



# ENVIRONMENTAL FEDERATION OF OKLAHOMA

## EARLY HISTORY OF THE OKLAHOMA'S ENVIRONMENTAL PROGRAMS BY RON JARMAN, PH.D BOARD MEMBER 1991

This is the first in a series of articles intended to provide EFO members with facts, figures and information on how the organization came to be and why the business and industrial sectors of Oklahoma have supported and grown its purpose. To understand the issue, we must step back in time to look at how environmental problems were created and how Oklahoma's public entities have responded with laws, rules and regulations in an attempt to solve those problems. To keep this a reasonably short article, we will start at the dawn of the 20<sup>th</sup> Century.

Oklahoma's environmental setting was primarily agrarian but with wide ranging features from the arid west to the more verdant east based on climate and geography. Waters were mostly limited to streams and the land cover was primarily grasslands. The invasion of humans from the eastern U.S. came to join the historical residents eventually resulting the development of expansive cropping, building of ponds and lakes, community developments and the use of mineral developments of all types. All in the name of growth.

Environmental media (air, water and soil) supported this growth, but not without creating some impact to the state's resources. Major climate impacts and farming created the "Dust Bowl", mineral development created the "Tar Creek" and oil field impacts, major reservoirs were created to serve the needs of man, farming and ranching impacted the soil profiles in many ways. In response to these impacts numerous agencies, programs and laws were developed or adopted to meet the needs of the Oklahoma population to maintain a livable and enjoyable lifestyle.

By the 1950s, major laws were being developed in the State Legislature to address the growing environmental concerns that were becoming more evident. The general population was beginning to be more vocal in complaining about dead fish in the streams and lakes, dust storms and industrial particles in the air, trash dumps around cities, promiscuous dumps by the side of back roads, drought impacts and many other environmental issues. Some of the laws passed created new state agencies or assigned responsibilities to existing agencies. The Oklahoma Water Resources Board was formed to manage water quantity and quality, The Oklahoma State Department of Health was assigned responsibility for air quality, waste material disposal, municipal water and wastewater collection and treatment, the Oklahoma Corporation Commission for enhanced control of many industrial and mineral concerns,

With the decade of the 1960s came a period of public cultural upheaval unprecedented in our state and our nation. Only one of these major social issues, but the major focus of this article, was concern regarding impacts to our environment. Pollution became the major focus for many citizens, here and nationwide. Congress passed laws that served as significant precedents for future legislative action on pollution issues. Examples are the Clean Air Acts of 1963 and 1967, the Clean Water Act of 1960, and the Water Quality Act of 1965. During the 1960s, environmentalism became a mass social movement.

In 1966 Oklahoma, Gov. Henry Bellmon, created the Oklahoma Water Quality Coordinating Committee. It was composed of the heads (Directors, Commissioners, etc.) of all existing state agencies that had water pollution control statutory authority, including the:

- Oklahoma Water Resources Board,
- Oklahoma Department of Wildlife Conservation,
- Oklahoma State Department of Health,
- Oklahoma Department of Agriculture,
- Oklahoma Department of Industrial Development,
- Oklahoma Corporation Commission, and
- Oklahoma Conservation Commission.

This Committee was given the additional responsibility of coordinating state water quality control activities in accordance with the new federal law. In 1968 the Pollution Control Coordinating Act was passed, creating the State Department of Pollution Control (ODPC) and forming the Pollution Control Coordinating Board. All members of the Oklahoma Water Quality Coordinating Committee were reassigned to the Pollution Control Coordinating Board. Also included the Director of the Oklahoma Department of Mines. The Department of Pollution Control, the board's administrative arm, was responsible for establishing a coordinated water pollution control program, utilizing the existing resources and facilities in the state agencies having water pollution control responsibilities and authority.

On January 1, 1970, President Richard Nixon signed the National Environmental Policy Act (or NEPA), beginning the 1970s as the “**environmental decade**”. Later in that year, President Nixon created the Environmental Protection Agency (EPA), which consolidated environmental programs from other agencies into a single entity. Attendant to these actions, Congress passed unprecedented funding bills in an effort to get the major environmental issues addressed across the nation.

In Oklahoma, the new Federal laws, attendant federal rules and the influx of funding created a massive need for rules changes at the State level, additional state agency responsibilities and a demand for new state employees with specialized engineering and scientific expertise. Oklahoma's business and industry leaders were largely caught off guard by this expansion of rules/regulations and tended to struggle with trying to comply with the massive growth of legal issues, state inspectors showing up at facilities to “inspect”, required alterations to “standard” business practices, and concerned public citizens protesting new, or modified, permits. A major “focus” of environmental programs in the decade of the 1970's was the planning portion of multiple new federal laws. Citizen environmental advocates formed organizations and were provided public opportunities to “be heard” through hundreds of hearings throughout the state. By the end of 1970's the impacts of the “new and different” environmental regulations were

somewhat established, the planning functions were largely complete, and the concerned public had been involved in thousands of decisions by public bodies.

To some extent, the decade of the 1980's can best be described as the struggle for compliance with comprehensive environmental requirement by all levels of municipalities, business and industry. This is not to say that there were no environmental struggles in the 1980's. Most of the major legal battles were decided in all levels of federal and state courts, several of the major environmental law were modified and updated by Congress, and state programs had reached a point of employee expertise and level of effort. Federal funding of state environmental programs continued at a somewhat reduced level meaning state funding of these programs was increasing. However, in Oklahoma, the oil boom of the 1970's was gone along with decreases in tax receipts, jobs, real estate values and funding available to grow and operate environmental programs. During this decade all forms of business and industry were faced with cutbacks and employee reductions. In most cases, business survival was the number one goal. At the Oklahoma State Legislature level many environmental bills were introduced annually, several adopted and few that stemmed the tide of regulatory impacts to the regulated entities struggling to stay in business during this decade.

It was during this period of time that economic survival created vicious battles between the state agencies that comprised membership in the Oklahoma Pollution Control Coordinating Board for portions of the federal funding supplied to the state through the U.S. Environmental Protection Agency. One example was the focus on groundwater issues related to commonplace leaking underground storage tanks current and former retail gasoline stations. Federal funding of this environmental issue created a battleground among multiple members of the Board for regulatory control of this large program. We now know the results of this battle but during the 1980's several agencies vied for control of the program. Many harsh words were spoken that later had to be retracted for the good of the State.

As the 1990's approached, it became obvious to environmental professionals that there had to be a better way to manage environmental concerns for future business and industry in Oklahoma. As you will learn in later articles on EFO history, our leaders strangely looked to the east for a better way to deal with the environmental issues and concerns. Stay tuned!