmentalists come from all walks of life, although they tend to be somewhat more liberal than conservative, more well-educated than not and more Democratic than Republican. (Gallup, 1990, p. 6)

Gerstman and Meyers Public Opinion Survey, 1992

Gerstman and Meyers (G+M) is one of the country's leading package design consultants and, as such, is concerned with the problem of consumer solid waste (CSW). Consumer attitudes and behaviors are believed to play a critical part in the problem and potential solution to the CSW situation. Therefore, G+M conducts consumer research to provide insight into the opinions and viewpoints of consumers (Gerstman, 1992, p. 1).

Beginning in 1989, G+M has conducted a national opinion survey annually to determine trends and develop a greater understanding on evolving and continuing issues concerning CSW. In 1992, Joel Benson Associates conducted the most recent survey at G+M's direction.

The 1992 survey was comprised of 319 interviews with female heads of household aged 21-54 who were responsible for the household grocery shopping. The sample was

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comprised of approximately half working and half non-working women and divided equally between women with and without children under 18 and living at home.

The areas of investigation included:

- Importance and concern about various environmental problems
- Current and future behavior concerning CSW
- Predictive behavior based on hypothetical scenarios (including price impact)
- Attitudes and perceptions regarding the CSW problem. (G+M, 1992, p. 1)

The conclusions drawn from the survey results are as follows:

1. Consumers maintain a significant level of concern about the Solid Waste problem and are actively pursuing solutions.
   * CSW ranks nearly equal to air quality as the single most important environmental issue.
   * A significant proportion of consumers (83%) are "doing something."
   * Consumers continue to report a willingness to forgo the benefits of plastic packaging if the price increases by as little as 5%.
   * Commitment to the environment together with a desire for convenience continues to be a valued combination as consumers are still waiting to pay more for a package that provides both.

2. Concerns about the CSW problem are so significant that they are already affecting the purchase decision.
   * Over 8 in 10 (83%) agree that a company's environmental reputation impacts their choice of brands.
   * Nearly two-thirds (62%) have not bought a particular brand or product in the past year because of environmental concerns.

3. Consumers need more help from both business and government so they can take a more active role to become part of the solution — there are not enough meaningful options available. Currently, legal requirements and consumer activities vary widely by location. Even where efforts are being made, tremendous misunderstanding continues to prevail.
   * More than 8 in 10 consumers believe that the public, business and government are not concerned enough about the environment.
   * While reported activity is highest in New Jersey, where the level of reported legal requirement is also the greatest, high levels of activity are reported in
areas that have much lower levels of reported requirements, such as Seattle and Wheeling.

* Environmental information on packages is important, but currently there is not an adequate amount, and what is available is not sufficiently believable.
* Consumers incorrectly perceive that plastic contributes most to CSW, and that paper contributes least. Despite this belief, they still use an increasing amount of plastic packaging.
* Many still incorrectly believe biodegradable packaging is currently a viable solution.

4. Packaging provides an important means for consumers to be part of the solution. As a result, packaging materials are becoming more closely scrutinized.
* Most consumers continue to view packaging as an easy way for them to deal with the problem.
* Packaging that is made from recycled material or that is recyclable, easily crushed or made of fewer layers is said to be the most likely to be purchased.
* Packaging that is biodegradable, refillable, or is offered in larger sizes, or utilizes concentrates is also seen as viable.
* Packages considered most harmful to the environment are those that are bulky, comprised of multiple layers, or made of plastic. This includes juice in steel cans, pump toothpaste, frozen entrees in a microwave tray, and soda and ketchup bottles. (Gerstman, 1992, p.2)

The strategic marketing conclusions from the survey are significant. Consumer concern for the environment is high and indicates that marketers must be responsive to public sentiment in order to maintain competitive advantage and market share.

Utilizing environmentally friendly packaging is likely to become standard operating procedure. While it may not provide the main point of difference for a brand, by ignoring the issue entirely, a brand is more likely to be rejected in favor of a more environmentally responsive competitor. (Gerstman, 1992, p. 4)


A random national telephone survey of 1,200 adults was conducted in January 1992, by Cambridge Energy Research Associates (CERA) and Opinion Dynamics; both firms
are based out of Cambridge, Massachusetts. Daniel Yergin (1992) provides the following overview of the special report:

This third annual CERA/Opinion Dynamics survey of U.S. public attitudes on the economy, the environment, and energy documents the persistent power and stability of the environmental consensus: the perceived need for action to 'clean up' pollution that has become an important driving force in American politics. In spite of heightened concerns about the U.S. economy, a broadly based majority of Americans wants environmental problems solved even if it means higher prices for some products. This majority also believes that while the job can be done without harming the overall economy, more government regulation will be required.

Yet at the same time, the public has little enthusiasm for taking money out of its own pocket, in the form of higher taxes, to pay for environmental cleanup. This is especially true for 'global' problems like greenhouse gases and ozone depletion.

When it comes to voting for the President, a majority indicates opposition to any candidate who appears to favor industrial growth and jobs at the risk of harming the environment. The proposal--already defeated by Congress--to require stricter automobile mileage standards receives strong public support.

Not only does the public want environmental improvement, but it expects it to happen. Both the desire and the expectation, as well as the belief in the need for more government regulation, are most strongly held by the youngest people questioned in the CERA/Opinion Dynamics survey. This is a clear signpost that the environmental consensus is not only an important, current driving force, but also seems likely to be an enduring one.

Environmentalism has become what might be described as a "classical" populist issue in the American political system. It cuts right across all the traditional demographic, partisan, and ideological cleavages, appealing to conservatives and liberals, Republicans, and Democrats. But the present survey also finds a substantial shift toward optimism about the present and future conditions for the environment, compared to our previous surveys. (p. 1)

Highlights of the survey are as follows:

* Nearly 7 out of 10 (68%) Americans believe that more government regulation is needed to solve pollution problems.
* More than 6 out of 10 (63%) Americans believe that pollution can be cleaned up without hurting the economy.

* Clean water is the only environmental problem for which a majority (56%) say they would be willing to pay more in taxes to solve.

* Almost two thirds (63%) of the public—Republicans as well as Democrats—say that they would be "less likely" to vote for a candidate who favors policies that encourage industrial growth and new jobs, even if it risks harming the environment.

* Over one half (56%) think the environment is either better or about the same than did one year ago, and 6 out of 10 think it will be better or about the same in 10 years, reflecting a substantial shift to greater optimism.

The first CERA/Opinion Dynamics survey conducted in 1990 identified the public's concern about the environment as one of the main forces in American politics in the 1990s. The second survey, conducted in 1991, showed little connection between the political and economic developments of the Gulf crisis and the priority people place on environmental issues. The public does not appear to see any linkage between environmental improvement and economic conditions. Interestingly, people see the environmental problem mainly as one of regulation and 68% believe that more government regulation is required to solve pollution problems. Since most people believe solving environmental problems is one of regulation and enforcement, they are reluctant to spend their own money to get the job done (CERA, 1992, p. 3).
**Issue-Attention Cycle**

Public attention and concern for specific issues often experience brief national popularity. As concern fades and media attention diminish, these issues lose their popular support and legislative interest. In 1972, Anthony Downs equated public concern with public support for environmental protection and hypothesized that once the costs for environmental protection became apparent, support for environmental protection would decline (p. 38).

Downs (1972) coined the phrase "issue-attention cycle" to describe domestic attitude and behavior. Downs posits that a systematic cycle exists that can explain heightened public interest and eventual boredom with major issues. He applies the issue-attention cycle analysis to environmental issues and predicted a decline in their longevity and impact.

The "cycle" includes a series of five stages:

**Stage 1:** Pre-problem Stage; an undesirable social condition exists, but has yet to capture the interest of the public.

**Stage 2:** Alarmed discovery and euphoric enthusiasm; dramatic event focuses the public's attention and is usually followed by euphoric enthusiasm about society's ability to solve the problem.

**Stage 3:** Realizing the cost of significant progress; recognition that the "costs" for solving the problem are high and may require personal sacrifice.
Stage 4: Gradual decline of public interest; as people realize how costly solving the problem is, they get discouraged, threatened, or bored and attention wanes.

Stage 5: Post-problem stage; the issue removed from the center of public concern moves into a perpetual limbo but may sporadically recapture public interest.

Public interest in the quality of the environment now appears to be about midway through the "issue-attention cycle." Gradually, more and more people are beginning to realize the immensity of the social and financial costs of cleaning up our air and water and of preserving and restoring open spaces. Hence much of the enthusiasm about prompt, dramatic improvement is fading. (Downs, 1972, p. 43)

Downs predicted that issues of environmental quality would move into the post-problem stage and decline in public interest. He believed that most citizens would not be willing to make the necessary lifestyle changes and accept the costs associated with environmental cleanup and preservation. He also predicted that environmental issues would fade from majority concern since young people and students, who generally support environmentalism, would have less free time in maturity to devote to the issue.

Additional terms used to describe environmental concern and public opinions are salience and valence.

A salient issue is considered to be one that is "on the minds" of individuals, something that is important to them, and not just something that they consider when asked about.

The valence of an issue is related to the intensity of the support. Many surveys use a ranking system to measure the salience of an issue and require that issues, such as the environment, be evaluated relative to other issues (Mitchell, 1990, p. 83).
Commenting on issue salience one author writes, "elected officials confuse issue salience with issue support. Their election campaigns fix on salient issues" (Lake, 1983, p. 232).

**Environmental Public Policy Formation**

Policy formation is concerned with how and why certain policies are adopted. For example, policy formation is concerned with how bills are ratified in legislatures, why judicial court cases are reached, and the decisions made by appointed administrators and elected officials.

An examination of the public policy formation stage can be approached from the sense of political, social, or economic determinants; participant involvement; and the institutional arrangements (Mann, 1982, p. 5).

The ability to bring an issue up for policy consideration is termed "agenda setting." Agenda setting is the ability to impact sufficient importance and urgency to an issue that government will feel compelled to place the matter on official agenda.

**Incremental Environmental Policy Formation**

Elected and appointed public officials generally favor making policy changes incrementally. Incremental decisions are less politically risky and avoid sweeping changes. Incremental decisions are characterized by careful deliberation of the proposed changes and usually do not propose creative approaches to problem resolution.
Policy making typically is part of a political process in which the only feasible change is that which changes social states by relatively small steps. Hence, decision makers typically consider, among all the alternatives that represent small or incremental changes from existing policies. (Lindblom, 1977, p. 313)

Scholars analyzing the policy-making process tend to emphasize its incremental nature. This sometimes leads them to advocate making policy recommendations that do not substantially deviate from prevailing policy. Advocating only a small change, however, when one could have a much larger change may be even more wasteful in an opportunity-cost sense than advocating a large change which is unlikely to be adopted, but which may serve to publicize the policy and facilitate its later adoption or desirable compromise. (Nagel, 1980, p. 31)

**Grass Roots Discomfort and Policy Formation**

Grassroots organizations afford citizens a way to become involved in the legislative process. By definition, a grass roots movement begins at home and in the localities where the concerned live. A grassroots movement is a form of indirect lobbying but distinctly different in that the initial groundswell of interest is proliferated by nonprofessionals. Public opinion is directed by letters, speeches, and advertising. Several organizations have been successful at organizing a grassroots movement.

Corporations have reached out to grassroots organizations, convinced that an outreach program designed to solicit third party support builds a stronger base for legislative influence. It is often not enough to only have a political action committee and a Washington office. Allies, in the form of third party groups, and coalitions have an advantage by appearing to work in the public interest. This image lends credibility with the media and officials.
Contrary to common perception, one need not be an elected official to make a change in government action. Grassroots organizations have learned this lesson very well. Distinguishing themselves from the large funded advocacy groups that participate in issues at a multitude of locations across the globe, a grassroots organization originates in the community where common concern has been identified and impacts the community.

Citizen groups can band together financially and symbolically to have a big impact on the policies that affect the communities in which they live. Technology has and will continue to make organizing these grassroot communities easier and better informed. Working in groups is the key to a grassroots movement.

Often, when faced with the potential for new potential polluters locating into an area, local opponents object in opposition to the perceived adverse impact. This opposition of "Not In My Back Yard" (NIMBY) is a localized example of a grassroots movement. The perceived adverse impact, real or overstated, serves as a call to action, and public opposition has stopped many planned projects. The question of acceptable risk varies in direct proportion to the distance of our homes from hazardous waste facilities, nuclear power plants, etc. The public's confidence in the decisions of government and business has diminished.

This has created a crisis in American politics. The conventional public policy process, from the smallest community up through the states and federal government, has been rendered incapable of effectively balancing needs for growth, development, and facility siting with those of health and environmental protection for current and future generations. (Mazmanian, 1987, p. 127)
Dramatic Events and Policy Formation

Another explanation of environmental policy formation involves a dramatic event. Over the years there have been several notable environmental events that have led to environmental policy by forcing the issue to the attention of the public.

A well-known dramatic event was the first "Earth Day" in April 1970. As has been discussed previously, the message from the public support of the Earth Day celebration sent a clear signal to public policy makers that environmental concerns were public concerns. A flurry of federal legislation followed the 1970 event.

In 1978, the Three Mile Island nuclear release led to a requirement by the Nuclear Regulatory Commission that expanded the community reporting requirements. The 1980 environmental disaster known as "Love Canal" in New York and the "Valley of the Drums" in Kentucky were driving forces behind the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund). And, in 1984, the release of methylisocyanate in Bophal, India inspired the Superfund Amendments Reauthorization Act.

Other recent environmental issues that have received media attention include ethylenedibromide in baking flour, alar used to spray apples, Chernobyl, and the Exxon Valdez tanker accident. In each of these dramatic cases, some form of policy response has followed.

Dramatic events will continue to shape environmental public policy as public policy makers attempt to correct regulatory deficiencies and prevent additional incidents.
Unfortunately, legislative response to perceived environmental problems may not adequately address the root cause of the disaster or may be inadvisable responses to minimal risks.

Environmental Policy by the Elite

Environmental activists are generally stereotyped as belonging to the affluent class. However, studies of the electorate in California (Freid, 1976) and political participation (Mohai, 1984) cast doubt on the stereotypical view.

