

**THE REPORT**  
**LOUISIANA: A CLEAN STATE?**  
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**“Another State's Perspective”**

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**THE ISSUE OF ORGANIZATION AND DELIVERY OF ENVIRONMENTAL HEALTH SERVICES IS AGAIN RECEIVING THE ATTENTION OF CITIZENS AND POLICY MAKERS IN A NUMBER OF STATES. WITHIN THE PAST YEAR I HAVE HAD CONTACT WITH ENVIRONMENTAL HEALTH PERSONNEL AT VARIOUS LEVELS IN SIX DIFFERENT STATES INDICATING THAT THE ISSUE OF FRAGMENTATION OF ENVIRONMENTAL HEALTH SERVICES HAD BECOME SIGNIFICANT ENOUGH TO CAUSE CONCERN BY LEGISLATIVE LEADERS AND POLICY LEVEL OFFICIALS.**

**ORGANIZATION AND FRAGMENTATION OF ENVIRONMENTAL HEALTH AND/OR ENVIRONMENTAL PROTECTION SERVICES WAS NOT AN ISSUE OF ANY SIGNIFICANCE UNTIL THE LATE 1960S WHEN CITIZENS AND POLITICAL LEADERS REDISCOVERED THE "ENVIRONMENT" AND TOOK STEPS TO ADDRESS PROBLEMS OF THE RAPIDLY DETERIORATING ENVIRONMENT IN DIFFERENT WAYS. PRIOR TO THAT TIME, NARROWLY ORIENTED ENVIRONMENTAL HEALTH PROGRAMS HAD TYPICALLY BEEN LODGED WITHIN THE STATE HEALTH DEPARTMENTS OF EVERY STATE. PUBLIC AND POLITICAL CLAMOR AND CONCERN THEN CAUSED A WIDESPREAD RE-EVALUATION OF ENVIRONMENTAL PROBLEMS, PROGRAM GOALS,**

PROGRAM SCOPE, PROGRAM METHODOLOGY, EFFECTIVENESS, FISCAL SUPPORT, AND LEGISLATION, AS WELL AS PROGRAM ORGANIZATION AND INSTITUTIONAL ARRANGEMENTS. FREQUENTLY, WITHOUT MUCH REAL STUDY OR UNDERSTANDING, PROGRAMS IN MANY STATES WERE SHIFTED TO NEW AND/OR DIFFERENT AGENCIES FOR A VARIETY OF REASONS -- SOME VALID, SOME QUESTIONABLE, AND SOME IRRATIONAL. EAGER AND DEDICATED CITIZEN GROUPS SOMETIMES CONFUSED CHANGES WITH PROGRESS. MANY ENVIRONMENTAL HEALTH PROGRAM OFFICIALS EXHIBITED A HIGH DEGREE OF TERRITORIAL DEFENSE AND A RELATIVELY LOW TITER OF ORGANIZATION AND PROGRAM MANAGEMENT KNOWLEDGE. POWERFUL POLLUTER LOBBYISTS DELIGHTED IN THE OPPORTUNITY TO RETARD AND CONFUSE ENVIRONMENTAL HEALTH MANAGEMENT THROUGH REPEATED REORGANIZATIONS AND BY PLACING ENVIRONMENTAL HEALTH PERSONNEL AND AGENCIES IN POSITIONS OF GREATER "POLITICAL RESPONSIVENESS." THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY WAS SOMETIMES TOUTED AS A MODEL FOR STATE AGENCIES, AND THIS IN TURN LED TO FURTHER FRAGMENTATION IN THOSE STATES IMBUED FOLLOW THE FEDERAL "MODEL." IT WAS INTERESTING TO NOTE THAT WHILE CONGRESS CONCURRED WITH THE PRESIDENT NIXON'S PROCLAMATION ESTABLISHING THE U.S. EPA, THAT PRACTICALLY ALL CONGRESSIONAL HEARINGS CRITICIZED THE PROPOSAL ON BASIS THAT IT WAS NOT TRULY COMPREHENSIVE. I WILL FURTHER ADDRESS THE ISSUE OF COMPREHENSIVENESS A LITTLE LATER. REGRETTABLY, MANY CITIZENS AND POLITICAL LEADERS MISTAKENLY IDENTIFIED AIR, WATER, AND WASTES AS "THE ENVIRONMENT." WHILE AIR, WATER, AND WASTES ARE A SIGNIFICANT PORTION OF THE ENVIRONMENT, THEY ARE ONLY A PART OF COMPREHENSIVE ENVIRONMENTAL HEALTH PROGRAMS AND SHOULD NOT BE FRAGMENTED FROM OTHER ENVIRONMENTAL PROGRAM ISSUES. SUCH FRAGMENTED PROGRAMS

