

# **Don't Leave It All To The Experts**

THE CITIZEN'S ROLE IN ENVIRONMENTAL DECISION MAKING





The U.S. Environmental Protection Agency (EPA) believes that public participation in environmental decision making is a *must* if we are to have an environment fit for people. EPA also believes that public participation is most effective when concerned individuals combine and coordinate their efforts into environmental action through voluntary citizen organizations.

This EPA booklet is designed to stimulate environmental action by citizen groups. It is a general guide. It contains some principles and suggestions for productive organized action. It discusses the unique role of citizen groups in the struggle to achieve a better environment and how to capitalize on that role. It does not dwell on what you as an individual can do about any specific environmental problem, but rather it describes some of the fundamentals, tools and techniques of organized citizen environmental action. Instead of telling you what pesticides or detergents to use or how to conserve water or electricity, this booklet seeks to show you how concerned citizens working in concert can contribute to environmental quality. In sum, what citizen organizations can do about the environment if they don't want to leave it all to the "experts," is what this booklet is all about.

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### **The Weight of Public Opinion**

*"Unquestionably, the public must not only be allowed to participate in environmental decision making, it should be encouraged to do so. Often the sheer weight of public opinion is sufficient to force corrections without any need for legal action."*

—EPA Administrator William D. Ruckelshaus

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## The New Revolution

We are experiencing a new American Revolution. It is a revolution generated by the unwanted fruits of environmental laissez-faire—dirty air, polluted water and degraded land. It is a revolution of aroused citizens, concerned about the quality of our environment, demanding action by government and industry and taking action themselves.

Thousands of private citizens, individually and more often through voluntary organizations, are working for water pollution control, for cleaner air, for noise control, for better solid waste management, for conservation of natural areas, for wildlife preservation, for population control, for transportation reform, for pesticides control, for sound resource management, for rational planning and zoning, for growth that's compatible with nature. In essence, they are working for environmental quality.

Citizen concern and citizen action have already spurred enactment of environmental protection legislation at all levels of government. Citizen organizations are working to see that this legislation is implemented. These organizations also will most certainly be in the forefront of campaigns to enact new laws to further protect and enhance the environment.

EPA welcomes this public participation, for informed, responsible citizen groups are an essential and potent force for movement towards environmental improvement. Citizen organizations are uniquely qualified. They are independent of both government and industry. They can objectively evaluate the performance of both government and industry. They can focus public attention on what is and what is not being done. They articulate the public's desire for a better environment, they attract press attention which, in turn, helps nurture the climate of public opinion necessary for action. They have power.

Law enforcement cannot be effective without popular support, cooperation and involvement. This is especially true in the area of pollution, which often requires changes in attitudes and values in order to break the pattern of business and pollution as usual. With their healthy skepticism, organized citizen groups have already demonstrated their great capacity to prod and stir government and industry to action.

Government and industry have clear environmental responsibilities, of course. The purpose of effective citizen action is not to subvert those responsibilities but to make sure they are honored. Government and industry have the "experts" on their sides. But citizen organizations often have their own expertise to contribute to environmental decision making.



Moreover, while environmental decision making must be based on the best available scientific and technological information, value judgments—social decisions—are ultimately required. And these social decisions must reflect the public will, for the environment belongs to the public, not just to the “experts” in the government agency or industry immediately involved in a particular decision. When risks must be measured against benefits, when economic and environmental values must be weighed and balanced, the public has the right and the obligation to make its views known.

Organized citizen groups are the mechanisms through which public opinion is best applied to environmental decision making. They magnify and concentrate the views of like-minded individuals. They give new meaning to the concept of participatory democracy.

As the Federal agency charged by law to enforce the pollution control legislation enacted by Congress, EPA encourages input and involvement—yes, and even the prodding and constructive criticism—of citizen organizations. And to make this process as productive as possible—to achieve and maintain environmental and ecological health—EPA has prepared this guide for responsible and effective citizen action.

This booklet is designed for groups already organized and active in pursuit of a better environment. Indeed, the suggestions herein have been distilled from the experiences of many of these organizations. Some citizen organizations may find this booklet too elementary; if so, it can serve as a checklist against which to measure their existing activities.

Other citizen groups may find this is not elementary enough; they may want more basic information on how to organize for action on the environmental front. Such groups should consult the many available manuals; some are listed on page 18.

But whether novice or veteran, citizen groups are critically important elements in the latest American Revolution. They and they alone have the dedication, drive and independence to undertake and carry on three fundamental missions in pursuit of a better environment:

1. to ensure that there are adequate environmental protection laws—at the community, State and federal levels—and that there are adequate appropriations and staff to carry out those laws;
2. to support, encourage and stimulate control agencies and polluters to move steadily and speedily toward compliance with environmental laws and regulations;
3. to keep the public informed, on a continuing basis, of the success—or failure—of environmental protection programs and on what still remains to be done.

If you are a member of a citizen organization concerned about the environment, what can your group do to carry out these missions?



Once your group has this basic information—and the best sources are State and local agencies—the next step is to evaluate it.

Your group should use its own “experts”—scientists, physicians, engineers, lawyers, technicians, etc.—from within its membership and in the community. Seek the assistance of experts at colleges and universities, in medical, engineering and other professional societies, in business and industry.

The control agencies themselves can often help you understand and evaluate the legal, scientific and technical nature of pollution problems, so if your group hasn't already done so, get to know the director and staff members. You need their help and cooperation, and the agencies need your support and encouragement.

Your group should also get to know the EPA staff in your area. EPA has 10 regional offices (see page 20) and many field offices, manned by a knowledgeable staff with a wide range of specialties, who can be of great help to you.

Keep in mind that meaningful action for environmental improvement must be based on sound information. Pollution control requires research, monitoring, setting standards and enforcing those standards. Pollution control requires knowledge of existing abatement technology, application of that technology and development of new and improved technology. To be effective, a citizen organization must be credible. It must know what it's talking about. It must know how to discriminate between accurate and inaccurate information. It must not accept as gospel whatever uninformed individuals, no matter how well-meaning, might say.

