



U.S. ENVIRONMENTAL LAWS

A list of major U.S. federal laws (unless otherwise indicated) pertaining to the environment.

Atomic Energy Act (1954): Was passed because of the government's keen interest in monitoring the commercial and national defense uses of atomic energy. Government concerns included radiation hazards and the disposal of radioactive waste. The act establishes a general regulatory structure for construction and use of nuclear power plants and nuclear weapons facilities. Unlike most environmental statutes, it does not permit citizen suits and affords only limited opportunities for suits by public interest groups.

Clean Air Act (1970): Sets goals and standards for the quality and purity of air in the United States. By law, it is periodically reviewed. A significant set of amendments in 1990 toughened air quality standards and placed new emphasis on market forces to control air pollution.

Clean Water Act (1972): Establishes and maintains goals and standards for U.S. water quality and purity. It has been amended several times, most prominently in 1987 to increase controls on toxic pollutants, and in 1990, to more effectively address the hazard of oil spills.

Coastal Zone Management Act (1972): Provides a partnership structure allowing states and the federal government to work together for the protection of U.S. coastal zones from environmentally harmful overdevelopment. The program provides federal funding to participating coastal states and territories for the implementation of measures that conserve coastal areas.

Comprehensive Environmental Response, Compensation and Liability Act (1980): Requires the cleanup of sites contaminated with toxic waste. This law is commonly referred to as "Superfund." In 1986 major amendments were made in order to clarify the level of cleanup required and degrees of liability. CERCLA is retroactive, which means it can be used to hold liable those responsible for disposal of hazardous wastes before the law was enacted in 1980.

Emergency Planning and Community Right-to-Know Act (1986): Requires companies to disclose information about toxic chemicals they release into the air and water and dispose of on land.

Endangered Species Act (1973): Is designed to protect and recover endangered and threatened species of fish, wildlife and plants in the United States and beyond. The law works in part by protecting species habitats.

The Energy Policy Act: a statute that was passed by the United States Congress on July 29, 2005 and signed into law by President George W. Bush on August 8, 2005 at Sandia National Laboratories in Albuquerque, New Mexico. The Act, described by proponents as an attempt to combat growing energy problems, changed the energy policy of the United States by providing tax incentives and loan guarantees for energy production of various types.

Federal Food, Drug, and Cosmetic Act (1938): Is the nation's major law regulating contaminants in food, including pesticides. The Food and Drug Administration implements most of this law; the Environmental Protection Agency carries out its pesticide standard setting provisions (with FDA enforcement). See also Food Quality Protection Act.

Federal Land Policy and Management Act (1976): Provides for protection of the scenic, scientific, historic and ecologic values of federal lands and for public involvement in their management.

Federal Insecticide, Fungicide, and Rodenticide Act (1947): Controls the sale, distribution and application of pesticides; amended in 1972, 1988, and 1996. See also Food Quality Protection Act.

Food Quality Protection Act (1996): Is designed to ensure that levels of pesticide residues in food meet strict standards for public health protection. Under this law, which overhauled the Federal Food, Drug, and Cosmetic Act and the Federal Insecticide, Fungicide, and Rodenticide Act, the Environmental Protection Agency is required to better protect infants and children from pesticides in food and water and from indoor exposure to pesticides.

Fisheries Conservation and Management Act (1976): Governs the management and control of U.S. marine fish populations, and is intended to maintain and restore healthy levels of fish stocks and prevent overharvesting. Better known as the Magnuson Stevens Act.

The Freedom of Information Act (FOIA): the implementation of freedom of information legislation in the United States. It was signed into law by President Lyndon B. Johnson on July 4, 1966 (Amended 2002), and went into effect the following year. This act allows for the full or partial disclosure of previously unreleased information and documents controlled by the United States Government. The Act defines agency records subject to disclosure, outlines mandatory disclosure procedures and grants nine exemptions to the statute.

The Lacey Act of 1900, or more commonly The Lacey Act: a conservation law introduced by Iowa Rep. John F. Lacey. It was signed into law by President William McKinley on May 25th, 1900. The Lacey Act has been amended several times. The most significant times were in 1969, 1981, and in 1989. At the turn of the century, illegal commercial hunting threatened many game species in the United States. The law prohibited the transportation of illegally captured or prohibited animals across state lines. It was the first federal law protecting wildlife, and is still in effect, though it has been revised several times. Today the law is primarily used to prevent the importation or spread of potentially dangerous non-native species.

Marine Mammal Protection Act (1972): Seeks to protect whales, dolphins, sea lions, seals, manatees and other species of marine mammals, many of which remain threatened or endangered. The law requires wildlife agencies to review any activity -- for example, the use of underwater explosives or high-intensity active sonar -- that has the potential to "harass" or kill these animals in the wild. The law is our nation's leading instrument for the conservation of these species, and is an international model for such laws.

