

*More than 2,000 people pack the gym at Lexington Senior High School for a North Carolina Hazardous Waste Treatment Commission public hearing. Thousands more were seated elsewhere around and outside the school.*

## When It Comes to Environmental Politics, Who's Leading Whom?

by Seth Effron

*North Carolinians are a particular lot. They want new jobs, new industries, and economic growth. But they don't want to ruin the environment to get them, and in the past few years, the state's citizens have become much more vocal in giving their elected and appointed leaders this message. This upheaval in public sentiment is beginning to have an impact in safeguarding local areas from what residents view as potential polluters—waste treatment facilities, waste repositories, landfills, real estate developments, drainage of wetlands, and the like. How has this trend made itself felt in the halls of government? And will it be a lasting trend?*



**G**ov. James G. Martin glanced out the window onto a downtown street in Salisbury on a bright fall day last October. The colorful autumn foliage was obscured by the dark political clouds he senses

are forming. On this day, it is a mere year until voters go to the poll to decide whether Martin will be granted a second four-year term. And what does the Governor see greeting him? Scores of worried—even scared—protesters carrying placards bearing the skull and crossbones and protesting a proposed hazardous waste facility.

But it will take more than any candidate's considerable political skills to solve a potential political problem facing not just the Governor, but any state officeholder. Throughout the state, and particularly in the Piedmont, citizens have organized in huge numbers to voice concerns on environmental issues. More than 15,000 people attended a public meeting in Lexington to protest the possibility of a hazardous waste disposal site in the county. They filled a high school auditorium, spilled over into the cafeteria and classrooms, and packed the football stadium.

What these officeholders are seeing—and what Democratic and Republican politicians alike are taking serious note of—is that environmental issues are moving up on the priorities voters take with them into the voting booths.

At the opening of the 1987 legislative session, Lt. Gov. Robert B. Jordan, Martin's likely challenger for re-election, stressed an environmental protection agenda stronger than any proposed in more than a decade. And Martin, emerging from a policy and politics Cabinet retreat in late October, elevated the task of protecting the coastal environment to a list of his top five governmental priorities. Obviously, both men see the environment as an important issue—both in protecting the state's resources and in safeguarding their political futures. Martin, a Republican, and Jordan, a Democrat, face each other in this year's gubernatorial election.

## Public Support Is Growing

**T**his renewed emphasis on environmental protection reflects an official realization of what the public wants. Since the 1970s, voters throughout the nation—and in North Carolina—have repeatedly expressed strong support for strict stewardship of the environment, even when faced with tradeoffs that might result in raising taxes or slowing economic development.

Consider the following:

- 53 percent nationally oppose relaxing environmental controls to allow more economic growth and development, according to a 1987 Gallup Organization poll, while 38 percent favor relaxing controls and 9 percent don't know.<sup>1</sup>

- 59 percent nationally support increasing spending on improving and protecting the environment while just 4 percent would cut spending, 34 percent would keep it the same, and 3 percent said they didn't know.<sup>2</sup>

- 47.4 percent of North Carolinians say environmental protection laws aren't strong enough, 37.8 percent say they're about right, 2.6 percent say they're too strong, and 12.2 percent said they didn't know, according to a 1983 poll by the state Office of Budget and Management.<sup>3</sup>

- The number of people in the state saying environmental protection is overemphasized at the expense of economic growth has dropped over time—reflecting more concern for environmental issues. In 1982, 18.5 percent of those surveyed by the state said environmental protection is overemphasized at the expense of economic growth. Two years later, that share dropped to 12.2 percent.<sup>4</sup>

- Nearly two thirds—64 percent—of the state's citizens agreed with the statement that “protecting the environment is so important that requirements and standards cannot be too high, and continuing environmental improvements must be made, regardless of cost,” according to a Friends of the Earth Foundation poll in 1983. (The New York Times and CBS News asked the same question in a national poll, and 58 percent of the respondents agreed with it.) The Friends of the Earth poll in North Carolina also found that the respondents identified “controlling hazardous waste” as the biggest environmental problem facing the state.<sup>5</sup>

“Environmental concerns are a higher priority for people in this state and nationally,” says John Crumpler, a Jordan aide and manager of the Lieutenant Governor's campaign for governor. “People talk more about it, read more about it. There are problems that have to be dealt with—and we have to deal with them now.”

