
Section Two: Liability and Legislative Considerations

2.1 Important Environmental Legislation

It is a very difficult task to keep abreast of all existing and emerging environmental legislation in the United States. For example, some 500 environmental bills were introduced into Congress in 1990 alone.

The following paragraphs provide a brief overview of major legislation affecting most industries. More comprehensive reviews can be obtained from the Environmental Protection Agency, as discussed in Section Nine. Given the volume of federal and state laws, Canadian firms should ensure that any local partner has a strong knowledge of the legislation (and enforcement officials) that is driving the market.

Federal - The Environmental Protection Agency

The Environmental Protection Agency was formed in 1970 to consolidate 15 components from five government departments into one independent agency. The EPA implements programs to cover fourteen major laws passed by Congress, namely:

- Clean Air Act;
- Clean Water Act;
- Comprehensive Environmental Response Compensation and Liability Act ("Superfund");
- Resource Conservation and Recovery Act;
- Safe Drinking Water Act;
- Emergency Planning and Community Right-to-Know Act;
- Federal Insecticide, Fungicide and Rodenticide Act;
- Toxic Substances Control Act;
- Marine Protection, Research and Sanctuaries Act;
- Uranium Mill Tailings Radiation Control Act;
- Indoor Radon Abatement Act;
- Ocean Dumping Ban Act;
- Coastal Zone Management Act;
- Pollution Prevention Act.

The EPA conducts both general policy and goal setting as well as the writing of technical industry and chemical standards. About 65 percent of the agency's employees are located in ten regional offices and work directly with state and local governments and other groups to implement the nation's environmental laws and regulations. The remaining employees work in a policy, research, or enforcement role in Washington, D.C. or at facilities in Colorado, North Carolina and