**AND ORGANIZATIONS TYPICALLY RESULT IN PROGRAM DUPLICATION OR GAPS, COMPETITION OVER THE ENVIRONMENTAL HEALTH BUDGET DOLLAR, PUBLIC CONFUSION OVER THE ROLES AND RESPONSIBILITIES OF THE VARIOUS AGENCIES, PROGRAM INEFFICIENCY AND INEFFECTIVENESS, AND A GENERAL DISSERVICE TO THE PUBLIC. ONE MAJOR STATE PRESUMED TO PLACE AIR POLLUTION CONTROL, WATER POLLUTION CONTROL, PUBLIC WATER SUPPLIES, AND SOLID WASTE UNDER THE JURISDICTION OF A STATE EPA WHILE LEAVING ALL THE OTHER ENVIRONMENTAL HEALTH PROGRAMS, INCLUDING SEMIPUBLIC AND PRIVATE WATER SUPPLIES UNDER THE JURISDICTION OF A BUREAU OF ENVIRONMENTAL HEALTH WITHIN THE STATE HEALTH DEPARTMENT. SUCH AN IRRATIONAL ORGANIZATIONAL ARRANGEMENT MIGHT INDICATE THAT PUBLIC WATER SUPPLIES WERE DIFFERENT, OR HANDLED DIFFERENTLY, OR CAME FROM A DIFFERENT SOURCE THAN WATER FROM SEMIPUBLIC OR PRIVATE WATER SUPPLIES.**

**SUCH FRAGMENTATION HAS ALSO CAUSED STATES TO LOSE SIGHT OF THE FACT THAT ALL ENVIRONMENTAL HEALTH PROGRAMS ARE SIGNIFICANTLY INTERDIGITATED ON A PROGRAM-PROBLEM MATRIX, THAT THEY ARE ADMINISTRATIVELY CLOSELY RELATED, THAT THE SAME TYPE OF PERSON-POWER IS NECESSARY FOR ALL THE PROGRAMS, THAT LABORATORY SUPPORT NEEDS ARE ESSENTIALLY THE SAME, AND THAT THE ECOLOGICAL MAXIM "EVERYTHING IS CONNECTED TO EVERYTHING ELSE" IS INDEED A TRUISM.**

**ORGANIZATION AND REORGANIZATION OF ENVIRONMENTAL HEALTH SERVICES DESIGNED TO PROTECT OUR CITIZENS AND OUR ENVIRONMENT IS NOT A GAME FOR NOVICES, AND IS NOT SIMPLY A MATTER OF MOVING BLOCKS AROUND ON ORGANIZATION CHARTS. IT IS A SERIOUS BUSINESS THAT MUST INCLUDE THE IDENTIFICATION AND ARTICULATION OF GOALS**

AND MISSIONS, AND SHOULD PRECLUDE THE DEVELOPMENT OF CONFLICTS OF INTEREST IN SO FAR AS POSSIBLE.