This concern for the environment in North Carolina mirrors a national trend, according to Neal Peirce, contributing editor of the *National Journal*. “If you want solid proof that the environment is now rivaling the economy and employment as central

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*Seth Effron is a capital correspondent for the Greensboro News & Record.*

concerns of the American people, check out what the states are doing," says Peirce.<sup>6</sup> The states are beefing up their environmental protection programs across the board. They have been spurred by some of the same factors at work in North Carolina. First, the awareness of hazardous waste problems has prompted more demands for environmental action. Second, notes Peirce, "The anti-environmentalism of the early Reagan years may have had a backlash," prodding politicians and state policymakers to take on polluters. And third, federal agencies and laws have "handed enforcement off to the states," leaving state officials with the job of environmental protection.

North Carolina legislators have begun to sense the increased public sentiment in favor of environmental protection issues. At the close of the 1987 session of the General Assembly, N.C. Sierra Club and Conservation Council of North Carolina lobbyist Bill Holman declared it "the best session for environmental legislation since the 1973-74 session." It was that biennium that many environmental observers consider a landmark period for environmental protection in North Carolina. During the 1973 regular session and the 1974 short session, the General Assembly adopted major environmental

bills, including legislation to control sedimentation runoff at construction sites, and the Coastal Area Management Act.<sup>7</sup>

## A Good Legislative Session for Environmentalists in 1987

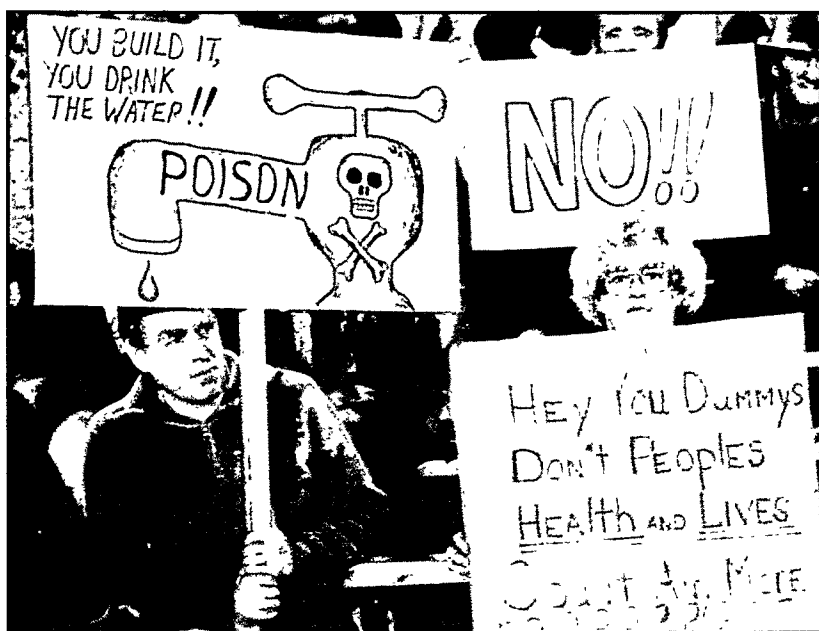
When the gavels hammered the adjournment of the 1987 session, several issues dear to the hearts of environmentalists, and which had been repeatedly defeated in previous sessions over the last decade, had been voted into law. The list included legislation:

- Banning detergents containing phosphates that encourage algae growth in rivers and streams and endanger other fish and plant life;<sup>8</sup>

- Requiring responsible parties to clean up their hazardous waste dumps;<sup>9</sup>

- Limiting the size of commercial hazardous waste treatment plants by limiting the amount of wastewater discharge,<sup>10</sup> a measure aimed specifically at stopping construction of a hazardous waste facility by GSX Corp. on the Lumber River in Robeson County;

- And prohibiting the shallow burial of low-level radioactive wastes.<sup>11</sup>



Glenn Roberson, The Lexington Dispatch

*Steve Adams and Noni Rhodes hold up their signs of protest at the Oct. 26, 1987 Hazardous Waste Treatment Commission public hearing in Lexington.*




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“In wildness  
is the preservation  
of the world.”