The stereotype of affluence does not necessarily apply to the electorate when we consider that the greatest beneficiaries of pollution control would be inner city poor. In the California study (Freid, 1976), the independent variables of population density, race, age, income, education, and political party affiliation are analyzed to test the contention of elite intervention. In the California study, the electorate spanned the socioeconomic spectrum and consistently found that environmental salience includes more people than we would expect from only stereotypical environmental activists.

Mohai (1984) suggests that environmental concern is broad-based in our society. Nevertheless, environmental activists are disproportionately drawn from the upper-middle class. "If environmental activism is linked to socioeconomic status, but environmental concern is not, then that activism must be due to factors other than a unique concern for the environment by the upper-middle class" (p. 836).
Mohai (1984) successfully argues that environmental activism is primarily the result of the upper-middle class's greater access to the resources necessary to affect change. In addition, those without the necessary resources to affect political change become discouraged.

Thus the upper-middle-class link with environmental activism can be seen as a link between that class and the factors of political activism rather than a link between the upper-middle class and environmental concern as has often been asserted by past literature and popular belief. (Mohai, 1984, p. 837)

Environmental Public Policy Implementation

Policy implementation refers to what happens to policy laws after they are adopted by legislation or other decision makers. The largest portion of the implementation stage is concerned with the administrative agencies. The Environmental Protection Agency (EPA), courts and individual states are involved with environmental policy implementation.

Environmental Protection Agency and the Promulgation of Regulation

Although a number of agencies play a role in the implementation of environmental policy, the Environmental Protection Agency (EPA) is the one with the greatest responsibility. Most implementation efforts focus on promulgating the specific regulations.

The EPA was created with the passage of the National Environmental Policy Act in 1969, signed by President R. Nixon, and reports directly to the Office of the President.
The EPA was created on the recommendation of the Ash Council. The Council was a group composed primarily of business executives charged with streamlining government. It is ironic that a commission charged with streamlining government recommended what is now the largest government agency in personnel and budget. A considerable amount of posturing and political intrigue occurred behind the scenes prior to the formation of Agency. Nixon's support for the formation of the Agency may have been a pre-emptive political strategy to counter the support being garnered by Democratic adversaries Edmund Muskie (D-Maine), John Dingle (D-Michigan) and Henry "Scoop" Jackson (D-Washington). Nevertheless, President Nixon is given singular credit for the creation of the EPA (Quarles, 1976, p. 14).

The EPA has responsibility for four main environmental areas: air quality, water quality (surface and ground), solid and hazardous waste, and pesticides. Pesticide activities are restricted to licensing rather than regulation, and groundwater regulation is still in its infancy. Hazardous wastes have been the subject of much regulation and public concern. However, clean-up methods and their success are difficult to measure. By contrast, air and surface water quality goals and measurements are well established.

The first Clean Air Act (CAA) was passed in 1963 to provide grants to air pollution control agencies around the country. The initial legislation was largely ineffective in the early stages as air pollution problems were growing faster than federal, state, and local efforts could control them.
In 1965, Congress amended the Act to add the Motor Vehicle Air Pollution Control Act, which authorized Federal emission standards for new vehicles. In 1967 amendments gave authority to the federal government to adopt emission control regulations in areas that had air pollution problems.

In 1970, major revisions were made to the existing legislation that totally restructured the federal and state relationship. While continuing to look to the states for regulatory enforcement, Congress provided the newly created EPA with the authority to set minimum air quality levels that each state must achieve.

Section 108 of the 1970 Act required the EPA to publish a list of pollutants determined to have adverse effects on public health or welfare. Section 109 of the law required the establishment of National Ambient Air Quality Standards (NAAQS) for all pollutants identified under Section 108.

There are two types of NAAQS referred to as "primary" and "secondary." A primary standard is set at a level which allowing for an adequate margin of safety will protect public health. A secondary standard protects the public welfare encompassing all aspects of the environment other than human health, e.g., soil, vegetation, animals. NAAQS exist for particulates, sulfur dioxide, ozone, carbon dioxide, nitrogen dioxide, and lead.

Section 110 provides a structure under which the state and local governments are expected to establish the regulatory framework required to achieve the NAAQS. The states are required to submit State Implementation Plans (SIPs) to the EPA for approval that are design to comply with the federal NAAQS.
In 1974 EPA promulgated regulations designed to prevent significant deterioration (PSD) of air quality in areas where ambient standards were already being met. And Section 111 provided for new source performance standards (NSPS). The NSPS are technology-based standards that are nationally applicable regardless of the quality of air where the source is located.

Section 112 provided for national emission standards for hazardous pollutants (NESHAPs) based on health protection. NESHAPs applied to both new and existing sources. NESHAPS are written for asbestos, benzene, beryllium, mercury, radionuclides, vinyl chloride, coke oven emissions, and inorganic arsenic.

The Clean Air Act Amendments of 1977 amended the previous Act, postponed the deadlines for compliance with auto emission and air quality standards, and set new standards for prevention of significant deterioration in clean air areas. Then in 1990, the Act was again amended with major additions to address the concerns of nonattainment areas, mobile sources, air toxics, and acid rain.

The Clean Water Act (CWA) of 1972 was passed by the Congress over the veto of President Nixon. The 1972 Act was a recodification and revision of federal water pollution control law. Prior to the 1972 Act, the states were charged with protecting the health and welfare, and water quality through adoption of water quality standards. The Act of 1972 was a major improvement over previous water related legislation such as the Rivers and Harbors Act "Refuse Act" of 1899, which protected navigation, and the 1948
Federal Water Pollution Control Act, which delegated responsibility for water pollution to the states.

The 1972 Act sought to establish both water quality standards and effluent limitations. This approach proved reasonably effective but was amended in 1977 to help focus on toxic or "priority" pollutants. In 1978, the Congress again revised the Act to cover accidental releases of hazardous pollutants.

The federal-state regulatory program, as established under the amended Act, has a statement of goals and objectives and a regulatory mechanism to achieve these goals. The objective of the Act, Section 101, is to "restore and maintain the chemical, physical and biological integrity of the nation's waters." The goals were to (a) achieve a level of water quality which "provides for the protection and propagation of fish, shellfish, and wildlife and for "recreation in and on the water," and (b) eliminating the discharge of pollutants into U.S. waters.

The mechanism for achievement of the goals and objectives is a system for imposing effluent limitations on discharges from point sources. A point source is a clearly defined discharge point, typically the end of a pipe. A permit program entitled the National Pollutant Discharge Elimination System (NPDES) was implemented requiring dischargers to disclose the volume and nature of their discharges. The NPDES program allowed the EPA to specify discharge limits, impose self-monitoring and reporting requirements, and authorized enforcement penalties. Anyone discharging pollutants into the waters of the United States was required to have an NPDES permit.
In 1987 the Congress passed the Water Quality Act that reauthorized the Clean Water Act and enlarged its scope by including "non-point source" discharges. These non-point sources include storm water run-off from agricultural and urban sites, construction sites, land disposal operations, mining operations, and industrial plants.


In 1976, however, the Congress enacted the Resource Conservation and Recovery Act (RCRA). RCRA greatly expanded the government's role in the management of solid and hazardous wastes. The major emphasis of RCRA is contained in Subtitle C and covers those wastes that are considered hazardous. Wastes are deemed hazardous if they are characteristically hazardous or listed as hazardous. A characteristically hazardous waste would display defined levels of flammability, reactivity, corrosivity, or ignitability. Additional wastes can be added to the list of hazardous wastes upon the initiatives of the EPA, a state governor, or citizen suit.

Once a waste is determined as hazardous, then a cradle-to-grave responsibility is established between the generator of the waste and its ultimate disposal and residual
effects. This relationship can not be severed or transferred and has the impact of forcing accountability on the generator. All generators and treatment, storage, and disposal facilities (TSDFs) are covered by Subtitle C of RCRA.

In 1980 Congress passed the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The 1980 action authorized the government to respond to hazardous waste emergencies and to cleanup chemical dump sites. The Act created a $1.6 billion "Superfund" to cover the costs for cleanup.

In 1986 Superfund was reauthorized, hence the name Superfund Amendments Reauthorization Act (SARA). SARA provided an addition $8.5 billion to cleanup the nation's most dangerous abandoned chemical dumps, set strict standards and a timetable for cleaning up such sites, and required industry to provide local communities with information on hazardous chemicals used or emitted.

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) was predated by the 1910 Insecticide Act. However, due to the insignificant use of pesticides before World War II, regulation was a low priority. After the war the use of pesticides grew rapidly, resulting in benefits to health and agricultural production. In response to the increased usage, the Congress enacted the more comprehensive Federal Insecticide, Fungicide and Rodenticide Act of 1947. The Act required that pesticides distributed within the U.S. be registered with the U.S. Department of Agriculture (USDA) and required an elementary labeling provision.
In 1964 and again in 1966, the USDA tightened the restrictions and control over pesticide usage and registration. In the late 1960s environmental groups filed numerous law suits demanding the suspension of pesticides such as DDT and the herbicide 2,4,5-TP Silvex.

Due to the creation of the EPA in 1970, a greater emphasis on pesticide and herbicide usage was eminent. EPA's first policy determination is remembered as the 18th of March Statement. The ruling was the "Statement of the Reasons Underlying the Decision on Cancellation and Suspension" of DDT, 2,4,5-TP Silvex, and Aldrin-Dieldrin. The order stated that registration of pesticides would no longer be given only a cursory review and ruled that the proof of product safety rested with the chemical manufacturer. The FIFRA was again amended in 1972, 1975, and 1978. Through the historical development of the FIFRA, there has remained the intent of the EPA to transfer responsibility to the individual states, while at the same time retaining overall jurisdiction and veto power.

Environmental Policy by the Judiciary

The judicial branch has played a major role in the development and implementation of environmental policies in America. This reflects the unique role of the courts in the U.S. political system and a cultural tendency to turn every dispute into a legal one. It also reflects the scientific complexity of environmental policy, inevitably characterized by conflicting evidence and disputes among experts. The institutional capacity of the courts to rule on technical controversies have been widely questioned, but no consensus on alternative procedures for resolving them has emerged. (Wenner, 1990, p. 206)

Frequently disputes arise as to the intention of environmental legislation that must be resolved in the courts. Therefore, judges are effectively making environmental policy by
statutory interpretation and enforcement of existing law. It has been argued that judges
are uniquely unsuited for this task and responsibility due to their lack of environmental

Prior to 1970 and the environmental movement, the primary recourse to the effects of
environmental pollution was through common law and concepts such as trespass and
personal injury. Parties injured by environmental pollution were required as plaintiffs to
demonstrate that the alleged injury was the direct result of a particular polluter. The
concept of "standing" meant that the courts could only hear cases where the party
bringing the suit had suffered a clear injury or damage. These legal concepts were
essentially ineffective in addressing the cause of the environmental problem for several
reasons. First, plaintiffs had tremendous difficulty in proving singular responsibility for
the damage or effect. And second, assessed damages alone failed to prevent the
recurrence. Many polluters found it more cost effective to simply pay the damages and
continue the activity.

As common law proved a weak deterrent to environmental pollution, proponents of
resource conservation and pollution control turned to public law. Rather than depending
on the threat of legal action after pollution has occurred, statutory law prohibits the act
from happening in the first place. Shifting the legal recourse away from private law into
the arena of public law caused the policy-making process to focus on prevention rather
than remediation as corrective tools. No longer was redress between individuals and
polluters but rather between the government and polluters. The number of statutory laws
following 1970 has grown steadily since the passage of the National Environmental Policy Act.

The courts have become more involved over the years in resolving the inconsistencies and ambiguities of statutory law. Judges have in effect assumed roles of legislators and administrators in implementing environmental law.

Public law critics argue that courts should refrain from making public policy because they are a undemocratic, unelected branch of government and hence not responsive to the people. Judges, these critics argue, should only adjudicate private law cases and individual disputes: they should keep out of general policy making, which should be left to the democratically elected representatives of the people or to experts in the administrative agencies. (Wenner, 1990, p. 192)

However, these concerns about judicial intervention are overstated because judicial decisions do impact potential litigants and effect their behavior. Judges deal with the matters of technical uncertainty not because they wish to impose their position over other policy makers, but rather because others have been unable to resolve the problems themselves. Although federal judges are unelected, so too are the technical administrative experts in the administrative agencies. Courts may in fact increase the democratic participation, rather than restrict it, by countering the tendency to turn too much authority over to the bureaucratic state.

Many third party groups, specifically environmental groups, have used the expanded role of the courts to force agencies to comply with legislative intent. The threat of litigation has been used to force compliance, compromise, and negotiation.
State Primacy and the New Federalism

During the 1980s, decentralization and increasing emphasis on states' rights shifted significant environmental authority from the federal level to the state level. The label "New Federalism" was associated with this shift and President Reagan's term in office. It has been said that the most important innovations in environmental protection are now occurring at the state level (Shabecoff, 1989).

The objective of the Reagan administration's policy was to force the states to assume more control for local environmental programs. States would be forced to make the difficult choices about which programs to keep and which to postpone or discard. In a fashion, public pressure would force state decision makers to act according to localized policy preferences. Relative to the overall capabilities of the various states, each is more or less capable of managing the new assumptions of power. States vary substantially in their commitment to environmental protection policies and in their ability to carry out effective environmental programs.

The 1980s represented a shift to the "new federalism" and states' rights. Throughout President Reagan's watch, environmental programs were decentralized and authority transferred to the states. Reagan's top two appointments in the environmental area, Ann Burford, EPA Administrator, and James Watt, Interior Secretary, had strong opinions that environmental programs were too centralized and regulation too stringent. During this time, the EPA budget for environmental programs was cut by 41% and the
individual states were left to make up federal funding deficiencies in order to remain in compliance.

In response to the federal devolution of authority and funding, the states quickly filled the void and responded by enacting environmental programs exceeding federal requirements.

Environmental Public Policy Impact

Once the public policy has been implemented, it is analyzed for its anticipated or unanticipated impacts.

Financial Costs of Environmental Policy

Currently, the United States spends approximately $100 billion annually for the control and remediation of pollution. This expenditure represents approximately 1% of our country's gross national product. By comparison, the U.S. is estimated to have spent $900 billion on health care in 1993. By the year 2000, it is estimated that the United States will spend $160 billion on environmental pollution control. In 1976 expenditures for pollution control rose to their highest level at 2% of GNP (Conservation Foundation, 1987, p.23).