Get the facts. Check your sources. If in doubt, seek outside guidance. This is essential to protect your own credibility and to check the credibility of others. For instance, if a polluter claims that the technology does not yet exist to deal with his particular problem, or that it's too costly to install, check it. Citizen groups have sometimes been able to refute such claims—and educate the polluters as well as the public.

## Know The Law

Do your State and local control agencies have adequate powers to enforce pollution controls? Are they using those powers? Do your control agencies require reasonable but clear timetables for action? Where Federal standards have been set—as in air and water pollution—but primary enforcement is left to State and local governments, are local, State and Federal requirements being met? Are variances from pollution control regulations permitted? Under what conditions? Do pollution control laws, regulations and procedures provide for public hearings, with reasonable notice, on standards, rules, variances, permits, etc.?

Your citizen group should be as familiar with these laws and regulations as the control agencies and polluters are. Without this information, you cannot determine what can be done, what must be done and what new laws might be needed. Your group's objective should be to see that your control agencies have adequate legal powers and that they use them.

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### To Sue Or Not To Sue?

*When all else fails, citizen groups often carry their environmental struggles to the courts. Citizen law suits should not be undertaken lightly, however. They can be expensive and time-consuming. And environmental law suits should never be undertaken without competent, experienced attorneys. For advice as to the names of lawyers in your vicinity who specialize in environmental law, consult the Natural Resources Defense Council, Inc., a public interest law firm, at 36 W. 44 St., New York, N.Y. 10036, or the Environmental Defense Fund, an organization of lawyers and scientists, at 162 Old Town Road, East Setauket, N.Y. 11733.*

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## Pick Your Targets Carefully

Citizen organizations usually spring into existence as a public reaction to an environmental problem. They are *against* the dirty air shrouding their community and endangering their health. They are *against* the deterioration of area streams or lakes. They are *against* the ugly, disease-breeding dumps degrading their community. They are *against* the rising noise levels afflicting most urban areas. They are *against* the filling and development of a shoreline or coastal area. They are *against* a combination of these and other environmental insults.

There's nothing wrong with being *against* something. That's how the first American Revolution began, as a matter of fact. But being *against* isn't enough. It's only the starting point for action.

To be effective, citizen groups must convert this initial "anti" motivation into well-conceived, positive action programs. They should carefully assess an environmental problem and identify its roots. They should pick their targets carefully and give priority to the major causes of the environmental problem they want solved. They should try to determine in advance what efforts will be truly worthwhile in terms of environmental improvement in their community. (And also worth the expenditure of their usually limited financial and staff resources.)

Two fundamentals for action are, of course, adequate environmental protection laws and funds to implement them, as noted earlier. But beyond these basics, how can your group bring its power to bear most fruitfully? What else should you focus upon?

The potential targets are as varied as your community's environmental problems. But again, be selective.

If water pollution is your group's target, for instance, what are the major sources of discharges in your community? Are they from municipal sewage or industrial plants or runoff from farmland or from a Federal facility? Attack those major problems. Don't waste your impact with campaigns against colored toilet paper or kitchen garbage disposals.

If solid waste is your target, what are the problems? Is it inefficient and infrequent collections, open dumping or burning instead of sanitary landfilling or recycling or converting solid wastes into energy by burning them to generate electricity?

Is recycling feasible in your community? Is energy recovery feasible? Get the facts. Find out what other communities are doing. If your community still uses archaic and disease-breeding open dumps, do you work to screen them from public view or do you try to shut them down and replace them with sanitary landfills or recycling and energy recovery programs?

If air pollution is your target, what are the major sources? Power plants? Factories? Automobiles? Incinerators? Again, concentrate on the major sources. Don't waste your time with campaigns against backyard barbecues.

If the automobile is the prime villain, as it is in many urban areas, do you stage a demonstration and bury a car? Do you work to develop and stimulate the use of mass transit, to keep cars out of downtown areas, to change traffic patterns—to make transportation part of your community's total planning program? And do you try to have your State initiate and enforce an automobile emission control inspection program?

If power plants are polluting your air and water, do you campaign against electric toothbrushes, carving knives and other gadgets which use a minute amount of electricity? Or do you work to see that the power plants install the best available pollution control equipment? Do you work to see that building codes require better insulated homes and offices to reduce the amount of energy needed to heat or cool them? Do you argue that office buildings should be designed as they once were with windows that open and close to take advantage of natural ventilation and which would eliminate the need for artificial climate control 24 hours a day, 365 days a year?





This is not to minimize the cumulative, positive impact which many isolated and individually small efforts at pollution control and environmental improvement can achieve. Many of these individual efforts reflect a desire to do something about the environment. They are symbolic of the value changes which have accompanied our growing awareness of the dimensions of our environmental problems. The renewed emphasis on conserving water, energy and other resources is obviously desirable. But water conservation, for example, begins not with putting a brick or rock in the toilet tank, but with keeping water as clean as possible in the first place by controlling industrial and municipal sewage discharges and other sources of pollution, so the water can be used and reused over and over again.

Keep this key question in mind in deciding on priorities: What objectives, if achieved, will most benefit your community's environment?

And also keep in mind the interrelated nature of environmental problems. When a community bans open burning of leaves, for instance, it eliminates one seasonal source of air pollution. But if the leaves are not collected and properly disposed of, the community has swapped one environmental problem for another. And if the use of kitchen garbage disposals is discouraged, is the community equipped to collect and properly dispose of food wastes? Is the community's sewage treatment plant better able to handle ground-up food, or should food wastes be left to the community's garbage collection system?

What's best for public and environmental health?

## Yes, Lobbying

Lobbying is as American as apple pie. Quite simply, lobbying means influencing legislators for or against something. It is an informational and educational activity. It is a technique used by individuals and organizations to inform legislators of their views on pending bills. It helps lawmakers acquire information and gauge the degree of public support or opposition to a proposed law.