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—Henry David Thoreau

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Not only that, but three other bills sought by environmentalists passed the House of Representatives, and thus remain alive in the Senate for the 1988 short session in June. That list includes bills to create an underground storage tank cleanup fund;<sup>12</sup> amendments to the sedimentation control law that would prod developers to clear their sedimentation control plans before beginning a project;<sup>13</sup> and a bill to encourage least-cost energy planning.<sup>14</sup>

Not everyone agrees that all these bills are protective of the environment, of course. The Martin administration considered the phosphate ban as a “window dressing” bill, and the bill limiting wastewater discharge from hazardous waste treatment plants to be anti-environmental bills, says Ernest A. Carl, Martin’s deputy secretary of natural resources and community development. Carl says the administration estimated that phosphates would be reduced only about 5 percent under the new law, while the Martin administration would have preferred to require municipalities to extract the phosphate at wastewater treatment plants. Ironically, Carl’s boss, and Martin’s Secretary of Natural Resources and Community Development, Tommy Rhodes, supported the phosphate ban when he was in the General Assembly, but switched positions when he took the cabinet post.

Carl also said the administration considered the anti-GSX facility bill to be harmful to the environment, because it would stop or delay a hazardous waste facility that could help North Carolina clean up its wastes. “Some of these bills are just window-dressing bills,” contends Carl.

In earlier years, Holman noted, “all environmental bills were viewed with suspicion. Now, all legislators are calling themselves conservationists and environmentalists.” Holman credits many of the 1987 victories to a new attitude in the Senate, where Lieutenant Governor Jordan named a Committee on the Environment and endorsed bills calling for the phosphate detergent ban and for a cleanup of abandoned waste dumps.

The 1987 success was a marked change from the session a decade ago when environmentalists lamented the lack of support for environmental legislation. In 1973 and 1975, the General Assembly passed legislation restricting state environmental quality standards to the level of those of the federal government, and in 1977 a “bottle” bill to control litter from beverage containers was defeated. “We haven’t passed any environmental control legislation. We’ve passed relaxing legislation,” fumed then-state Sen. Cass Ballenger (R-Catawba),<sup>15</sup> now a Congressman from the 10th Congressional District. Steve Meehan, then a spokesman for the Department of Natural and Economic Resources, lamented: “It would be more difficult to pass some of the same laws we’ve got now if it were coming up this time (1977).”

For years, state Sen. Ollie Harris (D-Cleveland) was a leader among pro-business legislators who successfully fought much of the legislation supported by environmental groups. He opposed much of the environmental legislation passed during the 1987 session. Harris, who says he’s not anti-environment but feels people need to know the cost of environmental legislation, says the public is more aware of environmental issues now. “I think it has become a big issue because of things that have happened and the publicity of environmental problems,” he says. “I think that the general public is more sensitive.”

Internationally, the disasters at the Chernobyl nuclear power plant in the Soviet Union and the

## Major Environmental Controversies, 1982-87

**1984-87:** U.S. Forest Service's "50 Year Plan" for expanding clearcutting and reducing hunting draws continuous protest and improved but still contested redrafts.