Between 1972 and 1980, environmental expenditures grew at an average rate of 4.7% and then slowed to a rate of 0.8% between 1980 and 1984. During the years between 1972 and 1984, the expenditures were roughly evenly divided between air (42%) and
water (42%), with the remaining money spend on solid waste problems. During the later 1980s, expenditures for environmental pollution control declined as a percentage of GNP.

Budget deficiencies on the federal level have forced the states to take a greater role in funding pollution control programs. At the same time, the federal government continues to pass legislation and promulgate regulation that mandates environmental expenditure. In many cases, state failure to achieve environmental goals established by the federal government jeopardizes federal funding for highways which in turn has a negative impact on a state's economic growth. Clearly, the reality of limited financial resources and competing priorities is evident.

Environmental Policy and a Cleaner Environment

The object of environmental legislation, regulation, and enforcement is to eventually have a clean and protected environment.

Environmental initiatives have generated conflict, compromise, and delay, but significant progress has been made in several areas. Between 1977 and 1986, emissions of suspended particulates decreased by 64%, sulfur dioxide by 21%, and lead by 94%. These reductions are similar in the reductions seen in carbon monoxide and VOCs. Atmospheric concentrations have also declined as a result of decreased emissions. For example, particulate concentrations are down by 23%, sulfur dioxide by 37%, lead by 80%, and carbon monoxide by 40% (Council on Environmental Quality, 1989).
The progress of water quality has also been positive, although less dramatic. Industrial discharges of the traditional pollutants have decreased by more than 70%, while publicly owned treatment works (POTWs) have smaller, but encouraging, reductions (Council on Environmental Quality, 1989). In contrast to these advances, the discharges of nontraditional toxic effluent have increased.

The progress in air and water quality has typically been measured by concentrations of the traditional pollutants. In the case of air quality, sulfur dioxide, particulates, and automobile-related pollutants are considered as the traditional pollutants. In the case of water quality, suspended solids, coliform, and oxygen demand the traditional measures of pollutant loading.

The regulatory efforts of the early legislation to address the problems of the traditional pollutants have been relatively successful. However, these accomplishments should be considered relative to the changing nature of the United States and its shift from an industrialized society to a society based more and more on information technology.

Future responses to environmental concerns will increasingly focus on nonconventional pollutants and global interrelatedness. Non-point source emissions, acid deposition, global climate change, toxic emissions, nuclear waste, biodiversity, population growth, and energy usage are areas for additional environmental concern.
International Environmental Issues

Held June 3rd through the 14th, 1992 in Rio de Janeiro was an unprecedented gathering. The United Nations Conference on Environment and Development (UNCED) attracted representatives from 178 countries. The conference was largely the result of Maurice Strong, a Canadian with extensive ties to the United Nations, as a follow-up to the Stockholm Conference on the Human Environment held 20 years earlier (Harrison, 1992, p. 2).

Main subjects of discussion for the conference included an "Earth Charter," an agreement for principles of environmental protection, "Agenda 21," a blue print for environmental action in the 21st century, and legally binding conventions on issues of biodiversity, forestry, and global climate change. The Earth Charter, also known as the Rio Declaration, outlines 27 principles of environmental responsibility and embraces the concepts of sustainable development as a balance between economic growth and environmental protection. Agenda 21 is a nonbinding document with specific action items to guide environmental activity. The agreement of the participating countries to embrace the concept of sustainable development is perhaps the most significant achievement of the conference. United Nations (UN) Secretary General Boutros-Gali is very involved with the oversight and coordination of the UN Commission for Sustainable Development that is charged with facilitating the objectives of Agenda 21.

The conference and discussions highlighted the differences between the developed and developing countries. Developing countries complained that developed countries were
only interested in environmental protection and not economic development. Most of the developed countries favored a treaty on forest protection but developing nations rejected it on the grounds of national sovereignty. Most of the countries supported the treaty on forest protection except the U.S., which believed that signing would retard the advances in biotechnology made by pharmaceutical companies.

The European Community (EC) criticized the U.S. for refusing to sign several treaties. It may be that there is a struggle for control of international environmental regulation between the unified body in Brussels and the leadership position of the U.S. in environmental protection. Greenpeace and the Natural Resources Defense Council (NRDC) complained that the conference fell short of their expectations and leveled charges of "greenwash" against companies who were seen as only giving lip-service to environmental issues.

In an effort to monitor the progress of the agreements reached in Rio, several reporting groups have been formed. The UN Commission on Sustainable Development reports to the UN directly and an independent organization, the Earth Council, will be based out of Costa Rica and hold meetings around the world to monitor progress toward conference agreements. The American delegates to the conference have indicated they will introduce legislation to congress that would create a "Rio Commission" to monitor the progress in the U.S. and other countries.

Conference agreements on the issues of global climate change, deforestation and biodiversity were signed by most of the participating countries. On the issue of
population and consumption control, no notable agreements were reached. The developing countries blamed the developed countries for the bulk of the pollution and environmental degradation and suggested that population produced only a negligible effect on global environmental degradation.
Chapter III
Methodology and Design

Population and Sample for the Study

The target population is the citizen base of North Carolina. As citizens, North Carolinians are ultimately impacted by state-wide legislation.

The sample participants for this study were randomly drawn from a convenient group of North Carolina residents. Specifically, a 1500 employee organization located in Catawba County, North Carolina was the primary data-base from which to sample. The choice of the sample population was assumed to represent the socioeconomic and demographic population of North Carolina. Data were collected to verify this assumption that includes, but is not limited to, the parameters of age, gender, race, education, and income. From the company’s employee list, 33 percent of the employees were randomly selected for a total sample size of 500.

Instrumentation

The primary objective of the intended research was to understand and relate the goals of citizens to the actual performance of state legislators on environmental issues. The type of information necessary for this research was categorized as biographic and personal opinion of respondents on environmental issues, environmental data on
legislative activity, and data on environmental quality indicators. A questionnaire was developed to obtain the data on biographic and the personal opinion of respondents.

Validity and Reliability of the Survey Instrument

Validity

Validity is concerned with whether the questionnaire as designed actually measures what one intends to measure. Different social scientists assign a variety of names to the concept of validity.

Validity generally refers to whether a specific measurement provides data that relate to commonly accepted meaning of a particular concept. When using a questionnaire format for measurement purposes the questions should be commonly understood and elicit similar mental pictures. Valid sampling measurements should also cover the range of possible responses. Validity was measured by consulting with a number of persons within the sample to solicit agreement on survey form prior to distribution. Significant or consistent suggestions to modify the questionnaire were addressed and the changes implemented prior to actual use of the questionnaire.

Reliability

Reliability is an indication of the extent of variable errors inherent in the measuring instrument. Inaccuracy of measurement is dependent on many factors. The inaccuracy may be due to measurement error, system bias, or inconsistent conditions. However,
when making multiple measurements of consistent objects the degree of variability between measurements is a measure of reliability.

The most obvious way to measure reliability is to administer the same test to the same population on two different occasions and apply correlation techniques between the two samples. However, when traits or opinions are in flux and undue time lapses between the first and second administration of the test, the test-retest approach is inappropriate. The test-retest approach would also be inappropriate if the administration of the test affected the responses of the second round.

For the intended research, a coefficient alpha (Cronbach Alpha) will be used to determine instrument reliability. The coefficient alpha, in this case, measures the internal consistency of the questionnaire. Internal consistency between survey responses is indicative of reliability. When using the coefficient alpha to measure reliability, a single administration of the test is sufficient. A full discussion of the Cronbach Alpha Correlation Coefficient and its use in determining reliability can be found in Psychological Testing by Anne Anastasi (1982, p. 248) or Measurement and Evaluation in Education by William Mehrens (1991, p. 102).

Reliability of the Survey Instrument. The inferential nature of the current research does not rely heavily on traditional statistics and does not lend itself to the common statistical relationships normally associated with independent-dependent relationships involving hypothesis testing. However, the survey instrument and responses were tested
for reliability using a Cronbach Alpha correlation coefficient for survey responses. The Cronbach Alpha is a more general form of the Kuder-Richardson formula 20 coefficient.

The Cronbach Alpha correlation coefficient is appropriate when measuring internal consistency and the uni-dimensional reliability of a survey instrument. However, the entire survey was not designed to measure a uni-dimensional characteristic and therefore the concept of reliability for the entire survey instrument is not a relevant concept. Consequently, to assess reliability the survey questions were divided into subscales that were generally believed to lie along the same opinion dimension. The survey questions were broken down into the following five subscales. Namely,

Subscale 1: Perceptions of the Local Environmental Conditions (Q8, Q9, Q13, Q15, Q16, Q18)

Subscale 2: Economics of Environmentalism (Q6, Q7, Q12R)

Subscale 3: Responsibility for Environmental Problems (Q4, Q5R, Q10R, Q29)

Subscale 4: Politics, Legislation and Regulation (Q1, Q2, Q3, Q11, Q14, Q17R, Q28R)

Subscale 5: Demographics (Q19-27, Q30, Q31).

Many of the 31 survey questions allowed responses on a five-point Likert scale format. Where necessary the survey responses were reversed for dimensional consistency. Responses were reversed for survey questions 5, 10, 12, 17, and 28. The Cronbach Alpha coefficient was then calculated individually using SAS for Subscales 1-4 as follows:

\[
\alpha = \frac{n}{n-1} [1-(\text{sum of item variances/total test variance})]
\]

where \( n \) = number of items.
The results of the Cronbach Alpha calculation indicate a strong correlation along the Subscale 1 dimension, a medium degree of correlation along the Subscale 2 dimension, and weak degree of correlation along Subscales 3 and 4. A full display of the statistical output is found in Appendix 5.

<table>
<thead>
<tr>
<th>Subscale #</th>
<th>Cronbach Alpha Correlation Coefficient</th>
<th>Strength of Correlation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.73</td>
<td>strong</td>
</tr>
<tr>
<td>2</td>
<td>0.54</td>
<td>medium</td>
</tr>
<tr>
<td>3</td>
<td>0.27</td>
<td>weak</td>
</tr>
<tr>
<td>4</td>
<td>0.26</td>
<td>weak</td>
</tr>
</tbody>
</table>

The results of the Cronbach reliability coefficient are based on a relatively small number of survey responses. The response rate was typical of opinion surveys at 23.2% (116 surveys) returned from the initial mailing of 500. However, these results are significant at the 0.05 level of significance and indicate that the responses received from the survey respondents are consistent. Therefore, the question of survey reliability has been tested and is considered satisfactory.

Demographic and Personal Opinion Data

In soliciting the opinions of the sample group, a questionnaire was developed. The questionnaire sought to obtain respondents' personal opinions and demographic information. A copy of the questionnaire is found in Appendix 1. The questionnaire is an obtrusive quantitative measure of citizen concern. The questions were developed by the researcher using previous national opinion polls as the guiding documents for
questionnaire construction. These polls were conducted by the Council for Environmental Quality (1980), Roper (1990), Gallup (1990), Gerstman and Meyers (1992), and Cambridge Energy Research Associates (1992).

In addition to routine demographic questions, a major portion of the questionnaire was developed as a Likert-type scale with a five-point forced answer format. The fixed points of the scale ranged from expressions of "Strongly Agree" to "Agree," "Neither Agree or Disagree," "Disagree," and "Strongly Disagree."

For data on personal opinion of respondents on environmental issues, 500 employees were sent a questionnaire designed to obtain both limited demographic information and personal opinion regarding environmental issues. The questionnaire was mailed to the randomly selected sample through the regular U.S. mail system. Along with the questionnaire, a cover letter was sent explaining the purpose of the questionnaire, instructions and implications. Additionally, the package had a self-addressed and pre-stamped return envelope. In an effort to ensure a high return, the survey forms were coded so that, if necessary, a second mailing could be sent.

Environmental Data on Legislative Activity

The data on the legislative activity of the State's representatives and senators is available through several avenues. Sources of information included the North Carolina Legislative Library and the Institute of Government. Data on legislative activity is presented in Appendix 3, Environmental Legislation.
For the data on environmental legislative activity, available records were gathered from a review of legislative initiatives introduced in the North Carolina House of Representatives and the North Carolina State Senate. These data were obtained from the legislative library, reviewed, and environmental legislation recorded. In addition, a record was made of the actual bills that have been ratified. The record review was conducted for the past 10 years, 1985 to 1994, and constituted a quasi time-series review of existing publications.

**Data on Environmental Quality**

The environmental quality evaluation was obtained from the State's lead agency on environmental issues and enforcement, the Department of Environment, Health, and Natural Resources. The requested data covered a 10 year period, between 1985 and 1994, and addressed air quality, water quality, and solid waste management.

Additional sources that were reviewed for environmental information included the North Carolina Office of Environmental Statistics, the Institute of Southern Studies, and the Institute for Research in Social Science. The data that were obtained from these various sources varied in quality, completeness, and form. A complete discussion of the data is presented in Chapter IV, Results.

For environmental quality indices and as a corollary to the study, environmental quality data was obtained from the State's Department of Environment, Health and Natural Resources, the government body responsible for environmental protection. The
State's evaluation of air quality, water quality, and solid waste management was accepted as accurate measures of the status of the environment in North Carolina. On the basis of the information gathered from the State, a time series analysis was also conducted to determine environmental air quality trends. Data on water quality and solid waste disposal were limited and did not allow for trend analysis.

**Statistical Analysis**

In performing the statistical analyses, a prewritten and generally accepted statistical package was utilized. Specifically, the Statistical Analysis System (SAS) was used.

SAS is a common statistical package and includes a wide variety of user-friendly software. Techniques for classifying data, graphing, parametric and non-parametric statistical analysis of data are available with the use of either of these two packages. Typical statistical descriptors such as mean, median, mode, frequency tables, variance, standard deviation, coefficient of variation, regression analysis and graphical displays were applied as appropriate to the data and research objectives.

In reference to the first set of data, environmental public opinion survey results, the returned survey responses were coded and stored in fixed format form for statistical analysis. As a preliminary measure, frequency distributions were generated for each variable.