The term "lobbying" comes from the practice of talking to legislators in the lobby outside their legislative chamber. But sophisticated lobbying goes far beyond merely discussing the pros and cons of a particular piece of legislation with a lawmaker in the lobby of your city or county council building or outside your State legislative or Congressional offices.

Many citizen groups have already demonstrated their great capacity to influence legislators on environmental issues. Indeed, the many environmental protection laws enacted in recent years at all levels of government are clear evidence of this.

A wealth of literature is available on how, and how not, to lobby. No matter how experienced your group might be in lobbying, you will find it worthwhile to review some of the available publications, especially *The Sierra Club Political Handbook*, available from the Sierra Club, 1050 Mills Tower, San Francisco, Calif. 94104.

A note of caution: while lobbying is a form of free speech, Congress and some State legislatures have passed laws requiring lobbyists to register, file reports, etc. under certain conditions. Be sure your organization meets all legal requirements if it engages in lobbying. Also, the Internal Revenue Code places certain restrictions on lobbying by some tax-exempt organizations. Check those too, as well as any applicable State and local laws.

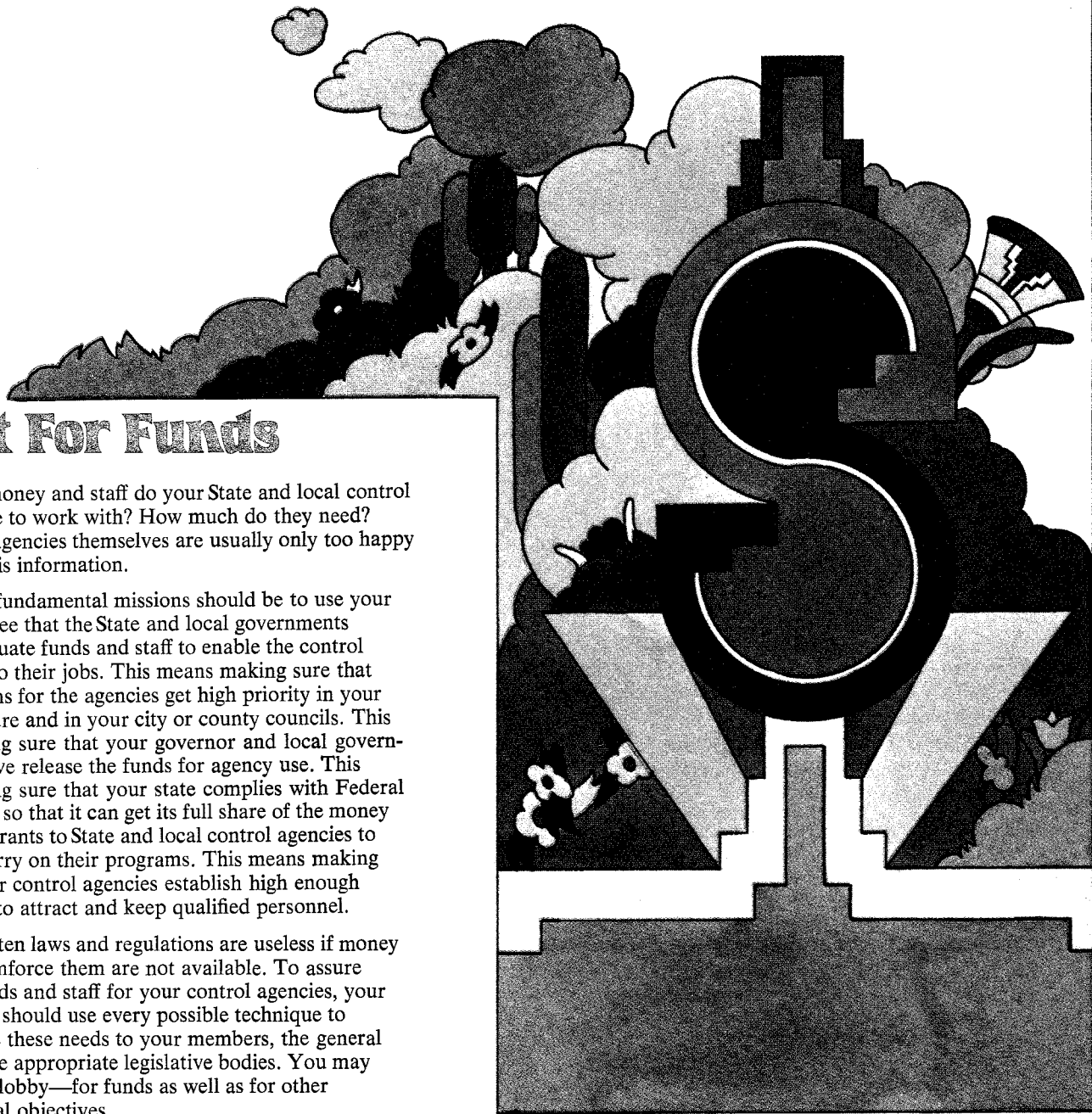
Even if your group is legally unable to lobby in its own name, remember that there are no restrictions on what individuals can do. A variety of informational and educational activities, short of formal lobbying, can help create a favorable climate of public opinion for needed legislation. In fact, action-oriented public information and education is the name of the game for citizen environmental organizations.

## Fight For Funds

How much money and staff do your State and local control agencies have to work with? How much do they need? The control agencies themselves are usually only too happy to provide this information.

One of your fundamental missions should be to use your influence to see that the State and local governments provide adequate funds and staff to enable the control agencies to do their jobs. This means making sure that appropriations for the agencies get high priority in your State legislature and in your city or county councils. This means making sure that your governor and local government executive release the funds for agency use. This means making sure that your state complies with Federal requirements so that it can get its full share of the money which EPA grants to State and local control agencies to help them carry on their programs. This means making sure that your control agencies establish high enough salary levels to attract and keep qualified personnel.

The best written laws and regulations are useless if money and staff to enforce them are not available. To assure adequate funds and staff for your control agencies, your citizen group should use every possible technique to communicate these needs to your members, the general public and the appropriate legislative bodies. You may even have to lobby—for funds as well as for other environmental objectives.



