

US EPA ARCHIVE DOCUMENT

# DICK DEWLING

Former EPA Region 2  
Deputy Regional Administrator and  
Former NJDEP Commissioner



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**Location: Washington, DC**

EPA Interviewer: It is September 27, 2005. We're about to interview Richard T. Dewling. We are here in Arlington Crystal Gateway I Offices of the U.S. EPA, Washington, DC. Dick, thank you very much for participating in our project.

Dewling: No problem. I enjoy it.

EPA Interviewer: Well, just to get us started, can you tell us please about your current position, what you do, how long you've been there.

Dewling: I started my own firm about 12 years ago, and I am President of Dewling Associates, which is an environmental engineering firm. We have about 10 people, most of us former regulators of one form or another at EPA or the state. We are really the environmental department for corporations that can't afford to have full-time environmental departments. We provide that continuing compliance and management type support for about 55 facilities around the country.

EPA Interviewer: I noticed that you were also involved in the NACEPT [National Advisory Council for Environmental Policy and Technology] issues, and I'll ask you about that a little bit later.

Dewling: Yes, I was appointed. In fact, I saw it in a *Federal Register*, and I just applied. I didn't try to promote myself or anything. I just applied as an outsider, and I was selected.

EPA Interviewer: Great. Could you give us a little background about yourself and how you came to EPA, when you came to EPA?

Dewling: When I first graduated from college with a Bachelor's degree in sanitary engineering, which is now called environmental engineering, in 1958, I operated two large wastewater treatment plants in New York City. Your 100-million-gallons-a-day plants. I did that for about three years. Then I had an opportunity to go to a magazine, known as *Waste Engineering Magazine*, which was a magazine with a circulation of about 20,000 that went to public works officials and water supply and wastewater officials. I said, "Geez, that sounds interesting." They decided that rather than hire editors to write the magazine, they were going to hire an engineer, figuring it's easier to teach an engineer to write, which is a difficult task, than it was teaching engineering to a writer. So I actually went to this

magazine called *Waste Engineering Magazine* and *Waterworks Engineering Magazine*, and I stayed there for about three years. I rose to the position of Editor and Associate Editor of *Waterworks Engineering* and Editor of *Waste Engineering Magazine*, and I then had an opportunity to join the U.S. Public Health Service.

I took a salary cut from the private sector and went back into what I thought was my first love, which was water pollution and air pollution, working out in the field, working in the lab, and doing all sorts of wonderful things for the environment. I went to start working for the U.S. Public Health Service in 1963. In the meantime, I got my Master's degree. I got all my education by night school. I got a scholarship from New York City to get my Master's degree and eventually went back for my Ph.D., and I competed within the Agency for a one-year training stint where they give you full salary for a year, and you have to guarantee them three for one. So you pay them back three years for every one year, but you also give up your rights, and they can ship you any place in the world. That was a deal that was well worth it.

So in '63, I joined the U.S. Public Health Service, and at that time it was by project. In other words, where there was a national program or there was an impact to public health. We had a hepatitis outbreak in the New York/New Jersey area in the Raritan Bay, and then they started the Hudson River Project, which was the Hutchametto Project. This was river basin studies, including Lake Champlain. At that time there was no Region 2, per se. It was under the U.S. Public Health Service. So I was doing all the technical studies, the field studies, and collecting all the samples, running the samples. I was writing reports, conducting air pollution studies. I was also involved in public health service programs for *Dump the Dumps*, which was an outreach program to teach landfill operators how to properly operate landfills, since most of the landfills in this country were dumps and not sanitary landfills. Only about 10 percent of all the 17,000 landfills in this country were sanitary landfills. We were doing that.

Then through the '60s, with EPA being formed in December 1970, there was a tremendous transition in the environmental focus. We went from the U.S. Public Health Service being commissioned core officers to having to make the decision to be civil servants. We went from the U.S. Public Health Service in the Department of Health, Education, and Welfare [HEW] to the Federal Water Quality Administration in the HEW. Then they moved us to Interior, and then we were the Federal Water Pollution Control Administration, and then that moved over and we changed agencies. So in effect, we were doing the same thing but with different professional accords. But you know we just had different names.

It was a very dramatic change with the 1965 Water Quality Act, which really was the first strong law that said no longer are we going to allow the use of streams in this country to the maximum extent possible for natural dilution factors, for natural attenuation. So '65 sent a very important tone in terms of the changes for which direction the Agency was going.

In the late '60s, I was assigned to the U.S. Attorney's Office to assist them in doing prosecutions under the 1899 Refuse Act. I worked with the U.S. Attorney and developed the technical aspect of the cases. One of them was the first Refuse Act case that was taken by Whitney North Seymour—who was the U.S. Attorney in New York—against the General Motors plant up there in Nyack, NY, discharging all different color paints and what have you. And then I worked with the U.S. Attorney in New Jersey, and we were prosecuting Jersey shore communities for dumping sludge at the outfall pipes in the fall of the year. Then we

were going against major industrial dischargers. When I say, “We,” I was the technical person. I was not the lawyer. We didn’t have any lawyers. It was a very nice agency. *[Laughing]* A very simple agency to work with. We had one attorney in the Federal Water Pollution Control Administration. That was Murray Stein, and that was until 1970, and he ran all the enforcement conferences that we used to have.

As we progressed with the U.S. Attorney’s Office, they were taking a very strong initiative and that certainly wasn’t driven by EPA, but it was a political thing to do. The environment was a big thing in the late ‘60s. If you remember, we had the Vietnam War, and it was like sort of trying to channel the young minds into something at home. So the environment seemed to me to be the issue that people were trying to channel young minds away from Vietnam and into something at home.

So U.S. attorneys took actions aggressively around the country. I worked with the U.S. Attorney in dealing with 10 or 15 cases, filing Refuse Act cases and testifying in court and working with Herb Stern, who became a federal judge—very dominant and effective litigator and attorney. I did that right after EPA was formed, because EPA Region 2 really didn’t exist. It was EPA Region 1. I started in the Agency as a GS-11, and then I was head of the laboratory at Edison and had the field studies, and then I was head of Research and Development in the late ‘60s.

*[Interruption, switching of interview rooms]*

So I worked with the U.S. Attorney’s Office through the mid ‘70s in prosecuting cases on the Refuse Act until the Water Pollution Control Act, PL 92-500, in 1972. I was Director for five national programs from like ‘68 to ‘72, and that’s when I went out to Santa Barbara. Ken Biglane was the oil spill mogul in Washington. We had a research program in the late ‘60s on oil spill research, and I was Director of Research for oil spills. I would say 90 percent of our research work was done extramurally and 10 percent intramurally. I was Director of Research, and we used to go all around the country for oil spills, and that’s where I was involved in Santa Barbara. The Gulf platform fire was down there, the Red Adair and some of his folks...I guess I probably responded to three or four oil spills around the world with Biglane and some of the other groups in some of the efforts to clean up oil spills, including the big ones in this country.

So we had a lot of excitement. You know, oil spills were the big thing, and we’d go. We were like the SWAT team of the program, and what was interesting about that, we were 24/7. We all wore beepers. Nobody questioned why we wore beepers. No one questioned where we were working, when we were working. It was the right thing to do, and we just did what we thought was right. We had tremendous cooperation from the Coast Guard and from a lot of other folks. Ken Biglane and Russ Wire and some of the other folks that I recall in Washington were just totally supportive of us. I mean here you had an operating program and the Research and Development program working together, and we used to go around to the regions and find out what their needs were, and we’d provide technical assistance for them.

Just like I hired Royal Nadeau. He was like the first biologist that we had. Then Joel Lafornera and some of the folks that are there now were part of the original group that I

started with. I also ran the national program for oil and hazardous materials spills, but also for vessel pollution where we were working with little port-a-potties and treatment systems for national parks and then metal plating waste and storm and combined sewer overflows. I think we were ahead of our time for storm and combined sewer overflows, 'cause Dick Field was Director of that research program and to this day I think he is still Director of it in Edison.

Wherever there was a problem in this country, the EPA SWAT team was there. We had our emblems. We made up our own jackets. We bought our own jackets. I mean, I know you still have to buy your own professional cards as we did, but we had our own SWAT team outfits. Ken Biglane was our champion here in Washington. He used to tell all of his Cajun jokes whenever we had to go out in the field. Whatever we could do to help the environment and we were out there. Never looked for overtime or comp time or anything like that. It was like a new charge, a new energy that was in the Agency.

Then EPA Region 2 was formed in 1972. I was asked to become Director of the S and A Division, which was the Surveillance and Analysis Division, which was the technical arm of the Agency that every region was supposed to have. Do the sampling and the analysis and write the reports. We were a little bit ahead of most other regions, because we had the research group there. We also previously had the Raritan Bay Project laboratory there. We had a basis to start.

The other thing that I had responsibility in that time period of '72 was the ocean dumping program. New York and New Jersey—we had 90 percent of the ocean dumping, meaning via vessel. That was under the Marine Protection Research and Sanctuaries Act, which came out in '72. I was involved in monitoring that and working with Don Baumgardner under Alan Corvaes, who was doing the oceanographic work out there. We were looking for new dump sites and working with NOAA [National Oceanic Atmospheric Administration] and undertaking these types of studies to determine what the impacts of dumping were. We would issue all the permits, so I convinced—at that time the Regional Administrator was Jerry Hansler in Region 2, the first Regional Administrator—that the technical people could better issue permits than the lawyers. Because you're dealing with chemical waste diffusion and degradation of waste in the ocean, and it wasn't like there was 500 permits. Our objective was to get out of the ocean those that you could get out and ultimately phase in whatever the requirement had to be. We did that and issued all the permits.

In '76, I went away for a year. I had an opportunity. The Federal Government had a program in the '60s and the '70s where they took a career person and you competed nationwide and your peers nominated you and you looked for an upward mobility position. They would say to you, "What do you want to be someday?" And you would say, "I want to be the Administrator of EPA. I want your job," or, "I want to be the AA [Assistant Administrator]," whatever the case may be. Well, I competed and won in the late '60s, and they said they thought a reassignment would be better than formal education.

So I went to Korea for six months, and I set up a program over in Korea for water pollution and air pollution and wrote some of the rules and regulations for the Blue House, which is our version of the White House. I spent six months over there doing that. It was a great assignment. Then in '75, I applied again because on my own, for 10 years, I had gone

to get my coursework for my Ph.D. I was granted a year off to take courses, not to get the degree. The Agency was very kind to work with me, knowing that I had to still take courses while I was doing my thesis, but the Agency was wonderful for me.