In reference to the second set of data, legislative record, the data gathered were in several forms. Information of interest included, but was not limited to, the number of
bills introduced in the legislature and the number of bills ratified. In analyzing the information a 10-year analysis was conducted.

In reference to the third set of data, environmental quality indices, the environmental quality indices were tabulated and plotted to indicate any time series trends. In preliminary discussions with the State it appeared that this type of information was not available from any single department. Data on air quality were obtained for the years 1972-1993. Data on water quality were obtained for the years 1986-1991. And, data on solid waste disposal were obtained for the years 1990-1993. The obtained data was the most current and extensive information available. The environmental air quality indicators considered measurements for nitrogen oxide, ozone, lead, particulates, sulfur dioxide, and carbon monoxide. The environmental water quality indicators considered the classification status of lakes, reservoirs, streams, rivers, estuaries, and sounds. The environmental solid waste quality indicators were primarily concerned with volume and weight of solid waste going to non-hazardous waste landfills. Nonconventional environmental indicators such as water toxicity, hazardous waste and radiation were not used to determine environmental quality due to the insufficiency of data.

The acceptance of the first research proposition, (P:1) North Carolina citizens have a high degree of concern for the environment, was based on the statistical indicators explained above under public opinion survey results. A high degree of concern for the environment would be evident when the survey results equaled or exceeded the national concern expressed in the opinion surveys detailed in the Literature Review section.
The acceptance of the second and third research propositions, (P:2) Citizen concern is reflected in the elected state Representatives' and Senators' introduction of environmental legislation, and (P:3) Citizen concern is reflected by the passage of environmental legislation, was based on the strength of correlation between the amount of legislative activity and citizen concern. For illustrative purposes, if environmental concern is verified in proposition number one (P:1) and the magnitude of environmental legislation shows a steady or increasing trend over a five year time-series analysis, then an implied positive relationship exists between citizen concern and environmental legislation. Strict statistical comparison between citizen concern and legislative activity is not possible since the comparison is between a single static cross-sectional measure of opinion and a time series look at the legislation. In addition, the survey results are considered ordinal measures of citizen opinion whereas the legislative activity is considered essentially nominal. However, this was the best choice open to the researcher given the limitations of time and resources.

The acceptance of the fourth research proposition, (P:4) The environmental quality has improved as a result of citizen concern and enacted regulation, was based on using the standard analytical tools available to plot, correlate, and analyze the data on environmental quality indices. A steady trend in the improvement of North Carolina's environment would be considered a sufficient condition for accepting the fourth research proposition. The acceptance of propositions P:2 and P:3 would be necessary prior to accepting that citizen concern and enacted regulation leads to improved environmental
quality. Otherwise, an improvement in environmental quality could be attributed to any number of extraneous factors.

Summary

The research was designed to answer the assumed relationship between citizen concern about environmental issues and legislative initiatives introduced in response to citizen concern. The sampling techniques were guided by the methods typically used in social science research, public policy analysis, and research involving correlations and causality.

This research addresses a significant social issue of our time. Of interest are environmental protection, environmental quality, and the formation and effectiveness of the legislative process in solving these complex problems. The results are available to all interest groups for use toward positive social change.
Chapter IV

Results

Description, Comparison, and Discussion

This chapter describes the results of the study, compares opinion survey results with the results of the national surveys covered in the literature review and provides a brief discussion of the salient features.

Demographics

The survey questions were used to determine demographics and verify respondent representativeness. The demographic responses are shown in Figures #1 - 9. There were no surprises in the demographic characterizations.

For the most part, the demographics of the survey population reflect the state and national level demographics. However, there were three noticeable differences in the survey population. Namely, 93% of our respondents were white, 81% of our respondents were male, and 50% of our population were Republicans. Statewide averages are 76%, 48%, and 17% respectively. (Otterbourg, 1993, p.42) Besides the three demographic differences, all of those surveyed were employed. North Carolina's unemployment rate is approximately 4% and any bias introduced by failing to sample the unemployed is considered negligible.
Established thinking would not expect environmentalism to have the highest priority with white-male-Republicans and tends to lend additional credibility to the strength of the environmental awareness for the average North Carolinian. The high degree of environmental concern among the sample population gave additional credibility to the high degree of environmental concern we would expect to see across the citizen base of North Carolina.

Figure #1
Environmental Issues Survey Question 19

What age group are you in?

![Age Group Distribution](image)

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Figure #2
Environmental Issues Survey Question 20
What is your sex?

- Female: 18.6%
- Male: 81.4%

Figure #3
Environmental Issues Survey Question 21
What is your race?

- Black: 2.7%
- White: 92.9%
- Hispanic: 0%
- Asian: 1.8%
- Other: 2.7%
Figure #4
Environmental Issues Survey Question 22
What is your annual income?

Figure #5
Environmental Issues Survey Question 23
What is your marital status?
Figure #6
Environmental Issues Survey Question 24
Are you a registered voter?

- Yes: 89.1%
- No: 10%
- Unsure: 0.9%

Figure #7
Environmental Issues Survey Question 25
What is your political affiliation?

- Republican: 50%
- Democrat: 28.7%
- Independent: 13%
- Other: 3.7%
- Unsure: 4.6%
Figure #8
Environmental Issues Survey Question 26
What was the last grade of regular school that you completed — not counting specialized schools like secretarial, art or trade school?

Figure #9
Environmental Issues Survey Question 30
How long have you lived in North Carolina?
Public Opinion

In order to verify Proposition 1: *North Carolina citizens have a high degree of concern for the environment*, a survey was distributed to a randomly selected group of 500 employees of a North Carolina manufacturing operation. Only 116 completed surveys were received from the initial 500 mailed, for a survey response rate of 23.2%.

Public opinion of the respondents is clearly in favor of environmental protection and against any candidate who does not support environmental quality. The overall results of the survey indicate that respondents support environmental quality. The strength of the support equals, and in many cases exceed, the national average for environmental protection. It is apparent from the survey results that support for environmental protection is firm across demographic classifications.

The results of the survey are categorized to help understand the data. The survey questions and responses are separated into the following categories of (a) Perceptions of Local Environmental Conditions, (b) Economics of Environmentalism, (c) Responsibility for Environmental Problems, (d) Politics, Legislation and Regulation, and (e) Demographics. The results of the survey instrument are compared, where appropriate, to previous national polls and interviews.

**Perceptions of Environmental Conditions.** Several survey questions were designed to solicit an understanding of the general perceptions that North Carolinians have toward their local environment. In a real sense, the personal assessment of local environmental conditions can generate citizen concern or complacency. The perceived "severity" of the
environmental problem may be used in explaining environmental effort in the state. The results of the survey responses are displayed graphically in Figures #10, 11, 12, 13, and 14.

In the areas of solid waste, water and air quality, survey responses are compared to the responses from the Roper survey results of 1990 (Roper, 1990). The response choices in the Roper interviews to questions on local environmental quality differed from the response choices of the North Carolina survey instrument. Specifically, when asked to rate the local environment in the Roper survey, respondents could choose the response categories of excellent, good, fair or poor. In the North Carolina survey a five-point Likert Scale was used to measure the strength of agreement to statements on the quality of the local environment. For this reason, caution is used in drawing direct comparisons between the two. Nevertheless, comparisons are made in order to gauge North Carolina citizen concern on the landscape of national opinion.

When asked about the quality of local solid waste disposal facilities (Figure #10), slightly less than 25% of respondents agreed that local facilities are excellent. In the Roper report, 3% of the respondents gave local solid waste facilities an excellent rating and 41% rated the local facilities as good. North Carolinians appear more convinced than the average United States citizen that local solid waste facilities are adequate.
Similarly, local water quality is given an excellent rating by 25.8% of the survey respondents. In comparison, the 1990 Roper report indicated that only 11% of those surveyed rated their local water quality as excellent. The differences between the national average and the North Carolina response seem significant and indicative of the positive perception of local water quality. While the quality of water is rated better than
the national average, less than 1 in 4 of the North Carolina respondents believes that the quality of local water has improved over the past five years.

![Figure #12](image)

Environmental Issues Survey Question 15

Over the past five years, the quality of water in North Carolina has improved.

Local air pollution is also perceived as less of a problem than the national average. Eleven percent of the Roper respondents rated the local air quality as excellent. In the North Carolina survey 43.1% agreed that the local air quality deserved an excellent rating. While the quality of air is rated better than the national average, less than 1 in 7 of the North Carolina respondents believes that the quality of local air has improved over the past five years. The results would indicate that of all the physical mediums, the quality of local air is considered the best.
Figure #13
Environmental Issues Survey Question 13
I consider the quality of the air in this area to be excellent.

Figure #14
Environmental Issues Survey Question 16
Over the past five years, the air in North Carolina has improved.
One question (Figure #15) asked for agreement to the statement, "In five years, the local environment will be better than it is today." A large percentage, 43.1, disagreed with the statement and is evidence of the belief that environmental quality is not expected to improve. This feeling echoes the responses from the Cambridge Energy Research Associates (1992) national survey in which 46% of those surveyed agreed that the environmental quality will be worse in five years.

**Figure #15**
Environmental Issues Survey Question 18

In five years, the local environment will be better than it is today.

- Strongly Agree: 2.6%
- Agree: 14.7%
- Neither Agree or Disagree: 39.7%
- Disagree: 32.8%
- Strongly Disagree: 10.3%

**Economics of Environmentalism.** Three survey questions were designed to determine what financial sacrifices could be expected to promote environmental protection. The survey responses are displayed in Figures #16, 17, and 18.

In excess of 57% of the survey respondents agreed that they would be willing to pay an extra 5% for consumer goods if it would help protect the environment. When asked about a 10% increase in the price of consumer goods the percentage dropped to slightly
less than 32%. Also, when asked about a 10% increase, the percentage of respondents disagreeing to the statement jumped from less than 31% to more than 52%. These responses are in agreement with the national concern expressed in the Roper (1990) survey where an average of 6.6% increase in price was determined to be the threshold limit.

Figure #16
Environmental Issues Survey Question 6
I am willing to pay a slightly higher price for consumer goods, say five percent (5%), if it helps to protect the environment.

Figure #17
Environmental Issues Survey Question 7
I am willing to pay a slightly higher price for consumer goods, say ten percent (10%), if it helps to protect the environment.
The question, "If business is forced to spend a lot of money on environmental protection, it won't be able to invest in research and development to keep us competitive in the international market." was duplicated exactly from the 1990 Roper questionnaire.

In the Roper study, 25% of the respondents agreed with the statement and 9% strongly agreed. In the North Carolina study, 16.4% of the people agreed and 8.6% strongly agreed. The results are similar and reflect the feeling that the added cost for environmental protection will not damage a company's international competitiveness.

![Environmental Issues Survey Question 12](image)

It appears the public believes that economic growth and environmental protection are not mutually exclusive. Respondents believe that economic and environmental health can coexist.

**Responsibility for Environmental Problems.** Four survey questions were structured in a manner that facilitates an understanding of responsibility for environmental problems.
The responsibility for environmental pollution and environmental solutions can be seen as respondents internalize or externalize their responses.

Overwhelmingly, respondents claim to prefer to purchase recycled products. The response to question #4 (Figure #19) indicates that over 74% of those surveyed felt inclined to purchase recycled products. And, when asked in question #5 (Figure #20), who should solve environmental problems, most people included themselves as responsible for the solutions. There were 68.1% of the people who disagreed that it was a company's responsibility to solve environmental problems. This response speaks highly of the respondents and seems to indicate a willingness to accept a personal responsibility for environmental quality and environmental solutions.

Figure #19
Environmental Issues Survey Question 4
As a consumer, I prefer to purchase recycled products.

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Question #10 (Figure #21) suggested that new technology will come along to solve environmental problems. Over 61% of the respondents (Figure #21) disagreed with the suggestion. A picture of personal responsibility for environmental issues is beginning to develop within North Carolina.
Question #29 (Figure #22) of the survey was replicated from two previous national surveys (Cambridge Energy Research Associates, 1992; Roper, 1990). The question asks about contributions made to environmental groups. Of the North Carolina respondents, 21.8% belong or contribute to environmental organizations. In comparison, the Roper report indicated 27% support and the CERA report indicated 24% support. The North Carolina survey responses reflect the national proportions. As discussed earlier, environmental group strength or presence could be used to help explain environmental effort.

![Figure #22](image)

Environmental Issues Survey Question 29
Do you or anyone in your household currently belong to or contribute to an environmental organization?

Politics, Legislation and Regulation. Numerous survey questions concerned the politics, legislation and regulation of environmental issues. The responses to these questions reflect respondent views on political participation and confidence in
environmental agencies. The results of the survey responses are displayed graphically in Figures #23 - 30.

When asked, "I am satisfied with the performance of my State Representatives and State Senators on environmental issues" (Figure #23), 26.0% expressed satisfaction and 33.9% expressed dissatisfaction.

The results were evenly distributed when queried about the ability for citizens to provide input on environmental issues. Forty-four percent of survey respondents (Figure #24) acknowledged a belief that there was a great deal of opportunity to provide input. In opposition, 31.4% disagreed that much opportunity exists for issue input.
North Carolinians agreed 47.8% of the time (Figure #25) that more government regulation was needed to protect the environment but more than 51% had little faith that the regulatory agencies were capable of providing the necessary protection.
Quoting Riley Dunlap (1991),

the public tends to see business and industry-rather than individuals-as the major cause of environmental problems...As Roper puts it, "In the mind of the public, business causes most environmental problems, so the perception is that business should bear the brunt of the responsibility for addressing them. And the only way business will do so, in the public's view, is if it is required to by government." The result, Roper concludes, is that "the search for solutions...is above all an institutional affair. One institution-government-should increasingly intervene with another-business-to ensure that environmental improvements are made."

This assessment is similarly reflected in the results from our respondents.

In a clarion call, 81.9% of the survey respondents (Figure #27) expressed the opinion to vote against any candidate that would favor industrial growth at the expense of the environment. And, 56.9% of the survey respondents (Figure #28) indicated they would vote against any candidate who is not for stronger government protection of the environment. However, over 56% of the respondents (Figure #29) have indicated that
their voting preference is not determined solely by a candidate's position on environmental issues. Over 57% of those surveyed (Figure #30) considered their political ideology "conservative."