## Telling Your Story

Telling your group's story is crucial. Whatever your programs and objectives, they can be achieved only with effective communications. Is your group serving as a "watchdog" of local government and its pollution control programs and of private organizations and industry? Are you supporting, prodding, stimulating pollution control agencies? Are you seeking to promote rational community planning and orderly growth? Are you supporting and promoting private environmental improvement programs?

Whatever you're up to, your members and the general public have to be informed. You have to deliver your knowledge and information to the public to generate support. The public must be able to look to your group for objective, independent analysis of what government and industry are, or are not doing. Your group has to distill the technical and scientific into language that's meaningful to the public. Your group has to sound the alert when necessary. At times, your group has to say things that control agency officials are not free to say publicly.

Many techniques and tactics are available to get your message across to the public and your group undoubtedly uses some if not all of them. For instance:

Citizen groups publish newsletters, fact sheets, brochures, etc. on environmental issues. They issue press releases and hold press conferences. They hold public meetings, membership meetings, seminars, workshops, conferences. They use "name" speakers and films to enliven their meetings. They reach out into the community by sending speakers to meetings held by other organizations—civic, church, social, professional, labor, PTA and other groups. They sponsor teach-ins and tours of environmental trouble spots. They send letters to the press and to public officials. They stimulate letter writing by individuals on key legislative and administrative decisions. They testify at public hearings held by control agencies and legislative bodies. They lobby. They provide resource material to sympathetic legislators. They give awards—sometimes in recognition of positive environmental achievements, sometimes to focus attention on "polluters of the month." To dramatize environmental problems, they sponsor demonstrations, organize peaceful picketing, hold mock trials or use other tactics to attract public and press attention. They involve other organizations in coalitions to demonstrate the widest possible support for specific legislative or administrative goals.

Many citizen groups use the talents and skills of their members who are experienced public relations practitioners. And sometimes it's possible to obtain professional help at little or no cost from sympathetic friends at public relations firms, advertising agencies or even the public relations offices of industrial firms.

Basically, citizen groups have to reach out to the communications media in their communities if they are to extend their public impact beyond the limits of their usually modest memberships and financial resources.

Newspapers, magazines, television and radio stations, news services—"the press"—are of inestimable assistance to citizen groups. The press is generally sympathetic to the environmental cause, as most people are. And the press can do something about it. It can use its editorial columns to support worthwhile programs, proposals and legislation and to oppose those that are not. It can cover significant environmental developments in its news columns. The press, in sum, can help citizen groups tell the environmental story.

Citizen groups, in turn, can help the press and their own cause. Some guidelines on how to do this:

## The Press

The press is in the news business. The environment is news. Responsible citizen organizations in the environmental field should and can be part of this news beat. If your group is not already known to the local press, consider these approaches:

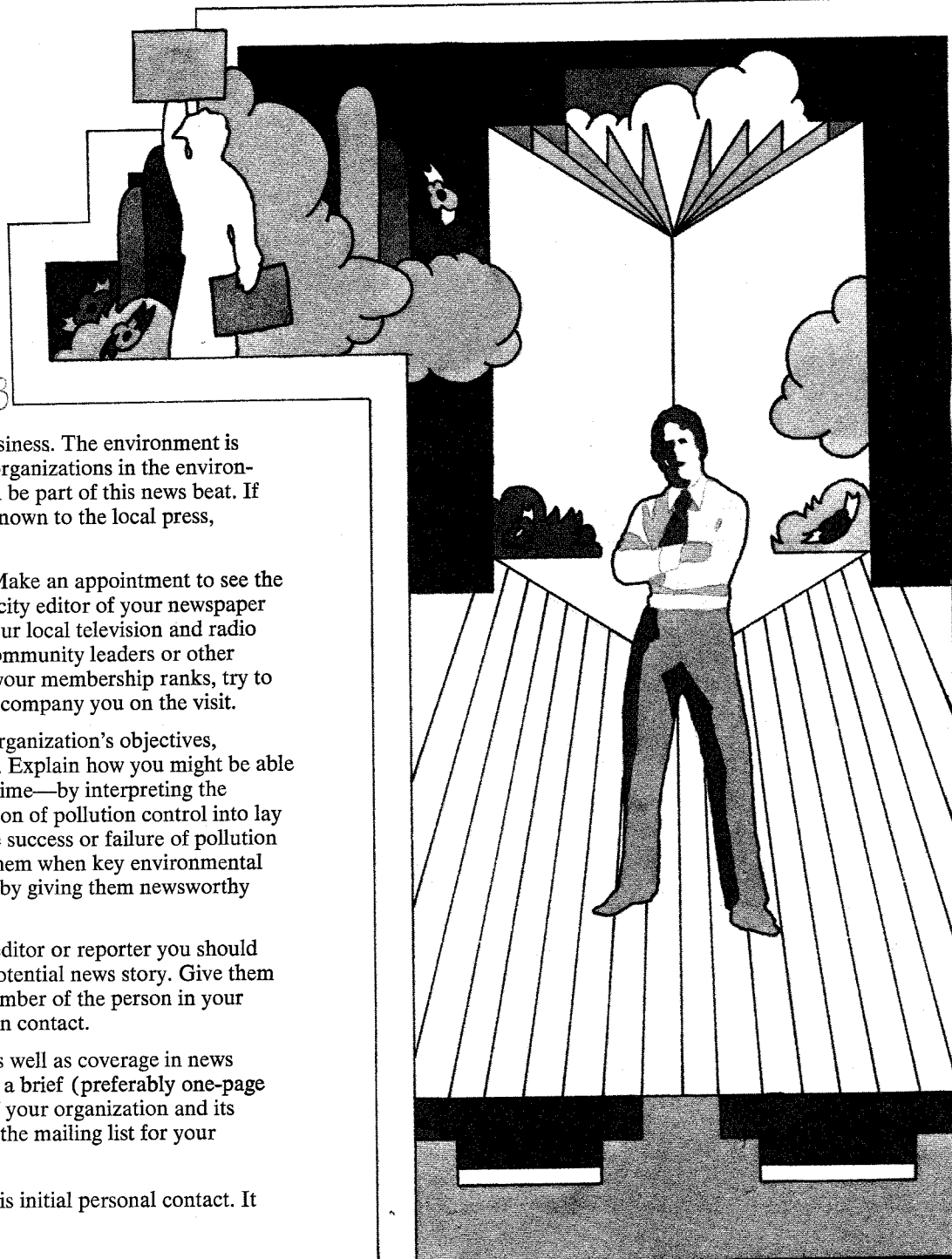
1. Get to know the press. Make an appointment to see the editor, managing editor or city editor of your newspaper and the news director of your local television and radio stations. If you have any community leaders or other well-known individuals in your membership ranks, try to have one or two of them accompany you on the visit.