Migratory Bird Hunting Stamp Act: The federal duck stamp was created through a wetlands conservation program. President Herbert Hoover signed the Migratory Bird Conservation Act in 1929 to authorize the acquisition and preservation of wetlands as waterfowl habitat. The law, however, did not provide a permanent source of money to buy and preserve the wetlands. On March 16, 1934, Congress passed, and President Roosevelt signed, the Migratory Bird Hunting Stamp Act. Popularly known as the Duck Stamp Act, the bill's whole purpose was to generate revenue designated for only one use: acquiring wetlands for what is now known as the National Refuge System. It has been proven that sales of duck stamps increase when the public has been informed of how the revenue generated through stamp sales are used.

National Environmental Policy Act (1970): Was the first of the modern environmental statutes. NEPA created environmental policies and goals for the country, and established the President's Council on Environmental Quality. Its most important feature is its requirement that federal agencies conduct thorough assessments of the environmental impacts of all major activities undertaken or funded by the federal government. Many states have enacted similar laws governing state activities.

Nuclear Waste Policy Act: a United States federal law enacted in 1982. It established a national program for disposal of highly radioactive wastes, and resulted in the studying of Yucca Mountain as a possible site for long-term disposal of radioactive waste. It also established a 1.0 mill per kilowatt hour tax on nuclear power to be deposited in the Nuclear Waste Fund to be used for financing a repository.

Occupational Safety and Health Act: the primary federal law which governs occupational health and safety in the private sector and federal government in the United States. It was enacted by Congress in 1970 and was signed by President Richard Nixon on December 29, 1970. Its main goal is to ensure that employers provide employees with an environment free from recognized hazards, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.

Ocean Dumping Act: The Marine Protection, Research, and Sanctuaries Act or Ocean Dumping Act was one of several key environmental laws passed by the US Congress in 1972. It brought under EPA regulation and license the dumping of sewage sludge, industrial waste, biological agents, medical waste, NBC, and radioactive waste, into the territorial waters of the United States.

Oil Pollution Act (1990): Enacted a year after the disastrous Exxon *Valdez* oil spill in Alaska's Prince William Sound, this law streamlines federal response to oil spills by requiring oil storage facilities and vessels to prepare spill-response plans and provide for their rapid implementation. The law also increases polluters' liability for cleanup costs and damage to

natural resources and imposes measures -- including a phaseout of single-hulled tankers -- designed to improve tanker safety and prevent spills.

Proposition 65 (1986): Is a California law passed by voter initiative. Known as the Safe Drinking Water and Toxic Enforcement Act, Prop. 65 is designed to provide public warnings about the risk of exposure to toxic chemicals and to eliminate toxins from drinking water supplies. It is responsible for California having some of the strongest environmental protections in the nation, and thus has helped make the state a model for other regions seeking to address environmental hazards.

Resource Conservation and Recovery Act (1976): Seeks to prevent the creation of toxic waste dumps by setting standards for the management of hazardous waste. Like CERCLA, this law also includes some provisions for cleanup of existing contaminated sites.

Safe Drinking Water Act (1974): Establishes drinking water standards for tap water safety, and requires rules for groundwater protection from underground injection; amended in 1986 and 1996. The 1996 amendments added a fund to pay for water system upgrades, revised standard: setting requirements, required new standards for common contaminants, and included public "right to know" requirements to inform consumers about their tap water.

Superfund Amendments and Reauthorization Act (SARA): an amendment and reauthorization of CERCLA, the Comprehensive Environmental Response, Compensation & Liability Act (CERCLA) of 1980, better known as the SuperFund Act. Both CERCLA and SARA have the goals of identifying, remediating and preventing the release of hazardous substances to the environment.

Solid Waste Disposal Act: An Act that regulates the treatment, storage, or disposal of solid, both nonhazardous and hazardous, waste, as amended by RCRA and the Hazardous and Solid Waste Amendments of 1984.

Surface Mining Control and Reclamation Act (1977): Is intended to ensure that coal mining activity is conducted with sufficient protections of the public and the environment, and provides for the restoration of abandoned mining areas to beneficial use.

Taylor Grazing Act: a United States federal law enacted in 1934 that regulates grazing on federal public land. The act was named for Edward T. Taylor, a congressman from Colorado. The Secretary of the Interior has the authority to handle all of the regulations, and he became responsible for establishing grazing districts. Before these districts are created there must be a hearing held by the state. The Grazing Service, established in the 1930's within the Department of the Interior to administer the Taylor Grazing Act was merged with the General Land Office in 1946 to form the Bureau of Land Management.

Toxic Substances Control Act (1976): Authorizes the Environmental Protection Agency to regulate the manufacture, distribution, import and processing of certain toxic chemicals.