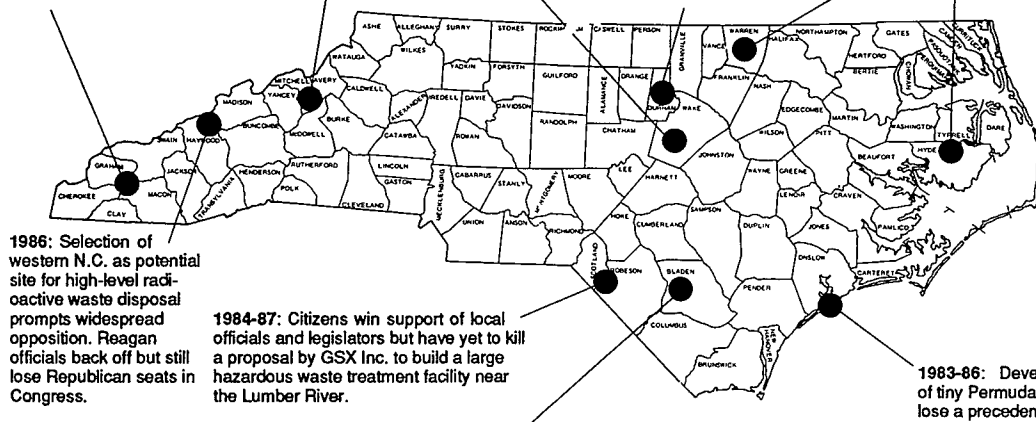
**1985-86:** Citizens convince state authorities to close down Mitchell Systems' incinerator despite owners' close ties to the governor.

**1986:** Chernobyl explosion reverberates in massive opposition to licensing of Shearon Harris nuclear power plant 15 miles from Raleigh.

**1983-85:** Fire at Armageddon Recycling Co. triggers neighborhood organizing, passage of Durham's "right-to-know" law, and more electoral victories for progressive biracial coalition.

**1982:** State buries 7,223 truckloads of PCB-laced dirt in a new landfill. Mass marches and 523 arrests make toxic waste disposal a hot issue statewide.

**1982-84:** A new coalition of fishermen and environmentalists defeats First Colony Farms' plan to stripmine peat from 15,000 acres of wetlands.



**1988:** Selection of western N.C. as potential site for high-level radioactive waste disposal prompts widespread opposition. Reagan officials back off but still lose Republican seats in Congress.

**1984-87:** Citizens win support of local officials and legislators but have yet to kill a proposal by GSX Inc. to build a large hazardous waste treatment facility near the Lumber River.

**1984-86:** An alliance of three poor but determined counties pressures state officials into denying U.S. Ecology's permit request to operate a low-level radioactive waste incinerator.

**1983-86:** Developers of tiny Permuda Island lose a precedent-setting fight with Stump Sound farmers and fishermen.

chemical tragedy in Bhopal, India have aroused worldwide attention. Nationally, the accident at the Three Mile Island nuclear plant in Pennsylvania and the Love Canal waste dump in New York have stirred the fears of environmental accidents. Closer to home, the PCB dumping along North Carolina roadsides in 1978, fishkills and diseased shellfish in the Pamlico Sound, reports of abnormal cancer deaths in the Chatham County community of Bynum, and the explosion of a hazardous waste facility in Durham have stirred up more than headlines (see map, above, for more). In North Carolina, the issues of hazardous waste and low-level radioactive waste disposal are no longer abstract problems to be solved in the distant future. "The general public . . . has become aware of the dangers, and there are dangers," Harris says.

John Runkle, president of the North Carolina League of Conservation Voters, believes one reason for the 1987 successes is the increased public attention. "It doesn't take many public meetings where 4,000 or 15,000 people show up . . . for politicians to line up on that side," Runkle says. And the public is acutely aware of environmental risks. "People understand if they don't make a fuss, they're going to get it," such as hazardous and low-level radioactive waste treatment and storage facilities for which the

state is seeking locations. "The environmental problems have reached a point in many areas where much of North Carolina will be completely degraded," he adds.

## Environmentalists Becoming a Political Force

**I**ncreasingly, local groups opposed to an environmentally-sensitive development project or a waste treatment site are able to delay decisions, force changes in plans, or sometimes to stop projects. The PCB landfill in Warren County, established in 1980, was an early case, when the state built the landfill despite the protests (and the arrests of 523 opponents) of local residents. Since then, grassroots citizen organizations and spontaneous outpourings of opposition—such as the hordes that turned out in Lexington to protest a treatment facility last October—have become more involved.