I can't say enough about the excitement of working with the Public Health Service and the Agency and the dynamic attitudes of people. You didn't have this bureaucracy. Region 2 at that time was 200 people, and Headquarters was like 1,200 people. Your connection between the Headquarters and the region and other regions was very good. It was just very close-knit. Everybody knew everybody. Everybody knew everybody's limitations and strengths and what button to push, what button not to push.

In '76 I went back full time, and I was at that time the S and A Division Director, and I just finished my assignments for working for NERC Cincinnati for the Director of Research on all those other projects. Dave Steffan was the head of research, and he was head of the laboratory out in Cincinnati. I went back and I did my thesis and took some course work, and I finished up and I got my Ph.D. Again, remember you sign up for that year, you give the Agency a free check to send you wherever they want to send you.

At that time, we had an Assistant Administrator for Administration, Bill Drayton. That started some of the whacko times in EPA. [*Laughing*] He was an unbelievable Assistant Administrator. The man worked two shifts, and he drove people the hardest I have ever seen in my life. Sharp guy, and he had two sets of secretaries. He was physically in his office for 16 hours a day. It was a very different type of organization. [Douglas] Costle was the Administrator. Sharp guy; good guy to work with.

Then in '76, RCRA [Resource Conservation and Recovery Act] passed, and it was trying to get things moving. RCRA, and John Quarles said it best, "It was the most complex rule and regulation that the Agency had ever seen." Most of the people in the Agency, we were concerned with the end of the pipe. Going to the front of the pipe and what's going on inside, you really didn't have that much capability. You didn't have the talents in those areas. You had to develop those talents. When RCRA first came out, I had to decide what I was going to do, because the Agency could ship me any place they wanted. I applied for the Deputy Regional Administrator (DRA) job in Region 2. I was selected for the DRA's job. There was already a DRA there. He was unselected, and he was put on the turkey farm. Chris Beck was the Regional Administrator, Costle was the Administrator of the EPA, and that was the implementation that time of RCRA and some of the other programs.

I am trying to think of some of the other things that were going on at that time. We were involved in the Hudson River PCBs [polychlorinated biphenyls]. I was involved with Las Vegas back in the '60s doing surveillance of the atom bomb tests that we were doing out there. I knew they had helicopters that they were using as part of the acid rain test, and I was able to work out with Las Vegas an assignment of a helicopter up here for doing special work on the Hudson River. It worked out that it was still here 20 years later. That's how it really started. We were doing the Hudson River sampling, sediment sampling, using the helicopter, which was a first time for that. We were sampling out in the ocean with it.

It was just a dynamic type of agency, because you could get everything on surplus—helicopters, boats, any type of equipment you wanted. If you watched the surplus property

list, you could fulfill a dream. All your equipment, all your needs as the case might be. It was quasi-military. You had the GSA [Government Services Administration] depot down at Edison, and they had all the FBI [Federal Bureau of Investigation] reclaimed cars. And the Coast Guard was there. You could, as a government bureaucracy, work within the system to get things done a lot faster than you could by the normal process. It was just wonderful.

We had—when I first started there, when I was in the Public Health Service, to keep going back—an Officers' Club there. You'd come back from doing runs out there and 24-hour surveys, and you'd go to the Officers' Club. They had a golf course there. It was just a delightful environment to work in. I am sure it is the same today. I don't know for sure, but I think it's a little bit more bureaucratic today. We did the lab studies. We did bioassay studies. We came up with mobile laboratories. We were doing a lot of things first in the country; working with some of the other regions.

Then we took the first 7003 RCRA case at the Kin-Buc Landfill. If you can believe, I was DRA at that time. The attorney did not want to take the first 7003 case at the Kin-Buc Landfill, imminent and substantial danger. If you remember, the attorneys worked for Washington, but because of my connections with the U.S. Attorney in New Jersey, I could work directly with them. I convinced the U.S. Attorney in New Jersey to take the 7003 action, and then Headquarters sort of acquiesced with them. There was a hesitancy, for whatever reason I don't know. I mean, here's a landfill that up through '75 had taken in 100 million gallons of liquid chemicals—100 million gallons. It was oozing out. Now if you can't take the 7003 action there, I don't know where you can.

EPA Interviewer: Was that one of the first actions?

Dewling: Yes. That was the first 7003. Then when the regs [regulations] came out in November 1980—the RCRA regs—we had a guy in Region 2, that's still there, Walter Mugdan. You will never find a more committed, interesting, forceful, brilliant guy to work with. We came up with this idea that to get people to understand the implications of RCRA, we worked out an agreement with a task force and the police, what have you, that we were going to stop every truck going across the New York/New Jersey/Connecticut border. We actually set up teams to be at every bridge, every tunnel from New York all the way up to Albany. We had the state police involved. Again, no overtime, no *per diem*. We were just doing it, because we wanted to set a tone for RCRA. What I remember, John Frisco was out there. We were all out there. We were by the Verrazano Bridge, I guess about 3:00 in the morning, and this truck comes down with these tarps and drums. We stopped it and John yells, "Dick, we got one. We got one." So we go charging out. I just got up on the thing, and the smell was burning my eyes. And I figured, "Oh, we got this one." We rip open the top, and what was it? There were 55 gallon drums of dill pickles heading into New York City. [Laughing] The smell of that material. Ah. It was just a way of implementing the program to get people to understand the importance of RCRA.

EPA Interviewer: Were you checking for manifests?

Dewling: Oh, everything. Checking for manifests. Checking for everything. Making sure they had manifests. I mean, it was to let people know that this was real.

EPA Interviewer: What do you remember as your first experience with Superfund?

Dewling: Well, it was not a Superfund site at the time, but the Chemical Control plant blew up on Earth Day 1980. I was there all night. I was the one who met with [New York City] Mayor [Ed] Koch, and said you've got to keep all the schools closed in New York City. It was like I had all New York City police helicopters and our helicopter. We were sampling the outer areas of the plume. In the morning, it was Apocalypse Now. It was just like...you had 60,000 to 70,000 drums blowing up. So that was my big first chemical emergency.

I certainly had big oil spill emergencies with the Gulf platform fire. We were deeply involved in Love Canal. Chemical Control was the first big one, and then it became a Superfund site.

Now there's another one. P.A.S. Pollution Abatement Services up in Oswego. It was a million-gallon lagoon that had all sorts of schmoots and chemicals in it and everything like that, and it had like 50,000 drums. It was an oil spill problem that was topping over the lagoon and going into one of the Great Lakes. If you heard the word the Blue Magoo, the Blue Magoo was the pump-and-treat system that we developed at Edison and then the mobile incinerator. That all came out of the research group that I started with Ira Wilder and Steve Doler and that group there. That was Oswego system. I was charged with the U.S. Attorney to stop the leak. I took that lagoon down and spent many a month or two up there. We had like type-A gas cylinders that had U.S. Navy on it. The top would break off, and at 2000 psi [pounds per square inch], they would shoot through a concrete wall like they were a torpedo. That was my first big one.

Then I was involved in a big oil spill. It was Berks Oil Reclaiming. It was a two-million-gallon lagoon that spilled into the Schuylkill River in the early '70s. Ken Biglane and I were on trial there to argue what they were doing was not proper, but then again, we sort of created that problem. We stopped allowing recycled oil to be used, so there was no market for it. This company went into the business of taking the recycled oil. It was an unlined lagoon, which was common practice at that time. It went into the Schuylkill River. We started the research program to help companies get into the oil recycling business after that incident. I was involved in a lot of them in the '60s and '70s. The biggest blow was really Chemical Control.

EPA Interviewer: Seems like there is a real blurry line between the cleanup type of activity that you were engaged in prior to Superfund and then once the law passed. What kind of changes occurred in the cleanup of the program?

Dewling: I think you have to look at it very simplistically. Use a gasoline station as an example. When you had a leak in an underground storage tank back in the '60s and '70s, what did you do? You removed the free product and you replaced the system, and if the house nearby had vapors in it, the oil company bought it and moved it out and closed it down. You did not look for the outer ring of the groundwater plume. You were not required to do the equivalent of what we call today an RI/FS [remedial investigation/feasibility study]. You went out and you didn't have to define the outer perimeter of the groundwater contamination problem. Groundwater was not a driving force; it was not an issue. In fact, I can remember New Jersey took an action in '72 to '73 at a farm down in south Jersey, and



they had like 10,000 drums. They made a big thing, “Well, we found these 10,000 drums. We need to clean it up.” They cleaned up the drums.

They cleaned up the visible soil. And that was it. Then 10 years later it became an NPL [National Priorities List] site. Soil was not a driving component. Groundwater was not a driving component. You basically addressed the visible signs of the impact. At that time, a harmful quantity of oil was a visible sheen. You didn’t have the analytical capabilities you had in the ’80s that you had earlier. It’s over-simplistic, but you did what you thought was correct at the time.

Today we use the words “natural attenuation.” Same concept was used years ago. During the Superfund program, to be honest with you—‘cause I can remember suggesting to Lee Thomas that we had a landfill—Prices Pit in New Jersey, and they were talking about... At that time the regions could not make decisions. This was all a Headquarters decision. I said we ought to contain it, control it, but I don’t think we ought to pump-and-treat. I think we ought to use natural attenuation. And he said, “This program is called a cleanup program. We don’t let natural attenuation. That word will not be used in this type of program.”

So I said, “OK.” You could have said it would take like 12 years before it would reach the Atlantic Ocean. Don’t allow any wells to go in between there. That was an option. We do it today. Why? Because all of a sudden now there’s restricted dollars, and we are now looking at the technology more carefully as opposed to saying we had to do something.

EPA Interviewer: We didn’t really know what to do then, though, did we?

