Summary Of Environmental Responsibility Acts

Intended for beginner compliance programs

As written by the Environmental Protection Agency (EPA)

A number of laws serve as EPA’s foundation for protecting the environment and public health. However, most laws do not have enough detail to be put into practice right away.

EPA is called a regulatory agency because Congress authorizes us to write regulations that explain the critical details necessary to implement environmental laws. In addition, a number of Presidential Executive Orders (EOs) play a central role in our activities.

The following laws and EOs help to protect human health and the environment. EPA is charged with administering all or a part of each.


The Clean Air Act (CAA) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants.

One of the goals of the Act was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop state implementation plans (SIPs), applicable to appropriate industrial sources in the state, in order to achieve these standards. The Act was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines.

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. “Major sources” are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An “area source” is any stationary source that is not a major source.

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as “maximum achievable control technology” or “MACT” standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk.

Compliance and Enforcement

• Air Enforcement
• Clean Air Act Compliance Monitoring: investigations and inspections

History of the Act

• EPA History: Clean Air Act of 1970/1977
• EPA History: Clean Air Act Amendments of 1990

More Information

• The Office of Air and Radiation (OAR) develops national programs, policies, and regulations for controlling air pollution and radiation exposure.
• The Clean Air Act overview website
• Under CAA Section 112(r), the Office of Emergency Management (OEM) administers the Risk Management Plan Rule.

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Summary Of Environment Responsibility Acts


The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was significantly reorganized and expanded in 1972. “Clean Water Act” became the Act’s common name with amendments in 1972.

Under the CWA, EPA has implemented pollution control programs such as setting wastewater standards for industry. We have also set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches.

Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

Compliance and Enforcement

- Clean Water Act Compliance Monitoring: investigations and inspections
- Water Enforcement

History of the Act

- History of the Clean Water Act
- EPA History: Clean Water Act: documents and other resources

More Information

- The Office of Water (OW) ensures drinking water is safe, and restores and maintains oceans, watersheds, and their aquatic ecosystems to protect human health, support economic and recreational activities, and provide healthy habitat for fish, plants, and wildlife.
- The EPA Watershed Academy provides training courses on statutes, watershed protection, and other key Clean Water Act resources.

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The Comprehensive Environmental Response, Compensation, and Liability Act -- otherwise known as CERCLA or Superfund -- provides a Federal “Superfund” to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, EPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup.

EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).
Summary Of Environment Responsibility Acts

Compliance and Enforcement
• Cleanup Enforcement

History of the Act
• EPA History: Superfund

More Information
• The Office of Superfund Remediation and Technology Innovation (OSRTI) administer Superfund, the federal government’s program to clean up the nation’s uncontrolled hazardous waste sites.
• Superfund: Laws, Policy and Guidance

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Signed on December 19, 2007 by President Bush, the Energy Independence and Security Act of 2007 (EISA) aims to:
• move the United States toward greater energy independence and security;
• increase the production of clean renewable fuels;
• protect consumers;
• increase the efficiency of products, buildings, and vehicles;
• promote research on and deploy greenhouse gas capture and storage options;
• improve the energy performance of the Federal Government; and
• increase U.S. energy security, develop renewable fuel production, and improve vehicle fuel economy.

EISA reinforces the energy reduction goals for federal agencies put forth in Executive Order 13423, as well as introduces more aggressive requirements. The three key provisions enacted are the Corporate Average Fuel Economy Standards, the Renewable Fuel Standard, and the appliance/lighting efficiency standards.

EPA is committed to developing, implementing, and revising both regulations and voluntary programs under the following subtitles in EISA, among others:
• Increased Corporate Average Fuel Economy Standards
• Federal Vehicle Fleets
• Renewable Fuel Standard
• Biofuels Infrastructure
• Carbon Capture and Sequestration

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The Energy Policy Act (EPA) addresses energy production in the United States, including: (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) Tribal energy; (6) nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (8) hydrogen; (9) electricity; (10) energy tax incentives; (11) hydropower and geothermal energy; and (12) climate change technology.

For example, the Act provides loan guarantees for entities that develop or use innovative technologies that avoid the by-production of greenhouse gases. Another provision of the Act increases the amount of biofuel that must be mixed with gasoline sold in the United States.

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More Information
- The Office of Underground Storage Tanks (OUST) carries out a Congressional mandate to develop and implement a regulatory program for underground storage tank (UST) systems. OUST implements provisions of the Energy Policy Act of 2005.

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Executive Order 13045 - Protection of Children From Environmental Health Risks and Safety Risks - 62 FR 19885; April 23, 1997

Executive Order (E.O.) 13045 - Protection of Children from Environmental Health Risks and Safety Risks - was issued by President William J. Clinton in 1997. The order applies to economically significant rules under E.O. 12866 that concern an environmental health or safety risk that EPA has reason to believe may disproportionately affect children. Environmental health risks or safety risks refer to risks to health or to safety that are attributable to products or substances that the child is likely to come in contact with or ingest (such as the air we breathe, the food we eat, the water we drink or use for recreation, the soil we live on, and the products we use or are exposed to). When promulgating a rule of this description, EPA must evaluate the effects of the planned regulation on children and explain why the regulation is preferable to potentially effective and reasonably feasible alternatives.