The Institute of Southern Studies in Durham commented on the success of these groups recently. "In a remarkable number of cases, local citizens groups—even those in relatively isolated rural areas—have won significant victories against impressive odds. They have forced state policy makers to change regulations, enact new laws, and enforce



*Gov. Jim Martin*

existing environmental standards. They have built ad hoc coalitions and enduring organizations, occasionally across race lines, more often across class and cultural divisions within the white community. And they have moved from crisis-oriented, hit-and-

miss organizing to sophisticated political lobbying and effective electoral activism."<sup>16</sup>

Martin administration officials strongly object to characterizing these public protests as pro-environmental. On the contrary, they contend, the mass protests and the opposition to waste treatment facilities are anti-environmental, because they mean delays in constructing facilities to clean up environmental problems. "All these protests were starkly anti-environmental," says Carl. "In each case the material to be handled already exists and is being processed in a dispersed, makeshift and dangerous way. They were simple 'not-in-my-backyard' outpourings of emotion and fear."

The Governor himself argues it's a matter of semantics. "There's a psychology that develops around something called hazardous waste," the Governor said at a December 1 press conference. "Suppose instead of the terminology having been settled on several years ago of calling it hazardous waste, suppose it had been named recycled industrial byproducts. Would you be any more concerned as an individual, would you be any more afraid of that than industrial products? Would you be any more concerned about the paint thinner that goes to a recycled byproducts factory, than you are about the paint thinner in your own garage? I don't know. I think there's a psychology that's generated about it. The term hazardous waste leads everybody, all of us, to think of the worst possible ingredients. And that's not really what hazardous waste is."

Environmentalists, however, say the record is clear. Many—not all—hazardous wastes are dangerous, and some are lethal. The government has an obligation to see to it that they are treated properly to protect the public health as well as the natural environment, they say.

The standoff between environmentalists and staff officials illustrate one particularly tough part of

solving environmental issues—both sides want to have it both ways. That is, environmental groups want the environment cleaned up, but they don't want facilities to do that built in their neighborhoods. And state officials want to construct and operate facilities to clean up various environmental problems, but they don't want the public to be concerned about where those facilities are put or how they are operated.

Holman, the principal environmental lobbyist (and the 6th most effective, according to the 1985 survey of legislators, lobbyists, and capital news correspondents by the N.C. Center for Public Policy Research), says the grassroots opposition has helped create legislative successes. "I basically think the legislature is catching up with public opinion," notes Holman. "More and more legislators are hearing from their constituents about environmental problems and are becoming more responsive to those concerns."

Holman is reluctant to say there's a trend in environmentalists' favor. "It's too early to tell if it's a trend," he cautions. "It will depend on who is the next lieutenant governor. I do think the environmental issues are getting more debate, and they are starting to pass not only the House but also the Senate. In the past, the Senate was rather hostile to environmental legislation."

In 1987, the Senate was warmer to environmental legislation, and environmentalists want to keep it that way. They're looking hard at the 1988 race for lieutenant governor, where one of their primary villains—state Sen. Harold Hardison (D-Lenoir)—is running with strong backing from business and industry groups. Runkle compares Hardison to James Watt, President Reagan's discredited former Secretary of the Interior who was forced to resign after policy and public statements that infuriated a variety of liberal and conservative environmental organizations.

Hardison authored a series of legislative initiatives—the "Hardison amendments"—which require state environmental regulations to be no more restrictive than those called for by federal law and regulations (see p. 107 for more). Runkle says his group is plan-

*Bill Holman*





*Lt. Gov. Bob Jordan*

ning to get involved in the Democratic primary for lieutenant governor to point out Hardison's record. "Hardison has been the leader of the anti-environmental forces in this state.... We really need to show voters where he has stood," Runkle says.

Hardison says he's not troubled by this. "It doesn't bother me one bit," he says. "Some people are saying I'm a born-again environmentalist, but I'm today like I was 30 years ago. I'm trying to do what is best for the people of North Carolina." Hardison says he's pro-growth, not anti-environment. "To say someone is anti-environment is just ridiculous. No one wants to do anything to hurt the environment."