Dewling: It’s not that we didn’t know exactly what to do. You could never get concurrence on exactly what had to be done. The word “cleanup” today has different meanings than the word “cleanup” had in the early ’80s. The word “damage” had very different meanings. Today if I exceed an MCL [maximum contaminant level in the Safe Drinking Water Act], I have damaged the environment. You go back in the ’60s and the ’70s, if I damaged the environment I could see it, taste it, smell it. I had a fish kill. I had some other impact that one could see. When I was involved in the research program in 1969, [we were] taking the effluent from the treatment plant out in Long Island and we were pumping it back into the groundwater for salt water intrusion. What were we monitoring? This is the effluent from a wastewater treatment plant, from the Baypark wastewater treatment plant. We were taking like five million gallons a day from the effluent and pumping it back into the groundwater. We were measuring BOD [biological oxygen demand], nitrates, nitrites, ammonia, pH, phosphorus. We were not measuring heavy metals. VOCs [volatile organic compounds] were of suspended solids...we had the volatile component of suspended solids.

In ’77, when the priority pollutant came in [Clean Water Act], that was a new ballgame. They were not parts of permit conditions. When we issued permits in ’72, BODs, CODs [chemical oxygen demand], some heavy metals—that was the prime permit limits. You didn’t have the acid-based neutrals, the acid extractables. We were involved in PCBs, if there is a specific PCB issue.

I guess the best example I can give you is mercury. In the ’60s, mercury—if you look in the Handbook of Chemistry and Physics—says, “insoluble.” As a kid you would coat pennies

with mercury. We used to use mercury seals around our trickling filters at the plant. We used to use mercury monamids. Mercury was commonly used in our laboratories. If mercury got into the waterway, you pretty much felt it sank and sat there. We didn't understand until 1969 about the methylation of mercury, where you can take inorganic mercury and make it organic mercury. We always knew organic mercury was dangerous, but inorganic mercury we believed was not dangerous. Science dramatically changed. In 1969, 1970—I can remember the SWAT team—we went out after all the companies that were producing chlorine with the chloralkalide process.

We limited mercury to a half a pound a day from every discharge. Where did you ever come up with half a pound a day? We basically sat in a room and said: "We've got to get these guys down. Will a half a pound do it?" Everybody said, "With the best science we have." You get a bunch of scientists around the room and you say if we're getting 99 percent out, guys, that's gotta be better than what was there. It was those types of decisions. Our understanding of mercury changed.

If you look at the '60s, it was eutrophication of the Great Lakes. Nitrogen and phosphorus. Fish kills. Our priority was fish kills. We had to report fish kills every week to Headquarters. How many dead fish did we have? Then in the '70s, the focus—and I call it the decade of awakening—is when all of a sudden, now we have all the laws and rules and regulations. Another great question was, "Alright now how do you implement these rules and regulations?" We had the OSHA [Occupational Safety and Health Act] pass. We had the Water Quality Improvement Act pass. We had the Marine Protection, Research, and Sanctuaries Act. We had RCRA pass. We had TSCA [Toxic Substances Control Act] pass. All this in a matter of five years. And the Safe Drinking Water Act. What were the drinking water standards in '74? They just added mercury. They just added dieldrin and eldrin. Why? 'Cause we had a massive fish kill in the '60s with eldrin and dieldrin. A lot of the laws were driven by impacts to the environment.

EPA Interviewer: Our experiences....

Dewling: This was an evolution. If you want to call the decade of the '60s the decade of awareness. What was happening? It was after World War II, and when I graduated in 1958, there were only 100 sanitary engineers in the country. Art Carney was our symbol of the environment. My first job was working in the sewers. We had the tech center out in Cincinnati with Tom Gallagher and some of the other guys out there and Andy Bridenback. There was like 100 people. That was the SWAT team. We all went all over the country. Then in the '70s, they formed another SWAT team out in Denver: the NAIC [National Association of Insurance Commissioners]. This all evolved. The '70s you could call the decade of introduction. All the laws are being applied. The '80s is the decade of implementation.

EPA Interviewer: Bringing in 1980, clearly when the law was being debated there was all sorts of concerns or issues about what the scope of the problem really was. Industry was arguing that it's really a very small, definable number of sites, whereas others were arguing that there was hundreds of thousands of sites. Given your experience up to that point, did you already have a good feel for the kind of problems that were out there?

Dewling: You have to go back and define when you say, “the problems.” If one stands back and you look how the laws evolved in this country, if you had the picture of an industry and you had the land and you had the oceans and you had the streams and you had a stack going up, you would just look at it. It’s a fragmented approach to the issue. We didn’t go look at it holistically and say, let’s start back at the source and reduce the amount of material that’s generated. In effect, the Clean Air Act comes along as a first law, and we control what goes up the stack. If you control what goes up the stack, now you’re generating more waste that’s going to go to a wastewater treatment plant or to a land for particles removal. Then we come along in ’65 and we limit what can go into a stream, so we are now putting in more treatment. We were at primary treatment and now we are going to put in secondary treatment, which means more sludges. We are regulating that.

When in ’72, we come along and pass the Marine Protection, Research, and Sanctuaries Act, and we say, “OK. We’re going to take it out of the ocean!” You take it out of the ocean, where are you going to put it? And then we come along and say, “Why did everything wind up on the land?” We directed it there by shutting off all these valves, the air, the surface water, the ocean, and the sewer. With the pretreatment, you pushed everything to the land. The land was the last segment to be regulated. What happened as the population started to grow—a lot of these areas were remote—in the urban centers, people were now coming closer to these areas that were remote. Landfills were put in low-value land. In the ’60s, these were mosquito breeding areas. Then we understood the science. They are not mosquito breeding areas; they are the nursery areas for everything we have in the estuaries.

It was almost like...as the RCRA rules started to come in, I used to kid people: if you bought stock in 55-gallon drums and chain link fence, you’d make a lot of money, because nobody wanted to do it. Everybody was concerned with where to take it, what to do with it. The government takes some blame in the drive. You can’t destroy matter. You just change its form. And that’s exactly what you are doing. I know when I forced guys out of the ocean, I went down to the state and I said to them, “Let me tell you, I am getting them out of the ocean.”

And they said, “Well yeah. Good. Good.”

I said, “Where’s it going?”

“We got plenty of capacity here in New Jersey.”

I said, “OK. I just wanted to let you know.” That created a Superfund site in New Jersey. Down in south Jersey. 10 years later I was down there, and there were ponds. This guy was there. He just put them in ponds, contaminating groundwater. I am just saying to you, we really didn’t look at this as a whole. We helped create some of the problems. You cleaned up an oil spill. Alright, where’d you put it? Put it in a landfill. Where those landfills lined? Absolutely not.

EPA Interviewer: Do you think waste minimization policies are backing it up far enough so that we’re reducing what we’re actually putting out at the backend?

Dewling: I got to tell you. I was in a trial about two years ago. I do some expert testimony on what we understood scientifically years ago. When I was with *Waste Engineering Magazine*, I wrote an editorial in 1961 about pollution prevention and waste minimization that the only way to get at this is to go back to the origin. It's taken us 20 years to do that. It's got to be part of permits, and it's got to be a necessary part of implementation of that program. But what drives the market is the fact that you've got joint and several liability. Companies still today worry about that, that your name is always on that waste stream. So that drives a lot of decisions in industry on how to handle it and how not to handle it.

EPA Interviewer: Did you have a role in the development of National Contingency Plan and how it evolved?

Dewling: Did I have a role? Headquarters always took the lead in writing the National Contingency Plan. We commented on it. And the regions were never involved on a day-to-day basis. That was all done by Headquarters. We were out in the field getting our hands dirty and doing what had to be done. We were doing God's work, and Headquarters was more or less looked upon as the ones that would testify up on the Hill, or whatever the case might be, and write the rules and regulations. We would get drafts of them and would comment on it, so they would get our input that way. We were not the ones charged with doing that.

EPA Interviewer: What was your relationship with Headquarters?

Dewling: When I was there, it was always great, because I came out of research. I had a link in research where I could direct some of their efforts to supporting some of the regional activities. That was particularly true in Love Canal. I always found it very good. I never had any difficulty.

My biggest frustration was the administrative side. They tried to close my lab down a couple of times. That became the overwhelming focus: closing down labs. We had people come in and out of government, and they think they can save money doing it on the outside. They didn't understand that if you're doing an enforcement action, you got to have a chain of custody, and the person that's doing your analysis is going to have to testify, and it's a lot better if you have that government employee sustaining the lab samples in our hands, never left our sight, and we did the analysis. That was probably my biggest frustration, dealing with some of the changeovers of the Administrations.

The thing that I got to tell you that's very valid is that when I went to the Region 2 in 1978 as Deputy Regional Administrator, from '78 to 83, in those five years, I was Regional Administrator [RA] for three of those five years almost. I had one RA for three days. And that sometimes became a contest—who was the longest or shortest RA? Another guy for a year. Unless you're the lead dog in the dogsled, the view is always the same. When a new RA came in—if you wanted to stay deputy—that person said I want you to go through that wall, you don't say we tried that four times before and it doesn't work. You're there as the highest civil servant person in the Agency in that region. You are there to help that new person coming in, because they come in believing that...

Whatever new Administration comes in—usually the RA is very politically driven—that everybody that was there was doing everything wrong and he/she is going to change it, and we're going to streamline this and reorganize and do this. You can't as the DRA. You have got to carry forward the momentum of what the Agency wants, but more importantly, you got to serve that new Regional Administrator.

I had some nice, good people that I worked for that became Regional Administrators, Chuck Warren being one of them. Jackie Shafer, Chris Beck. So we never had a wacko-smacko Regional Administrator. Having gone through all this in government and serving all these Administrations, you are there for one common cause. To me, whether you are an elephant or a donkey, you're both animals. If you want to behave like animals, then behave like animals, but don't destroy the Agency. What you are dealing with here is trying to get them to understand that the people are there to back you up. They are not there to put the screws to you. They're not going to blow a whistle on you. They are there to serve you and serve you well. You got to be respectful of their opinion as well as we're respectful of your opinion.

EPA Interviewer: You have a t-shirt that you brought in. Can you describe for us what's on the t-shirt and what the significance is?

Dewling: We went through a period of time when [President Ronald] Reagan first came in and before [Administrator] Rauckelshaus came back. Reagan came in and he brought in a new Administration. He was going to do more for less. I guess that was the motto that they had. When they came in, they came in with an attitude that everybody was...they weren't solid people. What evolved over a period of time was that there was a hit list, and people were taking a lot of hits in terms of, "If you wouldn't do certain things, they sort of put you on the turkey farm." The press was not very supportive of some of the things. Anne Gorsuch was the Administrator. When I was Deputy Regional Administrator, and Acting Regional Administrator, I said to her, "How do you want me to run the region? Am I caretaker, or am I running it?"