WHILE THERE IS NO AGREED ON STANDARD "MODEL" TO BE FOLLOWED, THERE ARE SOME BASIC ORGANIZATIONAL PRINCIPLES WHICH SHOULD BE CONSIDERED WHEN ORGANIZING ENVIRONMENTAL PROGRAMS AND AGENCIES AT ANY LEVEL OF GOVERNMENT. ONE OF THE FIRST SUCH CONSIDERATIONS IS TO IDENTIFY THE GOAL OF THE SYSTEM BEFORE DISCUSSING SPECIFIC COMPONENTS. I WOULD SUGGEST THAT THE GOAL OF AN ENVIRONMENTAL HEALTH AGENCY SHOULD BE "TO INSURE AN ENVIRONMENT THAT WILL CONFER OPTIMAL HEALTH, SAFETY AND WELL-BEING ON THIS AND FUTURE GENERATIONS AND THAT WILL PROTECT THE ENVIRONMENT FROM THE ACTIONS OF THE HUMAN ANIMAL." YOU WILL NOTICE THAT I INDICATED THAT THE GOAL SHOULD CONSIDER HEALTH, SAFETY AND WELL-BEING, AS WELL AS ENVIRONMENTAL PROTECTION. I DO NOT BELIEVE THAT IT IS APPROPRIATE OR ADEQUATE TO CONSIDER ONLY HEALTH PROTECTION. HUMAN HEALTH SHOULD BE PROTECTED AS A MINIMUM BY THE AGENCY AND BY THE INDIVIDUAL PROGRAMS, BUT THEY SHOULD ALSO BE DESIGNED TO CONSIDER SAFETY, WELL-BEING, AND TO ADEQUATELY PROTECT THE BIOTA, NATURAL BEAUTY, AND THE ECOLOGICAL RELATIONSHIPS IN OUR ENVIRONMENT.

THE PROGRAMMATIC SCOPE OF THE AGENCY SHOULD INCLUDE SUCH PROGRAMS AS FOOD PROTECTION, OCCUPATIONAL SAFETY AND HEALTH, RADIATION PROTECTION, HAZARDOUS WASTES, TOXIC CHEMICALS, SWIMMING POOL SAFETY AND SANITATION, WATER SUPPLY CONTROL, INSECT AND RODENT CONTROL, AIR POLLUTION CONTROL, SOLID WASTE MANAGEMENT, WATER POLLUTION CONTROL. ALL HAVE A "HEALTH" GOAL. THE AGENCY SHOULD ALSO HAVE A KEEN APPRECIATION REGARDING THE IMPACTS ON THE ENVIRONMENT ON RESOURCE CONSUMPTION AND HUMAN POPULATION NUMBERS AND DISTRIBUTION.

**THE CONCEPT OF A 'MISSION' IS ANOTHER IMPORTANT ISSUE TO BE CONSIDERED. SIMPLY STATED A MISSION IS A STATEMENT INDICATING AN AGENCY'S CLIENTELE. AN ENVIRONMENTAL HEALTH AGENCY MUST HAVE A MISSION OF PROTECTING THE TOTAL PUBLIC, AS WELL AS THE ENVIRONMENT. CERTAIN TYPES OF AGENCIES SUCH AS AGRICULTURE DEPARTMENTS, HAVE A MISSION OF PROMOTING AND PROTECTING SPECIFIED INDUSTRIES. CONFLICTS OF INTEREST OCCUR WHEN SUCH MISSIONS ARE MIXED, RESULTING IN A "FOX IN THE HEN HOUSE" SYNDROME. IT IS PATENTLY IMPOSSIBLE FOR AN AGENCY TO HAVE A MISSION OF PUBLIC AND ENVIRONMENTAL PROTECTION COUPLED WITH A MISSION OF PROJECTING OR PROMOTING ANY GIVEN INDUSTRY OR OTHER SPECIAL INTEREST GROUP. SUCH SITUATIONS DO EXIST AND CONTINUE TO RESULT IN THE PUBLIC AND THE ENVIRONMENT BEING DEFRAUDED INSTEAD OF PROTECTED.**

