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EPA Comes Under Fire for Oil Field Wastes Exemption

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Don Clay, assistant administrator for solid waste at EPA, testified before the House subcommittee on hazardous wastes and transportation, urging that the exemption be continued.

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Is the long arm of the U.S. Environmental Protection Agency shortening? EPA has been likened to a holy power, but with all its potency, it may not be able to quench the groundswell of private environmentalists screaming for oil field wastes to be reclassified as hazardous.

Some while ago, this forum was used to examine the parameters of environmental regulation. Primarily, this reporter's position remains the same: We must balance efforts to protect the environment with the reality of cost.

By and large, the oil and gas industry welcomes responsible environmental regulation seasoned with economic logic.

Reauthorization of the **Resource Conservation and Recovery Act** _ RCRA - hearings gain full force at Congress early next year. Tendencies seen among policymakers at subcommittee hearings last month are not promising for the oil and gas industry.

The Oklahoma Corporation Commission, **Interstate Oil** and Gas Compact Commission and others, including EPA, went to bat for the industry, but there were just as many or more environmental extremists. And, the latter group - although not to suggest that the oil and gas industry is not full of environmentalists - often has a more emotional story to tell.

Indeed, oil field waste looks explicitly nasty and grotesque, but that does not always mean it is harming nature.

The price tag of reclassifying oil field wastes as hazardous is also graphically stark, you know.

EPA itself has estimated that to comply with such a measure, it would cost the oil and gas industry between \$1 billion and \$6 billion annually.

That trickles down to the consumer, too, EPA acknowledged.

In short, EPA told congressional members that it would not be able to mitigate the "serious" economic repercussions that would result from the reclassification. What an understatement.

Conversations with EPA officials in Washington, D.C., and in the Region 6 office in Dallas - which covers Oklahoma - have revealed no one with the agency that wants oil field wastes reclassified.

Don Clay, assistant administrator for solid waste at EPA, testified before the House subcommittee on hazardous wastes and transportation, urging that the exemption be continued.

But, subcommittee Chairman U.S. Rep. Al Swift of Washington, chided him and at one point said, "It's time for EPA to board the train before it leaves the station." Independents from Oklahoma relayed the comment.

Most people are environmentalists at heart. We are all consumers; there's no getting around that, and that especially includes petroleum products.

America's thirst for petroleum products is voracious.

Now, that leads to a contradiction in the argument espoused by environmental extremists. On the one hand, they argue the American public feels that the environment should be protected at any cost. On the other hand, there is wailing in the aisles and gnashing of the teeth when a gasoline tax is mentioned.

Not that this reporter supports any kind of tax, but I am in a quandary to find another way besides economics to curb America's appetite for petroleum products. And, with declining domestic production, which leads to higher imports that carry huge foreign trade costs, it is a challenge to comprehend how Americans can justify frivolous consumption of such a precious resource devoid of any attempt to preserve it for future generations.

That dilemma might be easily resolved, though, if environmental regulations become so stringent that the oil and gas industry in the United States cannot afford to remain in business. The majors and big independents are already staging an exodus, taking their operations abroad largely due to environmental barriers at home.

Of course, if the domestic oil and gas industry shuts down, there will be cries of anguish from the American consumers. It is the patriotic duty of the oil and gas industry to supply vital petroleum products, they may argue.

Somewhere, sometime, the reality of the situation will be borne out.

Hopefully, it will not be too late.

Most of the Oklahoma delegation in Washington, D.C., champion the oil and gas industry and recognize the implications of reclassifying oil field wastes. The most powerful probably are U.S. Sens. David Boren, D-Seminole, and Don Nickles, R-Ponca City, plus U.S. Rep. Mike Synar, D-Muskogee.

Other Oklahoma delegates are: U.S. Reps. Bill Brewster, D-Marietta; Mickey Edwards, R-Oklahoma City; Glenn English, D-Cordell; Jim Inhofe, R-Tulsa; and Dave McCurdy, D-Norman.

However, there is not prominent representation of the states where oil and gas production is prevalent on the House and Senate committees that will be hearing arguments on RCRA.

The Oklahoma Independent Petroleum Association urges concerned folks to contact their own congressional representatives. It wouldn't hurt to let the committees know your views, either.

Members of the Senate Environment and Public Works Committee are:

Chairman Max Baucus of Montana, John Chafee of Rhode Island, Dave Durenberger of Minnesota, Bob Graham of Florida, James Jeffords of Vermont, Frank Lautenberg of New Jersey, Joe Lieberman of Connecticut, Howard Metzenbaum of Ohio, George Mitchell of Maine, Daniel Moynihan of New York, Alan Simpson of Wyoming, Steve Symms of Idaho and John Warner of Virginia.

Members of the House Energy and Commerce Committee are:

Chairman Al Swift of Washington, Rick Boucher of Virginia, H.L.

"Sonny" Callahan of Alabama, Cardiss Collins of Illinois, Dennis Eckart of Ohio, Jack Fields of Texas, Thomas Manton of New York, Bill Richardson of New Mexico, Matthew Rinaldo of New Jersey, Don Ritter of Pennsylvania, Dan Schaefer of Colorado, Phil Sharp of Indiana, Gerry Sikorski of Minnesota, Jim Slatterly of Kansas and W.J. "Billy" Tauzin of Louisiana . . .

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