She said, "You're running it." And Walter Mugdan and I had more enforcement actions than any other region. What are they going to do? Fire us and make us civilians? That's all they could do. Region 2 had some good latitude. I can remember getting a call from a Senator who will remain unnamed. I issued a penalty against a company who painted desks—you know, the green desks the government used to get, the metal desks? It [the paint] was VOCs. We filed a case with the U.S. Attorney. This Senator called the then Regional Administrator, after me, and said they wanted to recall it. I mean this guy has provided a lot of support to me, and, "Boom, boom, boom—I supported you and you've got to call this back."

And this Regional Administrator came in to me and said, "Dick, we got to pull that back."

I said, "We don't fix tickets. [Pause] We don't fix tickets. Sorry." I would tell you the number of times that I had political figures in New York, New Jersey, call me and threaten me with my job if I didn't ease up on enforcement. Particularly in New York. That was quite common. In fact, before a new Regional Administrator came in, they would ask me many

times to make the decision to keep the heat off the new person. I remember that on two or three occasions. It didn't bother me. In fact, Bill Ruckelshaus wanted me as Regional Administrator, and I said, "Bill, I'm not interested."

He said, "Why not?"

I said, "Cause I'll be on a turkey farm. I'm too young. I'm too young to be put on a turkey farm. Honestly, the timing is wrong for me."

And he said, "Yeah, you got one Senator here, man, that really hates your guts."

I said, "Yeah, I know why. I forced the taxes in Long Island to go up."

I graduated from Manhattan College. We had an engineer who graduated from Manhattan College who was in the private consulting business, and he did some bad things in terms of poor installation of pipe out in the sewer project out in Long Island. We gave them a grant of like \$75 million. There were kickbacks. They didn't put in the proper steel. They fraudulently presented things. We filed criminally against this engineer. I got a call from my school, saying, "Richard, this man—he is a graduate. He is one of our guys."

I said, "Brother, he's a crook. He's goin' to jail."

I had a call from the Senator saying, "You're taking back \$50 million of the \$75."

I said, "He's a crook. You don't get awards for being crooks."

He said, "Well, do you realize that's going to raise the sales tax out here a half a percent?"

I said, "So be it." I am just saying to you those are the types of issues we dealt with. We dealt with dioxin emissions from a resource recovery facility out in Long Island where F. Lee Bailey was representing the FAA [Federal Aviation Administration] controllers. This was on the first resource-recovery facility. I mean we dealt with some big issues in Region 2. There was some political heat when we tried to convince, for example, some of the utilities... I said, "I will give you a permit to burn PCBs in your boilers." You know below 500 ppm [parts per million] you're allowed to burn it. I convinced the utilities, but they couldn't take the political public pressure.

EPA Interviewer: Did Region 2 have a unique experience compared to other regions?

Dewling: It's the media capital of the world. I have done *60 Minutes*. I've done more TV interviews than [President] Carter has little liver pills. It's a very different media than most other areas are. You're the center of everything. I remember when *National Geographic* came in and wanted to do some photo shoots. I flew them at dusk and what they liked was the Statue of Liberty with an oil sheen around it. Remember, New York City was discharging 300 million gallons a day of untreated sewage right through the '70s. The west side of Manhattan was raw sewage.

If you look at some of the social issues we had, the North River Sewage Treatment Plant could not be built for 10 years, because the argument was the local citizens there, the individuals there, were not being treated equally as they should have been, and now we're taking wastewater from the lower part of Manhattan and putting it into a low-income area. In effect, you were taking from the rich to give to the poor. What are you giving them? You are not giving them money. You are giving them sewage. Then you want to put a park on top of it. We're going to enclose it. So then you said, "Well, the grants don't allow us to put a park on it." We could only build a sewage treatment plant. We couldn't put in a park. New York City said, "How about we put a park on top?" We had to work that out with Congressional legislation and everything else to allow the government to do that. Years.

EPA Interviewer: What did you think of the whole concept of decentralization within the Agency? Did that have a positive or negative impact on your ability to implement Superfund?

Dewling: It's decentralization up to a point. Decentralization is good, but you had state EPA agreements, and then you had agreements between the regions and Headquarters. I can remember when I went down to the state—Herb Barrack was the Management Division Director—I had a commitment to issue 72 NPDS [National Pollutant Discharge Elimination System] permits, and I only issued 69. He wanted to hold back \$7,000. I said, "Be my guest." I said, "So you understand something. 10 years ago we needed your money. We don't need your money now. So you don't have a financial lever to place over the state." That's not true in South Dakota, in Colorado. It's not true in some other states. But in New York and New Jersey, they passed big bonds to support the programs. So EPA did not have the financial leverage that it had in some of the other states.

But you know, Regional Administrators. I still think there needs to be oversight by Headquarters so that you have uniformity across the country. You cannot allow Regional Administrators to run free without a reign. You can't. Because number one, there are very few Regional Administrators, in my view, that have the historical link or understanding of what went on before and what some of the issues are. But their understanding of environmental issues... they're not technically driven. They're not scientifically driven. They're politically driven more so than ones years ago, particularly today. When I see the caliber of some of the Regional Administrators today compared to years ago, there's not the same mix. I am not saying you need the same mix, but I am just saying to you, I think you have to rely on more of the oversight by Headquarters to assure uniformity.

EPA Interviewer: I know that when EPA was first formed there was a really strong emphasis on getting high quality folks into position. What was it like working with the people that you did in Region 2?

Dewling: You mean at the Regional Administrator level or what?

EPA Interviewer: No, with all the folks that worked with throughout your career. The caliber of the folks you worked with.

Dewling: Excellent. We didn't have the constraints that you have today. And the constraints today are administrative constraints. That's why I said to you, we didn't worry about compressed work weeks. We didn't worry about doing work at home. We didn't worry about

comp time. If I am wearing a beeper, am I going to get paid? I am disrupting my life. We wore beepers 24/7. We had duty weekends. We assigned people for the weekend. They couldn't go away. They had to stay home for the weekend waiting for the phone to ring. That's what we did. These were dedicated people. The people that are coming in now are in a bureaucracy. In the Agency, when it was first formed, you had to get things done, and you didn't have the infrastructure to get things done. You had something to deal with relative to solving a problem. You could see the end result of your problem solving within a short period of time. You could work on a Superfund site today for 12 years. You never see the end.

EPA Interviewer: You never saw the end back then either for Superfund sites.

Dewling: Not for a Superfund site. For other things we worked on, we did.

EPA Interviewer: Do you think that's taken a toll on the program? The life cycle of a Superfund site.

Dewling: I think the big difference here is an RI/FS... RI was \$200,000.

EPA Interviewer: Remedial Investigation.

Dewling: FS was \$200,000. Now they are over \$1 million. When I teach at the university—and these are students—I say, “How many of you trust government? Raise your hand.” Nobody raises their hand. “How many of you trust industry?” Nobody raised their hand. “Well, who do you trust?” You go to a public hearing, and if I was the Commissioner of DEP [Department of Environmental Protection] and I brought them a glass of water and I said to them, “Do not drink from this glass of water,” 100 percent of the people would believe me. If I say, “It's OK to drink from this glass of water,” only 42 percent would believe me.

We used to spend a lot of time in outreach in the early parts of the Superfund program to try to get an understanding of what people believe. We used to spend a lot of time and effort going to public meetings and saying what we're going to do, how we're going to do it. This is going to take time. They got to believe somebody when you say we've cleaned it up to the point where we think it's now “safe.”

When the SARA [Superfund Amendments and Reauthorization Act] amendments came out and changed the rules in terms of saying, “You've got to have a permanent solution in place,” that changed the way that the world was viewed, before you did triage on areas.

In New Jersey, we had the drum dump change, and we had the ones that were the leakers and the bleeders. You were addressing that. Somebody in the community that had a facility that had 10,000 drums there from a lot and now they're gone, and there's a fence around it. To them, that thing is gone. They're not drinking public water supply, individual water supplies. To them that problem is solved. When people found out you're going to pick it up here and put it down some place else, people said, “Well, where are you going to put it? I don't want it on my back yard.” Then the “NIMBYism” [not in my back yard] took over. The whole thing of “not during my election year.” It was a very politically driven force.



Everybody wanted it picked up; nobody wanted it put down. Then we had Congress saying the Agency is not cleaning up.

I remember testifying at a hearing on Superfund. It was a good Senator from New Jersey who was also just now Senator again. He is 85 years old. Lautenberg. Nice guy. He said, "Commissioner, how many sites are you going to have cleaned up in the next five years?"

I said, "None."

He said, "What? Are you being arrogant?"

I said, "No, Senator. What do you mean by cleaned up? Do you mean will I have the surface soil cleaned up? Yes. But we'll be pumping and treating for 20 years." Now the message.

Everybody thought this was going to be an easy lift. This is a construction grants program. I can remember sitting in an RA's meeting in Washington when I went down there when my three-day RA left. These people were saying, "This is the start of the Superfund implementation. We're going to have this cleaned up in a couple of years. It will never be a son of Superfund."

I said, "Guys, this is a mini-construction grants program." You have step one grants, step two, step three. Do the step one—the understanding—remove the bleeders, and do step two—design. It's a 15- to 20-year program.

"Don't ever, ever say that!" They pointed their fingers at me, and said with their tight lips.

I said, "Folks, I am just telling you the reality of the world. That's the way I see it. Now, if you think you're going to have this cleaned up in a matter of three years in your Administration, you're a wacko-smacko. No way."

Then we had some serious problems with the public and with the Congress because of how the Agency was performing. We had bean counting. That's when we had the tendency to break them into segments so we'd get credit for the certain parts of the cleanup. Bill Hedeman, myself—I am trying to think what year it was, Reagan was President and Bill Hedeman was head of the Superfund program—it was in the '80s, early '80s. And Al Alm was Deputy Administrator of the EPA. We got called down to Washington. They were saying that they do want to clean up the environment ("they" meaning the Administration). We were sitting in a room over the White House—not the White House, but external to the White House—and who comes in but the President of the United States. We were the five or six senior people in EPA that met with him, and I don't care what party you are, who you are, it is the President of the United States. You are impressed, and you show it. He said he is environmental. He tried to show his side of the story.