Wild and Scenic Rivers Act: an outgrowth of the recommendations of a Presidential commission, the Outdoor Recreation Resources Review Commission (ORRRC). Among other things, the commission recommended that the nation protect wild rivers and scenic rivers from development that would substantially change their wild or scenic nature. The act was sponsored by Sen. Frank Church (D-Idaho) and signed into law by President Lyndon B. Johnson on October 2, 1968. A river or river section may be designated by the U.S. Congress or the Secretary of the Interior. As of 2004, a total of 156 rivers have wild and scenic status. Selected rivers in the United States are preserved for possessing outstandingly, remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. Rivers, or sections of rivers, so designated are preserved in their free-flowing condition and are not dammed or otherwise improved.

Wilderness Act: The Wilderness Act of 1964 was written by Howard Zahniser of The Wilderness Society. It created the legal definition of wilderness in the United States, and protected some 9 million acres (36,000 km²) of federal land. The result of a long effort to protect federal wilderness, the Wilderness Act was signed into law by President Lyndon B. Johnson on September 3, 1964. The Wilderness Act is well known for its succinct and poetic definition of wilderness:

...an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain.



INTERNATIONAL TREATIES

A short list of international treaties pertaining to the environment.

The "Madrid Protocol": The Protocol on Environmental Protection to the Antarctic Treaty. The Antarctic Treaty Nations agreed on this in 1991, it came into force in 1998. The purpose of the Protocol was essentially to protect Antarctica for 50 years from commercial exploitation primarily of its mineral wealth.

Cairo Conference on Population and Development: The United Nations International Conference on Population and Development (ICPD) was held from 5-13 September 1994 in Cairo, Egypt. During this two week period world leaders, high ranking officials, representatives of non-governmental organizations and United Nations agencies gathered to agree on a Program of Action regarding population growth and development.

CITES (the United Nations Convention on International Trade in Endangered Species of Wild Fauna and Flora): an international agreement between governments, drafted as a result of a resolution adopted in 1973 at a meeting of members of the World Conservation Union (IUCN). Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival and it accords varying degrees of protection to more than 33,000 species of animals and plants.

Comprehensive Test Ban Treaty: A proposed treaty to prohibit all testing of nuclear weapons in all environments: underground, underwater, in the atmosphere and in space. In 1999, the U.S. Senate refused to ratify the treaty.

The Kyoto Protocol: An international agreement setting binding limits on emissions of greenhouse gases from industrialized countries. This agreement was adopted in Kyoto Japan in December 1997 and supplements the United Nations Framework Convention on Climate Change adopted in 1992.

The United Nations Convention on the Law of the Sea (UNCLOS): also called the Law of the Sea Convention or the Law of the Sea treaty, is the international agreement that resulted from the third United Nations Conference on the Law of the Sea (UNCLOS III), which took place from 1973 through 1982. The Law of the Sea Convention defines the rights and responsibilities of nations in their use of the world's oceans, establishing guidelines for businesses, the environment, and the management of marine natural resources. The Convention concluded in 1982 replaced four 1958 treaties. UNCLOS came into force in 1994, a year after Guyana became the 60th state to sign the treaty. To date 155 countries and the European Community have joined in the Convention. The United States has signed the treaty, but the Senate has not ratified it. However, it is now regarded as a codification of the Customary international law on the issue.

Montreal Protocol: International agreement signed by more than 150 countries to limit the production of substances harmful to the stratospheric ozone layer, such as CFCs.

The Rio Earth Summit: The United Nations Conference on Environment and Development, also known as the Rio Summit, Earth Summit (or, in Portuguese, Eco '92) was a major United Nations conference held in Rio de Janeiro from June 3 to June 14, 1992. 172 governments participated, with 108 sending their heads of state or government. Some 2,400 representatives of non-governmental organizations (NGOs) attended, with 17,000 people at the parallel NGO "Global Forum", who had so-called Consultative Status.

The issues addressed included:

- systematic scrutiny of patterns of production — particularly the production of toxic components, such as lead in gasoline, or poisonous waste including radioactive chemicals
- alternative sources of energy to replace the use of fossil fuels which are linked to global climate change
- new reliance on public transportation systems in order to reduce vehicle emissions, congestion in cities and the health problems caused by polluted air and smog
- the growing scarcity of water

An important achievement was an agreement on the Climate Change Convention which in turn led to the Kyoto Protocol. Another was agreement to "not carry out any activities on the lands of indigenous peoples that would cause environmental degradation or that would be culturally inappropriate".

Non-Proliferation Treaty: A multilateral treaty signed in 1968 which aims to control the spread of nuclear weapons; extended indefinitely in May 1995. The treaty has been signed by over 175 nations.

United Nations Framework Convention on Climate Change: An international agreement for dealing with climate change, adopted at the United Nations Conference on Environment and Development (the "Earth Summit") in Rio in 1992. AKA Climate Change Convention; Climate Treaty. (See also Kyoto Protocol.)

The Stockholm Declaration on the Human Environment: The Stockholm Declaration, adopted 16 June 1972, is the first document in international environmental law to explicitly recognize the *right* to a healthy environment.