**INASMUCH AS MANY ENVIRONMENTAL HEALTH AGENCIES HAVE NOT FULLY UNDERSTOOD, DEVELOPED, OR ARTICULATED THEIR MISSIONS, SUCH AGENCIES HAVE BEEN READY PREY FOR SPECIAL INTERESTS OR POLLUTERS THE AGENCIES ARE EMPOWERED TO REGULATE. THIS HAS SOMETIMES RESULTED IN THE REGULATING AGENCY ACTUALLY PROTECTING OR EVEN PROMOTING THE INTERESTS OF THOSE THEY ARE CHARGED WITH REGULATING.**

**EQUALLY ONEROUS IS THE SITUATION WHEREIN AN AGENCY HAVING A CLEAR LEGAL MANDATE OF PUBLIC AND ENVIRONMENTAL PROTECTION IS SADDLED WITH A BOARD OR COMMISSION DISPROPORTIONABLY LOADED WITH SPECIAL INTEREST GROUPS, SUCH AS REPRESENTATIVES OF POLLUTING INDUSTRIES. THIS POSES ANOTHER CONFLICT OF INTEREST WHICH DEFRAUDS AND EFFECTIVELY DISENFRANCHISES THE CITIZENS.**

**EVEN LAWS AND REGULATIONS MUST BE CAREFULLY DESIGNED TO PROVIDE FOR RAPID AND EQUITABLE RESOLUTION OF ALLEGED VIOLATIONS, RATHER THAN BEING COUCHED IN HAZY DEFINITIONS AND PROCEDURAL DELAYS THAT SERVE THE PURPOSE OF PROTECTING THE POLLUTER RATHER THAN THE PUBLIC.**

**THERE IS STILL ANOTHER TYPE OF ORGANIZATIONAL "CONFLICT OF INTEREST" WHICH DEVELOPS WHEN ENVIRONMENTAL HEALTH PROTECTION PROGRAMS ARE LODGED WITHIN A SUPER AGENCY THAT ALSO DEALS WITH OTHER NATURAL RESOURCE ISSUES. THIS TYPE OF ORGANIZATIONAL STRUCTURE POSES A DANGEROUS CONFLICT OF INTEREST SITUATION IN THAT IT CONFUSES THE MISSION OF PROTECTING HUMAN HEALTH AND THE ENVIRONMENT, WITH A MISSION OF UTILIZING AND DEVELOPING THE ENVIRONMENT. THIS LATTER MISSION IS APPROPRIATE FOR NATURAL RESOURCES, AGRICULTURE, MINING, FORESTRY AND GAME AND FISH, BUT NOT FOR ENVIRONMENTAL HEALTH.**

**IN DEVELOPING A COMPREHENSIVE ENVIRONMENTAL HEALTH MANAGEMENT SYSTEM, WE SHOULD NOT BLINDLY FOLLOW TRADITION IN TERMS OF PROGRAMS THAT HAVE BEEN FOLLOWED ELSEWHERE. PROGRAMS SHOULD IDENTIFIED, GOALS AND OBJECTIVES AGREED ON, PRIORITIES ESTABLISHED, METHODS INDICATED, AND PROGRAMS ESTABLISHED ON THE BASIS OF ACHIEVING THE STATED GOALS AND OBJECTIVES. AFTER ALL, A "PROGRAM IS A GROUPING OF ACTIVITIES DESIGNED TO ACHIEVE A SPECIFIED END RESULT. TO BE PERFECTLY CANDID, MANY TRADITIONAL PROGRAMS HAVE BEEN LESS THAN SUCCESSFUL, MAKING RE-EVALUATION AND RE-GROUPING APPROPRIATE.**

**IN 1967, GOVERNOR DAVID CARGO OF NEW MEXICO, BY EXECUTIVE ORDER, MERGED THE NEW MEXICO DEPARTMENT OF PUBLIC HEALTH AND THE NEW MEXICO DEPARTMENT OF WELFARE INTO AN UMBRELLA**