I was very fortunate in the Agency, did a lot of things, and the Agency was always good to me, and the Agency was superior in their commitment to environmental issues. But

you did get some low spots when you were being beaten up by everybody for not moving fast enough. I believe people in Headquarters told Congress how fast we were going to move. Those out in the regions knew you couldn't move that fast.

When we were going through the turmoil of the Rita Lavelle issues... I remember bringing her out to a Superfund site, and here I had a landfill that was a bleeder. If you looked at the side, it looked like somebody slashed a whale and this red oozy material was coming out, and I couldn't take an emergency action. I had to get Headquarters approval to put a fence around it. You can't sustain yourself on stuff like that. We used to have arguments. "What's a removal action?" "What's an immediate removal action?" "What's an emergency action?" Then we got innovative, and you only allowed \$1 million for an emergency action for a Superfund site. Well, let's make it two sites even though they are a block apart. So the regions came up with innovative ways and worked with Headquarters on it.

The question here is, "How do we move these programs?" It took time to grow, and it took time to understand the issues. There was a belief that this could be solved overnight, and there is no way. I mean, you could stop the bleeders, and that's what we did do. You stopped the obvious things. Then when RCRA Corrective Action came in, that was a different thing.

The Superfund sites. New Jersey had more Superfund sites than any other state in the country. We had a very aggressive program. Why? Because we wanted to get as much of the federal money as we could. We got 47 percent of the total federal budget [for Superfund] in New Jersey for three years. We were ranked number one for solid waste and hazardous waste in the country by a public interest group down here in Washington. We had our own money. I mean, you would negotiate with somebody—PRPs [potentially responsible parties]—and say, "OK, we want you to do something."

They'd say, "Well, we're not going to sign on to doing things, give you a blank check."

We'd say, "Fine. We got our own money. Then we're going to go back, and we're going to charge you three times." You had no leverage. It all changed over the years. It's been very positive for change. I think the Superfund program initially got constipated for a while because of the escalation of costs, the lack of confidence in government, and we're always trying now to defend ourselves. It takes more time to defend yourself than to start going back.

I think it's crazy. When I was on the NACEPT Committee to keep these mega-sites, there's not enough money in the world to address all these. You got to make a decision. You can only address certain portions of them. Maybe you should not put any more sites on the list unless there are critical public health impacts. Once you go on the NPL, there's an expectation that it's going to be cleaned up. What does cleaned up mean? To the public, that means it's gone. To some of the poor people on the Indian reservations where they subsist on living on the fish in the area, cleanup means I can go back and I can fish in the area. The mega-site. It was easy to pluck the tree when you saw the big ripe fruit. It's going to be more difficult as you go into the 2000s. The big bleeders, as I call them—they're no longer there. We picked the easy fruit. Now the more difficult one is the confidence level of the government

for what the impact is of things that you can't see, things you can't touch, and whether or not you're going to trust government saying it's safe, or it's OK. Who's going to watch it three or four years from now? Are the state monies there? No. We spend all the money to contain it, control it, and manage it. Who's going to watch it? That's what the public is asking.

EPA Interviewer: What do you think about the redevelopment policies that are taking place?

Dewling: Brownfields?

EPA Interviewer: Brownfields, but also redevelopment at Superfund sites. There's a lot of interest in making these sites productive once again.

Dewling: I think that's wonderful. The point here is that some of these sites that they are redeveloping, as long as the deed restriction is on them. You can't have a recurrence that we had at Love Canal, putting a school on it or something like that.

EPA Interviewer: Do you think that there is enough understanding of the threats posed by controlled sites that we would not see recurrence taking place as what happened at Love Canal?

Dewling: I don't think you'd ever see a recurrence of Love Canal. The strict liability, joint and several liability, where folks want to have that repealed. I think to repeal that would not be the smartest thing. That to me is still the largest club that is out there to prevent things from going wrong.

EPA Interviewer: Going back to the early '80s, what would you say was the most significant obstacle to implementing the program at that time? You've mentioned a lot of different factors. I want to know if there is a specific area that really affected you.

Dewling: Money was not an issue. It was probably getting everybody to agree between the state, EPA, and Headquarters what was needed. I mean we used to have regional meetings and setting up priorities. The problem you have is when somebody new comes in—remember RAs are not there more than a couple/three years, and this program is not a couple/three years old—you always seem to be at a different junction when a new RA comes in. Now the RA wants to stand back and re-look at these things, because he or she gets the Congressional inquiry. Why are you doing that? Why are you doing the other thing? It's really the ability to get everybody to agree on a solution. Then you have to wait for the funding at the end of the year, because they have to see who's going to get it and who's not going to get it. You are ready to move, and you keep teasing the program to keep it going, but you don't have the money to implement it. It's a timing issue and an issue with getting everybody to agree.

EPA Interviewer: If you could have changed one thing back then in order to better implement the program, what would it have been?

Dewling: Again, I am speaking from a vantage point of being someone who was highly technical, politically sensitive, and had staff that I could totally rely on for making sound decisions. I would have liked more authority to make those decisions. I can remember having

to go to Headquarters to get approval to vacuum up the streets of Newark because of dioxin dust that we had there. I actually swam in the pool in Newark—this is at Diamond Shamrock—because people believed the dust around the pool was a risk, and I said it was not. I went in the pool with all the kids. The biggest threat was the filter that was there wasn't properly treating the water. It wasn't dioxin. But when you've got this buzz word "dioxin," and you've got a reaction to all this, that is just horrendous.

The best example that I can give you of trust and confidence is we had a fire in New York City at a Con-Edison facility. The firemen responded and you know when you get the burning of the PCBs and you're forming dioxins and what have you. The firemen were there saying that they were worried about exposure to dioxin and PCBs and what have you, and they [the media] were interviewing this fireman up in Mount Sinai Hospital. They were taking hair out of his head to do concentration samples. They were interviewing this guy, and they were saying, "What about exposure?"

He said, "Oh, my God. I'm getting married. I am not sure if I should be getting married. I am being exposed to all these chemicals." He wore full self-contained breathing apparatus while he responded to this fire. They were in need of a medical monitoring program, which they did not have. This was a union argument. I was interviewed. They asked me.

I said, "Let me be honest with you. Riding the New York City subways to me is a bigger risk than that fire. I agree with the fireman. He had full self-contained breathing apparatus on. When he responded to the fire, the telephone company building with all the PCB capacitors was probably a lot worse, but this had more emotionalism. From a public health standpoint, they were not exposed, because they had self-contained breathing apparatus on. More importantly, we got to understand that the firemen are first responders, and they have to make the decision that they should be covered by a medical monitoring program. But I don't believe there is a public health threat to that individual."

My wife saw me on television, and she saw the others. She said, "How could you say that?"

I said, "What do you mean?"

"That poor fireman was distraught."

I said, "Honey, who are you going to believe? Me or the M.D. [medical doctor] up at Mount Sinai?"

She said, "Mount Sinai. 'Cause he's a real doctor, not a Ph.D."

The biggest issue we have is getting the credibility of government back into decision-making, where people believe you when you say something is reasonably safe or that's everything's OK. You believe your family physician. You believe your professor. You don't believe the newspaper. You don't believe the lawyers. You don't believe some of the other folks that may be out there. With my students, I say to them, "You've got to use good science and decision-making, but as far as I am concerned, you can be the best scientist in the world, [but] if you can't communicate good science and get them to understand what you

are trying to get to and they don't believe you, you have to keep trying." There's no such thing as zero risk. You have to convince people of that, and you can't destroy matter. What risk are you willing to accept? If you choose the risk, it's OK; if I choose the risk, it's not OK. Then you've got to balance all these things. Education is as much a part of that today and the outreach. The outreach program today is just too touchy-feely. It's not at the universities. There are no more programs. I teach in the graduate school. I don't have students going into the environmental area anymore.

They went to health and safety, occupational, because of 9/11. We've made major progress in 40 years. Wonderful. But the issues that we are dealing with now are so much more difficult. You can't touch them. You can't put your arms around them. Education, training, and communication, the ability to be credible in your issues and decisions.

EPA Interviewer: Seems like over time there's kind of been a wave in terms of the public's reaction to the efforts of the Agency. How do you really gain that credibility and how do you maintain that over a long period, especially in a program that has such along duration where people's focus of attention can drift as time goes on?

Dewling: You got to have consistent voice or person. It's the same thing in the business world. If I have a client and I keep changing project managers, that client becomes very unhappy with me. If I got a Superfund site, I have got to have a project manager. What happens is there are community outreach programs and these people, after two or three years, after they get done what they want to get done, then they're gone. You've got no continuity. You get somebody coming in and you say this is what happened. Well, I don't know. I don't know what to do with that. There's no continuity. Putting it on the Internet doesn't solve the problem. You've got to be out there with the people to demonstrate whatever it takes to demonstrate that things are under control. That the monies are there. That we're pulling out, and these other people are pulling in. Let me tell you why. Document it so there is a record of what happened. Half the time you don't know what happened. I was just involved in litigation where they cleaned up a Superfund site, and the material they brought in was worse than the stuff they took out. The oversight was not there. That was few and far between.

From my external viewpoint, I've seen the fire go out of EPA. I don't see the excitement in the EPA. We are so caught up in the bureaucracy. I don't see the fire that was in EPA 20 years ago. Maybe that's prejudice on my part 'cause I was there. All, "We can't do that, we have to check with this. This is off. The unions don't allow us to do this." It's like the Department of the Interior. That was an old state organization. EPA is now 35 years old. It's becoming a state organization. The Agency has been very, very successful.

The Agency was not in the forefront of the [2005] hurricanes, to me, with some of the issues that were there. When I was involved with FEMA [Federal Emergency Management Agency]—if you remember Lee Thomas was FEMA—when FEMA was there, EPA was there. Go on the Internet and you can find out the water quality issues [in the southeast after Hurricane Katrina]. There's nothing in the media. There's nothing from EPA—the Administrator of the EPA saying, "I've got my SWAT teams down there, and we're helping them with the public health issues." They're sampling *e. coli* in the waters. This is chemical soup down there. EPA has had a back seat in this whole thing. To me this was an ideal

situation. It shows pictures of the sewage treatment in Louisiana under water. What does this mean? I don't know. Now here I am, a professional, and I go on the Internet and they say they sampled for *e. coli* and they sample for this and they sample for the other thing. And EPA's numbers are coming up this, that, and the other thing. There are like six or seven Superfund sites down there. They're all cleaned up now, man. They're gone! Save that money. Let's put it in some other sites. I don't know.