## Dangerous Political Ground

**R**ecent N.C. campaigns show how environmental issues can be hazardous to political health. Bill Hendon is one who knows. The environment—particularly the disposal of radioactive waste—may have been the decisive issue in the 1986 campaign in the 11th Congressional District race between incumbent Republican Hendon and Democratic challenger Jamie Clarke. The two had traded terms in the seat since 1982. In early 1986, federal Energy Department officials released a list of potential sites for an eastern high-level radioactive waste repository. High-level radioactive waste is spent fuel from nuclear power plants, and the federal government was eyeing a site in the western part of North Carolina, among other states.

Residents mobilized to fight it. Even though the federal government announced it was going to delay the search for an eastern site (a decision that was rescinded after the 1986 election), Clarke focused on the radioactive waste disposal issue and other environmental issues to defeat Hendon. "It was the issue in the 1986 campaign," says Terry Garren, Clarke's administrative aide, who ran the 1986 campaign. Garren believes that concerns over the fragile mountain environment in an area heavily dependent on tourism hurt Hendon. "People saw a clear and present danger. And environmental concerns are growing in our area," Garren says. When the voting was

over, Clarke was back in, and Hendon was out of a job.

## Making Political Hay

**A**s Governor Martin takes the environmental issue on the campaign trail, his rhetoric is partly meant to assure residents that he believes a hazardous waste disposal site is safe and will dispose of many common household substances. But it also gives the Governor a chance to blast away at the Democrats and the legislature. At the celebration of the 100th anniversary of Cannon Mills in Kannapolis, for instance, Martin criticized Democrats for "pulling a fast one" when it passed the anti-GSX legislation.<sup>17</sup> And earlier, Martin criticized Democrats for proposing cuts in state environmental budgets, and aides said those cuts might cause "severe havoc" in the state environmental protection programs.

In his statements, Martin seeks to deflect concern about the location of the treatment facility away from his administration, which ultimately will make the siting decision, and onto his favorite whipping boy—the legislature. Martin said it was an "arbitrary" and "political decision" to set an abnormally high wastewater discharge dilution ratio in the GSX bill (see p. 78 for more on this point). Martin said the law, backed by statewide environmental organizations, was engineered by Democratic legislators from the eastern part of the state to keep sites out of their districts. "They [Democratic leaders] pulled a fast one there. It wasn't a sound way to base the decision. It was a political decision," Martin said.

Martin's advisors believe the Governor, with his science background (a doctorate in chemistry), has a good environmental record since taking office. In fact, agrees Holman, environmental management *has* improved under Martin. "The Division of Environmental Management has been more aggressive since Governor Martin was elected," says Holman. "Civil actions against polluters are up, and the water quality section is more active than it has been. That is truly one of the positive things that has happened at NRCD."

*Ernest A. Carl*



While the Governor did not have much luck with the legislature, his aides hand out a long list of Martin initiatives on the environment. Under his administration, they say, the EMC has limited the amount of phosphates that municipal water treatment plants can put into nutrient sensitive watersheds; the EMC has increased enforcement actions by 250 percent over the previous administration; the EMC has beefed up water supply classifications to protect watersheds; and the EMC has adopted the state's first coastal stormwater runoff regulations. In addition, the Governor has strongly recommended a number of pro-environmental actions, not all of which the legislature has funded. Martin sought a large increase in staff to oversee leaking fuel tank problems, but the legislature reduced his request; the Governor sought a \$50 million state parks bond issue, but the legislature rejected it; and the administration requested and got approval for more than \$8 million for a new environmental management laboratory.

Thus both the Governor and the Lieutenant Governor can campaign on some environmental accomplishments. For his part, Jordan can hit the campaign trail taking credit for the creation of the Senate Committee on the Environment, for helping pass the phosphate ban, for backing standards on the treatment of low-level waste and for initiating a legislative study on consolidating state environmental programs.

