The Environmental Protection Agency's Dallas regional office failed to properly oversee Louisiana's enforcement of federal air, water and hazardous waste regulatory programs and therefore "could not assure the public that Louisiana was protecting the environment," the EPA's inspector general said in a report issued Tuesday.

The report said EPA's regional office:
-- Didn't set goals for its own oversight of the Louisiana Department of Environmental Quality's regulatory programs or emphasize the importance of conducting oversight
-- Didn't hold the DEQ accountable for meeting the goals and commitments the regional office did set and
-- Didn't ensure that bad data collected by DEQ was corrected so it could be relied upon to make sound decisions.

As a result, the report said, "The region was unable to fully assure the public that Louisiana was operating programs in a way that effectively protects human health and the environment."

Officials with EPA's regional office and at the DEQ said Tuesday that they could not comment on the report until they had a chance to read it.

But officials with environmental groups in Louisiana said the report confirms their complaints about both the state and federal environmental agencies.

"That's the reason we demanded more accountability from EPA," said MaryLee Orr, executive director of the Louisiana Environmental Action Network, or LEAN, which represents more than 60 environmental groups in the state. "We knew DEQ wasn't protecting our natural resources and the health of our communities."

The report also confirms concerns of the Louisiana Bucket Brigade, which is collecting
its own air samples in communities outside oil refineries and chemical plants because of
its distrust of the accuracy of DEQ data.

"They can't breathe; it's that basic," Bucket Brigade Director Anne Rolfes said of her
members. "They go outside their homes and they're hit with odors that make them sick,
and they have absolutely no recourse about it now."

LEAN, the Bucket Brigade and several other environmental groups have filed petitions
asking EPA to remove authority from DEQ for three major environmental regulatory
programs, and it was those petitions that prompted the inspector general's report.

The programs are the National Pollutant Discharge Elimination System, under which
industries, businesses and municipalities are granted permits to dispose of wastewater in
rivers and streams; the Resource Conservation and Recovery Act, which regulates the
handling, storage and disposal of hazardous waste; and the Title V air permit program,
which regulates air pollutants released by industry, businesses and motor vehicles.

The report recommends developing an oversight plan and clearly communicating it to
EPA staff. It also recommends that the regional office ensure that DEQ is properly
accounting for federal money it is using to regulate air quality and other regulatory
programs. It also recommends that grants given the state include strong goal language,
including conditions for failure to meet the goals, such as the withholding of money.

The report said the recommendations also should be applied to other states in the region.

In responses provided to the inspector general, regional EPA officials said they weren't
given credit for recent steps they've taken to improve Louisiana programs.

Tuesday's report comes as a task force appointed by Gov. Foster is writing
recommendations for revamping the DEQ in response to a March 2002 report critical of
the agency's environmental enforcement by state Legislative Auditor Dan Kyle, who
recently stepped down to run for governor.

That state audit, which was cited in Tuesday's report, criticized the DEQ for failing to cite
industries for environmental violations and failing to collect fines from industries for
violations they did find.

LOAD-DATE: February 5, 2003