Maybe the Agency is doing something on it, but as someone who is interested in the Agency, I don't know. When FEMA reacted years ago, EPA reacted. We were a team, because we were the public health agency.

EPA Interviewer: What do you think EPA's role is now?

Dewling: I don't know what their... I still believe that... I couldn't tell you what EPA is doing other than I know that my guys from Edison are down there.

EPA Interviewer: They are?

Dewling: They're down there. We used to have on certain spills; we had SWAT teams in different regions. We took two from every region, and we went down to help another region. I don't know.

EPA Interviewer: It's still going on today.

Dewling: I am sure it is. I'm a lay person today. I don't know it. You think the average citizen knows it?

EPA Interviewer: Do you think that's an image issue that EPA is not projecting? What its activities are? And that was something different in the early '80s that we were actually in the forefront there? My recollection of the '80s was a really turbulent time in terms of Agency credibility.

Dewling: Yeah, but you are in the front. When you're in the back, you don't make any waves. When you're up front, you're making waves and you're getting things done and you have money and you're doing things. But now they say, "Sit in the back. Don't ask for money. Just do your job." Sometimes when you make waves, you get more attention. I really don't know...

When we had a flood in New Jersey last year, Bobby Franks was a Congressman at the time. He said, "Dick, I want to write a bill on drums. They're floating; they're all over the place. No one is doing anything about it." I said, "Bob, let me tell you. There is a bill out there, but they didn't do it. You don't need more bills; you need enforcement of it." You've got to understand that when we had that flood, the head of the water company—the water company—said, "Boil water." Not the Commissioner of the Health Department, not the Commissioner of the EPA. When it was OK to drink the water, the water company said it was OK. Now, who the heck is the president of the water company to say your water is OK? It's someone in the health department or DEP water supply that should say, "Alright, we've tested it all. We've confirmed the testing, and we're saying the water is OK to drink." Is EPA

noting that that health department and environmental agency in Louisiana are sort of weak? Is EPA taking a strong position relative to how we're dumping all the sewage in Lake Pontchartrain? The raw sewage? Are we going to have this type of issue for a long time? You've got tourists going down there. It's almost like going to a foreign country. Should you go down there and worry about drinking the water? I don't know. I wouldn't drink the water if I went down there. EPA is in a back seat today. It's obvious that the Agency has been put into a backseat. It's still the Environmental Protection Agency, but it's not the aggressor like it was.

EPA Interviewer: Can you tell me more about what the enforcement side of the house was like in the early '80s, especially in Region 2?

Dewling: We had very strong enforcement. Unlike other regions, we were not constrained, because I was Acting Regional Administrator. Walter Mugdan and I took some strong actions.

EPA Interviewer: At American Cyanamid, I read you had a tremendous success story there with respect to settling with 50 parties. It was the largest settlement of its time.

Dewling: I put that on the Superfund list. The state didn't want it on the list. That was an active site. There were a lot of things...we had a history with the issues and unfortunately, in Region 2 right now, with the diversity of disciplines that you are having, people don't... To them, the solid waste program is recycling. Or the solid waste program is not the amount of landfill space that we have and increasing landfill capacity, and it's not interstate transport. Right now, New York City is transporting all of its garbage out of New York City. All its garbage. And New York said, "I'm not recycling, because we don't have the capacity or the money for it." I didn't see EPA jumping up and down, beating up Mayor Bloomberg. There is no landfill in New York City. What is EPA doing to help solve that problem? It's going out by truck or by barge, or wherever it's going. What is EPA trying to do technically or in assistance wise? How many states are going to keep saying to New York City, "Keep sending me your garbage. Send it down here." Where is EPA looking at the new pollutant of the month 10 years from now? EPA is the environmental protection agency that should be looking at what the contaminants are that we should be looking at 10 years from now. They should be looking forward. States are there. They don't look forward. They look for the problems they have right now. EPA can stand back and say, "I think 1,2-triethyl-boom-boom-boom is going to be a problem five years from now. Let me tell you why I am going to be doing something." Setting up a strategy—nobody in EPA is doing that.

EPA Interviewer: How do you think the challenges for the future have changed based on the challenges you had at the beginning of the program?

Dewling: We had so many problems you didn't have time to look at the future. We have solved so many of the problems in terms of water pollution and air pollution. Ocean dumping. We've solved so many of the problems.

Why is recycling going down today? I just opposed—I am President of New Jersey SEED, which decides economic and environmental development—a \$3 surcharge, because they wanted to increase the recycling. I said, "Guys, why are you against anything that spends money?" Recycling is down because we no longer give recycling to the counties.

Recycling is down. Aluminum can be recycled, and all this other material can be recycled. Make it mandatory that certain building types of materials have to be recycled. They are doing a big building out in Chicago making it mandatory that this building, two-thirds of it has to be out of recycled aggregate or whatever. That's the way it has to be driven.

But this garbage problem is not over. Big metropolitan areas. New York City generates 22,000 tons a day of garbage. Where's it going? Virginia, Ohio, Michigan. By truck, by rail. Canada is bringing stuff into Michigan; now Michigan wants to limit that. The whole problem of computer software, recycling that material. The Agency to me is lax on looking forward to that environmental issue. In the '80s we looked at the issues of the day that we could solve pretty close. We were looking at some of the longer-term issues.

EPA Interviewer: What would you say was your highest point of your involvement in that period?

Dewling: Love Canal. I was the senior scientist and made the announcement at Love Canal. I remember having security with me when we walked through the hotel up there. Telling us how we would get out through the kitchen. All I could remember seeing was Robert Kennedy shot in the kitchen, because we had armed security. I had guys from CDC [Centers for Disease Control and Prevention] there. We had all the senior scientists from RTP [Research Triangle Park, NC], Tom Houser, people from Las Vegas, and we were presenting the results of our report to a group of very angry people. It was not handled properly politically. We are not the political mechanism. I was front page on the *New York Times* saying that we don't believe it's a problem if the controls are put in place—the bath tub, the containment... You could bring that area back to living condition.

EPA Interviewer: Why was that a high point for you?

Dewling: Because of the human interest issues of sitting down with people, telling them we did the health studies, and telling them what they potentially were exposed to. Listening to people and the uncertainty of knowing what the impact was. You try to put yourself in their shoes. It was devastating. That was the first man-made disaster that FEMA declared. There was a lot of aches and pains in having to do that. When we did the health study, we sat down with the people personally.

EPA Interviewer: I understand it was so volatile at one point that an EPA employee was held hostage.

Dewling: Not an EPA employee. Lois Gibbs was the local citizen person there. We had two of our people: a person from Cincinnati—an M.D.—and another person. They held them hostage. I can remember dealing with the FBI in New York. I was Acting Regional Administrator at the time. They were gonna send in a SWAT team. I said, "Guys, this is crazy."

"Well, we have responsibility for the safety of the people."

I said, "Yeah, but I have to believe that they are giving them cookies. These are citizens." When we look back today, it could have been a very serious situation. Maybe I was



a little bit too casual. They didn't hold them overnight. They were concerned about getting them out forcibly and trying to negotiate them out. When we made the presentation, they expected violence. That's why they took us through the back way in. They actually cut the electrical lines so we couldn't make our presentation.

EPA Interviewer: So you didn't even make a presentation?

Dewling: Not the original one we had.

EPA Interviewer: What happened?

Dewling: We verbally spoke about it. We had overheads and different things like that. People screaming at us. First of all, you're a government employee, and they think you're lying. You're there trying to say what we're telling you is the truth. When the Agency made the determination that they were going to redo the Love Canal study, we as professionals were deeply pissed—to say it bluntly—because it didn't come up with anything new. The same studies, the same things we came up with, the same conclusions, but politically it had to be redone. As scientists, we felt kicked in the teeth and that what we did was not appreciated. The scientists from Research Triangle Park, from Las Vegas, from all over this country; the research groups spent years developing this and working with this. We didn't have standard soil tests. I met with the Deputy Administrator of the Agency, John Hernandez at that time. He had a separate report from the National Academy of Science. I met with these people, and the rumor was, and the headline was—I used to smoke cigars—"Dewling in a cigar-smoke-filled room beats all the agencies into submission." Who am I to a...

EPA Interviewer: When you talk about credibility and continuity, how do you deal with a situation like that? Is there something that could have been done at that time so that would not have occurred, or was that just the times and the frustration of the public in general?

Dewling: I think when we defined hazardous waste, everything became a hazardous waste. Nobody wants to live next to a hazardous waste site. People live next to gasoline stations for years. But now because we have BTEX there, and now it's a different nomenclature. It was a different time, and we went through some agonizing exposure. I think the scars help you in the next one. Love Canal was a serious credibility issue. We had scientists that had falsified their credentials. They claimed they had Ph.D.s; they didn't have Ph.D.s. Love Canal was... If it didn't happen, it would have been someplace else. One of these had to blow up to show what could be done when everyone puts their effort to it. Then you go back to how did that get created? The fact was that it was a canal, and when it was signed over to the city, they were told what was in there. People put the blinders on. They blamed government.

EPA Interviewer: I asked you, "What was your highest point of involvement in the program?" I loath to ask you, "What was your low point?"

Dewling: I never had a low point. Low points to me don't exist. There are different levels of high. I think the biggest high was becoming...here I was an outsider on an IPA [interagency personnel assignment] from EPA Region 2, and I met the Governor in a bar in Newark during the dioxin episode, and he asked me if I could come down to the state to professionalize the Department of Environmental Protection. I didn't have any political connections or anything

like that. I'm just this humble, dumb, fat Irishman from New York. I was given the opportunity to become Commissioner of the State of New Jersey through the efforts of the people that worked with me. When I was sworn in, I had all the people that worked with me at my swearing-in ceremony. These are the people I owed everything to. These are the people that, as I rose in the Agency, made me look good in terms of my decisions that I could trust. They were good technically, strong technically. I had some low points while I was Commissioner, where you were beaten up. M.A.D.D. is not Mothers Against Drunk Driving, it's Mothers Against Dick Dewling. I had picketers at my house and hang me in effigy and burn me at the stake. It was a very emotional time. I never had any low points, because it was just different levels of high. You could not work with an environmental agency and be loved. I don't know how people work with the Department of Taxation. You make people pay taxes. I can drive down a road and say, "There used to be a landfill there. There used to be a problem there. That used to be a raw sewage discharge. That used to be this." Everything we've done since the '60s has shown an improvement in the quality of life. That is to me the high point of what you've accomplished all your life. Dealt with legislators, most of them—99 percent of them are fantastic. You always get the wacko-smacko that comes up with some crazy idea that's very politically driven.