Tell the press about your organization's objectives, programs and membership. Explain how you might be able to help them from time to time—by interpreting the technical and scientific jargon of pollution control into lay language, by evaluating the success or failure of pollution control plans, by alerting them when key environmental decisions are forthcoming, by giving them newsworthy tips, etc.

Ask if there's a particular editor or reporter you should contact when you have a potential news story. Give them the name and telephone number of the person in your organization whom they can contact.

Ask for editorial support as well as coverage in news columns. Leave them with a brief (preferably one-page typewritten) description of your organization and its programs and add them to the mailing list for your newsletter, magazine, etc.

There's no substitute for this initial personal contact. It



gives you and the press an opportunity to get to know each other. It gives you the opportunity to establish your credibility.

**2. Maintain your credibility.** This is vital for continuing good relations with the press. Your group must be responsible, responsive and knowledgeable in dealing with the press at all times. Don't make statements or accusations you cannot support. Don't be evasive. If you don't know the answer to a question, say so—and offer to get it and call back. Then do so, with the answer or with a frank statement that you don't know or couldn't get the answer. Don't guess. Don't speculate. If you're telling the press something off the record, make it clear that you don't want to be quoted. But don't use the off-the-record cover to peddle false or inaccurate information.

**3. Learn press deadlines.** Don't call them at deadline time unless you've got a truly "hot" item. Time your press releases to meet their deadlines.

**4. In your press releases and conversations with the press,** avoid the jargon of pollution control. Unless the reporter covers the environment full-time, chances are you know more about the subject than he does. Be helpful by talking and writing plainly.

**5. Don't issue press releases or hold news conferences unless** you really have something to say. If you hold a press conference, have a release and background material available and give the press a chance to go over it before the conference begins. Don't waste the press's time by simply rehashing the press release in your oral presentation. Allow plenty of time for questions. If you really have nothing to add to the release, or if the subject doesn't lend itself to questioning, you shouldn't hold a press conference. And don't schedule press conferences at deadline times or in competition with other local major news developments.

**6. Don't tell the press what to print or broadcast;** that is their business and their decision. And don't expect the press to print or broadcast every word in your press releases. Settle for a part of the story.

**7. When you issue a press release,** deliver it personally if at all possible. If you have to mail it, call and alert the press that a release is in the mail and brief them on the content. Don't try to read the release to them unless they ask you to. Whenever possible, get the release to the press at least one or two days before the release date. (This will not be possible under certain circumstances, of course—such as a statement from your group in response to a control agency action, a polluter's action, a legislative action, etc.)

**8. If an officer of your organization is making a speech** somewhere, send a copy to the press at least a day or two before, with a press release or cover note. Mark the release and the speech for release at the time and date it will be given.

**9. Don't argue with the press.** If you think you have a grievance, discuss it with them privately and rationally. Don't attack the press. If you have an honest disagreement on a public policy, or an editorial opinion they've expressed, present your views in a letter to the newspaper editor. If it's a radio or television station, ask for an opportunity to reply through a taped editorial comment, broadcasting's version of the letter to the editor.

**10. Be sure of your facts.** If you mislead the press, you can destroy your credibility and public acceptance. And consequently, your ability to influence public opinion, government and industry.

**11. Be resourceful.** Look for opportunities for your organization and its programs to become part of local news events, not necessarily centered on the environment and thereby receive valuable visibility.

## Getting On The Air

Citizen organizations should look to the broadcast media for more than just news and editorial coverage, for these powerful forces of public information present other opportunities for spreading the environmental message such as through a good local feature story.

Under the "fairness doctrine," the Federal Communications Commission requires radio and television stations to air both sides of controversial public issues. Environmental advocates should keep this in mind, for they may be able to obtain broadcast time to rebut a program or commercial that doesn't present both sides of an environmental issue. (For further information on the fairness doctrine, write the Citizens Communications Center, 1812 N St. N.W., Washington, D.C. 20036.)

Advertising itself is being scrutinized by the Federal Trade Commission which has announced that it intends to make advertisers document claims that a product is "better," "improved," "cleaner" or "ecologically sound."

Many cities have at least one "all news" radio station. Using news service material and their own staffs of reporters and editors, these stations broadcast only news (and commercials, of course). News items are often repeated fairly frequently, depending on each station's own newsgathering resources. These stations should not be overlooked, for their heavy demand for news makes them likely to want to know what newsworthy groups are doing. They may be interested in feature items. If there's an "all news" station in your community, contact the program director. Offer to help keep him up to date on the environmental scene. Suggest features—such as periodic reports on the community's environmental quality, what major sources of pollution are doing to clean up, what control agencies are doing, what special groups such as youngsters are doing, etc.

Another possible approach for citizen organizations to use is public service time. The FCC requires commercial radio and television stations to make available a certain amount of free time to community organizations and causes. This can range from airing short spots at commercial breaks extolling worthwhile objectives, such as "support clean air week" or "don't be a litterbug," to programs devoted to community problems and community organizations. Contact local broadcasters and find out if and how you can get public service time.