Despite Martin's improvements in environmental regulation, the public may not know much about Martin's record on the environment. Instead, voters may recall the Governor's promise during the 1984 election to oppose the Hardison amendments. But since then, Martin has made no visible effort to do so. No doubt he'll hear about it again. Environmentalists plan to mention it in 1988, when Martin will be the first Republican governor to seek a second four-year term in office. Martin likely will be seeking his share of the green vote, as the environmental electorate is sometimes called, just as he seeks the votes of other segments of the electorate. Maybe that's one reason that Martin has decided to move some other environmental issues, such as his new emphasis on coastal concerns, onto his priority agenda.

At the same time, Lt. Gov. Robert Jordan faces his own challenges on the environment. The environmental lobby, flush with its success from 1987, will be pressing for further gains in the Senate. Jordan's challenge will be to continue to build his own environmental image and record, just as the Governor seeks to do the same—and to convert that

image into votes.

How much impact the environment will have on the election is a matter of debate, but the record shows that environmental questions *have* influenced elections. Larry Sabato, a political scientist at the University of Virginia, notes that the green vote has had a regular influence on statewide elections for nearly two decades. In the 1970s, he wrote, intra-party and interparty politics were important factors in gubernatorial elections, "but new issues also came to the fore. One of these was environmentalism. From Earth Day in 1970 onwards, environmental concerns helped to defeat some pro-growth, pro-industry governors. About one-tenth of all gubernatorial defeats after 1969 could be traced to a concentration on environmental preservation."<sup>18</sup>

That's ample testimony to the power of environmental politics. □□

## FOOTNOTES

<sup>1</sup> *The People, Press and Politics*, national survey by the Times Mirror Company, Los Angeles, September 1987, p. 121.

<sup>2</sup> *Ibid.*

<sup>3</sup> "North Carolina's Environment: A review of public opinion 1979-1984," *N.C. Citizens Survey*, Office of State Budget and Management, April 1985, p. 57.

<sup>4</sup> *Ibid.*, p. 55.

<sup>5</sup> Tracie Cone, "Protect Environment, Survey of Residents Says," *Winston-Salem Journal*, Dec. 4, 1983. See also Deborah Baldwin, "Playing Politics with Pollution," *Common Cause* magazine, May/June 1983, p. 15.

<sup>6</sup> Neal R. Peirce, "Environmental Concerns Stage Comeback," *State Issues*, Congressional Quarterly Press 1987, pp. 179-181.

<sup>7</sup> Pollution Control Act of 1973, now codified as G.S. 113A-50—113A-66; and Coastal Area Management Act of 1974, G.S. 113A-100—113A-134. Other major N.C. environmental legislation was adopted in 1971, with the Environmental Policy Act, G.S. 113A-1—113A-10; and the Natural and Scenic Rivers Act, G.S. 113A-30—113A-43.

<sup>8</sup> Chapter 111 (SB 164) of the 1987 Session Laws, now codified as G.S. 143-214.4—215.3.

<sup>9</sup> Chapter 574 (HB 134) of the 1987 Session Laws, now codified as G.S. 130A-310.

<sup>10</sup> Chapter 437 (SB 114) of the 1987 Session Laws, now codified as G.S. 130A-295.1.

<sup>11</sup> Chapter 633 (SB 48) of the 1987 Session Laws, now codified as G.S. 104E-5.

<sup>12</sup> Underground Storage Tank Cleanup Fund, HB 1304, 1987 General Assembly.

<sup>13</sup> Sedimentation Control Act Amendments, HB 1171, 1987 General Assembly.

<sup>14</sup> Least-Cost Energy Planning, HB 1260, 1987 General Assembly.

<sup>15</sup> Jack Betts, "Review of Environmental Legislation," *Greensboro Daily News*, April 21, 1977, p. A1.

<sup>16</sup> Bob Hall, "Environmental Politics: Lessons From The Grassroots," *Southern Exposure* magazine, Summer 1987, Vol. XV, No. 2, pp. 16-28.

<sup>17</sup> Anne M. Ferguson, "Politics is a sad fact of search site," *The Salisbury Post*, Aug. 30, 1987, p. A1.

<sup>18</sup> Larry Sabato, *Goodbye to Good-time Charlie, The American Governorship Transformed*, CQ Press, 1983, p. 111.