EPA Interviewer: You mentioned a couple experiences with Senators. What was your overall experience with working with Congress?

Dewling: Very good. But see, Headquarters did not like regions testifying. As a Commissioner, I spent more time with Congressional folks than I did when I was with EPA.

EPA Interviewer: By nature of your position?

Dewling: And to get money through the back door. I didn't work with EPA; I had to work with Congressional folks.

EPA Interviewer: How did your perspective change on Superfund cleanups when you went to work for New Jersey?

Dewling: We were very aggressive in it. We had a very good relationship with Region 2. You don't get 47 percent of the money without having a very good working relationship with Region 2. They needed the beans, and we were ready with the beans. We were ready. We planned it that way with Region 2.

EPA Interviewer: You set that up even before you left in terms of how to deal with what kinds of things the states needed to accomplish.

Dewling: Not just me. Former Commissioner Bob Hughey. We worked with him while I was the Deputy Regional Administrator. Worked with him on the drum dumps first, to get rid of all the drums, then get rid of the bleeders. You know, do it in phases. He got state money, and I got state money. We had \$150 million from the Governor on a special appropriation. The Superfund is really an offshoot of the spill fund that passed in 1978. The loan program is now the state revolving fund started in New Jersey.

EPA Interviewer: Do you have any site-specific stories when you were Commissioner that kind of illustrate your interaction with EPA?

Dewling: Montclair/Glenridge. The radium sites, which have just now, 25 years later, been cleaned up. These were the sites where we took emergency actions to remove the... They had high radon levels and the radium from the old Manhattan project that was used under these houses. We had some serious issues of credibility with... Let me tell you the biggest problem we had in the Superfund program. I remember Lee Thomas had a position that unless states—individual states—came up with disposal sites within their boundaries, they wouldn't get Superfund money.

EPA Interviewer: One of the state assurances.

Dewling: Right. You had to have sites within your jurisdiction that could take waste or you were not going to get Superfund money. New Jersey has the highest population density of any state in the United States. Obviously we couldn't accept that with the Glenridge/Montclair material. And then we went through the things with low-level rad sites. Where are you going to put low-level radiation? Bob Rowe, who was then Congressman Bob Rowe, passed legislation saying that if we will find a site in New Jersey for low-level rad waste—which would have taken Glenridge/Montclair—we'll get an extra \$50 million out of Superfund. In the meantime, you cannot dispose of anything in his county. So we went one better, and we made every groundwater a sole source aquifer in the State of New Jersey and said you can't put anything in any place in New Jersey that will impact groundwater.

So when I was Commissioner, this thing was blowing up fierce. We were being sued. We had the people from Georgia, from EPA working in the homes. We were working there in high cooperation, but we're digging out the houses and we got no place to put this stuff. We were going to move it by railroad car to Las Vegas, to the low-level rad site. *[Laughing]* We went through the scientific analysis. If we go by truck, if we have an accident some place, we're in deep trouble. So we were going to put it on a railroad car. We had 100 trains, box cars. The headline was, "Nuke train going to Las Vegas." When it gets out to Las Vegas, Las Vegas says, "We don't want your nuke train here, man. If it's so good, put it on the sands of Atlantic City." So now you've got the gambling interests of Atlantic City and Las Vegas. We actually sent his material down to Oakridge, TN. This is dirt from people's backyards—low-level radiation to mix with high-level radioactive waste so that the high-level radioactive waste not coming from New Jersey could be put in the low-level radioactive waste site out in Las Vegas. We spent \$6 million to do that—wasted money. I wanted to use that soil and build a golf course at Liberty State Park. They said, "Whoa, the greens will glow at night." It had a stigma sort of like the garbage barge.

I found a site out in Utah. I was at an RA's meeting at a state EPA meeting. I met with, I forget his name, out in Utah. He said, "We'll take it out here." Out in Tooele. So I came out from the State of New Jersey, flew out to Tooele with the Assistant Attorney General. I met with some guy, I forget what he name was, who ran that thing. We had helicopters following us, because we were going to find out where this was going. The guy said, "What level is it?" I told him the radiation level. He said, "Man, just keep bringing it out here. We got plenty of room." We found the site, because we were forced to find a site. EPA didn't help us find a site. They put more obstacles in our way. We couldn't do it unless we had a Superfund site in

New Jersey. We had a disposal site in New Jersey. That was probably the more difficult obstacles we had with EPA. John Frisco now kids me, because that site in Tooele that we found has been the site of most low-level radioactive waste around the country. Just the low-level stuff. You are taking people out of their homes. Then you had the Manhattan Project. You had stuff up there from that. And you had some tough Senators. You had “The Torch” from—Senator Torricelli—with the Manhattan Project. Bill Bradley was phenomenal. In fact, I went to Bill Bradley and he actually, he said to me, “Dick, you’re being...” [Laughing] He said...You know we talked about, “Can I get help at a federal installation? This stuff is like arsenic; nobody wants to go near it.” He said, “It can’t fly.”

I said, “Do you need reservations for military facilities?” And we wanted to put it down in McGuire Air Force Base. McGuire Air Force Base had an incident where a nuclear warhead—in one of their rockets below grade—had a leak, and there was contamination there. We temporarily wanted to put it there. I had it lined up with the Department of Defense [DOD]. When I was in Vietnam, we used to call it “fragging” where you’d take the label off the... One of the Congressmen down there said—he was on the Budget Committee—if that goes down there, you will get no money. It was like whatever obstacle I went through... I remember the guy from DOD. He said, “Dick, good idea, but I can’t do it. Not an environmental problem, I can’t do it.” I said, “Why? When we spoke...” I think you understand; you’ve been around government long enough—and the Congressional aide was there. I said, “Someday I’ll get even.” [Laughing]

EPA Interviewer: [Laughing] Did you?

Dewling: In a way. People in government don’t get mad; they get even. That was the most difficult. Putting it down some place.

EPA Interviewer: What do you think are the biggest challenges facing states today with respect to Superfund?

Dewling: I don’t think Superfund is the big issue. I think MSW (municipal solid waste) is the big issue. Superfund wastes are being managed. Hazardous wastes are being managed. I think the chance of creating another Love Canal is very remote, unless it’s done illegally. The MSW, with household hazardous waste, TVs, cell phones, all the other electronic components that are going to go. I don’t think this Agency has done enough to resolve the MSW issue. You certainly are not going to build incinerators all over the place. Your landfill system or you’ve got to go back to something where...

Like in New York City, when you want to recycle your car, you put it on the street, and it disappears piece by piece. Until you say when you buy this product you got to bring it back. You buy a TV for \$500, it’s \$600. When you bring it back, you get the other \$100 back. MSW and agricultural waste are going to swallow us. Look at the problems they’re having down at the Chesapeake with chicken manure, pig manure. People don’t get offended by those, but the water quality conditions certainly get offended by this. You are dealing with issues today that are very different than the issues of the early ‘80s.

EPA Interviewer: Burning rivers.

Dewling: Right. Yeah. Superfund is 25 years old. I think you can stand proudly for what's been accomplished. It's taken a long time, but I expected it to take a long time. Those who were not experienced in the field didn't expect it to take this long. The challenge you have is the bigger mega-sites and how best to fund those and how to address those. The other big thing is, how do you guarantee the perpetuity of the pump-and-treat systems with the state money?

EPA Interviewer: Or the institutional controls for that matter. Maintaining caps.

Dewling: Yes, that whole thing.

EPA Interviewer: Let me bring you back to the mid-1990s. You may have already touched upon this in various ways. President [Bill] Clinton basically said that the Superfund program was a disaster. Through that discourse, the Superfund administrative reforms took hold. Do you think the Superfund program was a disaster back then? How do you see the reforms in light of all that?

Dewling: No. I didn't see it as a disaster. Everybody likes to blame everybody else. But when you are in the trenches the question is: can you point to successes? The answer is yes. Can you point to some problems? Yes. Are the successes greater than the problems? The answer is yes. We had sewage treatment plants. I can remember when we were building wastewater treatment plants. The plant would be built, and there would be no sewer linked to it. Congress would say, "This construction grants program is a disaster." I can remember Bill Ruckelshaus saying to us in the '70s, "Guys, we've spent all this money building wastewater treatment plants. Show me a river that's better water quality today than it was 15 years ago."

I remember up there in Lake Washington. We took all the sewage out of Lake Washington until the water improved. Has water quality improved today? Certainly. You don't solve these problems in 10 years. I call it the "Five Ps of Pollution." As long as you have people who demand progress, results in new products, results in pollution, and the fifth P is politics. So you have the five P's of pollution. Until you can get people into understanding these issues...

Bottled water. It drives me absolutely crazy when I see the business of bottled water. Tap water has much more safe guards. I get a kick out of all the bottled water going down to Louisiana, which means we have a bigger solid waste problem now. It's all bottles. Are we saying we are going to recycle all that material? They say in an emergency we don't recycle. I don't know. Clearly the bottled water business is a monumental business. Recycling is down.

I think the Superfund program—when Bill Clinton said it's a disaster—we had some aches and pains, and we were not at that stage where we had that many construction projects going on, because there was not the belief that this thing was going to take the amount of time it took. Because in my view they were naïve. Because they didn't understand...I mean the technical people were telling them that, but they said this was a political agenda.

EPA Interviewer: What do you think of the administrative reforms? Did they help change the way the program was implemented?

Dewling: Which ones are you talking about?

EPA Interviewer: Are there any that stick out in your mind in particular? Certainly the changes in liability, which gave protection to the *de minimis* contributors. Did the whole change in the liability structure have an impact on how implementation was carried out?

Dewling: All I can say is that the number of lawyers doing Superfund's negotiations today is decreasing dramatically. The number of PRP committees has changed dramatically. The environmental business has changed dramatically. If you look at what drives the environmental market, failing infrastructure, new rules and regulations, and enforcement. I believe it's failing infrastructure; new rules and regulations are *de minimis*, and the enforcement is *de minimis*. I don't see a strong enforcement program in the Agency today.

EPA Interviewer: What about brownfields and reuse of properties?