DEPARTMENT TERMED THE HEALTH AND SOCIAL SERVICES DEPARTMENT. WHILE THIS MERGER SEEMINGLY FOCUSED INCREASED EMPHASIS ON PROBLEMS OF PERSONAL HEALTH AND WELFARE, IT ALSO PROVIDED THE OPPORTUNITY TO GAIN INCREASED VISIBILITY, SCOPE, AND EFFECTIVENESS FOR ENVIRONMENTAL HEALTH ACTIVITIES. I WAS PRIVILEGED TO BE APPOINTED DIRECTOR OF THE NEWLY-FORMED ENVIRONMENTAL SERVICES DIVISION OF THE HEALTH AND SOCIAL SERVICES DEPARTMENT. TOP MANAGEMENT OF THE DEPARTMENT WAS SO ENGROSSED IN THE OVERWHELMING PROBLEMS OF WELFARE AND MEDICAID, THAT THE RELATIVELY SMALL ENVIRONMENTAL SERVICES DIVISION WAS SOMEWHAT LEFT TO DO IT'S OWN THING AND GIVEN THE OPPORTUNITY TO ACCOMPLISH BASIC PLANNING, ORGANIZING, AND PROGRAMMING. THANKFULLY, IT WAS ABOUT THIS SAME TIME THAT THE PUBLIC IN NEW MEXICO, THE NATION, AND, INDEED THE WORLD FINALLY BECAME CONCERNED ABOUT THE STATUS OF THE RAPIDLY DETERIORATING ENVIRONMENT AND THE INABILITY OF EXISTING PROGRAMS, ORGANIZATIONS, AND APPROACHES TO SATISFACTORILY COPE WITH THESE PROBLEMS.

DURING THE 1970 GUBERNATORIAL CAMPAIGN, CANDIDATE BRUCE KING PROMISED TO CREATE AN "ENVIRONMENTAL PROTECTION AGENCY" WITHIN NEW MEXICO STATE GOVERNMENT TO BETTER MANAGE THE ENVIRONMENT. IMMEDIATELY FOLLOWING THE ELECTION, I CONTACTED GOVERNOR-ELECT KING AND PROPOSED THAT THE "ENVIRONMENTAL PROTECTION AGENCY" INCLUDE ALL PROGRAMS PREVIOUSLY ASSIGNED TO THE ENVIRONMENTAL SERVICES DIVISION, THAT THERE BE A BUDGET SUFFICIENT TO INCLUDE ALL PERSONNEL IN THE ENVIRONMENTAL SERVICES, DIVISION PLUS ALL COUNTY AND DISTRICT ENVIRONMENTAL HEALTH PERSONNEL, THAT IT BE BASED ON THE PURSUIT OF GOALS INCLUDING BUT MUCH BROADER THAN

**"HEALTH," AND THAT NEW AND NECESSARY PROGRAMS WERE AUTHORIZED. DURING THE LEGISLATIVE PROCESS, THE TERMINOLOGY FOR THE PROPOSED AGENCY WAS CHANGED FROM ENVIRONMENTAL PROTECTION AGENCY TO THE NEW MEXICO ENVIRONMENTAL IMPROVEMENT AGENCY AND IT WAS ORGANIZED WITHIN AND AS AN INTEGRAL COMPONENT OF THE NEW MEXICO HEALTH AND SOCIAL SERVICES DEPARTMENT. FROM AN AUTHORIZED STRENGTH OF 37 PERSONNEL ASSIGNED TO THE ENVIRONMENTAL SERVICES DIVISION IN 1967, THE AGENCY HAS EXPANDED AND PROSPERED TO A CURRENT STRENGTH OF 300 PERSONNEL AND INCLUDES SUCH PROGRAMS AS FOOD PROTECTION, AIR POLLUTION CONTROL, WATER POLLUTION, WATER SUPPLY, RADIATION PROTECTION, OCCUPATIONAL SAFETY AND HEALTH, SOLID WASTE MANAGEMENT, HAZARDOUS WASTE MANAGEMENT, INSECT AND RODENT CONTROL, SWIMMING POOL SAFETY AND SANITATION, ETC. WITH THE CREATION OF THE NEW MEXICO HEALTH AND ENVIRONMENT DEPARTMENT. IN 1978, THE ENVIRONMENTAL IMPROVEMENT AGENCY BECAME THE ENVIRONMENTAL IMPROVEMENT DIVISION OF THE NEW DEPARTMENT.**