**Figure #27**

Environmental Issues Survey Question 17

I would be more inclined to vote for a candidate who favors policies that encourage industrial growth and new jobs even at the cost of environmental damage.

**Figure #28**

Environmental Issues Survey Question 11

I will vote against any candidate who is not for stronger government protection of the environment.
The question, "Do you think environmental laws and regulations have gone too far, or not far enough, or struck the right balance?" was replicated from a previous survey conducted by Roper (1990). The survey distributed in North Carolina indicated that...
15.5% of the respondents felt that environmental laws have gone too far, 53.6% felt that environmental laws have not gone far enough, and 10.9% believe we have achieved the right balance. The Roper results were 4%, 69% and 17%, respectively. Obviously, the majority of respondents feel the need for additional environmental regulation.

**Figure #31**

Environmental Issues Survey Question 28

Do you think environmental laws and regulations have gone too far, or not far enough, or struck the right balance?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Too Far</td>
<td>15.5%</td>
</tr>
<tr>
<td>Not Far Enough</td>
<td>53.6%</td>
</tr>
<tr>
<td>Struck the Right Balance</td>
<td>10.9%</td>
</tr>
<tr>
<td>Unsure</td>
<td>20%</td>
</tr>
</tbody>
</table>

**Legislation**

In order to verify Proposition 2: *Citizen concern is reflected in the elected state Representatives and Senators introduction of environmental legislation*, a legislative review of North Carolina General Assembly activity was undertaken to determine the extent of environmentally related legislation introduced in the North Carolina State House and Senate. The review of the legislative activity covered the years 1985 – 1994. Detailed information on legislative activity of an environmental nature is contained in...
Appendix 3, Environmental Legislation. The results of this review are shown graphically in Figures #32, 33, and 34. Figures #32 and #33 track bills of an environmental nature, and Figure #34 is concerned with funding (i.e., appropriations). There has been a large increase in the volume of environmental legislation over the past 10 years.

Figure #32 shows graphically a trend in environmental legislation. The review begins with the 1985-1986 legislative session and continues through the 1993-1994 legislative session. The graph tracks environmental legislation introduced in either the House or Senate of North Carolinas General Assembly. The number of bills introduced for consideration have increased more than three-fold in less than 10 years.

In order to verify Proposition 3: *Citizen concern is reflected in the passage of environmentally related legislation*, a legislative review of North Carolina General
Assembly activity was undertaken to determine the percentage of environmentally related legislation introduced by the North Carolina State House and Senate that was ratified. The review of the legislative activity covered the years 1985 - 1994. Detailed information on legislative activity of an environmental nature is contained in Appendix 3, Environmental Legislation. The results of this review are shown in Figure #33.

Figure #33
North Carolina
Environmental Legislation Ratified

Figure #33 shows graphically a trend in environmental legislation. The review begins with the 1985-1986 legislative session and continues through the 1993-1994 legislative session. The graph tracks environmental legislation ratified by North Carolinas General Assembly. The percentage of bills ratified has remained relatively constant over the last 10 years. In light of a three-fold increase in bills introduced we similarly see a three-fold increase in ratified environmental legislation.
Figure #34 shows graphically a trend in environmental appropriation legislation. The review begins with the 1985-1986 legislative session and continues through the 1993-1994 legislative session. The graph tracks environmental appropriations introduced and the number ratified in North Carolinas General Assembly. Again, it appears that percentage ratified remains relatively constant and that the number ratified is primarily a function of number introduced.

Legislative Highlights, 1989

In 1989, North Carolina reorganized several agencies that had jurisdiction over public health, environmental protection, and the States natural resources. The reorganization combined the Department of Human Resources and the Department of Natural Resources...
and Community Development into one cohesive unit referred to as the Department of Environment, Health and Natural Resources (DEHNR). The reorganization was offered for consideration as House Bill 480 (H 480).

The reorganization was supported by both environmental groups and members of the General Assembly. The new agency reduced the duplication of services and functions that were apparent in the competing agencies and allow for administrative efficiency and increased organizational capacity.

Most of the existing Boards and Commissions were absorbed into the new agency. However, the Environmental Review Commission (ERC) and the Environmental Management Commission (EMC) retained their identity and authority. The ERC is charged with the continued review of agency consolidation, monitoring implementation of the act, evaluation of DEHNR, and the study of recodification of environmental legislation.

The year's air quality legislation gave certified local programs the ability to give tax credits for the installation of pollution control equipment (S 523), strengthened the special order enforcement procedure by requiring the posting of a bond or other surety to ensure compliance (S 394), and made a few incremental changes to clarify existing legislation.

As with previous legislatures, 1989 legislation strengthened the coastal areas of North Carolina. Specifically, H 34 expanded the authority of the Coastal Review Commission (CRC) to designate areas requiring additional environmental permits under the Coastal
Area Management Act (CAMA), S 551 restricting airspace usage along the coast aimed at reducing noise pollution, and H 1203 which allows the CRC the authority to consider, in the permit application process, the civil and criminal performance history of applicants submitting sedimentation and erosion control plans. Additional coastal legislation includes measures for addressing aquaculture (S 44), beach littering (S 833), medical wastes (S 130), and offshore oil exploration (S 977).

The session introduced new laws concerning swimming pools (S 386), lead poisoning (H 690), and asbestos management (H 516). The session also addressed environmental health standards for migrant housing (S 631), natural and scenic rivers (S 4), (H 1075), and (H 1025), and soil and water conservation (H 221).

There were numerous measures in the area of water quality. H 35 addresses stormwater run-off while prioritizing the protection of shellfish waters, water supply watersheds, high quality and outstanding resource waters. DEHNR also established a stream watch program (H 673) to encourage volunteer groups to "adopt" streams for protection. Two bills (H 156 and H 157) were ratified which mandated a closer relationship between the state and local regulatory groups in managing water supply and watershed protection.

In the area of waste management, North Carolina moved forward with new laws and refinements to existing statues for both solid and hazardous waste. Many of the hazardous waste issues deal with the state relationship with the federal government and the cleanup of Superfund sites and were clarification of current legislative decision.
During the 1989 session the General Assembly also dealt with the dumping of medical waste (S 130) and underground storage tanks (H 957).

Noteworthy legislation was the Solid Waste Management Act of 1989 (S 111) which adopted a hierarchy of methods for handling solid waste. Included in this significant legislation was the requirement that local governments submit a solid waste management plan designed to meet the state's goal of 25% recycling. The act is comprehensive and has provisions for landfill exclusions, used oil, composting, medical waste, and white goods. The act also has provisions to deal with the disposal of scrap tires.

**Legislative Highlights, 1990**

New laws were adopted to increase the enforcement of environmental laws. Most notably, H 1177 increases "knowing and willful" violations of environmental laws to a felony, punishable by fines up to $100,000 per day and three year's imprisonment. Violations that place other individuals in imminent danger would be punishable by up to $250,000 per day and 10 year's imprisonment.

The EMC's civil penalty powers and procedures were changed by H 2248. The EMC is now granted quasi-judicial powers consistent with the states administrative procedures act. The EMC was granted the authority to make final agency decisions regarding contested civil penalties.
There were four laws enacted allowing for the collection of permit fees. These four laws, S 1536, S 1534, S 1535, and H 2353, concern sedimentation, mining, dams, and coastal development, respectively.

DEHNR was directed under H 2341 to charge an annual fee for the inspection of facilities seeking compliance with the food and lodging program. Also, S 917 made it unlawful to discharge sewage collected from portable toilets except into approved sewage systems.

The legislature enacted (S 1378) a one-year moratorium on the interbasin transfers of water. Interbasin transfers are the diversion or transfer of water from one water basin to another. This becomes significant when towns and municipalities upstream of other towns and municipalities divert the water and deplete downstream reserves.

A permit moratorium was enacted pursuant to (H 1223) which applies to the siting of new sanitary landfills. The moratorium is in effect if the new landfill is to be located within the watershed of class WS-I, WS-II, or WS-III waters, and at the time of filing, there is motion before the EMC for a more protective classification.

Concerning stormwater, (H 2213) directs local governments to study their stormwater management program, stormwater utilities, EPA rules on stormwater and to report to the legislature in 1991.

Enacted through the introduction of S 1631 were requirements that the state place full-time resident inspectors at each commercial hazardous waste facility in the state.
Prior to issuing a permit for operation, each facility must provide office space for the inspector and unlimited access to the entire facility.

According to S 58, cities and counties were authorized to create regional authorities for the management of solid waste. A regional authority would be recognized when two or more local governments adopted identical organizational structures and responsibility for the authority. The regional authority could undertake the management of the solid waste, and address the issues of recycling, resource recovery, and landfill management. Additionally, S 113 provided that local ordinances have the authority to force solid waste generators to participate in separation and recycling programs prior to waste pick-up.

Somewhat similar to the interbasin transfer issue, local governments were prohibited by S 1404 from acquiring land in another county, without approval, for the purpose of landfill or solid waste disposal.

**Legislative Highlights, 1991**

Two significant policy changes were made in 1991. These include H 410, which makes permanent the North Carolina Environmental Policy Act, and S 386, which made significant changes to the original Hardison amendments.

The North Carolina Environmental Policy Act was originally enacted in 1971 and set to expire after two years. Subsequent legislatures in 1973, 1977, and 1981 have extended the act but attached sunset provisions. The 1991 act repeals the sunset provisions and
adds additional sections requiring Environmental Impact Statements (EIS) in more situations.

The repeal of significant parts of the Hardison amendments is considered a victory for environmental groups. The Hardison amendments, named after Senator Hardison, were enacted in the 1970s and expressed the state's policy that air, water and hazardous waste standards within the state could be no more restrictive or stringent than federal standards.

North Carolina passed H 551 which enables the state to implement the Title V program requirements of the 1990 federal Clean Air Act Amendments (CAAA). Title V allows for the collection of permit fees for stationary sources emitting more than 100 tons per year of certain pollutants. The North Carolina act gave increased authority to the EMC on issues of fines, permit renewal, rule making, and pollution allocations.

A number of clarifying amendments were made during the 1991 session concerning environmental health programs such as lead poisoning, food, lodging, and sewage. Examples include H 1107 allowing pets to stay in motels at the owner's discretion, S 727 adding definition to "bed-and-breakfast" inns, H 506 limiting the scope of the lead poisoning law to facilities determined potential sources of lead, and H 423 requiring a permit for the maintenance and repair of on-site sewage systems.

A number of minor legislative actions were also ratified in 1991. H 344 contains amendments to the permit requirements for swimming pool backwash, sewer extensions and stormwater permits. Fees for stormwater utilities were granted by passage of H 501 and the watershed classification requirements for the EMC were extended. The
classification was required under the Water Supply Watershed Protection Act and becomes increasingly important when considering the classification status of existing water resources.

The issue of water basin transfer and diversion again surfaced in 1991 following the 1990 moratorium on certain transfers. At the heart of the issue is Virginia's withdrawal of water from Lake Gaston on the Virginia side of the lake. North Carolina continues to struggle with the transfer issue and is seeking a vehicle to stop Virginia from withdrawing water to supplement the public water supply of Virginia Beach. Certain significant constitutional issues surround a state's right of resource usage.

A significant action of 1991 included legislative amendments to S 111 which was enacted in 1989. H 1109 made major changes to the definitions of solid waste, restated reduction goals of 25% by 1993 and 40% by 2001, and established a baseline year of 1991 for measurement purposes unless otherwise granted by the Department of Environment, Health and Natural Resources.

In additional solid waste matters, the legislature passed H 1224 providing incentives for publishers using recycled newsprint and prohibited (H 620) the disposal of lead acid batteries in a landfill, incinerator, or waste-to-energy facility. The Lead Battery Act also requires that retailers or wholesalers of batteries accept used batteries for recycling at least in numbers equal to their sales volume.
Legislative Highlights, 1992

Following the lead of the 1991 legislature, two laws were ratified that continued the modernization of the North Carolina Environmental Policy Act. Both laws described in H 1583 and H 1596 concern policy and definitions regarding environmental impact statements and environmental assessments.

One bill (H 1340) increased the support of three existing pollution control programs. The three programs are the sediment control program, Title V of the Clean Air Act, and the water quality program.

The requirements of the 1990 Federal Clean Air Act amendments were the driving force behind the passage of S 1197. The legislation is concerned with the ozone problem and sources of precursors. The focus of the legislation is on oxygenated and reformulated gasoline. The bill allows the EMC to regulate the oxygen content of gasoline and require the use of reformulated gasoline.

Several bills (H 1516, H 1369, and S 1205) made changes to the Coastal Area Management Act (CAMA). H 1516 made clarifications to the authority of the Coastal Resources Commission, H 1369 concern's oyster harvesting, and S 1205 created an Aquarium Commission. Sea turtle sanctuaries were authorized by H 1470 in several beach towns.

In the area of environmental health, H 1545 shifted the authority of the Division of Environmental Management (DEM) for the control of small septic systems to the Division of Environmental Health (DEH).
The secretary of DEHNR was authorized by passage of S 1156 to issue permits for closed-loop groundwater remediation. Closed-loop systems are used to treat contaminated groundwater and reintroduce the treated water beneath the surface. This significant piece of legislation was needed to correct the state's previous policy on reintroduction of groundwater.

The subject of tires reappeared in the 1992 legislature in H 1320. The bill exempted the 1% disposal privilege tax for new tires that are to be put on new vehicles. This was good news for tire manufacturers in North Carolina who are among the state's largest employers.

Legislative Highlights, 1993

The Economic Development Board was directed in S 27 to prepare a four-year strategy for economic development. The emphasis of the legislation is on economic development but requires review of the state's environmental status as it affects economic development. The review would include the development of an environmental index to assess the state's environmental quality.

More legislation was ratified in 1993 that continued the process of implementation of the 1990 Clean Air Act Amendments. The 1993 legislation (H 681) focuses on provisions for rule making, permitting, penalties, and fee structure. The EMC is given more authority for rule making and permit suspension, 30-day limits were set for persons
to seek judicial review under the Title V program, and $0.005 of the per-gallon gasoline
tax are to be allocated to the air quality account to administer the air quality program.