Dewling: I think, again, that started in New Jersey. I think it's a good program as long as the deed restrictions stay in place and as long as the people understand what was there historically and that you don't then extend these things to have other meaning.

EPA Interviewer: You talked briefly about NACEPT. You mentioned mega-sites as one of the issues. What was the gist of what NACEPT was trying to do? This took place 2002 to 2004.

Dewling: It was trying to prioritize how the Agency should look at sites and how to deal with the complex sites that were mega-sites and are over \$50 [million] or \$100 million. But I think the biggest issue is river basin sites. I am not looking at a mega-site as being one small area that is going to cost a lot of money. I am talking about a river basin site that is like the Hudson River or the Mamomides; something where you got mining waste or other types of problems. I saw the one project up in Connecticut, in Bridgeport. I think some of these projects were done—as opposed to science—to try to rehabilitate a downtown. The amount of materials being dredged and moved is just unconscionable. It's just crazy. You have to look at some of these brownfields sites and decide whether or not there is that much need to remove that much material, or is the whole purpose here to revitalize downtown? Is that driven by the poor conditions of the water or just due to poor economic conditions of the people and the businesses in the area?

Certainly, you go up to Boston harbor. That area has come back because... We didn't dredge up there; there's no big chemicals, but there's a lot of raw sewage there for years. New York harbor now. To spend billions of dollars on dredging the upper Hudson, I have to question that—with the GE project. I was involved in that project for years, and we didn't do an EIS [environmental impact statement] on the...and [Administrator] Ruckelshaus said we didn't think we needed more work up there. Remove the hotspots. I still agree. Remove the hotspots. I was on the PCB Advisory Committee in 1975. The Science Advisory Committee. We said, "Let's remove the hotspots now. Now!"

The Advisory Committee said, “Whoa, wait. There’s got to be better science than that just to remove hotspots. Let’s try this.”

“Guys, I am telling you. I’ve got DOD, Department of Transportation, the state, the Corps of Engineers. We’re going to take the hotspots. We’ve just delineated them with the helicopter in five days. Take these hotspots out now!” [Laughing] Now they’re talking about it. It took \$100 million of construction grants money, and they wanted to give it to the PCBs in the Hudson—Senator Moynihan did. I opposed it, and Senator Moynihan called me down to his office, and he said, “Brother Dewling, why do you argue against the will of the United States Senate?”

I said, “Because, Senator, if you want to spend \$100 million on the Hudson, don’t take it out of the construction grants program, which will eliminate the raw sewage coming out of New York City at 200 million gallons a day. There is a Section 114 of the Clean Water Act—you know 114—that allows for the removal of sediments.”

He said, “I presume you want me to recommend it. That’s a smart idea, but what do you want me to do?”

I said, “Just don’t take \$100,000 out of my backside for New York City’s raw sewage discharge.”

He said, “Would you like me to support you as an appointment to Regional Administrator?”

I said, “No, sir.”

He said, “Why?”

I said, “Because number one, I don’t want to owe you anything, and number two, I don’t want the job.” We go from one situation where we’ve been studying that river since the ’70s, and Bill Ruckelshaus, when he was Administrator, said, “We did an EIS. You’re not doing anything.” Then we get Christie [Former Administrator Christine Todd Whitman] in there, and all of a sudden now we’re doing something. I don’t know all the details of it, but the way I see it is they’ve agreed to try a little piece of it, and if that works then maybe they’ll go further. So be it. If somebody said, “Let’s dredge the whole Hudson River.” That just doesn’t make sense.

EPA Interviewer: Where do you put it?

Dewling: Where do you put it is number one, but I mean rather than dredging some area out in some Indian reservation where these poor folks are subsistence living and replacing that from these tailings of the mining operations where people are living on this stuff. They built homes and those types of things. That’s sort of the basis that you have to balance.

I think that the group [NACEPT] was...you couldn’t get consensus. It was designed to get disagreement. You had too many lobbyists in there. Everybody was lobbying for their thing, and they brought in other outside people. I guess the citizen groups complained they

didn't have enough representation. I don't know. It was a good experience, but it took a lot of time, and for your information, I never asked EPA for a nickel of reimbursement for any of it. I said if I am going to do anything, I am going to do it on my own. I didn't want to be bound by anything.

EPA Interviewer: Given how the Superfund program has evolved, what do you think its next step ought to be?

Dewling: Like the construction grants program, it ought to be some ability to set up a loan program to assist the states in addressing some of these issues. I don't think there's any... I asked, when we sat down with all the Superfund program, "Is there a site out there today that is an imminent and substantial risk to the environment?" I was told no. If that be the case, that's where the money ought to go. Immediately. Since we are evaluating and studying... if states want to do it and they want to set that as a priority, do it like...when we set up the environmental trust, it was originally for wastewater. Now we are using it for water supply. We're also using it for stormwater. Fund a trust fund in each state where it's a loan to the state, and the states can address those issues.

EPA Interviewer: New York and New Jersey were highly sophisticated even back in the early '80s. They are obviously leaders currently. How much progress do you think the rest of the nation has made?

Dewling: Swell, but again, they didn't have the same number of sites. They don't have the population density, don't have the same types of issues. I mean, California has certainly made a lot of progress. What makes Maine so nice is they just got more moose than they've got people. Washington and Oregon are the same way. You've got Bigfoot and a couple people. In New Jersey you've got cars, cars, cars. California: cars, cars, cars. If you get people out of their cars, you'll decrease air pollution. When we had the oil embargo, we met the ambient air quality standard at the Bayway Refinery by the Gottlieb Bridge. You can't get people out of the automobiles. You've got to get cleaner fuels and get moving in that area. To me, EPA should be looking at the other issues. The issues of the next decade. The environmental and public health issues. Let the states deal with the everyday problems. Provide the technical assistance during the crisis that you have.

Now, is Louisiana going to have to compete for the federal grant money, loan money to upgrade their wastewater treatment plant? That you can't wait for. These systems, they just spent millions of dollars to upgrade, and they've all been washed down. Just like 9/11, effort has to go there. I think the Agency has to deal with disasters in our world today and far-reaching needs on public health and the environment. Let the day-to-day things be handled by the state with oversight by the Federal Government.

EPA Interviewer: One more question for you. You talked about how you felt that there is a lack of enthusiasm in the Agency today compared to the early '80s. What kind of advice would you give to anyone who's starting out an environmental career potentially in government? How would you recommend rekindling that enthusiasm?

Dewling: You've got to look at the job as a vocation. It's nothing critical of EPA or DEP; it's the young folks today who don't look upon this as a vocation. It's a job, and they look at how



much free time they could have. We used to have duty weekends. We worked on the weekend. No pay, no salary, no nothing. We didn't feel we were having the screws put to us. You can't get the young folks joining the professional organizations and giving the time to do those things. It's a different society today. I think the only way you can...I think the Agency and the state agencies offer tremendous opportunities for young graduates and will give them more responsibility than the private sector will. My recommendation always to young graduates is you work three years. By the time you're 30, have three different jobs. One in sales, one in research, one in operations. Government can give you tremendous opportunities at a young age that you would normally not get in private sector. The environmental programs today have been moved from the corporate level down to the operating level. ALCOA used to have 26 people in the corporate level; now they have two. They're all at the operating level. Each plant is at the operating level. The environmental person, until you can show that we have the profit and loss statement, the environmental is not an "L." It may not be a profit, but it's cost avoidance, and that's profit. You got to get the environmental engineer, environmental scientist understanding of these business consequences of this, because people are not going to do this just for the sake of doing it. They are in the business of making money. I would say that industry is organized to succeed. Government is organized not to fail. Two different disciplines of management. I've gone into government, and it was at a Superfund site. They wanted—it was a two-acre site—16 wells at three depths. 16 wells at three depths—48 wells. I said, "That's Swiss cheese."

EPA Interviewer: What was the area?

Dewling: Less than two acres. I said to this young scientist, "Can you explain to me why you want that many wells?"

She said, "That's what the book tells us to put in. That's what we have to put in. That's what I want."

I said, "Let's go back to Groundwater 101. Can you help me understand from a scientific basis what these are going to do for you?" I made this person go through this type of analysis. Within two weeks, we were down to four wells, which was reasonable, and got the same information. Four wells at four different depths so I got 16 as opposed to 40-some. I think the biggest gap you have in the Agency is that you've got the experienced people that have gone through this 15 to 20 years of exposure, and you don't have mid-level managers here. You got a lot of young people here. You don't have that mid-level manager that's had that exposure.

This has to be a vocation, not a job. You got to get professional satisfaction at accomplishing better quality-of-life issues, and participate in it, not just as a job, but as a vocation.

Belonging to professional societies. I am in the American Academy of Environmental Engineers. We can't [keep] memberships, so now we're opening up to other people. This was started years ago by professors. This was an extra exam you had to take beyond the P.E. [professional engineer] exam. Why should somebody in government take a P.E. exam? I don't require the P.E. You get somebody and you say, "You really should for your own professional development." Don't make the same mistake I made. I didn't go back and take

my P.E. until I was working with the U.S. Attorney. The U.S. Attorney went out and hired this guy to testify in court. I said, "Why?"

He said, "Cause he's got to P.E."

I said, "I've got a Master's degree."

"He's got the P.E." I went back for my P.E., took the test. You don't go into government with the expectation that you are going to stay there for 40 years. You go there for experience. When I used to have people come to the department when I was Commissioner, I'd interview them, and they'd be horrified. I said, "I don't want to see you here four years from now. I don't want to see your face four years from now. 'Cause I want you to get other experiences. Come back to us 10 years from now, but I don't want to see you only growing up with this experience."

EPA Interviewer: Important words.

Dewling: That's my philosophy.

EPA Interviewer: Any closing thoughts on the Superfund program?

Dewling: No. The Superfund program has had ups and downs. On the whole, it's positive. I think people that were involved in the program, particularly in the early years, had no sense of how long this would take. Those of us in the trenches understood it. I will never forget the day that at the Administrators meeting when I was told, "Don't ever, ever say that!" I said, "Step one, step two, step three." It used to take 10 to 15 years. We had 208 plans for water quality, looking where the sewage treatment plant was. Step one, step two, step three. Step one was planning, step two was design, step three was construction. Isn't that what we have in Superfund? 10 to 12 years, the same thing.

EPA Interviewer: Well, thank you very much for a great interview.