More Information
- The fundamental goal of the Office of Children's Health Protection (OCHP) is to ensure that all EPA actions and programs address the unique vulnerabilities of children
- EPA's Children's Health Protection website
- EPA's Policy on Evaluating Risk to Children

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Congress passed the Occupational and Safety Health Act to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for the Occupational Safety and Health Administration (OSHA). OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

More Information
- OSHA/ EPA Occupational Chemical Database

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The Pollution Prevention Act focused industry, government, and public attention on reducing the amount of pollution through cost-effective changes in production, operation, and raw materials use. Opportunities for source reduction are often not realized because of existing regulations, and the industrial resources required for compliance, focus on treatment and disposal.

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Source reduction is fundamentally different and more desirable than waste management or pollution control. Source reduction refers to practices that reduce hazardous substances from being released into the environment prior to recycling, treatment or disposal. The term includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control. Pollution prevention includes practices that increase efficiency in the use of energy, water, or other natural resources, and protect our resource base through conservation.

**History of the Act**
- EPA History: Pollution Prevention Act

**More Information**
- The Office of Pollution Prevention and Toxics (OPPT) manages programs under the Toxic Substances Control Act and the Pollution Prevention Act. Under these laws, EPA evaluates new and existing chemicals and their risks, and finds ways to prevent or reduce pollution before it gets into the environment.
- Pollution Prevention: Laws and Policies

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The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the “cradle-to-grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

HSWA - the Federal Hazardous and Solid Waste Amendments - are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

**Compliance and Enforcement**
- RCRA Compliance Monitoring: investigations and inspections.
- RCRA Cleanup Enforcement
- Waste, Chemical and Cleanup Enforcement

**History of the Act**
- EPA History: RCRA

**More Information**
- The Office of Resource Conservation and Recovery (ORCR) implements RCRA. ORCR’s mission is to protect human health and the environment by ensuring responsible national management of hazardous and nonhazardous waste.
- RCRA Laws and Regulations

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The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the U.S. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources.

The Act authorizes EPA to establish minimum standards to protect tap water and requires all owners or operators of public...
Summary Of Environment Responsibility Acts

water systems to comply with these primary (health-related) standards. The 1996 amendments to SDWA require that EPA consider a detailed risk and cost assessment, and best available peer-reviewed science, when developing these standards. State governments, which can be approved to implement these rules for EPA, also encourage attainment of secondary standards (nuisance-related). Under the Act, EPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids.

Compliance and Enforcement
- Safe Drinking Water Act Compliance Monitoring: investigations and inspections
- Water Enforcement

History of the Act
- EPA History: Safe Drinking Water Act

More Information
- The Office of Ground Water and Drinking Water (OGWDW), together with states, tribes, and many other partners, protects public health by ensuring safe drinking water and protecting ground water. OGWDW oversees implementation of the Safe Drinking Water Act.
- Water: Safe Drinking Water Act

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The Toxic Substances Control Act of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides.

TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon and lead-based paint.

Various sections of TSCA provide authority to:
- Require, under Section 5, pre-manufacture notification for “new chemical substances” before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a “significant new use” that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary “For Your Information” (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

Compliance and Enforcement
- Toxic Substances Control Act Compliance Monitoring: inspections and investigations
- Waste, Chemical and Cleanup Enforcement
Summary Of Environment Responsibility Acts

History of the Act
- EPA History: Toxic Substances Control Act

More Information
- The Office of Pollution Prevention and Toxics (OPPT) manages programs under the Toxic Substances Control Act and the Pollution Prevention Act. Under these laws, EPA evaluates new and existing chemicals and their risks, and finds ways to prevent or reduce pollution before it gets into the environment.

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The Frank R. Lautenberg Chemical Safety for the 21st Century Act

June 22, 2016, President Obama signed into law the Frank R. Lautenberg Chemical Safety for the 21st Century Act which amends the Toxic Substances Control Act (TSCA), the Nation’s primary chemicals management law.

The new law, which received bipartisan support in both the U.S. House of Representatives and the Senate, includes much needed improvements such as:

- Mandatory requirement for EPA to evaluate existing chemicals with clear and enforceable deadlines;
- New risk-based safety standard;
- Increased public transparency for chemical information; and
- Consistent source of funding for EPA to carry out the responsibilities under the new law.

Learn more about the Frank R. Lautenberg Chemical Safety for the 21st Century Act:
- Read a copy of the Frank R. Lautenberg Chemical Safety for the 21st Century Act
- Read an unofficial version of TSCA as recently amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act.
- First year implementation plan
- Read a summary of provisions found in the new law
- Find answers to frequently asked questions on the new law
- Essential Principles for Reform of Chemicals Management Legislation
- The Frank R. Lautenberg Chemical Safety for the 21st Century Act - June 30, 2016 Webinar: Overview
- Read Administrator McCarthy’s blog - TSCA Reform: A Bipartisan Milestone to Protect Our Health from Dangerous Chemicals
- Remarks by the President at Bill Signing Event

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Please note that this list of Acts and Executive Orders (Eos) is not all-inclusive. It does not cover all laws and EOs that the EPA is charged with administering all or in part. Rather, it is intended to focus on the laws and EOs that are most significant to the promotional products industry.