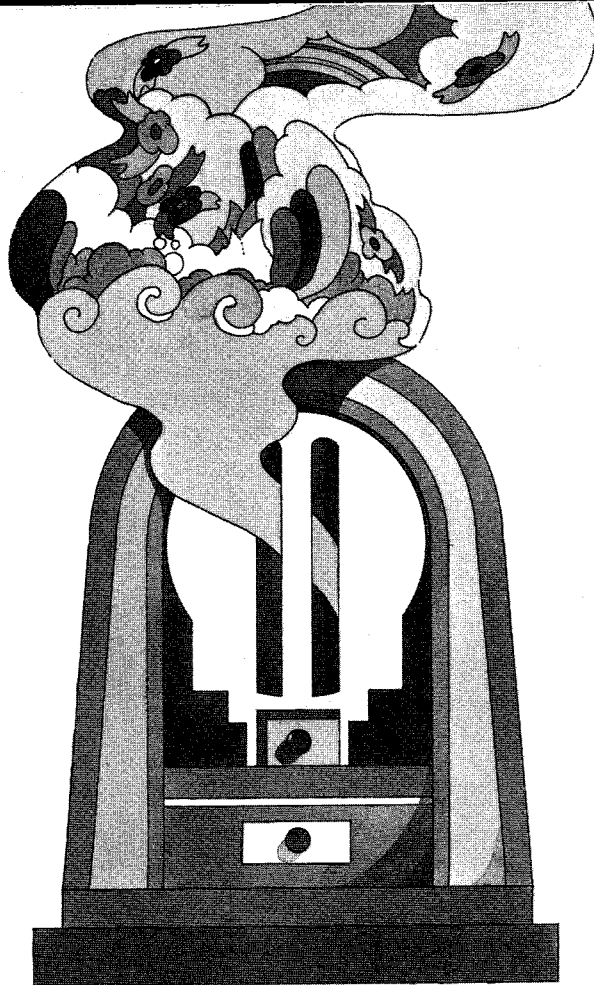
Public (or educational) radio and television stations should also be contacted. They devote considerable time to community problems and programs. They seek to explore community problems and to provide a forum for community organizations. The state of your community's environmental health and what's being done to improve it might be the kind of subject they would like to cover, occasionally or perhaps even as a monthly public report, or even as a daily "progress" report.

Still another broadcast resource that should be tapped is the college and university radio station. Student broadcasters are often quite sympathetic to environmental improvement and should be involved in your projects.

But how do you get on radio or television? Try the direct approach. With a few definite program ideas in mind, visit the station manager or program director at the commercial, public and college radio and television stations in your community. Discuss your ideas. Ask about public service time.

If the answer is yes, what do you do then? How do you go about putting together a suitable show? The radio or television station may provide assistance. But your group should keep these ideas in mind in the event you find yourself with a block of public service time to fill:

1. The public already knows there are environmental problems. Simply "viewing with alarm" is no longer newsworthy or informative or educational. The public is interested in action. So is your group; that's why you exist. So zero in on specifics. Here are some examples: Have cleanup deadlines been set for the major pollution sources in your community? If yes, are the deadlines being met? If not, why not? What are the prospects for a cleaner environment in your community? What are the obstacles? What can and should be done about them? What can the public do to help?



**2.** The program should be a balanced presentation of whatever environmental problem or problems you're discussing. Your organization might host the broadcast. But you should include spokesmen for the control agency and the polluters. This will help expose the audience to all points of view—and will help you to establish yourselves as a responsible, respected organization.

**3.** The program should give the audience a chance to participate. Provide time for questions from the audience (if the program is live), or for people to call in and ask questions, or both.

**4.** The program should be as concise and as entertaining as possible. Avoid long speeches, monologues, "lectures" and formal debates if you want to avoid losing your audience.

**5.** The program should attempt to suggest specific things that people can do to help the cause of a better local environment. For example: give them a telephone number to call (your group's or the control agency's) if they see a suspected violation of an environmental law. Give them the time and place of important public hearings. Give them names and addresses of public officials to write to on pending environmental decisions, bills, appropriations, etc. If you're discussing air pollution, have a physician to explain what health precautions people should take in the event of an air pollution episode.

**6.** While you might consider the program your show, the station is responsible for what is aired. Make suggestions, of course. But respect the management's rights and professional experience.

**7.** If it's a television program, try to provide visual material—films and still photographs—or help the station find suitable locations if it prefers to shoot its own film. Try to reach the viewer through both sight and sound.

**8.** The program should relate environmental pollution problems to people. Without scaring them into a sense of futility and hopelessness, try to dramatize the affects of pollution on health, on recreation, on the economy, on the quality of life, etc. And try to give a feeling that things can be done. Others have succeeded, why not here?

**9.** The program should be credible. Participants should know what they're talking about. If someone doesn't know the answer to a question, there should be no "fudging."

**10.** Your group should make use of the expertise of other citizen groups in various specialties. Your group may be concerned primarily with water pollution or solid wastes. Other organizations may be the experts on transportation or open space and recreation or noise. Involving other citizen groups can broaden your group's appeal and widen the base of your support.

These few guidelines only skim the surface. The possibilities of using radio and television are limited only by the imagination of those who plan and put on the program. As many citizen organizations do, your group should seek all possible assistance from members—or sympathetic outsiders—who are professional communicators.





## Public Hearings

Public hearings give citizen groups still another opportunity to communicate with the public, or publics, for your objectives should be two-fold. First, to get your views before the control agency or legislative body holding the hearing. Second, to get your views to the general public through the press. Here are a few suggestions to help you get maximum benefits from a public hearing.

### Before the Hearing

1. Duplicate copies of your prepared typewritten (double-spaced) statement. Print on only one side of the paper.
2. Prepare an advance press release. Again, use only one side of each sheet of paper. Get the release and a copy of your full statement to the press the day before the hearing. Be sure both the release and the statement are marked "Advance Copy—Not for Release Until . . ." (Insert date and time, a.m. or p.m., when you expect to present the statement).
3. If possible, deliver the release and the statement personally to your press contacts. If you can't, call and tell them the release and statement are on the way. Don't waste the reporter's time by trying to discuss or read the release or statement to him on the phone—unless he asks you to.