The Coastal Futures Committee (CFC) was established by executive order of the
Governor with S 27 introduced to cover part of the expenses expected from the
committee. The CFC was formed to organize the celebration of the twentieth anniversary
of the enactment of CAMA. Also, changes were made to the shellfish leasing laws
(S 100) and transferred to DEHNR from the Marine Fisheries Commission (MFC) the
ability to grant leases for cultivation.

A few minor bills were ratified in the area of environmental health. These procedural
and administrative changes were made to the food and lodgings law (H 572),
requirements for sanitarian registration (S 595), portable toilets (H 1077), and swimming
pools (H 922 and S 592).

Every recent legislative session has introduced and ratified legislation designed to
clarify and strengthen the UST rules. The basic premise of North Carolina's law in this
regard follows the legal concept of strict liability for releases for oil substances from
leaking USTs. Several funds have been authorized to help fund any cleanup of oil to the
waters of the state. In 1993 H 1061 continued the process of refining the state's position
on USTs.

Finally, in 1993 the General Assembly enacted a comprehensive revision of the
interbasin transfers of water. Introduced as S 875 the act requires that before a transfer of
2 million gallons per day begins from any of 38 identified basins a permit must be
obtained from the EMC. Contested rulings from the EMC will be decided from an Administrative Law Judge. Projects completed by January 1, 1994, will be grandfathered and will not require the issuance of a permit. The constitutional issues surrounding the Virginia-Lake Gaston situation were avoided by the grandfather clause.

The siting of a hazardous waste disposal facility within the state boundaries has been the focus of effort for the Governor's Waste Management Board. Unfortunately, the 12-year history of the board has produced no site and the board has been disbanded. The vehicle for the reorganization of the hazardous waste management function was H 976. Most of the duties of the previous board were transferred to the DEHNR which further solidifies its power base. The issue of hazardous waste disposal and the disposal of low-level nuclear waste continues to be a big concern for North Carolinians.

In the area of solid waste, S 55 requires the DEHNR to establish minimum qualification and training programs for operators that burn solid waste, a disposal tax on white goods was amended to include a better definition of "white goods" by S 60, and counties were given the authority to require property owners to participate in recycling programs by up-front separation (S 53). State purchasing guidelines were specified (S 58) which encouraged the purchase of products and materials which contain recycled material.
Environmental Quality

In order to verify Proposition 4: *The state's environmental quality has improved as a result of citizen concern and enacted legislation*, the researcher assembled available environmental data on North Carolina's air and water resources, and solid waste disposal status.

Air quality data are presented in Figures #35 - 43. State and Federal Ambient Air Quality Standards can be found in Appendix 4.

Air Pollutant Information

Particulate Matter. Atmospheric particulate matter is defined as any airborne material which exists in a finely divided form as a liquid or solid at standard temperature and pressure and has an aerodynamic diameter of less than 100 micrometers (um). Particulate matter as Total Suspended Particulate (TSP) is measured in North Carolina. A 20-year history of TSP measurements exists in North Carolina. Particulate matter is emitted from both man-made and natural activities.

Presence of particulate matter in the atmosphere can affect the health and welfare of the surrounding population and environment. Health effects can change the physical and mental well-being of those exposed to the pollutant. Welfare effects are those that influence an individual's quality of life other than human health effects.
Particulate matter trends are based on TSP concentrations. The average second maximum 24-hour concentration and annual geometric means are plotted on a line graph and a line of best fit is drawn through the values to demonstrate the existence and
direction of particulate matter trends. The 21 year trend in TSP concentrations is shown if Figures #35 and 36. The trend line forms a downward trend line through the data points which indicates a trend of decreasing particulate values from 1972 to 1993. This trend is evidence that control of particulate sources is improving the air quality.

**Carbon Monoxide.** Carbon monoxide (CO) is an odorless, colorless gas produced by incomplete combustion of carbon containing compounds such as wood, coal, and gas. Most atmospheric CO is produced by incomplete combustion of fuels used for vehicles, space heating, industrial processes and solid waste combustion. Historical monitoring data indicate that most CO exceedences occur during the autumn and winter months.

Breathing carbon monoxide affects the blood's oxygen carrying capacity. At high concentrations, CO exposure can increase fatigue, reduce work capacity, and may adversely affect fetal development.

![Figure #37](image)

**Figure #37**
Average Second Maximum 1 Hour CO Conc.

- Statewide Ave.
- Regression — Standard
- Slope of Regression Line = -0.97
- Spearman r Value = -0.96
- Significant Trend = Decreasing

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The second maximum averages were employed in trend analyses because these values are used to determine if given areas are attaining the air quality standards. Figure #37 (1 hour average trend) and Figure #38 (8 hour average trend) illustrate the decline of CO concentrations in North Carolina from 1972 to 1993. This trend is evidence that control of carbon monoxide sources is improving the air quality.

**Ozone.** Ozone ($O_3$) ambient air standards and monitoring are designed for measurement of concentrations in the lower atmosphere (troposphere). In the troposphere, high concentrations of ozone are a major health and environmental concern. Ozone in the troposphere is harmful to people, animals, vegetation, and materials. Ozone is the criteria pollutant of greatest concern in North Carolina.

Ozone is a highly reactive gas and is the main component of the air pollutant mixture known as smog. Ozone is formed by reaction of sunlight with hydrocarbons and nitrogen oxides ($NO_x$). Nitrogen oxides are formed as by-products of fuel burning sources such as
power plants and motor vehicles. Ozone concentrations are usually higher in the spring and summer months when temperatures are warmer and days longer.

As illustrated in Figure #39, ambient ozone concentrations are neither increasing or decreasing. The trend line forms a horizontal line which demonstrates no statistically significant trend in ozone concentrations from 1973 to 1993. Ozone has become North Carolina's most serious criteria pollutant.

**Sulfur Dioxide.** Sulfur dioxide (SO$_2$) is a colorless gas that can be detected by taste. To determine attainment status compared to the sulfur dioxide ambient air quality standard, the data are evaluated in averages and annual arithmetic means.

The most obvious effects of sulfur dioxide exposure are irritation and inflammation of body tissues. A principal concern is the suspected role of ambient sulfur dioxide concentrations in acid rain formation. Acid rain lowers the pH in soils and natural
waters, causes material leaching, damages vegetation, depletes fish population in some lakes, and damages materials.

Figure #40
Average 2nd Maximum 24 Hour SO2 Conc.
Statewide Trend

Figure #41
Average Annual SO2 Arithmetic Mean
Statewide Trend

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As shown in Figures #40 and 41, ambient levels of sulfur dioxide concentrations continue to be well below the standards. There is no significant trend in the concentration of sulfur dioxide between 1972 and 1993.

Nitrogen Dioxide. Nitrogen dioxide (NO₂) is the most abundant of the nitrogen oxides and is component in the formation of ozone during warmer months. No exceedences of the standard have ever been reported from any of the continuous monitors in North Carolina.

Exposure to nitrogen dioxide affects human health. Nitrogen dioxide and particulate nitrates are also among the air pollutants that reduce visibility. In high concentrations, nitrogen dioxide gas is reddish-brown and thought to form a portion of the brownish color observed in pollutant air. Nitrogen oxides also contribute to acid rain by forming nitric acid.

Figure #42
Average NO₂ Arithmetic Mean Conc.
Statewide Trend
The trend line in Figure #42 is horizontal and statistically insignificant. Nitrogen dioxide concentrations across the state have remained essentially constant between 1972 and 1993.

**Lead.** Lead exists in the atmosphere as gas or particulate. North Carolina ceased to collect lead data on a state-wide basis in 1987.

Lead concentrations persist and accumulate in the human body. Lead enters the body through eating and breathing and is absorbed into the blood stream and distributed to all body tissues.

![Figure #43](image)

Illustrated in Figure #43, the concentration of ambient lead has shown a significant downward trend between 1972 and 1987. Lead levels are well below established standards.
Water Quality Information

The state has two primary types of water use classification: fresh surface waters and tidal salt waters. Waters have been classified as to their "best usage" for many years. The fresh water classes include WS-I, WS-II, WS-III, WS-IV, and WS-V water supply watersheds; Class B waters for swimming and primary recreation; and Class C for secondary recreation and fish propagation. The classification WS-I is the most protective of the fresh water designations. The tidal salt water classes include SA for shell fishing, SB for primary recreation and other use except shell fishing, and SC suitable only for secondary recreation. The classification SA is the most restrictive classification.

Once a lake, reservoir, stream, river, estuary, or sound is classified as to its best usage, state agencies rate the water resource. The rating terms offer a measure of the capability of the water resource in meeting its intended usage objective. The waters are rated as either fully supporting, support threatened, partially supporting, or nonsupporting. Fully supporting waters are considered excellent-good, support-threatened waters are considered good-fair, partially supporting waters meet their intended use only part of the time, and nonsupporting waters are severely impaired. The support threatened classification was first used in 1990-1991. Prior to 1990, statewide water quality data do not distinguish between fully supporting and support-threatened.

The EPA releases guidelines for the states to use in determining support categories. These determinations are published every two years in the states Water Quality Progress 305(b) Report. The 305(b) reports are currently the best source of information on the...
water quality. The guidelines used in the reporting process are issued prior to each reporting cycle for 305(b) reports. The guidelines and methods for determining use support can change from cycle to cycle and therefore make it inappropriate to directly compare data from one 305(b) report to another.

The North Carolina Department of Environmental Management (DEM) goes to some length to caution against direct year to year comparisons of 305(b) data without fully understanding the techniques used for support determination. The complicated nature of the monitoring process, missing data, changing guidelines and analytical procedures are acknowledged as presenting a complicated picture. Never-the-less, the 305(b) reports are the best information available and informed comparisons do give a general impression of the status of water quality in the state (NCDEHNR, September, 1992).

Lakes and Reservoirs. There are currently 1500 lakes in North Carolina of which 145 are considered "significant." Lakes are considered significant if they have been assessed by the Department of Environmental Management, are classified as drinking water supplies, or have greater than 100 acres of publicly accessible surface area. Total surface water area in the state is approximately 305,000 acres.

In the 1986-87 305(b) Report, 96.1% of the lakes and reservoirs support their use, 3.2% partially support and 0.7% do not support. In the 1988-89 305(b) Report, 96% of the lakes and reservoirs support their use, 0.6% partially support, and 3.4% do not support. In the 1990-91 305(b) Report, 70% of the lakes and reservoirs fully support
their use, 21% are support threatened, 8.5% partially support, and less than 1% do not support. The data are presented in Figures #44, 45, and 46.

**Figure #44**
Lakes and Reservoirs, 1986-1987

- Fully Support: 96.1%
- Partially Support: 3.2%
- Do Not Support: 0.7%


**Figure #45**
Lakes and Reservoirs, 1988-1989

- Fully Support: 96.0%
- Partially Support: 3.4%
- Do Not Support: 0.6%

There does not appear to have been any significant improvement or degradation of the state's lakes and reservoirs during the 1986 - 1991 period.

Streams and Rivers. All North Carolina streams and rivers named on the U.S. Geological Survey 7.5 minute topographic maps have been classified as to their best usage. The classified waters total approximately 37,500 miles of stream or river bankline. There are 17 major river basins in North Carolina. The mountain waters drain to the Ohio and Tennessee Rivers while the remaining waters drain to the Atlantic Ocean.

In the 1986-87 305(b) Report, 60.7% of the streams and rivers support their use, 24.8% partially support, 4.7% do not support, and 9.9% were not evaluated. In the 1988-89 305(b) Report, 64% of the streams and rivers support their use, 25% partially support, 6% do not support, and 5% were not evaluated. In the 1990-91 305(b) Report, 34% of the streams and rivers fully support their use, 31% are support threatened, 23%
partially support, 5% do not support, and 7% were not evaluated. The data are presented in Figures #47, 48, and 49.

Figure #47
Streams and Rivers, 1986-1987


Figure #48
Streams and Rivers, 1988-1989

There does not appear to have been any significant improvement or degradation of the state's rivers and streams during the 1986 - 1991 period.

**Estuaries and Sounds.** There are in excess of 3,100 square miles of estuaries and sounds in North Carolina and a coastline of approximately 320 miles bordering the Atlantic Ocean. An estuary is an arm of the ocean at the mouth of a river.

In the 1986-87 305(b) Report, 93.1% of the estuaries and sounds support their use, 6.5% partially support and 0.1% do not support. In the 1988-89 305(b) Report, 91% of the estuaries and sounds support their use, 9% partially support and 1% do not support. In the 1990-91 305(b) Report, 87% of the estuaries and sounds fully support their use, 21% are support threatened, 8.5% partially support and less than 1% do not support. The data are presented in Figures #50, 51, and 52.
Figure #50
Estuaries and Sounds, 1986-1987

- 93.1%
- 0.1% (Do Not Support)
- 6.8%

- Fully Support
- Partially Support
- Do Not Support


Figure #51
Estuaries and Sounds, 1988-1989

- 91.0%
- 9.0%

- Fully Support
- Partially Support
- Do Not Support

Less than 1% Do Not Support

There does not appear to have been any significant improvement or degradation of the state's estuaries and sounds during the 1986 - 1991 period.

**Water Pollution Determination, Sources, and Effect**

The majority of the surface water in North Carolina appears to be clean as indicated in the 305(b) data. The determination of water quality is partially based on measurement of the traditional water pollutants and biological monitoring. These "conventional" water quality indicators include pH, temperature, dissolved oxygen, suspended solids, bacteria, dissolved solids, nutrients, and metals. The water biological integrity evaluation includes fish tissue analysis, studies of fish communities, and biomonitoring. In addition to the chemical and biological integrity of the water, the state uses reports of citizen complaints, responses to mailings requesting water quality information, land-use reviews of topographic maps, and best professional judgments in deciding whether the water meets its best use. These additional measures of the water quality add to the subjective
nature of the quality determination and allow for potential manipulation of environmental
data.

Sources of pollution are categorized as either coming from "point sources" or "nonpoint sources." Point sources are typically industrial discharges or discharges from wastewater treatment plants directly into a surface water body. These type discharges have been controlled and regulated through the National Pollutant Discharge Elimination System (NPDES) permit program. Representative nonpoint sources include urban run-off, agricultural run-off, septic systems, and construction site activity. The nonpoint source of pollution, agricultural run-off, continues to be the major source of degraded water quality in North Carolina. Over the past few years increased emphasis has been placed on programs (stormwater, watershed, wetlands, and coastal development) to address this deficiency (NCDEHNR, November 1990).

