

MIDLANDS VOICES

How I saw Nebraska regulation fall short

LARRY BRADLEY

I was formally nominated by a state senator and appointed by the governor of Nebraska to serve on the state Environmental Quality Council (EQC) as the minority populations representative from 2005 to 2009. This particular environmental regulatory council, of roughly 17 members, was under the Nebraska Department of Environmental Quality, which is now called the Nebraska Department of Energy and Environment (NDEE). The EQC is supposed to be the safety backstop for any potential environmental hazardous situation in Nebraska — specifically, what has occurred recently at Mead, Nebraska, with the AltEn facility.

During my tenure on the EQC, I constantly brought up how the State of Nebraska would continually seek ways to get around enforcing environmental rules and regulations meant to keep its citizens safe. In my opinion, the EQC was a “good old boys” group who would rubber stamp policies that were detrimental to a clean environment. Numerous times the attorney general of Nebraska would line up with other red states to sue the EPA over federally mandated regulations. The Nebraska AG would give any business violator a simple slap on the wrist for inducing a large fish kill, spewing exceeded amounts of air pollution, or spilling toxic pollutants.

I remember when a small town high school science class shamed the EQC by presenting results of water quality testing from streams in and around large animal confinement operations. Certain violators would pump out excess manure in a local stream on a Friday of a three-day holiday weekend. By the time a NDEQ Inspector could arrive days later to investigate, the toxic plume wafted downstream from the original dumping site. I had proposed allowing local sheriffs to take water samples and/or utilize remote sensing technology of University of Nebraska-Lin-

coln’s East Campus facilities to catch violators in real time. But, the NDEQ balked.

It was even worse than you think. The State of Nebraska proposed such rules to trade mercury credits, allow dangerous levels of arsenic in drinking water, or, make it harder for the average citizen to discern who owned the businesses that were major violators. The NDEQ was derelict of duty when it did not allow public comment for the expansion of a construction and demolition waste site in a large metropolitan area. They said the person in charge of that task had passed away. In essence, NDEQ blamed their malfeasance on a dead guy.

Needless to say, I was not reappointed to the EQC for another four-year term. During my time on the EQC I was treated like Frankenstein’s monster. I wore that distinction like a badge of honor. It is very unfortunate, but no surprise, the AltEn fiasco in Mead has the real potential of being named a Superfund site with the carnage of possible cancer clusters, pollinator beehive die-offs, contaminated drinking water supplies, and whatever else.

This is a stark reminder for our citizens of how dangerous it is to allow the EQC and NDEE of Nebraska free reign to forego the needed checks and balances to ensure a safe, livable environment.

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