This advance work serves several purposes: it reminds the press that the hearing is coming up; it shows your press contacts that you've thought of them—even though they know you want coverage, and if they cannot cover the hearing themselves, at least they have your statement.

### At the Hearing

1. Have enough copies of your prepared statement for each member of the committee or board or commission conducting the hearing, plus some extras for their files and have copies for the press too, along with your press release.
2. When you're called to testify, be brief, no more than four or five minutes, but request that your full statement be included in the hearing record.
3. Begin with your name, address, title or group affiliation, and cite other groups, if any, which support your position and have asked you to say so.
4. Tell why you support—or oppose—the subject under consideration. Give facts to back up your position. Don't make charges or accusations you cannot prove.
5. If appropriate, explain how the public interest is affected by the issue, who will benefit and how much it will cost, etc.
6. If you have several speakers, avoid repetition unless special emphasis is desired. Have each cover a different point or approach the problem from a different aspect.





**7.** Speak clearly—loudly enough to be heard, slowly enough to be understood, but quickly enough to hold attention.

**8.** Be prepared to answer questions—to explain your position, to explain the nature of your group, how your group's position was reached (executive board vote, membership meeting, mail referendum, etc.). If you don't know the answer to a question, say so. Don't bluff. Offer to get the answer and send it in for the record. On rare occasions, a committee member may be hostile and may attempt to rattle, confuse, irritate or intimidate you. Don't let yourself get confused, angry or nasty.

**9.** Try to have many supporters attend the hearing even though they will not testify. Casually mention their presence in the audience in your opening remarks. Some call this "packing a hearing." Others call it "showing strength and support." Numbers reinforce your stand. An indication of broad support can sway legislators as well as public opinion.

**10.** Listen carefully to other statements presented, especially by the opposition. Make note of factual errors or new ideas or proposals, for you may be asked to comment on what other witnesses say. If so, don't attack the opposition or make personal remarks.

**11.** Respect the right of others to disagree with you. Do not applaud or show disapproval of any speaker.

**12.** If you have written statements of community leaders, other organizations, etc. who support your position but could not attend the hearing, ask that the statements be included in the record.

**13.** Thank the committee or board or commission for giving you the opportunity to testify.

### **After the Hearing**

**1.** Promptly prepare and submit answers to any questions you were asked but could not answer at the hearing. If you think any comments made by the opposition were factually incorrect or need rebuttal, prepare and submit a supplementary statement for the record. But don't rehash what was said in your original statement.

**2.** If your press contacts wrote or broadcast stories containing your views, call them, congratulate them on their good reporting and thank them for the coverage.

**3.** Don't complain to the press if your views weren't included in their coverage, or if you think the coverage was bad, or if you think you were misquoted.

**4.** A few days after the hearing, consider sending a letter to the editor for publication, referring to the hearing and try to point out what, if anything, the public should then do to help.

**5.** Inform your own members on what happened at the hearing through your organization's newsletter, or a special letter to all members and copies of press clippings, if any.

Note: Whether your group testifies or not, it should monitor all public hearings on local environmental issues. You might suggest to your control agencies and city or county councils that public hearings be held in the evening or on weekends to give more people an opportunity to attend. If possible, your group should also try to monitor public hearings on major environmental proposals in the state capital.

Don't ignore administrative proceedings, rule-making hearings, etc. Your group should obtain copies of proposed rules and regulations, as well as proposed laws. Study them. Then make your views known by testifying at the hearing or by submitting a written statement before the deadline for comments.

## Know Your Rights

State and federal laws give citizens a variety of tools to use in pursuit of environmental quality. These include the right of the public to have access to government information and the right to take court action.

## Information

Pollution control agencies have a great deal of information on sources of pollution, their discharges, air and water quality monitoring data, permit applications submitted by dischargers, permits and variances issued by the agencies, pollution control plans, compliance schedules, etc.

Under some Federal environmental protection laws, States are required to submit periodic reports to EPA.

Most, if not all, of this material is public information. Obtain it and use it—it is an invaluable lode to be mined by citizen groups. It will give you the facts and figures you need to determine the status of pollution control, timetables for action and the progress—or lack of it—of enforcement.

EPA itself attempts to comply fully not only with the letter, but with the spirit of the Freedom of Information Act passed by Congress in 1966. EPA operates on the basic assumption that the public has a right to know what public agencies are doing, and that information in EPA files is public property. This applies to all information in EPA's possession except if a law specifically forbids disclosure of a document.

Under the Freedom of Information Act, all Federal agencies must make available any record or document properly requested by the public. If a Federal agency does not do so, the person requesting the information has the right to bring suit in Federal court to compel compliance. (The Washington Institute for Quality Education, 300 M St. S.W., Washington, D.C. 20024, has published a guide to the Freedom of Information Act; price, \$3.75.)

Many states have similar laws. Your group should know and exercise your legal rights to information on the State and Federal levels.

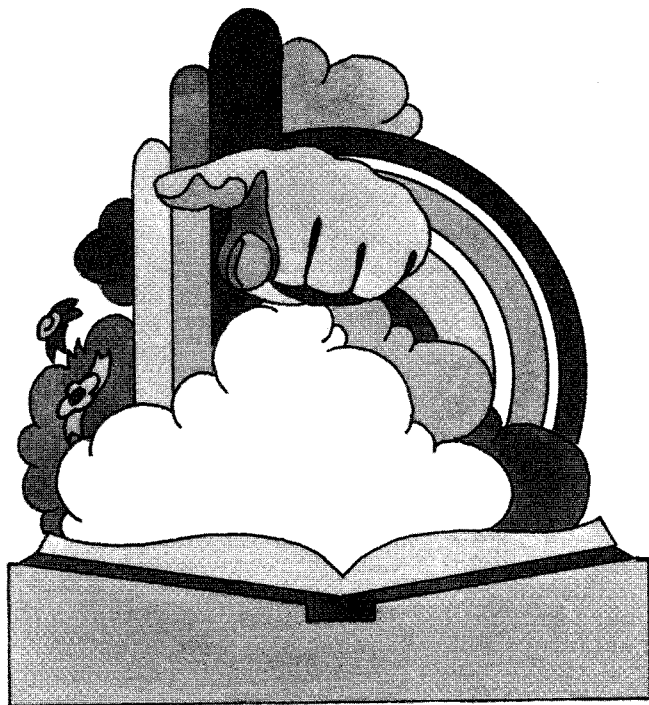
The public also has a right to the environmental impact statements which Federal agencies are required to prepare under the National Environmental Policy Act, on any proposed Federal action which might significantly affect the environment. Your group should obtain, study and comment on, if necessary, Federal environmental impact statements on proposed projects in your community or area. Several states are considering similar legislation.