**IN 1973. I REQUESTED LEGISLATIVE AUTHORIZATION AND CAPITAL FUNDING TO ORGANIZE AND CONSTRUCT A COMPREHENSIVE CONSOLIDATED STATE SCIENTIFIC LABORATORY SYSTEM TO SERVE ALL STATE, FEDERAL, AND LOCAL, AND MANY OTHER TAX-SUPPORTED AGENCIES DESIRING LABORATORY SUPPORT SERVICES. THIS WAS THE FIRST STEP IN ORGANIZING THE NEW MEXICO SCIENTIFIC LABORATORY SYSTEM, TO WHICH I WAS APPOINTED DIRECTOR IN AUGUST, 1973. I HAD LONG BEEN CONCERNED ABOUT THE FRAGMENTATION AND DUPLICATION OF LABORATORY SERVICES, THE LACK OF A CLEAR AND EXPLICIT SERVICE-ORIENTED MISSION FOR THE LABORATORY, AND THE NEED FOR A MODERN LABORATORY FACILITY. THE SCIENTIFIC LABORATORY SYSTEM IS NOW WELL-ESTABLISHED AND IS ROUTINELY SERVING SUCH AGENCIES**



**AS THE ENVIRONMENTAL IMPROVEMENT DIVISION, THE HEALTH SERVICES DIVISION, THE NEW MEXICO TRAFFIC SAFETY COMMISSION, THE GAME AND FISH DEPARTMENT, DEPARTMENT OF CORRECTIONS, STATE HOSPITALS, NEW MEXICO RACING COMMISSION, INDIAN HEALTH SERVICE, FOREST SERVICE, VETERANS ADMINISTRATION, DEPARTMENT OF AGRICULTURE, STATE MEDICAL EXAMINER, LOCAL LAW ENFORCEMENT AGENCIES, AND OTHERS ON A FEE-FOR-SERVICE BASIS. WITH THE CREATION OF THE NEW MEXICO HEALTH AND ENVIRONMENT DEPARTMENT IN 1978, THE SCIENTIFIC LABORATORY SYSTEM BECAME THE SCIENTIFIC LABORATORY DIVISION OF THE NEW DEPARTMENT.**

**EXPERIENCE IN SEVERAL STATES INDICATES THAT IT MAY BE DESIRABLE TO INCLUDE THE TERM "ENVIRONMENT" IN THE DEPARTMENT TITLE. THIS GIVES THESE IMPORTANT PROGRAMS APPROPRIATE STATUS AND VISIBILITY WITHIN GOVERNMENTAL STRUCTURE. THERE SHOULD ALSO BE FREEDOM FOR THE ENVIRONMENTAL DIRECTOR TO VIE FOR AND ATTAIN THE TOP MANAGERIAL ROLE IN THE DEPARTMENT.**

**PUBLIC OPINION POLLS CONTINUE TO INDICATE THAT A LARGE MAJORITY OF AMERICANS SUPPORT ENVIRONMENTAL HEALTH REQUIREMENTS, AND A SUBSTANTIAL NUMBER BELIEVE SUCH STANDARDS SHOULD BE MORE RESTRICTIVE. THE PUBLIC HAS INDICATED ITS DESIRE TO HAVE EFFECTIVE PROGRAMS.**

**WHETHER THE ENVIRONMENT WILL BE MANAGED IS NO LONGER A QUESTION. IT IS NOW A MATTER OF "HOW" AND "BY WHOM."**

**WE SHOULD DO OUR SHARE IN SHOWING LEADERSHIP TO PROVIDE THE GREATEST GOOD FOR THE LARGEST NUMBER OVER THE LONGEST PERIOD OF TIME.**

