

Government polluters

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The federal government has no problem imposing numerous environmental regulations on the citizenry from which its power is supposed to be derived.

But here's the irony: According to one recent study, government entities are the worst polluters and they pay the lowest price for their violations.

The study by Indiana University's David Konisky and Texas A&M's Manuel Teodoro was titled "When Governments Regulate Governments" and published in the American Journal of Political Science. It's findings were highlighted for the Foundation for Economic Education by Walter Olson, a senior fellow at the Cato Institute.

Mr. Konisky and Mr. Teodoro write that, "Our empirical subjects are public and private entities' compliance with the U.S. Clean Air Act and Safe Drinking Water Act. We find that, compared with private firms, governments violate these laws significantly more frequently and are less likely to be penalized for violations."

The study's authors examined records from 2000 to 2011 for more than 3,000 power plants and more than 1,000 hospitals regulated under the Clean Air Act, and from 2010 to 2013 for more than 4,200 water utilities regulated under the Safe Drinking Water Act. Some were privately owned and others were public agencies.

As outlined in an Indiana University news release, public power plants and hospitals were on average 9 percent more likely to be out of compliance with Clean Air Act regulations and 20 percent more likely to have committed high-priority violations. Public water utilities had on average 14 percent more Safe Drinking Water Act health violations and were 29 percent more likely to commit monitoring violations.

However, the public power plants and hospitals were 1 percent less likely than private-sector violators to receive a punitive sanction and 20 percent less likely to be fined. Public water utilities were 3 percent less likely than investor-owned utilities to receive enforcement actions.

Additional findings by Mr. Konisky and Mr. Teodoro then add insult to injury: Public entities faced lower costs for their violations, and evidence from other studies shows they are able to delay or avoid paying fines altogether when penalties are assessed. Ah, yes, the government looking out for the government, rather than the governed.

The study provides as clear-cut a case as any — and there are many — that the regulatory state has gone beyond the point of absurd, given the government can't even follow its own rules and faces less stringent penalties for such failures. Meanwhile, the private sector — by necessity

always more accountable than government — gets hammered despite a better record. If anything, government entities should be held even more accountable than their private-sector counterparts.

But beyond that, if government can't meet its own mandates, then perhaps it's time to dial down those mandates. It's a dirty job, but someone's got to do it.