(The Council on Environmental Quality publishes a monthly list of environmental impact statements filed with it in the "102 Monitor," available by subscription for \$6.50 a year from the Government Printing Office, Washington, D.C. 20402. The Council also publishes a list of the impact statements it receives in the *Federal Register*, available by subscription for \$25 a year. The *Federal Register* is also available in many public libraries.)

## Going To Court

Individuals have long had the right to file suit under nuisance laws for damages to health and property caused by a polluter. But recent laws give citizens new and more potent legal rights.

The Federal Clean Air Act, for example, gives anyone the right to file suit against violators of certain provisions of that law, including the EPA Administrator if he fails to do what the law requires. Similar provisions for citizen court suits are contained in other environmental legislation pending in Congress.



Also, court interpretations of the National Environmental Policy Act, the Department of Transportation Act, the Federal Highway Act and other Federal laws have established the right of citizens to file suit against Federal agencies under certain conditions if they fail to meet the requirements of those laws.

Moreover, some states, Michigan is one, have enacted laws giving citizens broad rights to file suit to stop any action, by government or corporations or individuals, that harms the environment.

The possibility of a citizen court suit can often stimulate government at all levels as well as polluters to comply with environmental laws and regulations. Your citizen group should, therefore, know what legal avenues are available under local, State and Federal statutes to assure compliance with environmental laws.

Citizen groups which believe they have no alternative but to take court action should do so only with competent legal assistance, however. Consult attorneys in your own organization or your nearest public interest law group.

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### GASP at Work

*"We work within the system in a responsible manner. We do not ask the impossible. But we demand compliance at the earliest possible moment within the state of the art of pollution control."*

*So says GASP, the Group Against Smog and Pollution, in Pittsburgh, Pa. This citizen organization grew out of a successful campaign to upgrade the State's proposed air quality standards. GASP then successfully sparked other campaigns. It succeeded, among other things, in strengthening the county air pollution code, in getting good people named to the air pollution variance board, and in increasing the control agency's salaries so the agency could attract and keep a competent staff.*

For details on this group's programs and techniques, write GASP, Box 2850, Pittsburgh, Pa. 15230.

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### THE SAN FRANCISCO STORY

*One of the nation's most dramatic environmental struggles has been waged over the future use and protection of San Francisco Bay. The story is documented in the book, **The Saving of San Francisco Bay**. It is the story of three women who triggered a decade-long struggle to protect a magnificent natural resource. It is a story of environmental politics. It is a story of regional planning and the highly successful techniques used to achieve it.*

**The Saving of San Francisco Bay** by Rice Odell is available from the Conservation Foundation, 1717 Massachusetts Ave. N.W., Washington, D.C. 20036. Price: \$3.

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## Some Final Words

These guidelines for effective citizen action add up to hard work for concerned organizations. But hard work is precisely what's needed if the hope and promise of this latest American Revolution are to be realized.

Government, at all levels, and industry have basic roles to play in our nation's move toward environmental responsibility. But the role of citizen organizations—what might be called the third force for action—cannot be underestimated. Government and industry are responsive to the will of the people. And citizen organizations help to communicate the people's will to restore the quality of our environment. Citizens can be heard and can be effective in environmental decision making. Indeed, citizens must ultimately make the basic value judgments on the quality of life they want.

Recently enacted environmental laws reflect the growing awareness of the vital role of citizen organizations in achieving national goals. Those laws give citizen groups unprecedented rights and tools to pursue those goals.

Use them, for as President Nixon has said: "In the final analysis, the foundation on which environmental progress rests in our society is a responsible and informed citizenry. My confidence that our nation will meet its environmental problems in the years ahead is based in large measure on my faith in the continued vigilance of American public opinion and in the continued vitality of citizen efforts to protect and improve the environment."

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### FOR FURTHER INFORMATION

*State and local control agencies and EPA are major sources of information on pollution control. In addition, many national environmental and conservation organizations publish useful periodicals and other materials. For the names and addresses of international, national and state organizations, see the Conservation Directory published annually by the National Wildlife Federation, 1412 16 St. N.W., Washington, D.C. 20036 (Price, \$2). Also available is Groups That Can Help from EPA, Public Inquiries, Office of Public Affairs, Washington, D.C. 20460.*

*And while the following list is not intended to be all-inclusive, these publications can be useful to citizen groups:*

**A Guide To Citizen Participation in Environmental Action**—Regional Plan Association of Southern California, 621 South Virgil Ave., Los Angeles, Calif. 90005. Price, \$5.

**Community Action for Environmental Quality**—Prepared by the Citizens Advisory Committee on Environmental Quality, available from the Government Printing Office, Washington, D.C. 20402. Price, 60 cents.

**How To Plan An Environmental Conference**—League of Women Voters Education Fund, 1730 M St. N.W., Washington, D.C. 20036. Free.

**A Citizen's Guide to Clean Air**—Conservation Foundation, 1717 Massachusetts Ave. N.W., Washington, D.C. 20036. Free.

**Clean Water—It's Up To You**—Izaak Walton League, 1800 North Kent St., Arlington, Va. 22209. Free.

**Law and Taxation—A Guide for Conservation and Other Nonprofit Organizations**—Conservation Foundation. Price, \$1.

**Citizen Action Can Get Results**—EPA. Free.

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*It's time for the people who talk about pollution  
to join the people who do things about pollution.*