Solid Waste Information

The majority of information on the status of solid waste generation and disposal plans is contained in the North Carolina Solid Waste Management Annual Reports. The annual reports are published by the Department of Environment, Health and Natural Resources (DEHNR). Within DEHNR information is supplied from the Division of Solid Waste Management and Office of Waste Reduction. The first Solid Waste Management Annual Report dates back to 1990 and was mandated by legislative action in SB 111, the 1989 Act to Improve the Management of Solid Waste. The Act, SB 111, as amended in 1991
mandated a 25% reduction in municipal solid waste (MSW) by June 30, 1993 and a 40% reduction by June 30, 2001.

The U.S. Environmental Protection Agency (EPA) also addressed the solid waste issue through its "Subtitle D regulations", (which are part of the Resource Conservation and Recovery Act [RCRA]). These new federal regulations require environmental protection standards for municipal solid waste landfills (those that receive residential solid waste). These rules established siting, design, operation, closure and post closure criteria for municipal solid waste landfills. Financial assurance requirements also are detailed. North Carolina completed its own set of municipal solid waste landfill facility rules and received "Approved State" status from EPA on October 7, 1993. (DEHNR, Solid Waste Management Report, December, 1993)

Based on data contained in the Solid Waste Management reports (DEHNR, July, 1994) the state has failed to meet its stated objective. The amount of solid waste disposed of in landfills decreased only 6.4% from the base year, FY 1991-1992. However, the state has recorded a decrease in solid waste landfilled on a per capita basis. Per capita solid waste disposal rates and projected solid waste goals are presented in Figures #53 and 54, respectively. Slow progress is indicated toward realization of the state's goal of 25% reduction.

In Figure #53, Solid Waste Disposal Rate, the amount of waste disposed of has decreased between the 1990-1991 and 1992-1993 reporting years by 5.9%. The per capita disposal rate may give a better picture of state effort than the absolute reduction measures currently specified in legislative record. It is noteworthy that the state has mandated an absolute reduction goal of 25%. In a state that has traditionally experienced a growth rate 20% greater than the national average, absolute reductions are aggressive.
In Figure #54, *Projected Solid Waste Disposal 1991-2005*, there are three different scenarios presented. Trends in solid waste management are beginning to emerge and for explanation of the data we quote from official publications.

The first three columns represent municipal solid waste disposal from 1991 to 1993. The tallest set of columns represents the annual MSW disposed given projected population increases through the year 2005. If no waste reduction efforts are made, and waste disposed remains constant at roughly one ton per person, North Carolina
will have to manage a growing volume of waste through landfill and incineration facilities.

The middle set of columns represents waste disposal if North Carolinians achieve a 6.4% reduction in solid waste every two years. By 1999, North Carolina would reach its 25% waste reduction goal and be on its way to achieving a 40% reduction by the year 2010. Under present policies and strategies, much effort will be necessary to achieve substantial, long term waste reduction.

The final scenario (shortest set of columns) illustrates the state's waste reduction goal of 25% reduction in MSW disposed per person by 1993, and a 40% reduction in MSW disposed per person by 2001. The graph shows that even with a 40% reduction, the amount of waste managed will continue to grow after 2002 due to population growth, although at a lower rate. (NCDEHNR, Solid Waste Special Report, January, 1994)

In North Carolina, most MSW is disposed of in public county landfills. As of January, 1994 there were 107 public landfills accepting waste generated from businesses, households, industrial and commercial activities. In addition to the 107 public landfills there are six private landfills, three MSW incinerators, two scrap tire monofills, and 27 industrial landfills. In FY 1992-1993, 86% of MSW went to the public landfills. This is an improvement over the FY 1990-1991 disposal rate which indicated that 90% of all MSW went to the county landfills.

The problems with landfills are obvious and include a lack of available space, community opposition, groundwater contamination and wasted resources. It has become difficult to permit new landfills and current capacity is limited. Most of the state's permitted landfills are unlined and slightly more than 75% of these show some type of groundwater contamination. New landfills are now required to have liners and leachate collection systems. Lined landfills essentially prevent groundwater contamination but also hinder the natural decomposition process. Disposal facilities are in essence becoming storage facilities.
North Carolina follows established hierarchies in determining the best method for waste reduction. Source reduction is the top priority over reuse or recycling and is the preferred method identified in the state's solid waste management legislation. Reduction progress in disposal of MSW is attributed to source separation, landfill bans on certain materials (yard wastes, tires, motor oil, white goods and lead-acid batteries), community recycling efforts, interstate transfer of waste and reduction efforts by business and industry.

North Carolina claims a 6.4% reduction in the amount of MSW over the base year FY 1991-1992. To fully understand if 6.4% is accurate and significant we need to look closely at how that figure is calculated and what is happening to the diverted waste. For example, there are exceptions granted to individual counties on request in choosing the base year for calculation purposes. Certain counties use an earlier base year to claim credit for reduction activities that preceded the state's mandated reduction goals. In theory, progressive counties are given credit for historical waste reduction activities. Also, large scale movement of waste out of North Carolina into neighboring states is increasing. An estimated 96,600 tons of waste of waste went to South Carolina in FY 1992-1993. Interstate transfers account for approximately 1.5% of the waste generated in North Carolina. It is expected that this number will increase as tipping fees increase in North Carolina and tipping fees in South Carolina remain low.

As the effort to reduce the amount of MSW disposal continues it is expected that a more complete picture of the progress will develop. More counties are weighing the
waste as opposed to estimating weights, record keeping is improving, and personnel are slowly being assigned the responsibility for accurate reporting. The reduction figures supplied by the state agencies must be accepted as accurate. However, caution is advised in making sweeping generalizations about the trends for solid waste disposal.

Environmental Indicators

In 1988, the North Carolina Center for Public Policy Research, published a series of articles (Finger, 1988; Jefferson, 1988; Kebschull, 1988) in which it called for the establishment of an "environmental index" to rank and measure the status of North Carolina's environmental effort. However, this was not the first call for such an indicator. In 1972 a report was published by the State Planning Division (Paul, 1972) which called for the publication of a set of environmental indices that would be

Used for a comprehensive assessment of the state of the environment, for determining trends or changes on the quality of the environment in the state, for identifying needs for new policies, and for setting operational goals against which progress may be charted. (p.28)

In 1988, North Carolinians still lacked a cohesive set of recognizable environmental indicators to measure the status of the state's environment. In the absence of such indicators effective and informed policy decisions are difficult.

As a result of the 1988 publication from the North Carolina Center for Public Policy Research, Governor J. Martin (R) appointed a Blue Ribbon Panel in May of 1989 with the goal to

Develop a set of key environmental indicators that will be published on a regular basis for use by the general public and state, federal, corporate and other public policy-makers as a gauge of conditions and trends in North Carolina's environmental
quality. These indicators will be an important tool for use in achievement of the overall goal to protect and improve the state's environment and public health. (Moreau, 1990, p.1)

Members of the Blue Ribbon Panel were comprised of representatives from the state legislature, business and industry, environmental groups, universities, and others. The Blue Ribbon panel published its findings and recommendations in December of 1990. The findings and recommendations are similar to the findings and recommendations published nearly 20 years earlier by the Interagency Task Force.

The findings and recommendations of the Panel called for the establishment of environmental indicators in the areas of air, surface water, groundwater, drinking water, land use, plants and animals, waste generation, and pesticides. The Panel recommended that the Division of Statistics and Information Services of the Department of Environment, Health and Natural Resources be given the responsibility for developing the biennial report. The Panel also recommended that these indicators be re-evaluated biennially for continued improvements and that the Division of Planning and Assessment be responsible for review and publication of North Carolina Environmental Policies and Programs (Moreau, 1990, p. 2-3).

The North Carolina Center for Public Policy Research published another article in 1993 that criticized the state's progress toward achieving the recommendations of the Blue Ribbon Panel and publishing a report of environmental indicators. The article was published in August of 1993 and the state had yet to publish any report with an environmental index. The environmental index project was in bureaucratic limbo, suffering from administrative, financial, and staffing support. State revenue shortfalls,
subject complexity, and lack of departmental leadership are cited as primary causes for
the delay in publishing a set of environmental indicators (Mather, 1993, p.50-61).

As a result of the 1993 article, H 1463 was introduced into the legislature that would
allocate $90,000 to the Department of Environment, Health and Natural Resources for the
preparation of the environmental index. After conference, $50,000 was approved for the
project in S 27, ratified July 9, 1993. The responsibility for preparing the environmental
indicators' report has been assigned to the State Center for Health and Environmental
Statistics (SCHES). Interviews with the responsible SCHES individuals in July of 1994
indicated that development and publication of a meaningful environmental index is still
on the drawing board (Vogt, 1994).
Chapter V

Conclusions

Conclusions

The present research sought to draw some conclusions on the degree of correlation between public opinion on the environment and resulting legislative activity. Additionally, the effectiveness of ratified legislation in guaranteeing environmental quality was questioned. The research was structured in a manner that lent itself to qualitative generalizations about the public policy process in addressing environmental concerns.

The results of the research have confirmed the research propositions that (a) North Carolinians are concerned about the environment, (b) legislation which reflects these concerns is introduced in the General Assembly, (c) legislation which reflects these concerns is ratified in the General Assembly, and (d) the quality of the environment in the state has improved as a result of environmental legislation.

The survey results give a clear picture of the degree of concern and public opinion toward the environment. North Carolinians have a high degree of concern for the quality of the environment and express this position in a variety of ways. For example, North Carolinians have indicated a willingness to fund environmental initiatives, support recycling programs, and back political candidates who support environmentalism. The degree of support is stronger, in many cases, than corresponding national concern.
It was necessary to document that North Carolinians were indeed concerned about environmental quality. Concern is evidently high and leads to the review of the legislative process in reflecting citizen concern. Legislative action on environmental issues appears to be a mandate from the public.

Between 1989 and 1994, legislation introduced and ratified in the House and Senate has increased by a factor of three. A three-fold increase is astounding in such a short period of time. There is obviously a great deal of legislative activity in the area of environmental concern. A review of the legislation reveals a wide variety of environmental concerns. It is suggested that North Carolina legislators have an understanding of citizen concern and this is reflected in legislative activity. The legislative process is responding to public concern about environmental protection.

It is, however, interesting that in a review of the legislation many of the initiatives seem incremental in nature. There were only a few bills which are considered significant sweeping legislation. It was beyond the scope of the present research to distinguish between levels of legislative significance but it would be a valuable endeavor to better describe the incremental nature of recent environmental legislation. In the area of environmental public policy are we seeing incremental decisions designed to give the appearance of legislative action? Or, is the system and North Carolina's environmental condition in such a good shape that we need only to refine the existing laws and regulations?
Are our legislators the "single-minded seekers of re-election" as described by Mayhew (1974) or genuinely concerned about environmental quality? Concern and top-of-mind interest, strength and salience, for environmental issues are high in the results of the current research. The lesson for public policy decision makers is a clear call for continuing environmental protection initiatives.

The current research reviewed the quality of North Carolina's environment. Air quality data were presented for the past 20-plus years, water quality for the years 1986-1991, and solid waste data since 1990. The presented information was the most current information on the subject available.

It is apparent that the quality of North Carolina's air has improved dramatically over the past 20 years. In every case, the quality of air is significantly better than the established Federal and State pollution limits. The survey respondents rate the quality of air the best of the three major environmental yardsticks: air quality, water quality, and the quality solid waste disposal facilities.

In the area of water quality, direct year to year comparisons are difficult due to the changing guidelines used by the state for reporting purposes. However, it is safe to say that there have been no dramatic improvements or degradation of the states water quality resources between the years 1986-1991. In all cases the quality of lakes, reservoirs, streams, rivers, estuaries, and sounds meet their intended best usage over 90% of the time. Unfortunately, information on the state's water quality prior to 1986 is difficult to determine. However, the state's water quality could only have improved over the past 20
years due to the NPDES permitting process and the states adoption of the Environmental Policy Act.

The paucity of information on solid waste disposal makes informed decisions on trends questionable. The state passed the 1989 Act to Improve the Management of Solid Waste which mandated a 25% reduction in municipal solid waste by June 30, 1993. Based on the states own limited projections North Carolina has failed to meet the objective. Solid waste disposal has decreased by only 6.4% over the base year, 1991-1992. The results of this study are expected to add to the body of academic research on environmental policy. Environmental quality continues as a consensus issue and as such members of the North Carolina General Assembly are responding to public opinion. The responses seem to be appropriate in protecting North Carolinas environmental quality.

Recommendations

As with most research a series of additional questions emerge as the project progresses. The current research is no different in that respect and there are several avenues that deserve additional investigation. Most states, not just North Carolina, have learned from past experience in the budgeting process ways to externalize costs. Specifically, instead of increasing taxes, a politically unattractive alternative, the states have shifted the cost for environmental stewardship to the affected parties. For example, there are a number of laws and
regulations that require self-monitoring and self-reporting of environmental discharges. Therefore, state agencies require fewer personnel and the state has in essence practiced cost avoidance. The penalty for noncompliance with the self-monitoring and self-reporting requirements is so great that most industry absorbs the cost rather than risk the consequences of noncompliance (i.e., fines and negative publicity). The point is, attempts to characterize a state's environmental effort by state-sponsored environmental expenditure are overly simplistic. Future research describing a state's environmental effort should try to operationalize both the financial and legislative components of the dependent variable.

There is opportunity for additional investigation into the apparent incremental nature of environmental legislation. Are the number of environmental bills in recent years increasing as a result of incremental decision making and political posturing or are they really indicative of increased environmental sensitivity? A close look at the magnitude of the introduced legislation might help to normalize the volume and significance of the environmental legislation from year-to-year. By attaching a weighted significance to the actual legislation one would gain additional insight into the question of legislative representation. Public policy decision makers could be ranked and compared based on the significance of the environmental legislation and not solely on the volume of legislation.

