Bond issue assailed as bad for environment

By Tim Richard
Staff Writer

It's called a $550 million environmental bond issue, but it's getting all-out support from the Michigan Chamber of Commerce.

That's why former state Sen. Lana Pollack is suspicious. "Only 13 percent of the money is dedicated to real environmental problems. The rest is for economic development. It's a bad value for the money," said Pollack, now president of the 100,000-member Michigan Environmental Council.

Vote "no," Pollack says, unless the bills putting the issue on the ballot are changed in the Legislature.

"Absolutely yes," says Russ Harding, Gov. Engler's director of the Department of Environmental Quality. "It cleans up our cities. It continues the success we've had cleaning up and redeveloping those properties in the cities."

Lawmakers have yet to put the finishing touches on three House bills and two Senate bills in order to place the issue before voters Nov. 3. Harding and Pollack squared off June 7 on channel 7's "Spotlight" television program.

Eight year battle

The battle started in 1990, the last year of Gov. James Blanchard's administration. Pollack, then a Democratic state Legislator from Ann Arbor, sponsored the "Polluter Pay" law, which set up strict standards under which property owners would have to pay to clean up chemical contamination.

Many say it backfired, shutting down redevelopment of "brownfields" in older cities and encouraging paving over of "greenfields" in outer suburbia.

Harding agrees. "The mayors of our largest cities came to the governor and me and said, 'We cannot redevelop properties because we have an inherently unfair law.'

"The old law (Pollack's) was strict liability – you'd be responsible for paying the cleanup in pollution, even if you didn't cause it. With the new law, if you cause it, you're responsible for cleaning it up," Harding said

'New law'

The "new law" was written by industry and sponsored in 1995 in Michigan by Sen. Loren Bennett, R-Canton. It's called the Clean Corporate Citizen Self-Audit Act. Companies that report problems can escape criminal liability – and be exempt from the Freedom of Information Act.

Pollack, who by 1995 had left the Lansing, said Bennett's bill "gutted" her "Polluter Pay" law in two ways:

"First, they changed it to allow carcinogens – a cancer risk – to increase by 1,000 times." And with the state's emphasis on industrial redevelopment, she said, kids in Detroit are missing school due to asthma, lead poisoning and PCB poisoning.

"Second, they made the standard of liability so impossible that it became a haven for polluter criminals. It's virtually impossible to find anybody guilty of polluting."

The result, she said, is that collections have plummeted from $18 million to $2 million.

"Off the mark," replied Harding. "We're just finishing up cases under the old (Pollack) law. We're just beginning to get to cases under the new (Bennett) law."

Meanwhile, the DEQ chief said, "Since 1995 we have more than $300 million invested in brownfields sites since that law changed and 4,500 new jobs. The mayors have told us those investments would not have occurred under the old law."

When writing to your state legislator, refer to Senate Bills 902 and 904 and House Bills 6620, 5622 and 5719.

■ 'Only 13 percent of the money is dedicated to real environmental problems.'

Lana Pollack
—Michigan Environmental Council

Here's where bond money would go:

The Engler Administration calls its bond proposal the Clean Michigan Initiative. The general outline:

■ $325 million for "brownfield" redevelopment and cleanup – grants to local units of up to $1 million.

■ $50 million for water quality – to attack "non-point" pollution caused by runoff from construction sites, parking lots; nutrients from golf courses, residences and septic tanks; and used motor oil dumped down storm drains.

■ $25 million for river sediment cleanups – including the Clinton and Rouge rivers.

■ $50 million for waterfront reclamation.

■ $50 million for state park revitalization.

■ *$50 million for local parks.*

The latter was tacked on by lawmakers and not requested by Engler.

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