Generally, the quality of the state's environment has improved, or at least not been noticeably degraded, over the years. However, are these environmental gains a result of
citizen concern, legislation and regulation, or a shift from industrial to post-industrial
society with increasing emphasis on information technology? Additional research is
needed to correlate environmental gains and the post-industrial society.
References


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Appendices
Appendix 1

Environmental Issues Cover Letter
Appendix 1

Environmental Issues Survey Cover Letter

Dear North Carolinian:

You have received a copy of a survey which seeks your opinion on a number of issues. The survey responses will be used in my doctoral research to investigate the relationship between environmental public opinion and legislative action. There are several points you should be aware of before completing the survey.

First, this survey is related to my academic pursuits and is not part of my duties as a CommScope employee. The company is supporting me; however, by allowing me to survey randomly selected CommScope employees. Your responses are confidential, not available to CommScope and can have no affect on your employment at CommScope whether or not your participate. On completion of the research, the survey results will be available for your review.

I realize that completing this survey will involve some of your valuable time and for that I am personally grateful. Please read the following directions carefully, answer the questions and mail the completed survey back to my attention. You may contact me directly at home (803) 327-3063 if you need clarification or would like to discuss the survey in greater detail.

Yours truly,

J. Carson Cato
Appendix 2

Environmental Issues Survey
Appendix 2

Environmental Issues Survey

This questionnaire primarily seeks your opinion. There are no right or wrong answers. Please don't tell me what you think I want to hear. These are complicated issues with conflicting values. Please tell me what you really think.

As you know, the same word can mean different things to different people; hence, it is impossible to find a general wording to exactly suit every person. Please bear with me if the wording of an issue doesn't seem quite right to you from time to time and do your best to answer the question.

Please follow directions for each part of the questionnaire. Generally, you will indicate your response by checking the response that most closely reflects your answer.

Some questions may ask the strength of your feeling toward a particular statement:

For example:

I prefer warm weather.

____ strongly agree
____ agree
____ neither agree or disagree
____ disagree
____ strongly disagree

If you strongly agree with the statement and very much prefer warm weather you would check () strongly agree. If you have no preference, can't decide, or don't know, you would check () neither agree or disagree. If you strongly disagree with the statement and would rather live in cold climates you would check () strongly disagree. Moderate agreement with the statement or moderate disagreement with the statement would be indicated by checking () agree or () disagree.

Many thanks for your help!
The following statements are designed to record your opinions on certain issues. Indicate the strength of your agreement with the statement by checking "strongly agree", "agree", "neither agree or disagree", "disagree", or "strongly disagree."

1. I am satisfied with the performance of my State Representatives and State Senators on environmental issues.

   _____ strongly agree
   _____ agree
   _____ neither agree or disagree
   _____ disagree
   _____ strongly disagree

2. There is a great deal of opportunity for citizens to provide input and express their views on environmental issues.

   _____ strongly agree
   _____ agree
   _____ neither agree or disagree
   _____ disagree
   _____ strongly disagree

3. I am confident that the government and regulatory agencies in North Carolina will provide sufficient protection for our natural environment.

   _____ strongly agree
   _____ agree
   _____ neither agree or disagree
   _____ disagree
   _____ strongly disagree

4. As a consumer, I prefer to purchase recycled products.

   _____ strongly agree
   _____ agree
   _____ neither agree or disagree
   _____ disagree
   _____ strongly disagree
5. Companies, not people like me, should solve environmental problems.

[Likert scale options: strongly agree, agree, neither agree or disagree, disagree, strongly disagree]

6. I am willing to pay a slightly higher price for consumer goods, say five percent (5%), if it helps to protect the environment.

[Likert scale options: strongly agree, agree, neither agree or disagree, disagree, strongly disagree]

7. I am willing to pay a slightly higher price for consumer goods, say ten percent (10%), if it helps to protect the environment.

[Likert scale options: strongly agree, agree, neither agree or disagree, disagree, strongly disagree]

8. Solid waste disposal facilities (landfills, incinerators, etc.) in this area are excellent.

[Likert scale options: strongly agree, agree, neither agree or disagree, disagree, strongly disagree]

9. I consider the quality of water in this area to be excellent.

[Likert scale options: strongly agree, agree, neither agree or disagree, disagree, strongly disagree]
10. New technologies will surely come along to solve environmental problems before they get out of hand.

   ___ strongly agree
   ___ agree
   ___ neither agree or disagree
   ___ disagree
   ___ strongly disagree

11. I will vote against any candidate who is not for stronger government protection of the environment.

   ___ strongly agree
   ___ agree
   ___ neither agree or disagree
   ___ disagree
   ___ strongly disagree

12. If business is forced to spend a lot of money on environmental protection, it won't be able to invest in research and development to keep us competitive in the international market.

   ___ strongly agree
   ___ agree
   ___ neither agree or disagree
   ___ disagree
   ___ strongly disagree

13. I consider the quality of the air in this area to be excellent.

   ___ strongly agree
   ___ agree
   ___ neither agree or disagree
   ___ disagree
   ___ strongly disagree

14. We need more government regulation to protect the environment.

   ___ strongly agree
   ___ agree
   ___ neither agree or disagree
   ___ disagree
   ___ strongly disagree
15. Over the past five years, the quality of water in North Carolina has improved.

____ strongly agree
____ agree
____ neither agree or disagree
____ disagree
____ strongly disagree

16. Over the past five years, the quality of air in North Carolina has improved.

____ strongly agree
____ agree
____ neither agree or disagree
____ disagree
____ strongly disagree

17. I would be more inclined to vote for a candidate who favors policies that encourage industrial growth and new jobs even at the cost of environmental damage.

____ strongly agree
____ agree
____ neither agree or disagree
____ disagree
____ strongly disagree

18. In five years, the local environment will be better than it is today.

____ strongly agree
____ agree
____ neither agree or disagree
____ disagree
____ strongly disagree
19. What age group are you in?

____ 18-21
____ 22-24
____ 25-29
____ 30-34
____ 35-39
____ 40-44
____ 45-49
____ 50-54
____ 55-59
____ 60-64
____ 65+

20. What is your sex?

____ female
____ male

21. What is your race?

____ black
____ white
____ hispanic
____ asian
____ other

22. What is your annual income?

____ under $9,999
____ $10,000 to $14,999
____ $15,000 to $19,999
____ $20,000 to $24,999
____ $25,000 to $29,999
____ $30,000 to $34,999
____ $35,000 to $39,999
____ $40,000 to $49,999
____ $50,000 to $74,999
____ $75,000 and over

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23. What is your marital status?

_____ married
_____ single
_____ widowed
_____ separated or divorced

24. Are you a registered voter?

_____ yes
_____ no
_____ unsure

25. What is your political affiliation?

_____ republican
_____ democrat
_____ independent
_____ other
_____ unsure

26. What was the last grade of regular school that you completed-- not counting specialized schools like secretarial, art or trade schools?

_____ grade school
_____ some high school
_____ high school graduate
_____ some college
_____ college graduate
_____ post-graduate

27. How would you classify your political/social ideology?

_____ very conservative
_____ moderately conservative
_____ middle-of-the-road
_____ moderately liberal
_____ very liberal
_____ don't know
28. Do you think environmental laws and regulations have gone too far, or not far enough, or struck the right balance?

- too far
- not far enough
- struck the right balance
- unsure

29. Do you or anyone in your household currently belong to-or contribute to-an environmental organization?

- yes
- no
- unsure

30. How long have you lived in North Carolina?

- less than 1 year
- 1-3 years
- 3-5 years
- 5-10 years
- more than 10 years

31. I would vote for, or against, a candidate only because of their position on environmental issues.

- strongly agree
- agree
- neither agree or disagree
- disagree
- strongly disagree

Please send the completed survey back to my attention using the enclosed prestamped envelope. And again, thanks for your participation.
Appendix 3

Environmental Legislation
## Legislative Analysis

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<td>2-27-85 RATIFIED CH.0011</td>
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<td>4-16-85 REF TO COM ON FINANCE</td>
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Appendix 4
Ambient Air Quality Standards
AMBIENT AIR QUALITY STANDARDS

Ambient air quality progress is determined by measuring ambient pollutant concentrations and comparing the measured concentrations to the corresponding standard. The "ambient air" is defined by the Environmental Protection Agency (EPA) as "that portion of the atmosphere, external to buildings, to which the general public has access." The ambient air quality standards are classified as primary standards, secondary standards, or both. The primary standards were established to protect public health. Secondary standards protect the public welfare from adverse effects associated with pollutants in the ambient air. In protecting public welfare, air pollution effects on the following are considered: soils, water, crops, vegetation, man-made materials, animals, wildlife, weather, visibility, climate, property, transportation, economy, personal comfort, and well-being. The scientific criteria upon which the standards are based are periodically reviewed by EPA and the standards are re-established or changed based upon the findings. An "exceedance" is defined as a measurement that is greater than the ambient air quality standard for a specific averaging time.

The national primary and secondary standards and the North Carolina ambient air quality standards are summarized below.

### Summary Of National and N. C. Ambient Air Quality Standards

<table>
<thead>
<tr>
<th>POLLUTANT</th>
<th>TIME OF AVG.</th>
<th>NAT. PRIM. STD</th>
<th>NAT. SEC. STD.</th>
<th>N.C. STD</th>
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<tr>
<td>TSP</td>
<td>Ann. Geo. Mean</td>
<td>75 µg/m³</td>
<td>None</td>
<td>75 µg/m³</td>
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<tr>
<td></td>
<td>24 Hour 2nd Max</td>
<td>260 µg/m³</td>
<td>150 µg/m³</td>
<td>150 µg/m³</td>
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<tr>
<td>SO₂</td>
<td>Ann. Arith. Mean</td>
<td>80 µg/m³</td>
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<td>80 µg/m³</td>
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<td>24 Hour 2nd Max</td>
<td>365 µg/m³</td>
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<tr>
<td></td>
<td>3 Hour</td>
<td>None</td>
<td>1300 µg/m³</td>
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<tr>
<td>NO₂</td>
<td>Ann. Arith. Mean</td>
<td>.053 ppm</td>
<td>Same as Prim.</td>
<td>.053 ppm</td>
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<tr>
<td>CO</td>
<td>8 Hour</td>
<td>9 ppm</td>
<td>None</td>
<td>9 ppm</td>
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<td></td>
<td>1 Hour</td>
<td>35 ppm</td>
<td>None</td>
<td>35 ppm</td>
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<tr>
<td>O₃</td>
<td>1 Hour</td>
<td>.12 ppm</td>
<td>Same as Prim.</td>
<td>.12 ppm</td>
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<tr>
<td>Pb</td>
<td>Quarterly</td>
<td>1.5 µg/m³</td>
<td>Same as Prim.</td>
<td>1.5 µg/m³</td>
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</table>

µg/m³ - micrograms per cubic meter of air
microgram - one millionth of a gram, where 454 grams = 1 pound
ppm - parts per million
Curriculum Vitae

John Carson Cato, Ph.D.

Education: B.S., Chemical Engineering, North Carolina State University, Raleigh, North Carolina, 1981.


Experience:

Currently the Director of Environment, Health and Safety for CommScope, Inc., the world's largest manufacturer of coaxial cable. The position is responsible for the company's regulatory compliance and risk reduction in the areas of environmental protection and employee safety. Similar positions of increasing responsibility within the Pulp and Paper and Tire manufacturing industries.

Memberships:

American Institute of Chemical Engineers

National Association of Environmental Professionals

Water Environment Federation

Institute of Hazardous Materials Managers

Environmental Assessment Association

National Environmental Health Association

World Safety Organization
## Correlation Analysis

### Subscale 1, Perceptions of Local Environmental Conditions

**Cronbach Coefficient Alpha**

- for RAW variables: 0.730137
- for Standardized variables: 0.728948

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<td>Alpha</td>
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<td>Q8</td>
<td>0.228394</td>
<td>0.219954</td>
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<td>Q9</td>
<td>0.577525</td>
<td>0.572776</td>
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<td>0.471734</td>
<td>0.466791</td>
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<td>0.558977</td>
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<td>0.549632</td>
<td>0.552590</td>
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<tr>
<td>Q18</td>
<td>0.420130</td>
<td>0.420710</td>
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## Correlation Analysis

### Subscale 2, Economics of Environmentalism

**Cronbach Coefficient Alpha**

- for RAW variables: 0.546405
- for Standardized variables: 0.539342

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<td></td>
<td>Alpha</td>
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<td>Q6</td>
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<td>0.525817</td>
<td>0.515529</td>
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<td>Q12R</td>
<td>0.111424</td>
<td>0.111588</td>
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### Correlation Analysis

**Subscale 3, Responsibility for Environmental Problems**

*Cronbach Coefficient Alpha*

- for RAW variables: 0.247885
- for Standardized variables: 0.271569

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<td>Q10R</td>
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<td>Q29</td>
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### Correlation Analysis

**Subscale 4, Politics, Legislation and Regulation**

*Cronbach Coefficient Alpha*

- for RAW variables: 0.283333
- for Standardized variables: 0.255212

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Curriculum Vitae

John Carson Cato, Ph.D.

Education: B.S., Chemical Engineering, North Carolina State University, Raleigh, North Carolina, 1981.


Experience:

Currently the Director of Environment, Health and Safety for CommScope, Inc., the world's largest manufacturer of coaxial cable. The position is responsible for the company's regulatory compliance and risk reduction in the areas of environmental protection and employee safety. Similar positions of increasing responsibility within the Pulp and Paper and Tire manufacturing industries.

Memberships:

American Institute of Chemical Engineers

National Association of Environmental Professionals

Water Environment Federation

Institute of Hazardous Materials Managers

Environmental Assessment Association

National Environmental Health Association

World Safety Organization
Committees:

Mecklenburg Community Awareness and Emergency Response
1989-1991

Mecklenburg County Waste Management Advisory Board 1990-1992

Chairman, Environment Committee, Manufacturers' Council 1991-1992

Land Use Committee, Charlotte Chamber 1992

Environmental Committee, N.C. Citizens for Business and Industry

Certifications:

Certified Safety Executive (C.S.E.)

Certified Environmental Inspector (C.E.I.)

Certified Safety Professional (C.S.P.)

Certified Hazardous Materials Manager (C.H.M.M.)

Certified Environmental Professional (C.E.P.)

Registered Professional Engineer (P.E.)

Publications:


Presentations:
