

Originally Processed With FOIA(s):  
1998-0004-F[1]

FOIA Number:  
S

# FOIA MARKER

**This is not a textual record. This is used as an  
administrative marker by the George Bush Presidential  
Library Staff.**

---

|                                     |                                       |
|-------------------------------------|---------------------------------------|
| <b>Record Group/Collection:</b>     | George H.W. Bush Presidential Records |
| <b>Collection/Office of Origin:</b> | Chief of Staff, White House Office of |
| <b>Series:</b>                      | Sununu, John, Files                   |
| <b>Subseries:</b>                   | Cabinet Agencies Files                |

---

|                          |           |
|--------------------------|-----------|
| <b>OA/ID Number:</b>     | 29189     |
| <b>Folder ID Number:</b> | 29189-008 |

---

**Folder Title:**  
Reilly (EPA - 1989)

---

|               |             |                 |               |                  |
|---------------|-------------|-----------------|---------------|------------------|
| <b>Stack:</b> | <b>Row:</b> | <b>Section:</b> | <b>Shelf:</b> | <b>Position:</b> |
| <b>G</b>      | <b>15</b>   | <b>25</b>       | <b>6</b>      | <b>6</b>         |

---



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

March 2, 1989

THE ADMINISTRATOR

MEMORANDUM FOR: Honorable John H. Sununu  
Chief of Staff  
The White House

SUBJECT: Western Hemisphere Conference

Attached is the paper on the Western Hemisphere Conference that we discussed. I will call you later to discuss further.

William K. Reilly

Attachment



# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document                                                 | Date | Restriction | Class. |
|--------------------------|---------------------------------------------------------------------------|------|-------------|--------|
| 01. Paper                | Re: Proposal for Western Hemisphere Conference on the Environment (2 pp.) | n.d. | P-5         |        |

**Collection:**

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

Open on Expiration of PRA  
 (Document Follows)  
 By SP (NLGB) on 12/12/07

|                               |                |                             |           |
|-------------------------------|----------------|-----------------------------|-----------|
| <b>Date Closed:</b>           | 12/2/2004      | <b>OA/ID Number:</b>        | 29189-008 |
| <b>FOIA/SYS Case #:</b>       | 1998-0004-F[1] | <b>Appeal Case #:</b>       |           |
| <b>Re-review Case #:</b>      | 2005-0426-S    | <b>Appeal Disposition:</b>  |           |
| <b>P-2/P-5 Review Case #:</b> |                | <b>Disposition Date:</b>    |           |
| <b>AR Case #:</b>             |                | <b>MR Case #:</b>           |           |
| <b>AR Disposition:</b>        |                | <b>MR Disposition:</b>      |           |
| <b>AR Disposition Date:</b>   |                | <b>MR Disposition Date:</b> |           |

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

P-1 National Security Classified Information [(a)(1) of the PRA]  
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]  
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

(b)(1) National security classified information [(b)(1) of the FOIA]  
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
 (b)(9) Release would disclose geological or geophysical information

PHOTOCOPY  
GB HANDWRITING

# WESTERN HEMISPHERE CONFERENCE ON THE ENVIRONMENT

**Proposal:** The President would convene a high-level conference of Western Hemisphere leaders to discuss common environmental problems and measures to address them.

## Objectives:

- To foster hemispheric cooperation and initiative on environmental concerns common to the nations of North, Central, and South America.
- To demonstrate U.S. leadership and commitment to improving the life of people throughout the Americas.
- To advance the case that conservation and environmental protection are requisites for sound, sustainable economic development.
- To provide a forum for exchanging information and ideas, for developing solutions to hemispheric environmental problems to supplement ongoing regional and bilateral activities.

**Participation:** The President would invite heads of state with expectation they would send their ministers of environment, energy, natural resources, economic development, planning and agriculture.

The President would open the conference with a major address, and if in Washington, D.C. (see below), close it with remarks and host a White House dinner for conference participants.

Permanent co-chairs of the conference could be the Secretary of State and the EPA Administrator. If cosponsored (see below), co-chair could include head of one of the cooperating groups.

Participation of conservationists, industrial leaders, press, scientists, academicians, environmental officials encouraged.

**Caveat:** Decision about participation of Cuba and Nicaragua.

**When:** Announce conference in 1989, to be convened for 3-5 days in spring 1990. Planning sessions would take place throughout 1989.

**Where:** Possible sites: Miami, Florida (called the "real" capital of Latin America); San Juan, Puerto Rico; Los Angeles/San Diego, California; Houston/Austin/San Antonio, Texas.

Conference could be held in Washington, D.C., where visibility would be highest; if OAS was a cooperating organization, then this would argue for Washington, too.

**Cosponsorship:** Possible conference partners/cooperators: Organization of American States, Pan-American Health Organization, Inter-American Development Bank, U.N. Economic Commission for Latin

J.S.  
Good Memo.  
Needs work  
as soon  
as Bill  
returns  
P. 3  
GB

THE PRESIDENT HAS SEEN

No. 1 + by  
would come  
if invited  
by PPR



America. At very least, useful to involve these groups in planning the conference.

**Issues:** Focus on common environmental problems that can best be addressed through regional cooperation. Discuss global issues important to Western Hemisphere.

- sustainable development: To compel attention of Latin Americans, this must be orientation of the conference. Aid and investment policies which recognize that development without natural systems protection is counterproductive, wasteful, and not sustainable.
- deforestation: Escalating problem must be reversed (reforestation encouraged) if rural poor are to have economic hope, if biological diversity is to be preserved, if weather and water cycles are to be protected, decertification checked.
- pesticides: Need for cooperation to enable regulatory officials, farmers, growers' associations to reduce misuse of pesticides. Pesticide accidents in Central America are very high and residues on exported foods a major concern.
- biological diversity/sensitive ecosystems: Protecting wildlife and critical habitat, migratory flyways, coral reefs; now embodied in U.S. foreign assistance, needs practical review and understanding.
- treaties: Revive and strengthen existing hemispheric treaties such as the 1949 Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, and identify gaps and needed improvements.
- debt for nature swaps: Forgiveness of debt in exchange for a commitment to protect important environmental resources; Bolivia, Costa Rica, Ecuador have pilot programs, countries like Brazil have expressed interest. Can pay for pollution control and accomplish other purposes.
- waste management: Sharing of information and technologies for collecting and disposing of mounting wastes, particularly hazardous wastes around Mexico City and other large cities.
- air pollution: Discuss strategies/technologies for curbing air pollution problems, which are threatening severe social and economic disruptions in Mexico City, Santiago, Sao Paulo.
- global environment: Discuss regional interest in climate change, energy efficiency, ozone depletion, sea level rise.

**Results:** An action plan, drafted beforehand, addressing the need for regional cooperation on environmental issues, including consideration of new agreements and new institutional arrangements. Proceedings would be published.



## SELECTED QUOTES FROM REPUBLICANS ON TWO FORKS

"I was the Chairman of the Republican Spring Dinner here in Colorado where Lee spoke. I made many calls to the "table buyers" for that dinner and I think had a fair sampling of the extreme disappointment at Riley's action. I would not say how many sales we lost, but it is obvious that you have used up a big chunk of good will out here."

Carl M. Williams  
Denver, Colorado

"After working for George Bush for many years, I can only say that the economic -- and political -- fallout of this decision on our state will be significant and severe...as President Bush replaces President Carter in the public's mind as the enemy of those in the West who depend upon dams for our water."

Bill Owens  
Colorado State Senator  
Aurora, Colorado

"I cannot tell you how damaging the possible veto of Two Forks Dam could be to your administration in the state of Colorado. I have been besieged by party activists and donors who are appalled by the actions of EPA Administrator William Reilly...In 1990 we have an open U. S. Senate seat, in which the Republican candidate is a strong supporter of Two Forks. We are taking on an incumbent Governor, there will be two open Congressional seats, and all of our state constitutional officers will be elected as well."

Bruce D. Benson  
State Chairman  
Colorado Republicans

"There is no good alternative to this source of extremely valuable water...It does not seem reasonable to any of us that this decision is now being turned over to an EPA administrator from Atlanta who probably is not fully familiar with our complex western water problem."

Joseph Coors  
Vice Chairman  
Adolph Coors Company

"...the newly appointed head of the Environmental Protection Agency, William Reilly, is taking major steps to prove to the people of Colorado that it makes no difference whether a Democrat or Republican is in the White House. His ill informed, biased, unlawful decision to cheat the people of Colorado out of \$40 million and due process proceedings has struck a devastating blow not only to the environment of Colorado, but also to Republican philosophy in this state."

Chris Paulson  
Majority Leader  
Colorado House of Representatives

"This letter that I write to you is with regret. I regret that our President shows an unwillingness to try to understand the water problems of Western United States...I regret having to write this letter to you, since I worked vigorously for your election to the



office of the President of the United States."

W. Wayne Miller  
Mayor  
Windsor, Colorado

"I have been an active Republican for many years and...I am appalled by the recent decision made by EPA Administrator Reilly concerning the Two Forks project...The following quotes are extracted directly from your responses prior to the election, to a National League of Cities questionnaire...'...we must exercise great care that federal laws and regulations allow the maximum freedom possible for states and local governments to meet their particular needs."

Polly Page  
City Councilmember  
Aurora, Colorado

"It is inconceivable to me, a life long Republican, former Eagle and George Bush supporter, that your appointed EPA Administrator can, and apparently is going to scuttle the TWO FORKS DAM AND RESERVOIR."

Charles H. Sanford  
Sanford Group  
Englewood, Colorado

"In my estimation, the decision by the Environmental Protection Agency in Washington to try to kill the Two Forks Dam goes beyond bureaucratic bungling...As a good Republican, I feel that you are doing a great disservice to the City of Denver and its metropolitan neighbors..."

Albert I. Strauch  
Englewood, Colorado

"I joined the Republican Party many years ago for several reasons, with one of the most important being my belief in a de-centralized government...The recent decision by Environmental Protection Agency Administrator William Reilly ...is a complete repudiation of the de-centralization philosophy."

John Ulvang  
Colorado State Representative  
Fort Collins, Colorado

"In early summer, as a candidate, President Bush met with many Republican legislators and candidates to discuss western issues. Our President committed to support us. One of the biggest issues discussed at that meeting was water and keeping the Washington bureaucrats out of western water issues. The President has failed his first test."

Norma V. Anderson  
Colorado State Representative  
Lakewood, Colorado

"This is a political issue, Mr. Sununu. We feel President Bush...should respond to those who supported him in Colorado....It is Senator Tim Wirth, Representative Pat Schroeder, Representative David Skaggs, and Representative Ben Campbell who are cheering William Reilly's decision."

Barbara Philips  
Colorado State Representative  
Colorado Springs, Colorado



"The Young Republican League of Colorado endorses the proposed Two Forks project..."

Paul Allen  
State Chairman  
Young Republican League of Colo.

"My family and I stopped picnicking up there a number of years ago....Believe me, it was "no picnic" to spend a few hours amongst the rowdies, paper litter, beer cans, and assorted pieces of clothing. Please read my lips, Mr. President, this is not a pristine wilderness."

Judith H. Moyer  
Member, Colo. Republican State  
Central Committee  
Volunteer Chairman, Arapahoe  
County Republican Party

"As a result of this dumb move, your EPA has hurt our chances to retain the U. S. Senate seat we held in 1990. In addition, I do not think you could carry this State if an election were held today."

Vincent R. Recine  
Englewood, Colorado

"As a leader of our Republican Party, I hope you will lead by example in this matter."

Richard H. Sargent  
Golden, Colorado

"In keeping with your commitment to allow local approval of issues that affect the community, we feel local decision-making by the individuals directly affected by this project is imperative for the approval of this project."

Joe Borrego  
Chairman  
Republican State Nationalities  
Council of Colorado

"As a life long Republican --volunteering time and money --I am outraged at Mr. Reilly's action...It is important for the Republican Party to continue to stand against central control of land and water planning in Washington."

James W. Sanderson  
Denver, Colorado

"As a long time staunch conservative Republican from Colorado Springs, El Paso County, Colorado, party member with all of my immediate family as committee people in El Paso County, I strongly protest the interference by William Reilly to veto the much needed Two Forks project in Denver."

Jerry A. Smith, P.C.  
Colorado Springs, Colorado

"I have been a registered Republican and have voted in every local and national election since I first became eligible in 1960...Many thousands more people will enjoy its recreational benefits and natural beauty than now enjoy the fishing stream, and the water it provides will preserve the way of life we enjoy and expect in the Denver metro area for years to come."

Edwin H. Arnold  
The Arnold Companies  
Denver, Colorado

"It seems odd to me that this decision would now be taken out of the hands of local people by a political appointee of your administration who sits on the banks of the Potomac and has no idea of the impact of the decision here in Colorado."

Christopher C. O'Dell  
Golden, Colorado

"We have a tough fight to retain the Republican Senate seat presently held by Senator Armstrong who has announced he will not seek re-election in 1990. Congressman Brown is the front runner for that seat, and the last thing Congressman Brown needs to be faced with having a position different than that of your Administration on Two Forks....I want to help you recall that I was a key leader in your 1980 Presidential Campaign here in Colorado, serving as Vice-Chairman in Denver. I was privileged to place your name in front of the Denver County Assembly that year."

Robert C. McWhinnie  
Chief Executive Officer  
McWhinnie & Associates  
Denver, Colorado

"I am also an active Republican in Colorado having served as Chairman of the Colorado Young Republicans and now Chairman of Club 250, a fundraising club for the Colorado Republican Party. Last fall I donated \$1,000 to the Colorado Republicans for your Presidential Campaign....Let the people in Colorado decide the necessity of our water project."

Warren N. Eckloff, Jr.  
Denver, Colorado

"I worked very hard on your campaign as the Colorado Young Republican state organizer. I was also a supporter of yours in 1980. I have also been a financial supporter of you, President Reagan, the RNC and the RNCC. I have also applied for the White House Fellowship Program....We loyal Colorado Republicans feel we have been betrayed by Mr. Reilly."

Kevin C. Smith  
Colorado Springs, Colorado

"As a long time Colorado Republican who hopes to be able to have my children raise their families in Colorado, we feel that the Two Forks Dam is important to Colorado's future."

John M. Fahrenkrog  
Denver, Colorado

"I am the Republican Committeeman for Precinct 919 in Denver, Colorado. I worked very hard for your election. My Precinct voted over 75% for you. Now I need your help....We absolutely must have the Two Forks Dam."

H. Virgil Davis  
Denver, Colorado

"I am telling the national political organizations that repeatedly ask for contributions that they will not get another cent of mine until they return Colorado's needed water projects to where they belong - to Colorado Authorities who get things done."



Bill Bennett  
Evergreen, Colorado

"Two Forks is...politically crucial to the State of Colorado and Colorado Republican activists who worked hard and dug deep to get President Bush elected feel betrayed by his EPA administrator."

Carol Taylor-Little  
Colorado State Representative  
Arvada, Colorado

"Colorado Republicans worked hard for President Bush. I am one of them. EPA Administrator Reilly is undercutting our Republican base in this state."

Al Meiklejohn  
Colorado State Senator  
Arvada, Colorado

"As a recent convert to the Republican party, I am having trouble understanding the decision made by EPA Administrator Reilly regarding the fate of the Two Forks project. It concerns me greatly that within a Republican administration, the system could allow a decision to be made with such obvious disregard of the facts surrounding the Two Forks situation."

Steve Hogan  
Mayor Pro-Tem  
Aurora, Colorado

"As secretary of the Jefferson County Republican Central Committee,...Mr. President, this plea is from our hearts and of great concern for our state, which we all love very much. Please take time to reconsider this veto, as it is so vital. We are thanking you in advance, and I want to to know that we supported your candidacy for President from day one."

Joyce and Dana L. Bowling

"I am among many active Colorado Republicans, as well as financial contributors who have worked hard to support the Republican Party and you specifically to see you elected President. I know I am not the first to tell you that Colorado Republicans and Independents alike, who have supported President Reagan's and your causes over the past several years, feel betrayed over this recent action."

Myron B. Cave  
Sales Associate  
Coldwell Banker Commercial  
Group, Inc.  
Englewood, Colorado

## INDEX

### STATE LEGISLATORS

Brian T. McCauley  
Colo. State Senator  
Westminister, Colorado

Don Ament  
Colo. State Represntative  
Iliff, Colorado

John J. Irwin  
Colo. State Representative  
Loveland, Colorado

Ray Peterson  
Colo. State Senator  
Denver, Colorado

Kathi Williams  
Colo. State Representative  
Westminister, Colorado

Juan Trujillo  
Colo. State Representative  
Pueblo, Colorado

Wayne Allard  
Colo. State Senator  
Loveland, Colorado

Larry Trujillo  
Colo. State Senator  
Pueblo, Colorado

Pat Grant  
Colo. State Represenative  
Denver, Colorado

Jim Brandon  
Colo. State Senator  
Akron, Colorado

Tom Norton  
Colo. State Senator  
Greeley, Colorado

Bill Owens  
Colo. State Senator  
Aurora, Colorado

Tony Grampsas  
Colo. State Representative  
Evergreen, Colorado

Tom Ratterree  
Colo. State Representative



Colorado Springs, Colorado

Lewis H. Entz  
Colo. State Representative  
Hooper, Colorado

Carol Taylor-Little  
Colo. State Representative  
Arvada, Colorado

Steve Arveschoug  
Colo. State Representative  
Pueblo, Colorado

Barbara Philips  
Colo. State Representative  
Colorado Springs, Colorado

Al Meikejohn  
Colo. State Senator  
Arvada, Colorado

Paul D. Schauer  
Colo. State Representative  
Littleton, Colorado

Dave Owen  
Colo. State Representative  
Greeley, Colorado

HOUSE JOINT RESOLUTION NO. 1012  
By Colo. State Representatives  
Anderson and Grampses; also  
Senator Owens

John Ulang  
Colo. State Representative  
Fort Collins, Colorado

Betty Neale  
Colo. State Representative  
Denver, Colorado

Norma V. Anderson  
Colo. State Representative  
Lakewood, Colorado

Bill Schroeder  
Colo. State Senator  
Morrison, Colorado

Chis Paulson  
Colo. State Representative  
Englewood, Colorado

Bob Schaffer  
Colo. State Senator  
Fort Collins, Colorado

Bonnie J. Allison

Colo. State Senator  
Edgewater, Colorado

Marleen Fish  
Colo. State Representative  
Lakewood, Colorado

Faye Fleming  
Colo. State Representative  
Thorton, Colorado

Don Sandoval  
Colo. State Senator  
Denver, Colorado

Jeannie Reeser  
Colo. State Represenative  
Thorton, Colorado

Pat Pascoe  
Colorado State Senator  
Denver, Colorado

#### **MAYORS**

Frederico Pena  
Mayor  
Denver, Colorado

Robert G. Frie  
Mayor  
Arvada, Colorado

Paul E. Tauer  
Mayor  
Aurora, Colorado

Steve Hogen  
Mayor Pro-Tem  
Aurora, Colorado

Robert H. Markley  
Mayor  
Greeley, Colorado

Margaret Carpenter  
Mayor  
Thorton, Colorado

George Hovorka  
Mayor  
Westminister, Colorado

W. Wayne Miller  
Mayor  
Windsor, Colorado

#### **CITY COUNCILMEN**



Charley Emley  
President of City Council  
Littleton, Colorado

Polly Page  
City Councilmember  
Aurora, Colorado

Debbie Mitchell  
City Councilmember  
Commerce City, Colorado

Ted Hackworth  
City Councilman  
Denver, Colorado

City of Arvada  
Six Councilmembers

Paul Swalm  
City Councilman  
Denver, Colorado

Hiawatha Davis, Jr.  
President  
Denver City Council

Robert L. Crider  
City Councilman  
Denver, Colorado

Alexandria DaSeuiht  
City Councilmember  
Englewood, Colorado

John Sockett  
City Councilman  
Louisville, Colorado

N. A. Smith  
City Councilman  
Broomfield, Colorado

A. E. Feist  
City Councilman  
Littleton, Colorado

Don Parsons  
City Councilman  
Northglenn, Colorado

Elsie A. Lacy  
City Councilmember  
Aurora, Colorado

Tom Grizwold  
City Director of Utilities  
Aurora, Colorado

## COUNTY COMMISSIONERS

Blaine Valente

Board of County Commissioners  
Adams County, Colorado

C. W. Kirby

Board of County Commissioners  
Greely, Colorado

Courtlyn W. Hotchkiss

M.J. Mekelburg

Daryle W. Klassen

Board of County Commissioners  
Fort Collins, Colorado

Thomas R. Eggert

Chairman of the Board of Commissioners  
Arapahoe County, Colorado

Harold E. Kite

Board of County Commissioners  
Adams County, Colorado

Marjorie E. Clement, Chairman

Rich Ferdinandsen, Chairman pro-tem

John Stone, Commissioner

Board of County Commissioners  
Jefferson County, Colorado

## BUSINESS ORGANIZATIONS

George S. Dibble Jr.

President and Chief Executive Officer  
Colorado Association of Commerce and Industry  
Denver, Colorado

Roger Ogden

Chairman of the Board  
Chamber of Commerce  
Denver, Colorado

Nicholas Pohlit

Chairman of Business Advocacy Council  
Loveland, Colorado

Louis Freeman

Executive Director  
Colorado Black Chamber of Commerce  
Denver, Colorado

Karen Inzano, Chairman

Board of Directors  
Jefferson County Chamber of Commerce  
Lakewood, Colorado

Resolution

From Greeley Area Chamber of Commerce



Greeley, Colorado

Miller Hudson  
Executive Director  
Small Business Coalition  
Denver, Colorado

Clarke Carlson  
President  
MetroNorth Chamber of Commerce

Ed Colby  
General Manager  
Regional Transportation District  
Denver, Colorado

William C. Neary  
City Vice President  
Continental Airlines  
Denver, Colorado

Peter Coors  
President, Coors Brewing Company  
Golden, Colorado

Jeffery Coors  
President  
Adolph Coors Company  
Golden, Colorado

Eric T. Ryan  
Deloitte Haskins+Sells  
Colorado Springs, Colorado

E.R. Dill  
President/CEO  
Technical Trades Institute  
Colorado Springs, Colorado

W. Tearel Drach  
Vice President And Controller  
Ntkin Group, INC.  
Englewood, Colorado

Carol Sharp  
Bank of the West  
Parker, Colorado

Kiyoshi Murata  
Murata Outland Associates  
Denver, Colorado

Walter A. Koelbel  
Koelbel and Company  
Denver, Colorado

Sherry Manning  
Sigman Communications, Inc.  
Denver, Colorado

Glenn G. Saunders  
Attorney of Denver Water Board  
Denver, Colorado

Will F. Nicholson  
President of the Board  
Colorado National Bankshares  
Denver, Colorado

James L. Ogilvie  
Consulting Engineer  
American Water Works  
Denver, Colorado

Sharlene J. Slason  
Administrative Assistant  
August J. Feuler  
Mellody Roffett  
Assistant Vice President  
Bank of the West  
Denver, Colorado

Charles H. Sanford  
Sanford Group  
Englewood, Colorado

Arthur W. Burke  
Attorneys at Law  
Arthur Burke and Associates  
Denver, Colorado

Edmund Leet  
Justin H. Haynes and Co.  
Denver, Colorado

Charlie Jordan  
Denver, Colorado

Lawrence J. Depenbusch, Architect  
Depenbusch Associates  
Denver, Colorado

L. Richard Bratton  
Attorney at Law  
Gunnison, Colorado

Alan F. Kuykendall, C.P.A.  
Sutton and CO.  
Pueblo, Colorado

Michael C. Roeper, C.P.A.  
Lakewood, Colorado

J. F. Baxter  
Chairman of the Board  
Bank Western

Richard S. Watt  
President, Chairman of the Board  
United Banks Service Company



Englewood, Colorado

Richard L. Anderson  
Aurora Business Center  
Aurora, Colorado

Joseph S. Davis  
Chief Executive Officer  
MAY D&F  
Denver, Colorado

Charlie Goldburg  
Denver, Colorado

James H. Galbreath  
Galbreath Financial  
Englewood, Colorado

Gregg Sherry  
Business Manager  
Brierley and Lyman, Inc.  
Denver, Colorado

O. W. Carruth  
Pioneer Mobile Homes, Inc.  
Pueblo, Colorado

Joseph F. Pells  
Denver, Colorado

Douglas L. Jones  
Senior Vice President  
Fulfs Management  
Denver, Colorado

Carol B. Green  
President  
Franchise Systems International  
Littleton, Colorado

William W. Keffer  
Benetech Corporation  
Littleton, Colorado

Robert F. Moody  
Vice President  
Spelman Baird and Warner

Sharon J. Wallin  
Executive Support Services  
Lakewood, Colorado

F. Jim Parks, Jr.  
F. Jim Parks, Jr. Agency  
Lakewood, Colorado

Michael Noris  
President  
Triad Health Management Inc.  
Denver, Colorado

James E. Hill  
General USAF (Ret.)  
President  
The Olive Company  
Colorado Springs, Colorado

Robert Hopper  
Ruth L. Hopper  
H and H Enterprises  
Arvada, Colorado

Kevin C. Kelly  
Vice President  
Spelman Baird and Warner  
Denver, Colorado

#### **AGRICULTURAL ORGANIZATIONS**

Keith Propst, President  
Colorado Farm Bureau  
Denver, Colorado

John C. Datt  
Executive Director  
American Farm Bureau Federation  
Washington D.C.

Brad Anderson  
Executive Vice President  
Colorado Cattle Feeders Association  
Denver, Colorado

Richard Hergert  
Board of Directors  
Hergert Land and Cattle Company  
Greeley, Colorado

Weld County Farm Bureau  
Board of Directors

John Stencel, President  
Rocky Mountain Farmers Union  
Denver, Colorado

#### **WATER DISTRICTS**

Richard MacRavey  
Executive Directors  
Colorado Water Congress  
Denver, Colorado

Robert C. McWhinnie  
McWhinnie and Associates  
Denver, Colorado

Charles L. Thomson  
General Manager



Southeastern Colorado Water Conservancy District  
Pueblo, Colorado

Noel Hobbs, Chairman

Hamid Qaasim

Bill Davis

John Paroske

Citizen Advisory Utility Budget Committee  
Aurora, Colorado

Frank Barone, Chairman

Kevin Ehlers

Gerald Wojciehoski

Don DiPola

Walter Welton

Board of Directors

Willowbrook Water and Sanitation District

Morrison, Colorado

George B. Beardsley

President

Inverness Water and Sanitation District

Lawrence D. Smith

Manager of Water Operations

Utilities Department, City of Aurora

J. P. Neppel and C. B. Allison

Directors

Alameda Water & Sanitation District

Lakewood, Colorado

Larry D. Simpson

General Manager

Northern Colorado Water Conservancy District

Loveland, Colorado

Roberta F. Gillis

President and Chairman of the Board

South-East Englewood Water District

Englewood, Colorado

Les Williams

Executive Director

St Vrain and Left Hand Water Conservancy District

Longmont, Colorado

Tom Cech

Executive Director

Central Colorado Water Conservancy District

Greeley, Colorado

Robert Fisher

Water Resource Development Officer

Denver Water Department

Denver, Colorado

W. H. Miller, Manager

Board of Water Commissioners

Denver, Colorado

Leonard Rice  
Consulting Engineer  
Denver, Colorado

Pamela J. Spivey, Manager  
Southwest Suburban Denver Water and Sanitation District  
Morrison, Colorado

John van Wijk  
District Manager  
Mount Carbon Metropolitan District  
Lakewood, Colorado

Jim A. Worley  
General Managers  
Centennial Water and Sanitation District  
Highlands Ranch, Colorado

J. P. Neppel, Director  
Alameda Water and Sanitation District  
Lakewood, Colorado

Melanie Grant  
Grant water and Sanitation District  
Denver, Colorado

Patrick J. Fitzgerald  
District Manager  
Platte Canyon water and Sanitation District  
Littleton, Colorado

Terence Cagan  
President of Board of Directors  
East Cherry Creek Valley Water And Sanitation District  
Aurora, Colorado

Gary Beach  
District Manager  
The Southgate Districts  
Littleton, Colorado

Jeff Isom, Manager  
Pleasant View District  
Golden, Colorado

Richard J. Platino  
Director of Public Works  
Lakewood, Colorado

Jack Ethredge  
City Manager/Utilities Director  
Thornton, Colorado

Jean Klein, President  
South Adams county Water and Sanitation  
Commerce City, Colorado

William H. Van Schooneveld, Chairman  
Metropolitan Water Providers

Englewood, Colorado

C. Steve Treadway, President  
Lower South Platte Water Conservancy District  
Sterling, Colorado

Don Jansen, President  
Water for Denver District  
Denver, Colorado

Robert McWhinnie  
Chief Executive Officer  
McWhinnie and Associates  
Denver, Colorado

#### LABOR ORGANIZATIONS

Jack D. Parker  
Teamsters Area Headquarters  
Denver, Colorado

Athur R. Pina  
International Representative  
Laborers' International Union of North America  
Chicago, Illinois

Ted Doxater, Secretary-Treasurer  
Colorado Labors' District Council  
Denver, Colorado

Kathy Nissen, President  
Professional Emplpyees  
Denver, Colorado

William C. Himmelmann, President  
Denver Area Labor Federation  
Denver, Colorado

Paul E. Emrick  
Business Manager  
Journeyman Plumbers and Gas Fitters  
Denver, Colorado

Wayne D. Miller  
Business Manager  
International Union of Operating Engineers  
Denver, Colorado

Dale M. Camblin  
Business Manager  
United Association of Journeymen and Appentices  
Denver, Colorado

Larry S. Briggs  
Business Representative  
International Brotherhood of Electrical Workers  
Denver, Colorado

Lisa A. Romero



Union Worker  
Arvada, Colorado

Anton Zafereo  
Union Member  
Fountain, Colorado

Eldon W. Cooper, President  
Colorado AFL-CIO  
Denver, Colorado

## Index

### HOME BUILDERS/REALTORS

- Anthony Gengaro  
Director  
National Association of Home Builders  
Denver, Colorado
- Charles S. Ochsner  
President  
Unique Homes of Colorado  
Arvada, Colorado
- John Osborn  
President  
Village Homes  
Littleton, Colorado
- Jack M. Evans  
President  
Cher Properties, Inc.  
Englewood, Colorado
- C. Lynn Murray  
President  
Hutchinson Homes, Inc.  
Lakewood, Colorado
- Duane Haberman  
Vice President  
Ridgewood Realty  
Lakewood, Colorado
- Allan L. Brandt  
President  
Bainbridge, Inc.  
Englewood, Colorado
- Craig A. Austin  
Manager  
Masterpiece Division  
Englewood, Colorado
- Keith M. Moore  
Architect and Planner  
Keith Malcolm Moore  
Denver, Colorado
- Paul Zakovick  
Eurocar Colorado, Ltd.  
Denver, Colorado
- A. Bruce Bowler  
Chief Executive Officer  
Universal Lending Corporation  
Denver, Colorado

Gerry Ehrhart  
Universal Lending Corporation  
Denver, Colorado

Pris Damon  
Owner  
Damon Publications  
Englewood, Colorado

Marleen M. Zakovick  
Phoenix Interiors  
Denver, Colorado

Laurel Zakovick  
Pacific Continental  
Colima, Mexico

Douglas E. Ideker  
President  
Gypsum Products, Inc.  
Denver, Colorado

George H. Giddens  
President  
Giddens Construction Co., Inc.  
Broomfield, Colorado

Mike A. Leprino  
Owner  
Ridgewood Realty, Inc.  
Lakewood, Colorado

John Aitken  
Certified Public Accountant  
Ridgewood Realty, Inc.  
Lakewood, Colorado

Robert G. Koran  
Manager, Land Development and Construction  
Ridgewood Realty, Inc.  
Lakewood, Colorado

Anthony M. Dursey  
President  
Ridgewood Realty, Inc.  
Lakewood, Colorado

Duane Haberman  
Property Manager  
Ridgewood Realty, Inc.  
Lakewood, Colorado

Jack M. Evans  
President  
Cher Homes  
Englewood, Colorado

Charles C. Shinn, Jr.  
President  
The Shinn Company



Tom Kowalski  
MegaBank of America  
Englewood, Colorado

Arlene S. Quenon  
Attorney at Law  
Denver, Colorado

Mary Ellen Bilicki  
Property Manager  
6th Avenue West Apartments  
Golden, Colorado

Boyd Adsit  
President  
Colorado Association of Realtors  
Englewood, Colorado

Dave Miley  
Vice President, Governmental Services Division  
Colorado Association of Realtors  
Englewood, Colorado

David D. Jenkins  
Manitou Springs, Colorado

John E. Fuller  
Chairman of the Board  
One Park Central  
Denver, Colorado

Les Retherford  
Sunshine, Inc.  
Denver, Colorado

Victor R. Champlin  
President  
Marston Slopes  
Littleton Colorado

Douglas A. Barnes  
Broker Associate  
Moore and Company Commercial  
Denver, Colorado

Larry A. Mizel  
Chairman of the Board  
M. D. C. Holdings  
Denver, Colorado

William M. Moore  
President  
Moore and Company  
Denver, Colorado

Michael G. Cole  
Van Schaack  
Littleton, Colorado

John A Dahl  
John A. Dahl and Company Real Estate  
Lakewood, Colorado

Michael Bent, CCIM, CRS  
President  
Piney Creek Realty, Inc.  
Aurora, Colorado

Alice A. Marsh  
President  
Marsh and Associates, Inc.  
Denver, Colorado

L. M. Burdick, Jr.  
Denver Rental Center  
Denver, Colorado

Leon T. LaCasse  
Cherry Creek Realtors  
Denver, Colorado

Joe Schallmoser, CRB  
Broker Associate  
Re/Max  
Lakewood, Colorado

Tom Schack, et al - 27 agents  
Re/Max  
Lakewood, Colorado

James R. Rhoades  
Broker  
Realty World  
Fort Collins, Colorado

Lynn Myers  
Broker Associate  
Moore and Company Realtor  
Aurora, Colorado

Susan E. Haskell  
Executive Director  
US West Relocation Services  
Denver, Colorado

William S. West, CRS  
Sales Associate / Partner  
The Group, Inc. Realtors  
Fort Collins, Colorado

Chris McElroy  
President  
Fort Collins Board of Realtors  
Fort Collins, Colorado

Myron B. Cave  
Sales Associate  
Coldwell Banker Commercial Real Estate Services

Englewood, Colorado

Mark H. Fouts  
Real Estate Services Commercial Brokerage  
Denver, Colorado

Barry M. Miller  
President  
Barry Miller Enterprises, Inc.  
Denver, Colorado

James B. Nussbaum  
Denver, Colorado

Stephen Clarke  
President  
Lincor Properties of Colorado, Inc.  
Englewood, Colorado

Robert J. Ambrosius  
Senior Marketing Associate  
Iliff Thorn and Company  
Englewood, Colorado

Paul M. Olthoff  
PaceSetters Realty  
Denver, Colorado



## CITIZENS

Mary Sharon Wells  
Member Colo. Republican Central Committee  
Golden, Colorado

Lawrence M. Jock  
Englewood, Colo.

Timothy C. Terrill  
Denver, Colo.

Nancy Mcdhurm  
Denver, Colo.

John B. Ragutz  
Englewood, Colo.

Vickie Schley  
Colo. resident

Cinithar Booker  
Colo. resident

Tamara K. Gangwish  
Colo. resident

Ted Van Horn  
Colo. resident

Tony Mineo  
Colo. resident

Christine Wisehart  
Colo. resident

David W. Armagast  
Colo. resident

Louise N. Farmer  
Colo. resident

Ed Connors  
Colo. resident

Jim Zelenski  
Colo. resident

Sabrena K. Rutledge  
Colo. resident

Jim B. Warner  
Castle Rock, Colo.

Richard F. Sparlin, P.E.  
Lakewood, Colo.

James T. Wulliman  
Littleton, Colo.

Kathryn S. Moore  
Aurora, Colo.

Robert G. Carlson  
Lakewood, Colo.

Melissa Lusthe  
Lakewood, Colo.

Barry A. Hudson  
Wheatridge, Colo.

J. C. Ougdin  
Aurora, Colo.

Sterling E. Schultz  
Denver, Colo.

Edward N. Grayh  
Colo. resident

Janice Bennett  
Colo. resident

J. P. Neppel  
Lakewood, Colo.

Paul D. Uhal  
Colo. resident

Carmine Jadarolm  
Littleton, Colo.

Sharon Indech  
Littleton, Colo.

Marcia M. Hughes  
Denver, Colo.

John M. Dingess  
Aurora, Colo.

Elmer J. Pfestch  
Board Member North Washington Water and Sanitation  
Colo. resident

Stewart Dougherty  
Colo. resident

Richard G. Weingardt, P. E.  
President Consulting Engineers Council of Colorado  
Denver, Colo.

Harold Hollingsworth, P. E.  
Secretary-Treasurer Consulting Engineers Council of Colorado  
Denver, Colo.

Jay R. Lower  
Executive Director Colorado Contractors Association, Inc.

Denver, Colo.

Vukoslav E. Aguirre, P. E.  
President Aguirre Engineers, Inc.  
Englewood, Colo.

T. J. Hackworth  
President National Association of Regional Councils  
Washington D. C.

Daniel W. Boyd, P. E.  
Managing Engineer Boyle Engineering Corporation  
Lakewood, Colo.

Ralph Adkins  
Pueblo, Colo.

D. J. Duck  
Chairman and President Harza Engineering Company  
Chicago, Ill.

Thomas D. Oxley  
President D. S. P. Constructors, Inc.  
Commerce City, Colo.

Michael R. Cashman and Jack Shapiro  
Co-Chairmen, ad hoc Citizens' Committee "Two Forks or Dust"  
Denver, Colo.

Ralph Lufen  
Executive Director National Electrical Contractors Association  
Denver, Colo.

Mary Dambman  
Colorado Springs, Colo.

R. H. Rawlings  
Publisher The Pueblo Chieftan  
Pueblo, Colo.

Sandy Rawlings  
Pueblo, Colo.

William McNichols  
Former Mayor of Denver  
Denver, Colo.

Bruce D. Benson  
State Chairman Colorado Republicans  
Denver, Colo.

Gerald H. Phipps  
Denver, Colo.

John A. Love  
Denver, Colo.

Richard and Betty Ann Dittmore  
Englewood, Colo.



Jean K. Tool  
Former Chairman Colorado GOP State Cenral Committee  
Denver, Colo.

Joseph Coors  
Vice Chairman Adolph Coors Company  
Golden, Colo.

Richard J. Plastino  
Lakewood, Colo.

Wayne D. Williams  
Denver, Colo.

Jen C. Watlee  
Denver, Colo.

Natalie L. Flavia  
Littleton, Colo.

Robert L. Newman  
Arvada, Colo.

Karen Howe  
Denver, Colo.

Roger E. Hall  
Aurora, Colo.

Cynthia L. Adams  
Denver, Colo.

Tom Scherlong  
Denver, Colo.

Gilbert R. Archuleta  
Denver, Colo.

J. L. Walcher  
Denver, Colo.

Terry R. Pery  
Denver, Colo.

Paul Allen  
State Chairman Young Republican League of Colorado  
Denver, Colo.

Judith H. Moyer  
Member Colorado Republican State Central Committee  
Volunteer Chairman, Arapahoe County Republican Party  
Littleton, Colo.

Kathleen Graenuga  
Wheatridge, Colo.

Joyce and Dana L. Bowling  
Colo. residents

Vincent R. Recine

Englewood, Colo.

Christopher C. O'Dell  
Golden, Colo.

Jon A. Johnston  
Northglenn, Colo.

Christine Burt  
Former Co-Chairperson Bush Presidential Campaign in Colorado  
Denver, Colo.

C. Edwin Baker, Ph.D.  
Environmental Scientist and Consultant  
Englewood, Colo.

Robert G. Carlson  
Lakewood, Colo.

Christopher D. Shelton  
Highlands Ranch, Colo.

Richard H. Seargent  
Golden, Colorado

James A. Wiles  
Colo. resident

Mr. and Mrs. Manuel Bachicha  
Colo. resident

Anastacio A. Chacon  
Denver, Colo.

Richard Bratton  
Gunnison, Colo.

Stephen W. Work  
Littleton, Colo.

Joe Borrego  
Chairman Republican State Nationalities Council of Colorado  
Lakewood, Colo.

Gary H. Tobey  
Denver, Colo.

Richard J. Miano  
Denver, Colo.

Daniel K. Meyer  
Englewood, Colo.

Catherine E. Caton  
Denver, Colo.

Mary K. Meyer  
Englewood, Colo.

Milton E. Meyer, Jr.

Englewood, Colo.

R. D. Walley  
Denver, Colo.

Sheila Vigil  
Denver, Colo.

Marie Bowman  
Denver, Colo.

Cecil Richards  
Arvada, Colo.

Mary Farrell  
Commerce City, Colo.

Kevin K. Kautzman  
Denver, Colo.

Geneva F Seitz  
Arvada, Colo.

Eva Marie Springs  
Denver, Colo.

Jerry Romero  
Denver, Colo.

LuAnn Cole  
Denver, Colo.

Kohler McInnis  
Glenwood Springs, Colo.

Michael W. Gudka  
Thornton, Colo.

Oscar and Norma L. Borden  
Englewood, Colo.

Gary G. Cassell  
Colorado Springs, Colo.

LuNelle E. Riggle  
Littleton, Colo.

Valerie C. Smith  
Lakewood, Colo.

James Vick  
Westminster, Colo.

John R. Wilson  
Lakewood, Colo.

Lynda Eastman Cox  
Wheatridge, Colo.

Mike O'Neill



Denver, Colo.

Vernal E. Anderson  
Morrison, Colo.

Paul F. Brunger  
President Colorado Country Homes  
Denver, Colo.

James B. Wylif  
Colo. resident

Mr. and Mrs. David E. Bellack  
Denver, Colo.

John W. Meredith, Jr.  
Littleton, Colo.

Robert L. Jones  
Denver, Colo.

Connie McGraw  
Denver, Colo.

Gary D. Levine  
Englewood, Colo.

Bart Berger  
Denver, Colo.

Doug Christ  
Englewood, Colo.

Elizabeth Schlosser  
Denver, Colo.

Travis N. Townsend  
Arvada, Colo.

James E. Windlinger  
Englewood, Colo.

J. E. Layne  
Lakewood, Colo.

Darla L. Nunn  
Pueblo, Colo.

Cecelia M. Clipp  
Pueblo, Colo.

Richard B. Bowles  
Englewood, Colo.

Bernice Delaney  
Littleton, Colo.

Raymond F. Cooper  
Denver, Colo.

Sheldon K. Ginsberg  
Denver, Colo.

Shelley M. Eater  
Denver, Colo.

James L. Ogilvie  
Denver, Colo.

Richard Stevens  
Aurora, Colo.

William M. B. Berger  
Denver, Colo.

Abe and Dianna Vigil  
Denver, Colo.

Tom Griswold  
Director of Utilities City of Aurora  
Aurora, Colo.

Lee Cesario  
Lakewood, Colo.

Edward E. Pokorney  
Denver, Colo.

Robert E. and Shirley Cline  
Lakewood, Colo.

Curt Falk  
Arvada, Colo.

William A. Rettberg  
Englewood, Colo.

Michael J. Matthews  
Littleton, Colo.

Dean C. and Hazel M. Shelbourn  
Parker, Colo.

David Mathews  
Pueblo, Colo.

Esther Rettberg  
Denver, Colo.

Betty Falk  
Arvada, Colo.

Lucious Brooker  
Englewood, Colo.

Marie C. Nieto  
Denver, Colo.

Carol Holt  
Denver, Colo.

John Loughry  
Englewood, Colo.

Roy D. French  
Colorado Springs, Colorado

Ardis and Bob Kretz  
Boulder, Colorado

J. M. Spaulding  
Denver, Colorado

Wallace W. Gist  
Pueblo, Colorado

William S. Hunter, Jr.  
Lakewood, Colorado

Robert J. Vermillion  
Denver, Colorado

Blayce E. Reece  
Englewood, Colorado

Earlene Z. Edwards  
Denver, Colorado

Robert E. Warren, Jr.  
Denver, Colorado

John E. Arnold  
Englewood, Colorado

Wayne J. Fowler  
Denver, Colorado

Jefferson V. Houpt  
Denver, Colorado

Perry and Lindy Ayers  
Parker, Colorado

Randall J. Kreuger  
Colorado resident

Jerry Rehkow  
Denver, Colorado

Jennie M. Palmer  
Denver, Colorado

Karen Menkle  
Colorado resident

Larry Rice  
Lakewood, Colorado

William and Nancy Leavitt  
Denver, Colorado



Larry E. Eifler  
Denver, Colorado

David and Sharon Armbrust  
Littleton, Colorado

Howard D. and Mary T. Shelbourn  
Parker, Colorado

Anton and Ruben Chavez  
Denver, Colorado

Ronald M. and Rosemary Duncan  
Denver, Colorado

Ronald C. and Marie M. Hinds  
Parker, Colorado

Larry and Arlene Love  
Parker, Colorado

William R. and Mary Lou Elms  
Lakewood, Colorado

Robert M. Wilson  
Englewood, Colorado

James W. Sanderson  
Denver, Colorado

Laura P. Jaret  
Colorado resident

Lynn A. Brandt  
Colorado resident

Jan P. Strother  
Broomfield, Colorado

Robert E. Schween  
Littleton, Colorado

Eugene F. Megyesy, Jr.  
Littleton, Colorado

D. Dale Schaffer  
Denver, Colorado

Edwin H. Arnold  
Denver, Colorado

Leonard Rice  
Littleton, Colorado

Edward J. Reutz  
Littleton, Colorado

Albert I. Strauch  
Englewood, Colorado

Robert G. Jensen  
Broomfield, Colorado

C. Lewis Christensen  
Colorado Springs, Colorado

Peter H. Neukirch  
Denver, Colorado

Norma Dumler  
Denver, Colorado

Tery Bean  
Lakewood, Colorado

Lewis M. Borden III  
Colorado resident

Warren N. Eckloff, Jr.  
Denver, Colorado

Roddy J. Shaul  
Denver, Colorado

Art and Beth Jackson  
Denver, Colorado

Kevin F. Howery  
Arvada, Colorado

Drew Howery  
Arvada, Colorado

Joan A. Menikheim  
Westminster, Colorado

Eleanor M. Love  
Denver, Colorado

William J. Kirven III  
Englewood, Colorado

Deborah L. Freeman  
Morrison, Colorado

Evelyn M. Casias  
Denver, Colorado

Kim Fazekas  
Colorado resident

Ronald L. Vaught  
Pueblo, Colorado

Fred Dumler  
Denver, Colorado

Kevin C. Smith  
Colorado Springs, Colorado

Dennis B. Hoffman  
Pueblo, Colorado

T. Robert Kelley  
Lakewood, Colorado

Doris B. Kaplan  
Englewood, Colorado

John M. Fahrenkrog  
Denver, Colorado

Donald Vaught  
Morrison, Colorado

H. Virgil Davis  
Denver, Colorado

Katherine D. Poague  
Colorado resident

Vernon O. Cain  
Colorado resident

Gail Jolene Kubala  
Colorado resident

David R. Race  
Colorado resident

Colleen Ekwurzel  
Colorado resident

Jim Maroney  
Colorado resident

Tricia White  
Colorado resident

Mildred Evans  
Denver, Colorado

Debbie Davis  
Castle Rock, Colorado

Joni Mazon  
Denver, Colorado

John and Mary Flores  
Englewood, Colorado

John and Suzi Heap  
Englewood, Colorado

Linda Frieling  
Englewood, Colorado

William G. Wall  
Colorado resident



Ted Lodge  
Salida, Colorado

Michael Cowan  
Pueblo, Colorado

I. J. Coulter  
Colorado resident

Anton Zafereo  
Fountain, Colorado

James B. Doyle  
Denver, Colorado

R. L. Spike  
Denver, Colorado

Jeffrey Wassam  
Arvada, Colorado

Jerald R. Boodry  
Denver, Colorado

Wayne S. Jones  
Denver, Colorado

Jewell Waterman  
Denver, Colorado

Frank Bertopelle  
Denver, Colorado

Chuck E. Pysin  
Wheatridge, Colorado

Wayne D. Miller  
Pueblo, Colorado

Joe Lucero  
Denver, Colorado

Al Garcia  
Denver, Colorado

Ken Eder  
Golden, Colorado

Louis Espinoza  
Denver, Colorado

Jacquelyn Roe  
Englewood, Colorado

Loretta Castillo  
Denver, Colorado

Bertha Haase  
Lakewood, Colorado

Annabelle Neppel  
Lakewood, Colorado

Ernest Estrada  
Lakewood, Colorado

Pat Carlson  
Idaho Springs, Colorado

Nancy Martinez  
Littleton, Colorado

Jonathan Frome  
Lakewood, Colorado

Charlotte Muth  
Lakewood, Colorado

Josephine Martinez  
Lakewood, Colorado

R. James Nicholson  
National Committeeman for Colorado  
Republican National Committee  
Parker, Colorado

Art and Beth Jackson  
Denver, Colorado

Eric Widestar  
Denver, Colorado

Kevin Howery  
Arvada, Colorado

Drew Howery  
Arvada, Colorado

Martha L. Lydick  
Wheat Ridge, Colorado

Michael E. Queen  
Wheat Ridge, Colorado

Kathleen Schumaecker  
Lakewood, Colorado

Mark Laramey  
Westminster, Colorado

Lowell C. Sund  
Lakewood, Colorado

Albert and Alice Anderson  
Littleton, Colorado

Leo N. Bradley  
Attorney at Law  
Golden, Colorado

Carl M. Williams  
Denver, Colorado

# HOTEL INTER-CONTINENTAL HELSINKI

MANNERHEIMINTIE 46,  
TEL: +358-0-40 551  
TELEFAX: +358-0-405 5255



00260 HELSINKI, FINLAND  
TELEX: 12-2159 INCON SF

## TELEFAX TRANSMISSION

DATE: *May 2, 1989*

TO: *Gov. Sununu*

TELEFAX NO: *202-456-2397*

ATTENTION: *John Sununu*

FROM: *Eileen Claussen, EPA*

NUMBER OF PAGES: *2* INCLUDING THIS COVER PAGE

IF YOU HAVE ANY PROBLEMS WITH RECEIPT OF THIS TRANSMISSION,  
PLEASE REVERT.

Attached is a copy of the Declaration  
adopted at the First Meeting of the  
Parties to the Protocol. It is non-binding.  
Point 5 only commits us to analyze the  
viability of a fund.

*Eileen Claussen*



28.4.1989

## DRAFT DECLARATION

The Governments and the EEC represented at the First Meetings of the Parties to the Vienna Convention and the Montreal Protocol,

Aware of the wide agreement among scientists that depletion of the ozone layer will threaten present and future generations unless more stringent control measures are adopted;

Mindful that some ozone depleting substances are powerful greenhouse gases leading to global warming;

Aware also of the extensive and rapid technological development of environmentally acceptable substitutes for the substances that deplete the ozone layer and the urgent need to facilitate the transfer of technologies of such substitutes especially to developing countries;

1. Encourage all states that have not done so to join the Vienna Convention for the Protection of the Ozone Layer and its Montreal Protocol
2. Agree to phase out the production and the consumption of CFC's controlled by the Montreal Protocol as soon as possible but not later than the year 2000 and for that purpose to tighten the timetable agreed upon in the Montreal Protocol (due account taken of the special situation of developing countries)
3. Agree to both phase out halons and control and reduce other ozone-depleting substances which contribute significantly to ozone depletion as soon as feasible
4. Agree to commit themselves in proportion to their means and resources to accelerate the development of environmentally acceptable substituting chemicals, products and technologies
5. Agree to facilitate the access of developing countries to relevant scientific information, research results and training and to seek to develop appropriate funding mechanisms to facilitate the transfer of technology and replacement of equipment at minimum cost to developing countries

# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document                                                           | Date    | Restriction    | Class. |
|--------------------------|-------------------------------------------------------------------------------------|---------|----------------|--------|
| 02. Memo                 | From William K. Reilly to POTUS<br>Re: A "State of the Environment" Message (5 pp.) | 4/28/89 | <del>P</del> 5 |        |

### Collection:

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

Open on Expiration of PRA  
 (Document Follows)  
 By *SP* (NLGB) on 4/10/08

|                               |                |                             |           |
|-------------------------------|----------------|-----------------------------|-----------|
| <b>Date Closed:</b>           | 12/2/2004      | <b>OA/ID Number:</b>        | 29189-008 |
| <b>FOIA/SYS Case #:</b>       | 1998-0004-F[1] | <b>Appeal Case #:</b>       |           |
| <b>Re-review Case #:</b>      | 2005-0426-S    | <b>Appeal Disposition:</b>  |           |
| <b>P-2/P-5 Review Case #:</b> |                | <b>Disposition Date:</b>    |           |
| <b>AR Case #:</b>             |                | <b>MR Case #:</b>           |           |
| <b>AR Disposition:</b>        |                | <b>MR Disposition:</b>      |           |
| <b>AR Disposition Date:</b>   |                | <b>MR Disposition Date:</b> |           |

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P-3 Release would violate a Federal statute [(a)(3) of the PRA]
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

#### Freedom of Information Act - [5 U.S.C. 552(b)]

- (b)(1) National security classified information [(b)(1) of the FOIA]
- (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- (b)(9) Release would disclose geological or geophysical information





United States  
Environmental Protection Agency  
Washington, D.C. 20460

April 28, 1989

The Administrator

MEMORANDUM FOR THE PRESIDENT

SUBJECT: A "State of the Environment" Message

I think the time is fast approaching when you may wish to deliver a major statement on the environment. The ground has been well prepared during your first 100 days by two important initiatives: 1) your decision to phase out ozone-destroying CFCs by the end of the century; and 2) your commitment to propose legislation to ban shipments of hazardous waste to other countries unless we have a bilateral agreement with them to assure the waste is disposed of responsibly.

If you decide to tighten automobile fuel efficiency standards to 27.5 miles per gallon, a move that can reduce by 2 million tons per year the carbon dioxide emitted into the atmosphere, that will rank as the third significant plus. (It will also make it easier to advocate energy development in Alaska if we can point to an energy conservation initiative.)

These decisions, together with the proposed suspension and possible veto of the Two Forks Dam in Colorado, have established a climate of genuine receptivity on the part of many Members of Congress, environmentalists, the press and, I believe, the country regarding the Administration's environmental intentions. The Alaska oil spill set us back in the public mind but I tend to believe that our environmental prospects will recover as Prince William Sound itself does. The following are some of the initiatives you might address in a message on the environment, or in a series of major speeches.

1. Clean Air. The big test of the Administration's approach to the environment will be the Clean Air legislation we propose. As you know, we have made a commitment to the Congress to get such legislation to the Hill sometime in May. (Any later than May, we were advised by a number of Senators and Congressmen, would be late for engaging the issue and tracking the committees' own schedule and their bills.)

*Cheryl Bartlett  
gets books sent her  
banned for 50'*

*DDTB  
are we  
doing this?*

*I agree  
it would  
be easier*

*hope  
we can*



Now is a good time to consider a communications strategy on clean air and on other possible initiatives. A number of forthcoming events will require us to take environmental positions and I would propose we initiate in anticipation of these events rather than react to the proposals of others.

The first is Prime Minister Mulroney's visit on May 4. The Canadian Ambassador has advised me that acid rain will be at the top of Mulroney's list. You may wish to announce on the occasion of his visit your decision to propose legislation to require a specific reduction of sulfur dioxide emissions by the year 2000. The Clean Air Working Group under Roger Porter's direction has not yet reached a consensus on the details of our recommendation to you but the desirability -- and feasibility -- of a 10 million ton objective and on the necessity to achieve some reasonably significant part of that by 1995 or 1996 is very likely to have significant support from many quarters. Yesterday Cong. Dingell, much to our surprise, indicated a 10 million tons reduction was a minimum necessary for a credible bill. Your commitment to 10 million tons by a date at or around the year 2000, would confirm that our bill will be serious. Such an announcement whenever it comes would help restore some slippage related to the oil spill. And, of course, it would delight the Canadians, providing Mulroney a great moment and his first genuine concession from the United States on what his Ambassador indicates is their number one priority with the United States.

2. Framework Convention on Climate Change. The Governing Board meeting of the United Nations Environmental Programme, which convenes in Nairobi beginning May 15, will assemble a large number of environment ministers and will, I am sure, consider the need for a Framework Convention on Climate Change. I would advise you to consider calling for such a convention very soon, well before the Nairobi meeting. This is one of those initiatives which is desirable and probably inevitable and which your leadership could put us in a position to help shape and control.

This past year has heard many of the leaders of the Western Alliance speaking seriously of the ecological threats posed by the possibility of global warming. While the scientific evidence is not as established as that of the ozone layer hole, there is growing scientific opinion that we may already be experiencing a mild foretaste of a profound warming trend to come. Scientists agree that a change of even 1-2 degrees Celsius could produce significant flooding of our coastal population centers by a rise in ocean levels as a result of the expansion of the oceans and partial melting of the polar ice caps. Droughts similar to that experienced in the United States last year could plague many currently fertile agricultural areas.

DAB

When  
will we  
be ready  
let's  
keep  
pushing

DAB

When?



The greenhouse effect is linked to the build-up of carbon dioxide from the burning of carbon-based fuels and deforestation as well as to "trace" greenhouse gases such as CFCs and methane. Since the production of these gases is universal, any effective attempt to mitigate this global warming trend will require international agreement.

A number of our major allies, including Canada, France, the Netherlands and the Federal Republic of Germany, favor or tend to favor beginning formal negotiations of an international agreement on climate change. The positions of the United Kingdom and Italy are unclear. Just this morning, I learned that the Japanese Environment Minister will introduce the subject of a Framework Convention on Global Climate at the US-Japan Bilateral Environment Meeting next week. Thus far, the U.S. has not even agreed to consider the advisability of an international agreement and has called only for more study. This argument was advanced for eight years on acid rain, and it is viewed by many with skepticism.

You may expect that Prime Ministers Brundtland of Norway and Mulroney will raise climate change, including a possible convention, in their meetings with you next week. The question of a climate change convention is also arising in the preparations for the July Paris Economic Summit.

I believe that in order for the United States to aspire to leadership on this issue, we need to come out in support of a climate change convention. Acknowledging that the details need to be fleshed out, I would envision a broad framework convention calling for cooperation on research and information exchange and providing a basis for later substantive control measures. Based on a discussion with Admiral Watkins, I believe he too is supportive of such an approach.

The Domestic Policy Council may give you an options paper on this soon. There is concern on the part of some that support of a convention may lead to a slippery slope, to measures we will not want to accept. In my view that concern overstates what other developed nations will want to do; reducing carbon dioxide emissions will be no easier for other nations than for us. And global climate change is the significant international environmental issue. What we need is a formal framework for dealing with it in concert with other countries, together with a recognized role as leader to be able to shape the agenda.

3. Debt-for-Nature. I would also hope we could make some major debt-for-nature commitments in the context of the Brady Plan. These could dovetail nicely with global warming initiatives since a major objective would be to preserve tropical forests, the destruction of which contributes to global warming.

Need  
preparation  
for  
Mulroney

Ben - 2/25/84



4. International Conference on the Environment. We are narrowing options for an international conference on the global environment and may soon propose one or more such meetings. We are examining the pros and cons of a U.S.-Canada-Mexico conference later this year, a Pacific Rim Conference early next year, a conference on oceans, and a conference directly on climate change. There will likely be a very important international conference in Stockholm in 1992 on the 20th anniversary of the 1972 Stockholm United Nations Conference on the Human Environment which established UNEP and launched a new international environmental agenda. An important role for U.S.-sponsored meetings before 1992 ought to be to influence the agenda and set the stage for Stockholm 1992.

5. Wetlands Executive Order. Work has begun within EPA preparing proposals to include in your promised Executive Order giving policy expression to your commitment to "no net loss of wetlands." I hope that the Domestic Policy Council will take this issue up soon. On wetlands protection we are going to need a clear conservation priority and it will be important to ensure that all agencies espouse it. At present the Corps of Engineers and EPA take quite different approaches to applications to develop wetlands. EPA puts the burden on an applicant to establish that a proposed use is water-dependent and that there is no alternative to loss of the wetland. Only then does EPA look at ways to mitigate losses of wetlands. The Corps typically presumes the permit will be granted and goes directly to consider mitigation options. Early in the Nixon Administration the Corps took a more conservative approach. A clear Presidential policy will be necessary to bring all federal agencies into line on wetlands.

6. Pollution Prevention. I would like to propose a major Administration commitment to pollution prevention, emphasizing industrial process changes such as those being developed to make biodegradable plastics, and fostering recycling and reuse. Governor Branstad of Iowa has proposed to require food packaging be made of biodegradable cornstarch -- and 93 percent of Iowans support the proposal. The public is increasingly hungry for leadership on waste reduction. People are looking for ways to reduce the garbage. The growing cost of waste disposal (from \$8 to \$10 per ton 10 years ago to \$125 per ton in some areas now and rising), the fact that a third of the nation's landfills will close within the next 5 years, make this timely and, it seems me, even urgent. A federal executive order on procurement could have a profound effect, establishing at a stroke a market for secondary products of all sorts. If tax forms were to be printed on recycled paper, for example, we would give a dramatic push to the cause of waste reduction.

The point of setting these thoughts down is to suggest that you have a great deal to work with, things you have already done, have promised to do, or will wish to consider. They add up to a major message, if you want to make one. Or they can provide initiatives for a number of upcoming events -- commencement ~~speeches, meetings with Mulroney and Brundtland, the Economic Summit.~~ Your commencement speech on May 21 at Boston University could be an occasion for a major statement on acid rain, or on the smog non-attainment part of your Clean Air Act bill, both big issues in the Northeast and very popular with students. Governor Kean would love to have you make our proposal on air toxics, the third major part of our promised bill, in New Jersey where toxics are a serious problem and where the gubernatorial race could usefully be injected with some solid Republican environmentalism. (Kean expects Florio to flog us on beach waste and Superfund throughout the summer.)

7. A Vision for our Environmental Policy. I am enclosing a speech I delivered last week at the National Press Club in which I set out my sense of the environmental vision of the Bush Administration. Essentially it sets proposed terms for the press and others to judge us by. So often we read of "the big tests of the Bush Administration's environmental policy." So I wrote my own suggested terms for a test.



William K. Reilly





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

THE ADMINISTRATOR

**ENVIRONMENTAL PROTECTION IN  
THE BUSH ADMINISTRATION:  
MEASURES BY WHICH TO JUDGE US**

William K. Reilly  
Administrator  
U.S. Environmental Protection Agency

Remarks before  
the National Press Club  
Washington, D.C.

April 20, 1989

2

Before I begin my more formal remarks, I'd like to take this opportunity to announce the results of a recent EPA study. Based on measurements taken in 3000 schoolrooms in 16 states, it appears that elevated levels of radon gas can be found in schools throughout the United States. This finding is particularly troublesome because of the nature of the radon risk, and the potential vulnerability of children exposed.

Therefore, I am recommending that schools nationwide be tested for radon, and that schools prepare to take remedial actions depending on the levels of radon found. As a first step to help the nation's schools address this problem, EPA has published guidance on how schools can measure radon, and how they can reduce exposures. This guidance is now available from the Agency.

I wanted to make this announcement personally, because it is important that school administrators nationwide understand both the seriousness of the risk, and the relative simplicity of testing for and fixing the problem. The risks posed by radon gas are very real. But with a little thoughtful effort, we can solve this problem with relative ease.

As you know, radon is a well-recognized health risk. We estimate that lifelong exposure to a radon concentration of 4 picocuries per liter of air has a risk equal to smoking half a pack of cigarettes a day. Studies indicate that indoor exposure to radon may cause up to 20,000 lung cancer deaths a year -- second only to smoking.

During its survey of 130 different schools, EPA found that about half of them had at least one room with radon concentrations about 4 picocuries. And radon levels over 20 picocuries were found in about 3 percent of the rooms. Although the small number of test schools was not selected randomly -- and I want to emphasize that point -- we believe that elevated levels of radon may be as prevalent in schools nationwide as in homes.

Fortunately, this problem is much more tractable than most. Concentrations of radon can be measured reliably and at low cost. If problems are found, they can be fixed -- in most cases -- with relatively simple, inexpensive steps like better ventilation and better maintenance.

So it's important that school systems begin planning to test for radon next winter. And it's important that they begin planning to take action if radon levels are unacceptably high.

I chose to make this announcement at the National Press Club for two reasons. First, the radon problem, like so many others, is going to be solved through actions taken in every community across the country. So every community needs to hear about the problem and understand it. And there's no better way to talk to communities from coast to coast than through the national press.

But I also wanted to announce it here because, for better or worse, you pronounce the public judgement on EPA's efforts to protect the environment. You not only write the news, you also evaluate it.

In fact, one of the interesting things I have noticed in my 10 weeks as EPA Administrator is how often the press conducts "tests" to determine whether this is really going to be an environmentalist Administration. Each week I seem to read of yet another test. How will we handle a pesticide named Alar and the great apple scare? Where will we come out on a dam called Two Forks in Colorado? Will we propose a ban on ozone-destroying chlorofluorocarbons? Will we tighten automobile fuel efficiency standards? Will the federal environmental budget grow faster than expenditures in other areas? Will we federalize the Alaskan oil cleanup? Will we abandon oil exploration in the Arctic National Wildlife Refuge? Will we stop shipping hazardous waste to developing countries? Will we propose a tough new Clean Air Act? Will we act to stop the destruction of wetlands in America?

4



Even as we resolve one issue, another is added. Inexplicably, the pending decision frequently is described as "the first big test of the Bush Administration," irrespective of the results of the last "big test."

I sometimes feel as though I'm back in school in a period of perpetual final exams.

Yet I find all this somewhat encouraging. It suggests that the people -- or at least the press -- are ready to believe we really may mean what we say. It indicates that even demanding critics like environmentalists believe the President may have meant it when he promised leadership on the environment, and when he called himself an environmentalist.

I appreciate your openness in setting the standards against which you propose to measure us. But I do not believe these early tests are the ultimate measure of our success. And so I would like to use this occasion to suggest some of my own measures of success. I would like to lay before you a set of propositions to which we can all return some years from now and ask: how did we do? Did we achieve our goals? Did we succeed?

First, let me paint in the background. The United States has come a long way since President Nixon signed the National Environmental Policy Act of 1969 and proclaimed the 1970s "the decade of the environment." As a society we made numerous commitments and huge investments in bringing pollution under control, in reducing the assaults on our air and water and land. Our cities today are subject to less air pollution. Our lakes and rivers are holding their own, and many are again swimmable and fishable. The improved environment was a genuine if unsung success story of American life in the 1970s.

Nevertheless, we now face a crisis of accumulating waste here at home, and an accelerating devastation of nature abroad.

Together they threaten not only to cancel the gains we have made, but to destabilize the very planet we live on. The 1990s will be a decade of decision for the environment. We must decide whether we will arrest the wasteful and destructive practices that threaten to alter the climate, wreak havoc with natural systems, wipe out countless species of plants and animals, and render much of this earth a poisoned, impoverished, and forbidding place.

Consider the global realities. Five of the 10 warmest years on record occurred in this decade. A temporary warming cycle? Maybe. But carbon dioxide in the atmosphere has increased 25 percent in 100 years. Something significant may be occurring. We dare not ignore it. EPA scientists estimate that if we don't act to reduce greenhouse gases, worldwide temperatures will rise at least 2 to 3 degrees centigrade by the year 2050. Such an increase would bring enormous changes in climate, rainfall, agricultural productivity, and sea level.

A second global reality is this: barring some dramatic reversal in current trends, the next decade will witness the extreme contraction of most of this earth's remaining tropical forests. Gone with them will be the rich abundance of plants and animals they harbour. It seems astonishing that 6 percent of the planet's land area could be home to almost half the earth's species, but such is the incomparable richness of tropical forests, these vast libraries of medicinal plants and useful genetic materials, so many likely to vanish before they even have names. And deforestation also accounts for about a fifth of the climate-altering greenhouse gases.

The more urbanized areas of the developing world, including much of Eastern Europe, are increasingly awash in pollution and waste. Many great cities face dangerously unhealthy air, toxic substances accumulating in their groundwater, and the prospect of catastrophic accidents involving hazardous materials.

How about  
a Nat'l  
program  
like  
No. Dakota's  
100 mill  
trees per  
state  
by 2000



These three international issues -- climate change, destruction of tropical forests, and toxic pollution in developing countries -- these are issues of the utmost seriousness. The degree to which the United States contributes to ameliorating these three problems will be, I believe, a demanding yet plausible test of the Bush Administration's environmental record.

Obviously, we cannot solve these problems in 4 years, or even 10. We cannot solve them alone. But we can lead the world community down a new path toward peace with nature. By our example and with our encouragement, I believe this nation can lead the campaign to restabilize the planet.

We have already begun. Secretary of State Baker, in the first speech of his tenure, unequivocally stated this country's intentions to cooperate with other nations to assess and manage human-induced alterations in climate. President Bush then committed the United States to a full phaseout of ozone-destroying CFCs and halons by the end of the century, provided safe substitutes are available.

There is a fortunate and persuasive coincidence between the policies we need to undertake to address global warming and the policies desirable in and of themselves for our domestic environmental and economic good. These include phasing out CFCs, which account for almost a fifth of all greenhouse gases. They include promoting energy efficiency; saving energy also reduces carbon dioxide emissions. And they include using our influence with the World Bank and other multilateral aid and lending institutions to give a higher priority to environmental values like reforestation.

We can also increase our help to other countries facing severe pollution problems. They want our help. They know we have made great progress in reducing pollution, and they need our



expertise. One of the most welcome and least expensive objects of our foreign policy is the help, the information, and advice we provide developing countries in better managing their wastes and reducing their pollution.

But if we are to play a major role in the great cause of restoring the natural systems of this earth, if we are to aspire to lead this effort, we must set a shining example here at home. To be a beacon to the world we will have to do better ourselves.

We in the United States produce twice the solid waste per capita that West Germany does, and three times that of Italy. We use twice as much energy per capita as Switzerland and nearly three times that of Japan. And the energy we use and the waste we generate make this nation the source of a fifth of all greenhouse gases.

We must do better. We can do better. We must learn not just to control pollution but to prevent it, not just to dispose of waste more safely but to eliminate it altogether.

Here I must confess that more of the same -- more controls, tighter standards, better enforcement -- will not be enough to get us there. Regulations closing off waste disposal options will help, have helped. Greatly increased costs of waste disposal are creating incentives to reduce waste. Did you know that a third of the landfills in this country will be obsolete in 5 years? Ten years ago the cost of solid waste disposal was \$5 to \$10 per ton. Now in some places it is \$125 per ton and rising.

When costs rise like this, so must our ingenuity and resourcefulness. We must learn to generate less waste in the first place, to make products that are recyclable or reusable.

8

And we will. We will make pollution prevention a hallmark of our environmental efforts. The people of this country are, I believe, ready to participate in this effort. It is an area that demands education more than regulation, and information more than enforcement. We will help meet the coming crisis in waste management by significantly reducing the amount of waste per capita generated in our country. Recycling, reuse, reduction at the source -- these will be our watchwords.

Just as we hope to contribute to protecting and restoring natural ecosystems worldwide, so we will work to protect the productivity of natural systems here at home: the estuaries and coastal environments, the groundwater and the wetlands. We will reduce by millions of tons the emissions of sulfur oxides that are threatening the lakes and rivers of both the United States and Canada. And we will do it in this century.

We will respect the vital role of wetlands in nurturing marine life and waterfowl and filtering pollutants and buffering floodwaters. We will give policy expression to the goal of "no net loss of wetlands."

We will work to break the long, contentious, and dispiriting stalemate over clean air and send to the Congress -- for the first time in 10 years -- a Presidential proposal to reauthorize the Clean Air Act. This Administration will offer new legislation to ease the burden of air toxics cut back acidic air emissions, and reduce the smog that so bedeviled our cities last summer.

I hope that our approach to the Clean Air Act, on which we have consulted closely with the Congress and other interests, can usher in a new era of cooperation in the field of the environment. Cooperation between the Administration and the Congress. Cooperation between the regulated community and EPA. Cooperation between environmentalists and EPA. Cooperation between government and the people.



More than any other single achievement, the most meaningful measure of our progress, I believe, may be the degree to which we establish a relationship of trust on the part of the many interests touched by EPA. Whether the task is fixing Superfund or communicating about the risks posed by pesticide residues in food, we must have the confidence of the public.

As I try to master the information necessary to run EPA's programs, I am reminded how specialized and arcane much of our work has become. The public, so prone to worrying about risks of cancer, is easily led to panic in the wake of an apple scare. It is difficult in the throes of a full-scale pesticide panic to communicate sensibly about risk, to put it in perspective, or to reassure distraught mothers. At such a time no one wants to have to learn about risk assessment. What people want to know is that the regulators -- the protectors of their health -- share their values, that they are people of integrity and competence who can be trusted.

It sometimes seems to me as though the nation has behaved with a kind of schizophrenia toward EPA. On the one hand the agency has been policed, constrained, and restricted. On the other hand the agency has been asked to undertake the impossibly ambitious tasks of controlling smog in Los Angeles and Chicago, and making federal departments far larger than itself -- such as the Defense Department -- clean up their facilities. And I have recently observed agencies at both the state and federal levels sign off on controversial development projects because they are confident EPA could be counted on to stop them.

In this Administration we have a vision. We see a nation moving steadily to provide a greater measure of protection for human health and for natural systems. We see a public entitled to the truth about the realistic choices open to a highly



industrialized, economically developed society. We see people working to ensure that nature remains productive and unimpaired as we improve our economic prospects.

We are enthusiastic advocates of economic growth. Among other things growth is what pays for environmental protection. We want to infuse the country with an ethic of environmental stewardship so that our economic progress is more durable and better grounded in productive natural resources.

So judge us on our aim, and we are aiming high. Judge us on how well we cooperate with other nations in solving problems of truly global proportions. Judge us by the actions we take to protect fragile and unique ecosystems here at home. Judge us on how well we reduce the per capita waste stream in this country.

Above all, judge us not in the light of a politically volatile moment. Environmental protection is about sustaining life on earth. For the long term. We at EPA are the long distance runners of government. The real test is not in the regulatory decisions that are made in March or April or May. The real test will be the health of our people and the quality of our environment at the turn of the century and beyond. And that is a test we dare not fail.

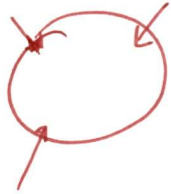
Thank you.

//

TR

1. <sup>env.</sup> Reilly more activists  
looking out

2. expectation



carefully structure...

3. forums

Expectations

Coast Gd. ?

NCslit

Doc. NW

BU has Mitterand

hair issue → break off  
share of  
hair 46%.

TR

NJ.

# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document                                                                 | Date    | Restriction    | Class. |
|--------------------------|-------------------------------------------------------------------------------------------|---------|----------------|--------|
| 03. Memo                 | From William K. Reilly to POTUS<br>Re: Mexico "Debt for the Environment" Proposal (2 pp.) | 10/2/89 | P <del>5</del> |        |

**Collection:**

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

Open on Expiration of PRA  
 (Document Follows)  
 By JP (NLGB) on 12/12/07

|                               |                |                             |           |
|-------------------------------|----------------|-----------------------------|-----------|
| <b>Date Closed:</b>           | 12/2/2004      | <b>OA/ID Number:</b>        | 29189-008 |
| <b>FOIA/SYS Case #:</b>       | 1998-0004-F[1] | <b>Appeal Case #:</b>       |           |
| <b>Re-review Case #:</b>      | 2005-0426-S    | <b>Appeal Disposition:</b>  |           |
| <b>P-2/P-5 Review Case #:</b> |                | <b>Disposition Date:</b>    |           |
| <b>AR Case #:</b>             |                | <b>MR Case #:</b>           |           |
| <b>AR Disposition:</b>        |                | <b>MR Disposition:</b>      |           |
| <b>AR Disposition Date:</b>   |                | <b>MR Disposition Date:</b> |           |

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

P-1 National Security Classified Information [(a)(1) of the PRA]  
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]  
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

(b)(1) National security classified information [(b)(1) of the FOIA]  
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
 (b)(9) Release would disclose geological or geophysical information





United States  
Environmental Protection Agency  
Washington, D.C. 20460

JUL 2 1989

The Administrator

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Mexico "Debt for Environment" Proposal

I wanted to report to you on recent discussions I have had with Mexico City Mayor Manuel Camacho on an interesting "debt for environment" proposal he has developed. State and Treasury Department officials are working with EPA to ensure that President Salinas and Finance Minister Aspe back the proposal and to resolve certain technical issues.

Camacho's plan involves a \$500 million loan from the Inter-American Development Bank (IDB) and/or the World Bank which is used to purchase about \$1.2 billion of Mexican debt on the secondary market at about 45 cents on the dollar. This debt would be swapped at the Brady plan discount rate of 35 percent for new Mexican debt with a face value of about \$780 million. The Mexican government would pay interest of approximately \$78 million per year on the new debt. \$40 million/year would be paid out to the IDB or the World Bank in debt service. About \$38 million/year would go into a "Mexican Fund for the Environment."

The Fund would be used to reduce Mexico City pollution through the purchase of pollution control equipment, including less-polluting bus engines and scrubbers. U.S. firms could be the source for much of this equipment. The Ex-Im Bank is interested in helping to further leverage the resources with loan assistance.

I believe the success of this project would demonstrate U.S. international environmental leadership, help President Salinas address Mexico City's life-threatening pollution problem, and produce several hundred million dollars worth of U.S. exports. The debt element of the proposal could advance Secretary Brady's debt reduction program and provide Mexico with \$420 million in debt relief and lowered interest payments.

The project offers a model environmental initiative for the IDB and the World Bank and supports the movement of the development banks into the area of environmental loans. The proposed pollution control project would also promote Mexico City economic development which will otherwise be limited by new pollution control laws that require factories to be shut down when air pollution reaches critical levels.

-2-

A conversation with President Salinas about debt for environment possibilities might be appropriate and useful. Any public discussion of the details of this project, though, is probably premature and might drive up the price of Mexican debt on the secondary market, thereby reducing the attractiveness of the debt swap.

A handwritten signature in dark ink, appearing to read "Bill", is positioned above the printed name.

William K. Reilly

# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document                                    | Date   | Restriction   | Class. |
|--------------------------|--------------------------------------------------------------|--------|---------------|--------|
| 04. Paper                | NAPA Criteria for Agency Elevation to Cabinet Status (5 pp.) | 7/7/89 | <del>P5</del> |        |

**Collection:**

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

Open on Expiration of PRA  
 (Document Follows)  
 By JP (NLGB) on 5/12/05

|                               |                |                             |           |
|-------------------------------|----------------|-----------------------------|-----------|
| <b>Date Closed:</b>           | 12/2/2004      | <b>OA/ID Number:</b>        | 29189-008 |
| <b>FOIA/SYS Case #:</b>       | 1998-0004-F[1] | <b>Appeal Case #:</b>       |           |
| <b>Re-review Case #:</b>      | 2005-0426-S    | <b>Appeal Disposition:</b>  |           |
| <b>P-2/P-5 Review Case #:</b> |                | <b>Disposition Date:</b>    |           |
| <b>AR Case #:</b>             |                | <b>MR Case #:</b>           |           |
| <b>AR Disposition:</b>        |                | <b>MR Disposition:</b>      |           |
| <b>AR Disposition Date:</b>   |                | <b>MR Disposition Date:</b> |           |

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

P-1 National Security Classified Information [(a)(1) of the PRA]  
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]  
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

(b)(1) National security classified information [(b)(1) of the FOIA]  
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
 (b)(9) Release would disclose geological or geophysical information



THE CHIEF of STAFF  
has seen

JUL 7 1989

NAPA Criteria for Agency Elevation  
to Cabinet Status

Glenn  
EPA Leg  
THE PRESIDENT HAS SEEN

The following criteria were developed by the National Academy of Public Administration, on contract to the Senate Governmental Affairs Committee, to evaluate whether the Veterans Administration (VA), or any other government organization, should function as a Cabinet department.

In applying these criteria to the VA, the NAPA Panel concluded that the VA met only 2 of the 14 criteria (and marginally met 3 others).

A case is made (below) that EPA meets 12 of the 14 criteria.

I. Establishing a National Priority for the Agency's Programs.

1. Does the agency or set of programs serve a broad national public goal or purpose not exclusively identified with a single class, occupation discipline, region or sector of society?

Yes. EPA policies and programs affect virtually all segments of the economy, society and government. Elevation to a Cabinet department is necessary to reinforce both the perception and reality that environmental protection is a strong national goal.

2. Is there evidence that there is a significant need that is not now adequately recognized, or addressed by the EPA, the president, or the Congress which would be better assessed or met by elevating the agency to a Cabinet department?

Yes. Given the magnitude of its task and the many pressing claims to limited federal resources, only a Cabinet-level EPA could more effectively involve others in protecting the environment to make environmental protection a joint enterprise of the American people and their government.

3. Is there evidence of impending changes or circumstances which would be better addressed if the

EPA were made a Cabinet department? Are such changes expected to continue into the future?

Yes. The dynamic and evolving nature of environmental protection require EPA to keep one eye on the future and be prepared to deal effectively with challenges that have not yet made it to the top of the agenda or, indeed, may not yet be part of the agenda at all. Many environmental problems of the future -- such as stratospheric ozone depletion, global warming, acid deposition, ocean pollution, and destruction of tropical rain forests -- are worldwide concerns and have causes and impacts that transcend local, state and national boundaries. A Cabinet department is essential to obtain necessary resources to meet these changes in the future.

4. Would a Cabinet department increase the "visibility" and thereby substantially strengthen the active political and public support for programs protecting the environment?

Yes. A Cabinet department would clearly provide additional visibility and political support for environmental issues.

5. Is there evidence that becoming a Cabinet department would provide better analysis, expression and advocacy of the needs and programs which constitute the agency's responsibilities?

Yes. A Cabinet department is necessary to address tomorrow's environmental issues and imperatives almost certain to challenge EPA's resourcefulness, determination and its ability to enlist the cooperation of other parties in developing effective solutions to problems that transcend local jurisdictions as well as state and national boundaries.

## II. Improving program effectiveness

6. Is there evidence that elevation to a Cabinet department would improve the effectiveness of environmental programs?

Yes. EPA's mission is neither easy nor one that can be achieved through agency actions alone. Cooperation in addressing environmental needs is necessary on the home front, between state and



federal governments, among federal agencies, and between private and public sectors. Only a Cabinet department can leverage such an effort.

7. Is a Cabinet department required to better coordinate or consolidate programs and functions which are scattered throughout other agencies in the executive branch of government?

EPA depends on other agencies to shoulder a portion of the total U.S. environmental protection effort. For example, the Departments of Energy, Agriculture, Interior, Commerce, Defense, and Transportation among others, all engage in activities and have responsibilities that bear directly on environmental quality and the goal of environmental protection.

### III. Improving environmental program efficiency

8. Is there evidence that a Cabinet department with the increase in centralized political authority of the secretary's office would result in a more effective balance, within the agency, between integrated central strategic planning and resource allocation and the direct participation in management decisions by the officers who are responsible for directing and managing service delivery? Would the staff officer-line officer interaction be improved?

Probably not. The political status of the agency head is not the key determinant of such imbalances.

9. Is there evidence that there are significant structural, management or operational weaknesses within the EPA that could be more easily corrected by elevation to a Cabinet department?

Yes. EPA's current organization structure to a great extent mirrors the media-specific nature of the legislative authority (air, water, etc.). It complicates and inhibits adoption of an integrated, cross-media perspective for dealing with environmental problems.

10. Is there evidence that there are external barriers and impediments to timely decision-making and executive action that could be detrimental to improving the efficiency of EPA programs? And



would these impediments be removed or mitigated by elevation to a Cabinet department?

Yes. Elevation to Cabinet status would strengthen the agency's ability to promote greater cooperation among governmental and industrial organizations to deal with environmental concerns.

11. Would elevation to a Cabinet department help recruit and retain better qualified leadership within the agency?

Yes. EPA's effectiveness is highly dependent on its work force. NAPA observed that EPA "must be able to attract and retain the highest level of professionalism and dedication possible." A Cabinet secretary position is more attractive to senior executive talent with a broader base of experience. Since more prestige is attached to presidential appointments, this may also be true for the EPA sub-cabinet line officers who have day-to-day operational management responsibilities.

IV. Improving federal policy integration

12. Is there evidence that a Cabinet department would facilitate more uniform achievement of broad, cross-cutting national policy goals?

Yes. The other federal agencies sometimes do not provide the needed support and cooperation, including demonstrating willingness to move quickly to clean up their own hazardous wastes. A Cabinet department would be better able to ensure that the other agencies work together in support of national environmental policy goals rather than at cross purposes.

13. Would elevation to a Cabinet department for the EPA weaken or strengthen the Cabinet and the Executive Office of the President as policy and management aids to the President?

No. One additional department would not have a sufficiently negative effect. It would have little, if any, effect upon the operations of the Executive Office of the President.

V. Improving accountability to elected public officials

14. Would elevation to a Cabinet department have a beneficial or detrimental effect upon the oversight and accountability of the agency to the president and the Congress?

A Cabinet department would enhance the President's credibility with Congress. It would strongly acknowledge and reinforce the accountability the Congress demands of the agency primarily responsible for achieving national environmental goals.

# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document                              | Date    | Restriction   | Class. |
|--------------------------|--------------------------------------------------------|---------|---------------|--------|
| 05. Paper                | Re: The Five Most Important Needs in Superfund (4 pp.) | 8/14/89 | <del>P5</del> |        |

**Collection:**

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

Open on Expiration of PRA  
 (Document Follows)  
 By JP (NLGB) on 5/12/05

|                               |                |                             |           |
|-------------------------------|----------------|-----------------------------|-----------|
| <b>Date Closed:</b>           | 12/2/2004      | <b>OA/ID Number:</b>        | 29189-008 |
| <b>FOIA/SYS Case #:</b>       | 1998-0004-F[1] | <b>Appeal Case #:</b>       |           |
| <b>Re-review Case #:</b>      | 2005-0426-S    | <b>Appeal Disposition:</b>  |           |
| <b>P-2/P-5 Review Case #:</b> |                | <b>Disposition Date:</b>    |           |
| <b>AR Case #:</b>             |                | <b>MR Case #:</b>           |           |
| <b>AR Disposition:</b>        |                | <b>MR Disposition:</b>      |           |
| <b>AR Disposition Date:</b>   |                | <b>MR Disposition Date:</b> |           |

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

P-1 National Security Classified Information [(a)(1) of the PRA]  
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]  
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

(b)(1) National security classified information [(b)(1) of the FOIA]  
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
 (b)(9) Release would disclose geological or geophysical information



1068  
August 14, 1989

THE CHIEF of STAFF  
has seen  
JLW  
EPA

## THE FIVE MOST IMPORTANT NEEDS IN SUPERFUND

If I were Assistant Administrator for the Office of Solid Waste and Emergency Response, I believe the following would be the five most important areas to be addressed immediately.

### CLARIFY CLEAN UP GOALS

There have been many goals set for Superfund and it is important that the goals should be clearly articulated, communicated and accepted by all parties. In brief, they should be to make sites safer by controlling acute threats immediately, while also making sites cleaner by remedying the worst sites, worst problems first.

Among the specific action items:

- (1) investigate each site on the National Priority List and take whatever short term action is needed to render the site safe pending final cleanup action;
- (2) streamline the final cleanup process by establishing bias for action versus study. Off the shelf remedies for comparable sites must be identified and implemented quickly, unrealistic and inappropriate cleanup options eliminated from consideration early in the remedy-screening process;
- (3) use of innovative technologies must be encouraged and promoted; and
- (4) progress on EPA's success in mitigating risks and regulating the cleanup process must be reported regularly to the Congress and the public. We need to build public confidence that we are doing a good job by conveying a sense of action and progress, and as noted below, strong, critical management must ensure maximum cost effectiveness in achieving those goals.

### EMPHASIZE ENFORCEMENT TO INDUCE PRIVATE-PARTY CLEAN UP

We need to emphasize enforcement to induce potentially responsible parties (PRPs) to carry out more cleanups under EPA direction. Despite criticisms of EPA's enforcement record, recent history shows that where private parties are sure quick enforcement will occur and the Agency will use its enforcement authorities, private cleanups have increased dramatically. This approach has yielded cleanups at more than 900 sites valued at nearly \$2 billion. These statistics demonstrate that an intelligent and organized enforcement effort is key to achieving private cleanups.



My objective would be to either achieve enforceable agreements by responsible parties to carry out cleanups rapidly or, where such agreements are not reached, to direct them via administrative orders to carry out cleanups at every priority site where responsible parties can be found. To do this:

- (1) EPA's efforts to identify responsible parties must improve;
- (2) enforcement time lines must be set and kept; and
- (3) EPA must use its settlement tools creatively to allow those who want to settle early to do so, leaving those who refuse to settle with greater liability. Further, we need to regularize the process to ensure that all parts of the Agency are using the same process and philosophy. Private parties generally should be able to do the job more quickly, innovatively and efficiently than the government.

#### **STRENGTHENING MANAGEMENT AND ACCOUNTABILITY**

One of the most pressing needs in the Superfund area is that of strong management and leadership. The program has suffered somewhat in the past for this and a decisive team must be put in place and held accountable for producing measurable results.

One of my first tasks if confirmed in this job would be to set with my senior managers specific goals and milestones for accomplishing the goals identified here. The specific goals outlined on EPA's 90 day management report would serve as a starting point:

- (1) All players must be accountable:
  - (a) people in the field
  - (b) enforcers
  - (c) outside players -- Justice Department and others; each must be kept to deadlines to ensure sites move through the process
- (2) Dispute elevation; issues in Regions should not fester; they should move up the chain and be resolved;
- (3) Communications among field, Regions, and Headquarters need to be improved - e.g., key guidance documents should be short and to the point; and
- (4) We should also put in place a continuous staff self-evaluation mechanism to ensure we use resources most efficiently.



### **STRENGTHEN STATE INVOLVEMENT**

If the Superfund program is to be successful in the long run, we must find a way to involve the States in a meaningful oversight capacity. Programs of this diversity and complexity cannot be administered from just the federal level.

- (1) Relationships between State cleanup authorities and Superfund need to be clarified so that States can proceed without extensive federal involvement.
- (2) We need to explore ways of giving states authority over certain classes of Superfund cases without federal oversight.

### **WORK WITH SISTER AGENCIES TO CLEAN UP FEDERAL FACILITIES**

We must work cooperatively with other federal agencies, especially DOD and DOE, in developing clean up plans for their facilities. It is important to remember that while these agencies must comply with environmental laws, a way must be found to allow them to continue their mission while making progress on environmental problems. Accordingly, work must be done to:

- (1) Assist federal agencies in setting priorities and executing agreements that will provide for cleanup while the facilities continue their emissions.
- (2) Establish a clear conflict resolution mechanism for disputes that may arise between EPA and federal agencies over environmental cleanup priorities and plans.

### **WHY ME**

The hazardous waste programs were often significant liabilities in the past Administration because of the perception (right or wrong) of mismanagement and politicization. Above all, what is needed to transform this program into a plus for President Bush is both the substance and the appearance of competence, good judgment and integrity. Therefore, whether the person selected is a career employee or not, the critical issue is whether he is qualified for the job and will not require a long period learning the program, and the Congressional and agency politics, which could expose the President to significant risk.



I am an experienced manager of public programs and have always sought first to manage strongly and rationally rather than solicit the affection of my staff. For example, I successfully served as Acting Assistant Administrator for the Office of Air and Radiation and Acting Assistant Administrator for the Office of Pesticides and Toxic Substances for a total of almost 2 years. Both of these programs are large and complex and I have demonstrated my ability to manage them in such a manner as to receive two Presidential Awards for management. I have also worked with States and Regions and have been instrumental in healing bad feelings between the States and EPA in the Clean Air area. It is clear to me that the Superfund program needs an experienced government manager who can give it a fresh look, and, someone who can translate goals into action who has a history of doing just that in equally difficult and complex programs.

If selected for this position, I believe that the decision would be well received by both the public and private sectors, including industry, and I would be proud to be a loyal player on the President's Team.

Don R. Clay

# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document                                               | Date    | Restriction   | Class. |
|--------------------------|-------------------------------------------------------------------------|---------|---------------|--------|
| 06. Memo                 | From William K. Reilly to John Sununu<br>Re: Asbestos in School (2 pp.) | 7/31/89 | <del>P5</del> |        |

**Collection:**

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

Open on Expiration of PRA  
 (Document Follows)  
 By *JF* (NLGB) on 5/12/05

|                                        |                                |
|----------------------------------------|--------------------------------|
| <b>Date Closed:</b> 12/2/2004          | <b>OA/ID Number:</b> 29189-008 |
| <b>FOIA/SYS Case #:</b> 1998-0004-F[1] | <b>Appeal Case #:</b>          |
| <b>Re-review Case #:</b> 2005-0426-S   | <b>Appeal Disposition:</b>     |
| <b>P-2/P-5 Review Case #:</b>          | <b>Disposition Date:</b>       |
| <b>AR Case #:</b>                      | <b>MR Case #:</b>              |
| <b>AR Disposition:</b>                 | <b>MR Disposition:</b>         |
| <b>AR Disposition Date:</b>            | <b>MR Disposition Date:</b>    |

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

P-1 National Security Classified Information [(a)(1) of the PRA]  
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]  
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

(b)(1) National security classified information [(b)(1) of the FOIA]  
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
 (b)(9) Release would disclose geological or geophysical information





United States  
Environmental Protection Agency  
Washington, D.C. 20460

THE CHIEF of STAFF  
has seen

July 31, 1989

The Administrator

MEMORANDUM FOR: Honorable John Sununu  
Chief of Staff

SUBJECT: Asbestos in School

As we discussed, I have compiled background on EPA's asbestos in school program. In general, I would note the following:

- o The 1986 legislation gave EPA virtually no discretion in promulgating rules; each school district was to develop a plan for inspection, management, and abatement where appropriate; tight deadlines for EPA and for the schools were specified.
- o The law does not require asbestos removal except under specific circumstances (e.g., where it's flaking). In the rule, EPA explicitly states that removal is not the only appropriate response. In explanatory materials, EPA notes that most asbestos-containing material can be properly managed left in place.
- o Except where states or localities (New York City, for example) have passed more stringent laws, asbestos-containing materials need only be sealed in leak tight containers (usually thick plastic bags) and transported to a sanitary landfill, where the containers must be layered over with dirt. It is not necessary to dispose of the material at a hazardous waste site.
- o Since 1985, EPA has awarded \$200 million in loans and grants to needy public and private schools to abate serious asbestos problems; of this about 12% has gone to private, mostly Catholic, schools.
- o The rules were developed through negotiated rulemaking, which involved private school representatives. Moreover, EPA has worked closely with Richard Duffy, Education Department, U.S. Catholic Conference.



Whether the program has exacerbated anxieties about asbestos, leading to unnecessary removals, I suspect but cannot say for sure. In my order and press release last week I specifically said that asbestos typically posed a health threat in the manufacturing process, and in disposal, but rarely in use (in pipes, roofing shingles, etc.). However, mortgage bankers now insist that asbestos be removed before they will lend.

It may be that we need better guidance materials to all concerned and we are looking into that. And, as you asked, we are looking carefully at the special problems of the Catholic schools. (Incidentally, EPA opposed this legislation when it was proposed. Congress took no note and enacted it anyway.)

A handwritten signature in dark ink, appearing to read 'Reilly', with a large, stylized 'R' and a cursive 'e'.

William K. Reilly

JUL 11 1989

Note to Gordon Binder

Subject: Asbestos-in-Schools Program Inquiry

This note, and its attachments, should provide some information for a response to the asbestos-in-schools program inquiry you received from the White House last week.

AHERA IS A CONGRESSIONALLY MANDATED PROGRAM

EPA's current asbestos-in-schools program was mandated by the Asbestos Hazard Emergency Response Act (AHERA) of 1986, which required EPA to promulgate specific regulations on asbestos inspection, management and, where appropriate, abatement procedures in both public and private primary and secondary schools. [See Summary in Attachment 1 for details.]

Milestones

Further, the law established tight deadlines for rule development and school compliance with these activities. For example:

AHERA enacted: October 1986

EPA's AHERA schools rule proposed  
and Model Accreditation Plan  
issued final: April 1987

(The Agency's proposed AHERA schools rule and final Model Accreditation Plan were developed through a negotiated rulemaking with affected groups, which included private school representatives. AHERA required the Agency to develop standards for training and examining personnel who inspect for asbestos, develop school management plans and design and conduct response actions.)

Final EPA AHERA schools rule: October 1987

(The Agency's final rule was very similar to its proposal.)



School management plans to the States: October 12, 1988

(This required all schools to conduct inspections of all buildings, develop comprehensive management plans -- both using accredited persons, who must be trained during the same period -- before submitting plans to the States.)

Deferral deadline:

May 9, 1989

(Congress passed an AHERA amendment in summer 1988 that allowed schools to seek State-approved deferrals for plan submission from October 12 until this date.)

Begin school plan implementation  
no later than:

July 9, 1989

EPA's previous asbestos-in-schools identification and notification rule, established in 1982 under general Toxic Substances Control Act (TSCA) authority, established a program of mandatory asbestos inspection for friable (crumbly or loose) asbestos and notification, which Congress characterized as insufficient. AHERA was their response.

#### AHERA DOES NOT REQUIRE ASBESTOS REMOVAL

Schools are not required to removal asbestos, except under the following two circumstances:

- (1) during major renovation or demolition, at which time removal is required for all buildings, even non-school buildings, by the asbestos NESHAP (National Emission Standard for Hazardous Air Pollutants, promulgated under the Clean Air Act).
- (2) when school officials consider removal necessary, given damage to the material that is so significant (extensive and severe) that an alternative response is insufficient. This determination is based upon counsel from AHERA-accredited professionals. Even under this scenario, however, the school may establish the schedule for removal.

The preamble to the AHERA schools rule states that "EPA disagrees that removal is the only appropriate response," even in cases of significantly damaged asbestos-containing materials. In fact, "there may indeed be particular circumstances of [even] significant damage in which removal is both inappropriate and undesirable." (Federal Register, 10/30/87, p. 41839)



Most recently, this message was reinforced in the Agency's "ABCs of Asbestos in Schools" guide, developed jointly with the National Education Association (NEA) and the National PTA. It states:

Most asbestos-containing material can be properly managed where it is. In fact, asbestos that is managed properly and maintained in good condition appears to pose relatively little risk to students and school employees. Accordingly, the AHERA schools rule rarely requires the removal of asbestos materials. (p. 6)

AHERA, on the other hand, does not prevent schools from removing asbestos-containing material, if they have sufficient funding, expertise and follow "state-of-the-art" procedures. The AHERA schools rule itself, in Section 763.90 which prescribes response actions, states that "nothing in this section shall be construed to prohibit removal of ACBM [asbestos-containing building material] from a school building at any time, should removal be the preferred response action of the local education agency." (Federal Register, 10/30/87, p. 41850)

This approach is consistent with the EPA philosophy, supported during the AHERA school rule negotiated rulemaking, of providing schools with the greatest amount of flexibility of response.

#### ASBESTOS DISPOSAL

Under the AHERA schools rule and EPA's NESHAP program, proper disposal requires sealing asbestos-containing materials in leak-tight containers (usually very thick plastic bags) and transporting them to a sanitary landfill, where the containers must be placed under a layer of dirt. It is not necessary, under federal law, for asbestos to be taken to a hazardous waste site.

Some States and localities, however, have passed special laws which exceed AHERA requirements for transport and disposal. Some of them, such as New York City, also have more stringent asbestos management and abatement regulations, which often involve public and commercial buildings as well as schools. Such local regulations tend to generate more asbestos waste. In such jurisdictions in particular, disposal is occasionally a problem.



### EPA's SCHOOL ASSISTANCE PROGRAM

EPA has established several programs which have assisted schools in addressing their asbestos problems. In short, they include:

- o The Asbestos School Hazard Abatement Act (ASHAA) loan and grant program, which has provided more than \$200 million to needy public and private schools to abate serious asbestos hazards in annual cycles since 1985. Private schools, mostly Catholic schools, have received \$23.8 million, or 12% of the total. [See ASHAA news release in Attachment 2 for details.]
- o The AHERA implementation program, which has involved the development of several school guidance materials (most mailed directly to schools), a national teleconference, training of State officials, and other activities to help school officials and others understand and implement the AHERA schools rule. [See Attachment 1, Summary, and Attachment 3, Key AHERA Documents.]
- o EPA grants to States to enhance asbestos program activities, particular State programs to certify or accredit asbestos control and abatement professionals and to assist schools with AHERA inspections and management plans. [Again, see Attachment 1, Summary.]

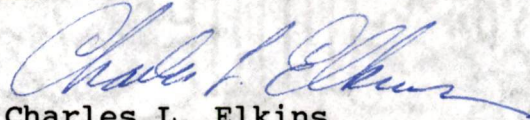
### A Note on Catholic Schools

We have worked closely with the U.S. Catholic Conference, particularly Richard Duffy in the Education Department (659-6656), in the development and administration of both the ASHAA loan and grant program and the AHERA schools rule program. In fact, our ASHAA loan and grant program manager will address a national meeting of Catholic school administrators in Washington on Monday, July 24, 1989.

The U.S. Catholic Conference, for example, provided comments on the ASHAA loan and grant program evaluation in 1986, which led to important program modifications. They will have an opportunity to participate in the current 1989 evaluation, as well. Further, the group is part of a standing group of leading national education associations which meet with Agency personnel several times a year to discuss programs and policies.



We will be happy to meet with you to discuss our AHERA schools rule, and our other asbestos-in-school activities, in greater detail if you wish.



Charles L. Elkins

Attachments

cc: Vic Kimm  
Michael Shapiro  
Michael Stahl  
David Kling



1.

July 8, 1989

## SUMMARY

### Asbestos-in-Schools Program

#### I. ASHAA LOAN AND GRANT PROGRAM

- The Asbestos School Hazard Abatement Act (ASHAA) loan and grant programs, since the Act was passed in 1985, has provided loans and grants to public and private primary and secondary schools with financial need and serious asbestos hazards in accordance with annual Congressional appropriations.
- The Reagan Administration did not support this program or request funding for it. It maintained that asbestos control and abatement was best addressed, and funded, at State and local levels.
- Nevertheless, the ASHAA program has provided about \$202 million for almost 2,200 individual abatement projects in 1,600 schools, administered by nearly 800 local education agencies (LEAs, which are public school districts or private schools).
- Private schools, including Catholic schools, have received about \$24 million, or 12%, of all ASHAA funds awarded since 1985.
- Approximately 17.3 million exposure hours to school children, teachers and service employees have been eliminated each week through the ASHAA program.
- ASHAA is authorized for next year (1990), if Congress provides an appropriation for award.

#### II. EPA GRANTS TO STATES

- EPA administers four other asbestos financial assistance or cooperative grant programs administered over the past three years by the Agency which have helped the State or its LEAs.

##### 1. Grants to States for Contractor Certification

From 1985 to 1987, EPA provided about \$2.5 million for training asbestos abatement contractors in proper methods. This program helped raise the number of State certification programs from 5 in 1985 to nearly 40 in 1988.

2. Grants to States for AHERA Inspector Training

In 1988, EPA provided \$1 million to 13 States in 1988 to help establish inspector and contractor accreditation programs, which were the equivalent of new Federal AHERA standards.

3. Grants to States for the AHERA Asbestos Inspector and Management Planner Assistance Program (AIMPAP)

In 1987 and 1988, EPA provided \$20 million to 31 States and territories to conduct AHERA inspections for financially needy schools, identified by the States.

4. Cooperative Enforcement Agreement

EPA provides several million dollars to many States which are willing and able to enforce EPA's schools rule.

III. THE AHERA REGULATORY PROGRAM

- In October 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA), which required the Agency to establish a comprehensive regulatory framework for controlling asbestos materials in schools.
- The Act was very specific about regulatory requirements, including inspection and management plan development; training; notification, reinspection and recordkeeping for buildings with any asbestos, including nonfriable or inaccessible asbestos (although destructive sampling is not required by rule). In many cases, EPA's flexibility in rule developed was extremely limited.
- EPA promulgated its new regulations (Asbestos-Containing Materials in Schools, or the AHERA Schools Rule) in October 1987. The rule was developed primarily through a process of regulatory negotiation with affected groups, including school board and administrator groups like those represented in Gunderson's group.



- The basic provisions of the AHERA Schools Rule are:
  - An asbestos coordinator must be designated and trained. (This is one of the few EPA additions to the rule not specifically mentioned in the Act.)
  - An accredited inspector must inventory all friable and nonfriable asbestos building materials in the school. Procedures are provided.
  - Periodic surveillance by trained O&M personnel is required every six months; reinspection by accredited persons, every three years.
  - All friable asbestos must be classified into the categories established by the Act and based upon the physical characteristics of the materials, as determined by an accredited management planner.
  - The accredited management planner prescribes response actions -- O&M, repair, encapsulation, enclosure or removal (in the worse cases) -- from an acceptable range of response activities associated with each of the six categories. Removal is never prohibited, nor do any of the categories absolutely require removal. Schedules must also be developed for response actions.
  - Air sampling is used to determine when a response action is completed and the area is clear for re-entry. The method uses transmission electron microscopy (TEM) for major projects, and the clearance standard is an indoor/outdoor comparison.
  - Asbestos in routine maintenance areas must be labelled.
  - All the activities described above must be included in a comprehensive management plan, prepared by an accredited person.
  - Notification and public availability is required, as specified by the Act. Recordkeeping is necessary for compliance activity.
- Under deadlines imposed by the Act, schools were required to conduct asbestos inspections, develop management plans -- using accredited personnel -- and submit these plans to the States by October 12, 1988, for review. Schools had to begin implementing the



plans by July 1989.

- EPA has instituted a very comprehensive AHERA compliance assistance program over the past year to help schools understand and meet the AHERA requirements. Among these program activities:
  1. The AHERA schools rule, mailed directly to each LEA across the Nation in late 1987. (Extra copies are available over the EPA's Toxic Substances Control Act (TSCA) hotline, 202/554-1404.
  2. An easy-to-read checklist guide to the AHERA Schools Rule, also mailed directly to schools in February 1988.
  3. A national teleconference in April 1988 via satellite and public television on the new school requirements. Tapes are available for school purchase.
  4. A list of the "100 Most Asked AHERA Questions," also distributed directly to schools in May 1988.
  5. EPA review and approval of about 20 State AHERA accreditation programs and approximately 1,650 individual AHERA training courses over the past two years. The initial list was mailed to all schools; quarterly lists are free over the EPA TSCA hotline.
  6. Model training materials for most of these AHERA-accredited courses, available at cost.
  7. Technical assistance outreach through EPA's Regional offices, utilizing about 45 technical assistants employed through the American Association of Retired Persons (AARP).
  8. EPA training of State officials at six national locations in July 1988 for review of LEA asbestos management plans.
  9. "The ABCs of Asbestos," a guide for parents and teachers on asbestos in schools, developed jointly with National Education Association (NEA) and National PTA. It was published in July 1989, and will be distributed upon request over EPA's hotline, as well as by NEA and National PTA.

- In July 1988, Congress acted to allow State-granted deferrals from October 12, 1988, until May 9, 1989 to LEAs which had been unable to find accredited persons to conduct their inspections and develop their AHERA management plans. Many LEAs have requested deferrals from their States.
- States are required to report AHERA compliance information on their LEAs to the EPA in late December 1988.
- Despite the deferral process, all LEAs must complete their inspections and management plans and begin implementing their management plans at the time specified in the original Act, July 9, 1989.

#### IV. RESOURCES

- o EPA Headquarters: Dave Kling  
Joe Schechter  
Bob McNally, at 202/382-3949
- o EPA Regional Asbestos Coordinators
- o For AHERA Materials:  
Call the EPA TSCA Hotline at 202/554-1404



2.



United States  
Environmental Protection  
Agency

Office of  
Public Affairs (A-107)  
Washington DC 20460

## Environmental News

FOR RELEASE: THURSDAY, APRIL 27, 1989

Alicia Tenuta (202) 382-4132

### EPA AWARDS \$45 MILLION TO SCHOOLS FOR ASBESTOS ABATEMENT

The U.S. Environmental Protection Agency is awarding \$45 million in loans and grants to help the nation's most financially needy primary and secondary schools abate asbestos hazards.

Under the Asbestos School Hazard Abatement Act (ASHAA), EPA is offering awards to 231 school districts (327 schools for 401 abatement projects). Under ASHAA, EPA makes federal loans and grants available to help public and private schools control asbestos problems.

EPA Administrator William K. Reilly said, "I am very pleased with the progress that has been made in the five years of the program in combatting the asbestos problem in our nation's schools and protecting our school children."

The five states with the largest awards are: Illinois, \$9.2 million; Indiana, \$4.3 million; Oregon, \$4.1 million; California, \$3.6 million; and Ohio, \$3.4 million. The loans and grants will be distributed among public and private schools in an approximate nine-to-one ratio.

EPA makes loan and grant applications available to schools, which submit the forms to their state designees for review. Then EPA reviews the applications and selects schools based upon the severity of their asbestos-related problems and financial need. In addition, before EPA granted any financial assistance this year, a project for which money was being sought had to be inspected by an accredited inspector and have its management plan completed as required under the Asbestos Hazard Emergency Response Act (AHERA).



Only schools which have damaged asbestos in friable form are eligible for ASHAA funds. Friable materials are those that, when dry, can be crumbled or pulverized by hand pressure. Asbestos fibers can escape from friable materials and be inhaled by humans. Asbestos can cause lung cancer, asbestosis, a chronic disease of the lungs, or mesothelioma, a cancer of the chest and abdominal membranes.

In addition to the new requirement of using AHERA-accredited professionals for all phases of abatement projects, school districts, also known as local education agencies, must use EPA-approved laboratories to analyze the asbestos content of bulk samples taken from project areas. Finally, local education agencies must certify that they were (and will continue to be) in compliance with all applicable provisions of AHERA.

This year's ASHAA-funded projects will help to eliminate over four million hours of student and employee exposure to asbestos per week.

Since 1985, EPA has awarded a total of \$201.8 million to over 1500 schools for almost 2200 projects. When this year's round of projects is completed, the agency estimates that the 2,200 projects altogether will eliminate a total of more than 17 million exposure hours per week.

This is the only round of funding for this year.

## Awards by State -- ASHAA 1989

| State                    | Award      | Projects |
|--------------------------|------------|----------|
| Alaska                   | \$ 34,521  | 1        |
| Alabama                  | 0          | 0        |
| Arkansas                 | 587,975    | 8        |
| Arizona                  | 124,232    | 4        |
| Bureau of Indian Affairs | 0          | 0        |
| California               | 3,592,152  | 9        |
| Colorado                 | 786,715    | 5        |
| Connecticut              | 240,617    | 3        |
| District of Columbia     | 0          | 0        |
| Delaware                 | 70,604     | 9        |
| Florida                  | 26,880     | 1        |
| Georgia                  | 196,844    | 4        |
| Hawaii                   | 0          | 0        |
| Iowa                     | 249,233    | 17       |
| Idaho                    | 238,327    | 5        |
| Illinois                 | 9,188,449  | 31       |
| Indiana                  | 4,266,993  | 14       |
| Kansas                   | 98,333     | 7        |
| Kentucky                 | 697,322    | 2        |
| Louisiana                | 240,469    | 4        |
| Massachusetts            | 149,964    | 4        |
| Maryland                 | 165,450    | 3        |
| Maine                    | 65,223     | 9        |
| Michigan                 | 1,187,865  | 11       |
| Minnesota                | 760,251    | 13       |
| Missouri                 | 504,315    | 14       |
| Mississippi              | 1,553,649  | 8        |
| Montana                  | 217,204    | 15       |
| North Carolina           | 99,469     | 18       |
| North Dakota             | 592,804    | 12       |
| Nebraska                 | 823,196    | 6        |
| New Hampshire            | 412,433    | 2        |
| New Jersey               | 234,486    | 7        |
| New Mexico               | 32,016     | 3        |
| Nevada                   | 0          | 0        |
| New York                 | 1,564,514  | 12       |
| Ohio                     | 3,437,151  | 19       |
| Oklahoma                 | 177,767    | 7        |
| Oregon                   | 4,144,205  | 7        |
| Pennsylvania             | 1,724,031  | 13       |
| Puerto Rico              | 0          | 0        |
| Rhode Island             | 0          | 0        |
| South Carolina           | 57,328     | 2        |
| South Dakota             | 394,576    | 12       |
| Territories/Virgin Is.   | 0          | 0        |
| Tennessee                | 3,297,095  | 31       |
| Texas                    | 1,232,085  | 15       |
| Utah                     | 167,260    | 7        |
| Virginia                 | 269,600    | 1        |
| Vermont                  | 302,219    | 1        |
| Washington               | 237,766    | 9        |
| Wisconsin                | 254,491    | 13       |
| West Virginia            | 237,997    | 1        |
| Wyoming                  | 63,924     | 2        |
| =====                    | 45,000,000 | =====    |
|                          |            | 401      |



## FACT SHEET

### ASHAA-Summary of 1989 Award Offers

On April 27, EPA offered \$45 million in financial assistance to public and private schools to fund asbestos abatement projects under the Asbestos School Hazard Abatement Act (ASHAA). This year the Agency received applications from 1,110 Local Education Agencies (LEAs). The Agency offered awards to 231 school districts for 401 abatement projects in 327 schools. EPA's assistance offers were in the form of approximately \$19.6 million in grants and \$25.4 million in interest-free loans.

Several changes were made to the 1989 program to ensure consistency with the Asbestos Hazard Emergency Response Act (AHERA). These changes included the requirement that LEAs use AHERA accredited professionals for all phases of the abatement project. Additionally, LEAs must have used EPA-approved laboratories to analyze the asbestos content of bulk samples taken from the project area. Finally, all LEAs had to certify that they were (and will continue to be) in compliance with all applicable provisions of AHERA.

The ASHAA statute directs EPA to consider projects in order of hazard priority and then determine what assistance (if any) should be offered until available funds are expended. EPA reviewed each LEA's application to determine financial need. Only projects within LEAs with a demonstrated financial need were considered for awards. The Agency employed a ranking method to sort all proposed abatement projects into categories depending on certain characteristics of the asbestos-containing building materials (ACBM). Only projects with friable ACBM which had at least some degree of damage were considered for financial assistance. If the project had damaged friable material, the ranking method next established four categories based on the degree of damage to the ACBM, and whether the material was exposed or located in an air plenum. Only projects within these hazard categories were considered for funding. EPA however offered awards only for hazard category one projects as available funds were exhausted prior to reaching any other hazard category projects.



ASHAA Loan and Grant Program  
for 1989

Characteristics of Funded Projects

Projects which received ASHAA loan or grant funds were:

- o Hazard Category One projects: had friable ACBM exposed or in an air plenum and were defined by an AHERA-accredited person as one of the following:
  1. Damaged or significantly damaged thermal system insulation,
  2. Significantly damaged surfacing material,
  3. Damaged or significantly damaged miscellaneous material which has been isolated to protect human health and the environment.

Characteristics of Non-Funded Projects

The most frequent reasons projects did not receive ASHAA funds were:

- o Hazard ranking was not high enough. Only hazard category one projects received monies before available funds were exhausted.
- o School districts were not considered financially needy. Some projects were in school districts which did not demonstrate a financial need for ASHAA funds as calculated by the ASHAA funding formula, based on per capita income (public schools) and budget per pupil (private schools).
- o Evidence of an AHERA violation.
- o Failure of the applicant to submit AHERA asbestos inspection report and/or management plan information which substantiated the project description and recommended response actions for which they were seeking funding.

ASHAA LOAN AND GRANT PROGRAM  
SUMMARY

1989 APPLICANTS, QUALIFIED APPLICANTS,  
AND RECIPIENTS

|                                  | APPLICANTS | QUALIFIED*<br>APPLICANTS | AWARD<br>RECIPIENTS |
|----------------------------------|------------|--------------------------|---------------------|
| Local Education Agencies         | 1110       | 682                      | 231                 |
| Schools                          | 2383       | 1361                     | 327                 |
| Projects                         | 4125       | 2093                     | 401                 |
| Project-Dollars<br>(in millions) | 368        | 123                      | 45                  |
| Exposure Hours<br>(in millions)  | 22.2       | 7.9                      | 4.0                 |

\*Reflects data on applicants which meet the Agency's  
hazard and financial need criteria.

## AN OVERVIEW OF 1989 ASHAA PROGRAM POLICIES

- The Asbestos School Hazard Abatement Act of 1984 (ASHAA) established a program with EPA to provide assistance to financially needy public and nonprofit private LEAs to help them conduct asbestos abatement projects.
- The goal of the ASHAA loan and grant program is to provide financial assistance to LEAs which have both serious asbestos problems **and** a demonstrated financial need. The Agency may not provide financial assistance to any LEA, regardless of the severity of the asbestos risk, if that LEA has adequate resources to support an appropriate asbestos program.
- EPA follows the three-step process envisioned by the Act:
  - First**, EPA makes applications available to public and nonprofit private schools for completion and submission to their State Governor (or the Governor's Designee).
  - Second**, Governors (or Designees) are responsible for collecting, reviewing, and submitting applications,
  - Third**, EPA receives and reviews all applications, and makes offers of financial assistance available on the basis of both the applicant's asbestos hazard and demonstrated financial need.
- EPA generates its own national priority list from all the applications received. Applicants are ranked on the basis of the degree of the hazard presented. This is demonstrated by the condition of the material, the likelihood of the release asbestos fibers into the school environment, and the exposure of building occupants to the released fibers.
- Assistance may take the form of either a grant or, as is most usual, an interest-free loan. There may also be some combination of both. Loans may include up to 100% of abatement project costs and grants may cover up to 50% of costs. Grants may only be awarded to those applicants which would not be able to undertake an abatement program without Federal grant assistance.
- AHERA also contains amendments to ASHAA which require that ASHAA awards may only be made to LEAs which have used trained and AHERA-accredited asbestos professionals to plan and conduct asbestos activities. To qualify for an ASHAA

April 21, 1989



award in 1989, all projects must use an accredited asbestos inspector, management planner, project designer, and abatement contractor and workers for all applicant projects.

- Although AHERA inspections and management plans were required to qualify for 1989 ASHAA awards, an LEA was eligible to receive ASHAA project funding even if it had not completed the AHERA-mandated activities in all of its schools or even in all parts of an individual school where a potential ASHAA abatement project is located. An LEA only needed to have conducted the AHERA-required activities for any applicant projects for which funding was sought.
- As part of the application, applicants were required to certify that they are in compliance with the applicable provisions of the Asbestos-Containing Materials in Schools Rule. An LEA which fails to comply with AHERA risks losing all or part of its ASHAA award.
- EPA prepared a priority list which determined the sequence in which projects were reviewed. The factors considered were: 1) the Governor's review of applications; 2) likelihood of release of asbestos fibers; 3) any other evidence of risk caused by the presence of friable asbestos-containing materials such as location in an air plenum or high traffic area; and 4) whether the proposed corrective action would reduce exposure to asbestos fibers. Only high-priority projects within LEAs with a demonstrated financial need were offered awards.
- The ASHAA statute directs EPA to consider projects in order of hazard priority, and then determine what assistance (if any) should be offered until available funds are expended.

**Priority One** - Friable asbestos-containing materials which are exposed or in an air plenum and are defined by an AHERA-accredited person as one of the following:

1. Damaged or significantly damaged thermal system insulation
2. Significantly damaged surfacing material
3. Damaged or significantly damaged miscellaneous material which has been isolated to protect human health and the environment.

**Priority Two** - Damaged friable surfacing material which is exposed and/or located in an air plenum.

April 21, 1989

**Priority Three** - Damaged or significantly damaged friable miscellaneous material which does not necessitate isolation but is exposed and/or located in an air plenum.

**Priority Four** - Any damaged or significantly damaged friable material which is not exposed or located in an air plenum.

- The Agency ranked projects within a given category according to the number of student and employee exposure hours associated with the project area. This enabled EPA to fund those projects with the greatest reported exposure hours and the most seriously damaged materials. This ensured that EPA's limited funds provided the greatest reduction of potential risk per Federal dollar spent.
- While the condition of the asbestos-containing materials determined the priority for consideration of a project, financial need was the primary factor in whether an award was offered, the award amount, and the loan/grant composition of the award.
- To ensure that the limited funds were awarded to the neediest applicants, EPA limited its awards to LEAs in the lower 70% of the nation's schools based on the indicators of per capita income (for public schools) and budget per pupil (for private schools). Those in the upper 30% were not eligible for financial aid.
- ASHAA does not require that EPA provide recipients the total funding necessary to complete an abatement project. In 1989, the average grant/loan award provided approximately 86% of the total project costs.
- EPA awards financial assistance for the following activities: (1) abatement of asbestos-related hazards in schools, (2) replacing asbestos-containing materials removed from school buildings with other appropriate building materials, and (3) restoring school buildings to conditions comparable to those existing before abatement activities were undertaken.

April 21, 1989



## SUMMARY OF THE ASHAA LOAN/GRANT PROGRAM

| TOTAL APPLICANTS                    | 1985         | 1986         | 1987-1*      | 1987-2       | 1988*         | 1989         |                      |
|-------------------------------------|--------------|--------------|--------------|--------------|---------------|--------------|----------------------|
| LEAs                                | 1107         | 371          | 292          | 340          | 328           | 1110         |                      |
| Schools                             | 5095         | 1211         | 1030         | 1015         | 986           | 2383         |                      |
| Projects                            | 8548         | 2389         | 1967         | 1769         | 1722          | 4125         |                      |
| Costs                               | \$535.8M     | \$211.6M     | \$162.5M     | \$177.9M     | \$170.3M      | \$367.7M     |                      |
| <b>TOTAL QUALIFIED APPLICANTS**</b> |              |              |              |              |               |              |                      |
| LEAs                                | 587          | 241          | 136          | 208          | 185           | 682          |                      |
| Schools                             | 1832         | 644          | 408          | 489          | 441           | 1361         |                      |
| Projects                            | 2847         | 1247         | 774          | 820          | 721           | 2093         |                      |
| Costs                               | \$186.6M     | \$93.6M      | \$41.4M      | \$94.7M      | \$79.0M       | \$123.2M     |                      |
| <b>TOTAL AWARDEES</b>               |              |              |              |              |               |              |                      |
| LEAs                                | 198          | 173          | 133          | 35           | 103           | 231          | <b>TOTALS</b><br>873 |
| Schools                             | 340          | 295          | 366          | 56           | 187           | 327          | 1571                 |
| Projects                            | 417          | 421          | 663          | 66           | 226           | 401          | 2194                 |
| Award                               | \$45M        | \$47M        | \$34.2M      | \$8M         | \$22.6M       | \$45M        | 201.8M               |
| Public Award                        | \$39.8M(88%) | \$41.4M(88%) | \$29.1M(85%) | \$7.32M(91%) | \$19.8 (88%)  | \$40.6M(90%) | 178M(88%)            |
| Private Award                       | \$5.2M(12%)  | \$5.6M(12%)  | \$5.1M (15%) | 608K (09%)   | \$2.8M (12%)  | \$4.4M(10%)  | 23.8M(12%)           |
| Loan Award                          | \$33.2M(74%) | \$34.3M(73%) | \$24.6M(72%) | \$4.3M(54%)  | \$15.4M (68%) | \$25.4M(56%) | 137.2M(68%)          |
| Grant Award                         | \$11.8M(26%) | \$12.7M(27%) | \$9.6M(28%)  | \$3.7M(46%)  | \$7.2M (32%)  | \$19.6M(44%) | 64.6M(32%)           |
| Exposure Hours                      | 4.7M         | 3.5M         | 2.5M         | 544K         | 2.02M         | 4.02M        | 17.3M                |

\* Unfunded applications from 1986 were the only projects considered for 1987-1 awards. Unfunded applications from 1987-2 were the only projects considered for 1988 awards.

\*\* ACM is friable, damaged, and exposed (or in an air plenum) and LEA is within lower 70% of country's school districts, based on per-capita income (public) or budget per pupil (private). Reflects those determined to be "qualified" after EPA's technical review.



3.  
July 8, 1988

KEY AHERA DOCUMENTS

- \* All documents (except 1, 6 and 8 below) were mailed directly to all local education agencies (LEAs) across the Nation.
  - \* All documents are available from the Toxic Substances Control Act (TSCA) Hotline at 202/554-1404 at no charge.
1. ASBESTOS HAZARD EMERGENCY RESPONSE ACT: SUMMARY AND LAW -- October 20, 1987.
  2. AHERA SCHOOLS RULE: PRESS RELEASE AND Federal Register (FR) NOTICE -- October 30, 1987
  3. LEA GUIDE TO AHERA -- February 1988  
  
Summary: Provides an easy-to-read synopsis of the AHERA schools rule and practical guide to implementation.
  4. 100 COMMONLY ASKED QUESTIONS ABOUT AHERA: QUESTIONS AND IMPLEMENTATION UPDATE -- May 1988  
  
Summary: Presents background information on the most frequent problems faced by schools in meeting the AHERA schedule, including those about training, types of schools subject to the rule, and asbestos materials covered.
  5. AHERA DEFERRAL PROCESS AND PROGRAM UPDATE: DEFERRAL PACKAGE AND FR NOTICE -- August 1, 1988  
  
Summary: Describes the deferral process set up by Public Law 100-168, passed by Congress in July 1988, which allows schools to defer the requirement for inspection and management plans until May 9, 1989. Schools whose deferrals are approved by the State also must comply with stringent worker protection, O&M, and renovation and removal requirements.

6. LIST OF APPROVED COURSES AND ACCREDITED LABORATORIES: FR NOTICE -- May 31, 1988 (Updated quarterly)

Summary: Lists EPA-approved State accreditation programs and individual training providers approved by the Agency to accredit school inspectors, management planners, contractors and abatement workers, as required by AHERA. Initial list was sent to all LEAs.

7. SUMMARY OF CHANGES TO ASHAA LOAN AND GRANT PROGRAM: MEMORANDUM -- September 20, 1988

and

1989 LOAN AND GRANT APPLICATION PACKAGE: VARIOUS MATERIALS - - November 1988

Summary: Explains requirements for schools to compete for \$45 million in asbestos abatement loans and grants, made available by Congress under the Asbestos School Hazard Abatement Act (ASHAA) of 1984. Schools were required to complete applications and submit them to the States by January 16, 1988. Awards were announced April 28, 1989 [See press release and fact sheet.] Major new requirements include the use of AHERA-accredited personnel for hazard determination.

8. THE ABCs OF ASBESTOS IN SCHOOLS: July 1989

Summary: Provides a discussion of the asbestos issue, and the AHERA school rule in detail, for parents, teachers and service workers in schools. Apart from EPA, distributed is being handled by booklet co-sponsors, National Education Association (NEA) and National PTA.

THE WHITE HOUSE  
WASHINGTON

DATE: 12/11/89

THE CHIEF of STAFF  
has seen

TO: GOVERNOR SUNUNU

FROM: **DAVID Q. BATES**  
**Assistant to the President**  
**and Secretary to the Cabinet**



I thought you might be interested  
in seeing the status reports on  
Rocky Flats and Two Forks,  
prepared by DOE and EPA for the  
President's trip to Denver.

Attachment



# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document           | Date | Restriction | Class. |
|--------------------------|-------------------------------------|------|-------------|--------|
| 07. Paper                | Issues at Rocky Flats Plant (4 pp.) | n.d. | (b)(1)      |        |

**Collection:**

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

|                               |                |                             |           |
|-------------------------------|----------------|-----------------------------|-----------|
| <b>Date Closed:</b>           | 12/2/2004      | <b>OA/ID Number:</b>        | 29189-008 |
| <b>FOIA/SYS Case #:</b>       | 1998-0004-F[1] | <b>Appeal Case #:</b>       |           |
| <b>Re-review Case #:</b>      | 2005-0426-S    | <b>Appeal Disposition:</b>  |           |
| <b>P-2/P-5 Review Case #:</b> |                | <b>Disposition Date:</b>    |           |
| <b>AR Case #:</b>             |                | <b>MR Case #:</b>           |           |
| <b>AR Disposition:</b>        |                | <b>MR Disposition:</b>      |           |
| <b>AR Disposition Date:</b>   |                | <b>MR Disposition Date:</b> |           |

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

P-1 National Security Classified Information [(a)(1) of the PRA]  
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
P-3 Release would violate a Federal statute [(a)(3) of the PRA]  
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

(b)(1) National security classified information [(b)(1) of the FOIA]  
(b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
(b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
(b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
(b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
(b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
(b)(9) Release would disclose geological or geophysical information

# Withdrawal/Redaction Sheet

## (George Bush Library)

| Document No.<br>and Type | Subject/Title of Document                                | Date    | Restriction    | Class. |
|--------------------------|----------------------------------------------------------|---------|----------------|--------|
| 08. Paper                | Notes on the Two Forks Dam and Reservoir Project (2 pp.) | 12/5/89 | <del>P-5</del> |        |

**Collection:**

**Record Group:** Bush Presidential Records  
**Office:** Chief of Staff, White House Office of  
**Series:** Sununu, John, Files  
**Subseries:** Cabinet Agencies Files  
**WHORM Cat.:**  
**File Location:** Reilly (EPA - 1989)

Open on Expiration of PRA  
 (Document Follows)  
 By JP (NLGB) on 5/12/05

|                               |                |                             |           |
|-------------------------------|----------------|-----------------------------|-----------|
| <b>Date Closed:</b>           | 12/2/2004      | <b>OA/ID Number:</b>        | 29189-008 |
| <b>FOIA/SYS Case #:</b>       | 1998-0004-F[1] | <b>Appeal Case #:</b>       |           |
| <b>Re-review Case #:</b>      | 2005-0426-S    | <b>Appeal Disposition:</b>  |           |
| <b>P-2/P-5 Review Case #:</b> |                | <b>Disposition Date:</b>    |           |
| <b>AR Case #:</b>             |                | <b>MR Case #:</b>           |           |
| <b>AR Disposition:</b>        |                | <b>MR Disposition:</b>      |           |
| <b>AR Disposition Date:</b>   |                | <b>MR Disposition Date:</b> |           |

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

P-1 National Security Classified Information [(a)(1) of the PRA]  
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]  
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

(b)(1) National security classified information [(b)(1) of the FOIA]  
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]  
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]  
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]  
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]  
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]  
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
 (b)(9) Release would disclose geological or geophysical information



December 5, 1989

Notes on the Two Forks Dam and Reservoir Project

- Comment on the pros or cons of the proposed Two Forks project or EPA's ongoing review is best avoided. The President can explain that the issue is in the middle of a regulatory review process and that official comment is therefore inappropriate.
- Procedures that have been followed and the steps in the review process that are upcoming:
  - On March 24, 1989, Administrator Reilly directed the EPA Region VIII (Denver) Office to begin an environmental review under section 404 of the Clean Water Act of the permit issued by the Army Corps of Engineers because of: (1) adverse effects on wetlands and a gold medal trout stream, (2) inadequate consideration of alternative water sources, (3) questions about the need for the project, and (4) doubts about whether the administrative record that had been produced to support the project would survive legal challenge.
  - On August 29, after five months of careful review of the record and consultations with all of the interested parties, the EPA regional decision-maker (Lee DeHihns) issued a "proposed determination" that EPA veto the permit for the Two Forks project on environmental grounds.
  - Over the last three months, EPA regional officials have taken public comment on the proposed determination and have conducted public hearings in Colorado and Nebraska.
  - The nearly 30,000 comments that were received are now being reviewed in preparation for the final decision by the EPA regional decision-maker (DeHihns) on whether to withdraw objections to the project or to send to EPA headquarters a "recommended determination" that the Two Forks Dam be blocked.
  - A decision on whether to issue a "recommended determination" is expected by late January 1990.
  - Within 60 days of a "recommended determination," the EPA Assistant Administrator for Water (LaJuana Wilcher) may affirm, modify, or rescind the determination.



- 2 -

- Since additional delays are quite possible, a final decision on the Two Forks project will probably not be made before late Spring at the earliest, and maybe later.

- The Denver Water Board has organized a coalition of parties interested in promoting large water projects. This coalition is using the Two Forks situation as a launching pad for a more general assault on the section 404 environmental review process, including possible legislative proposals to revise the standards and procedures for 404 reviews.
- The Denver Water Board is also threatening legal action against the EPA based both on the substance of EPA's actions and the procedures that have been followed. A more general challenge to the section 404 process is also possible.



*File*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

March 1, 1989

THE ADMINISTRATOR

THE CHIEF of STAFF  
has seen

MEMORANDUM FOR: Governor John H. Sununu  
Chief of Staff  
The White House

SUBJECT: CFC's Statement

Attached is the draft language I would hope might help move to get the President's position on CFCs announced sometime this week as we discussed. I will send the paper on the global conference soon.

*Bill*

William K. Reilly

Attachment

STATEMENT BY THE PRESIDENT

I am pleased to announce today that the United States will aggressively pursue an international phase-out of the chlorofluorocarbons (CFCs) and halons regulated under the Montreal Protocol on Substances that Deplete the Ozone Layer. We will do so in a way that assures the safety and availability of substitutes for these important chemicals.

The earth's ozone layer is a critical environmental resource, shielding all life on earth from the sun's damaging ultraviolet radiation. We now have convincing scientific evidence that worldwide use of CFCs and halons threaten to destroy that protective shield.

In September 1987 the international community joined together in adopting the Montreal Protocol which called for cutting in half the production of these ozone-destroying chemicals. Almost 40 nations, representing all regions of the world and 90 percent of global CFC production, are now participants in this historic first step in safeguarding our global environment.

But there is emerging agreement that nations of the world must go further than the existing protocol. New scientific concerns over the Antarctic and possibly over an Arctic ozone hole, suggest that more needs to be done.



Today's announcement is a response to these concerns. I call on all nations to join with us under the Montreal Protocol in phasing out CFCs and halons by the end of the century.

Accordingly, I am instructing William Reilly, my EPA Administrator and head of the U.S. delegation to Prime Minister Thatcher's international ministers' conference on "Saving the Ozone Layer," which convenes on March 5 in London, to present this new position of my Administration.

Our planet is the one and only home shared by all people. We cannot fail in our obligation to ourselves, to our children, and to generations to come to cherish and protect the earth's vital resources.

revised.2 March 1 draft

MARCH 1 DRAFT:revised.1

CFC PHASE-OUT ANNOUNCEMENT:  
QUESTIONS AND ANSWERS

Q. Why isn't the United States phasing out chlorofluorocarbons (CFCs) and halons unilaterally? Why wait for revising the international agreement?

A. Protecting the ozone layer requires concerted international cooperation. Once used, CFCs get dispersed and mix throughout the atmosphere where they remain for about a century. As a result, no one nation can protect itself by reducing its own use of CFCs. We have made considerable progress in achieving an effective international response. Almost 40 nations have already ratified the Protocol including all the major CFC producing nations (e.g., Japan, the Soviet Union, Canada, and nations in Europe).

We believe that using the assessment and review process called for by the Montreal Protocol is the most effective means of ensuring that cooperation. We have worked with the United Nations Environment Program and other countries to expedite the review process. According to the current schedule, the Parties to the Protocol are to meet in April 1990 to decide on necessary changes to the treaty. This is a remarkably fast schedule for modifying an international agreement.

Q. The ozone layer has already begun to disappear. We face an emergency situation. Why not phase-out these chemicals over a shorter period of time?

A. We believe that modifying the Protocol to require a phase out by the end of the century is necessary to allow for the time to develop and commercialize safe alternatives to CFCs. A phase-out over a shorter timeframe would prove economically disruptive without significantly adding to our efforts to protect the ozone layer. The issue of the exact timing of a phase-out will be examined in greater detail in the technology assessment being conducted under the Protocol. We will closely monitor the pace of technological development over time and make adjustments to the phase-out schedule as warranted.

Q. How can we phase out CFCs and halons? Aren't CFCs essential chemicals used in refrigerators, car air conditioners and many other uses? Will this mean that may refrigerator will have to be discarded if it loses its charge? Aren't halons essential for firefighting?

A. CFCs are used in a wide variety of consumer and industrial



products. Fortunately, U.S. industry has been hard at work at developing alternative chemicals that can be used in these same products. In the short-term, increased efforts will focus on increased recycling of CFCs. Over the longer term, new chemicals will be introduced that can be used in place of CFCs as refrigerants, foam blowing agents and solvents. We believe that a phase-out by the turn of the century should allow for enough CFCs to be available to service existing equipment throughout its life.

Halons are used in enclosed spaces as total flooding fire protection systems, typically in computer centers. While far fewer halons are used than CFCs, on a pound per pound base they are far more effective in depleting the ozone layer. In the short term, industry and the military have already initiated steps to reduce unnecessary emissions and uses of halons. For example, alternative chemicals can and are now being used to test halon systems. Over the longer term, chemical substitutes now under development by industry should be available.

The overwhelming consensus of U.S. industry is that we need to phase-out of CFCs and halons. The largest CFC producer (DuPont) has announced that it intends to do so by the end of the century and believes that alternative chemicals should allow for a smooth transition over that time period.

Q. Are we certain that the chemicals that replace CFCs and halons will be environmentally safe?

A. CFC producers from many nations have joined together to jointly perform toxicity tests on the likely chemicals that will replace CFCs. Before they are commercially used, the CFC and halon substitutes will be subject to the most extensive toxicity and environmental testing of any new chemicals. The results of these tests will be thoroughly evaluated by EPA under the Toxic Substances Control Act. Both industry and government want to make certain we move toward safer and better chemicals in moving away from CFCs and halons.

We also recognize that some of the chemical substitutes being developed will still contain chlorine, but have far shorter atmospheric lifetimes and have less than 5% of the ozone-depleting potential of the CFCs. While we will continue to review the expanded use of these chemicals, we believe they are a useful part of the solution to eliminating the more harmful CFCs on an expedited schedule.

NOTE: A GAO report will be issued at the end of the week by Cong. Dingell on the CFC issue. While generally favorable, it will point out that some of the likely CFC substitutes, though not commercially produced now, are on the Toxic Substances Act's list of existing chemicals and therefore can be used without further EPA review of their toxicity. Our response: These



chemicals are undergoing the most extensive toxicity testing of any new chemicals. This is already underway on a voluntary basis by industry. EPA has ample authority under the Toxic Substances Control Act to require Agency review and approval of the chemicals and fully intends to do so.

Q. What new information has lead you to conclude that the reductions called for by the Protocol are not adequate?

A. Since the Protocol was signed in September 1987, an international panel of atmospheric researchers chaired by NASA issued the "Ozone Trends Report" which concluded that, based on a review of ground-based and satellite monitoring data, global ozone levels had already depleted by about 2% over the past two decades. The report also concluded that evidence from recent scientific expeditions to Antarctica had linked CFCs to the Antarctic ozone hole. And late last month, a research campaign to the Arctic found similar evidence that CFCs were altering the atmosphere in a way that could lead to depletion.

None of this evidence was available at the time the protocol was signed. Now that we better understand the nature of the problem, it is clear that a phase-out of CFCs and halons is warranted.

Q. Will a phase-out of CFCs and halon be enough to fully protect the ozone layer and to repair the Antarctic ozone hole?

A. The appearance of the Antarctic ozone hole serves as a critical warning of the fragile nature of the ozone layer. It also made it clear that greater reductions than the fifty percent cut called for by the Protocol are necessary to protect the ozone layer.

We believe that the critical next step is to phase-out the CFCs and halons as soon as is technologically feasible. Based on the availability of alternatives, we believe a phase-out by the end of the century appears realistic.

We also recognize that additional steps may be required to fully protect the long-term integrity of the ozone layer. We will be examining the need for additional restrictions on chlorinated chemicals not now restricted under the Protocol as part of the assessment process.

Q. Do other nations agree that a phase-out is required?

A. As understanding of the new scientific information has spread throughout the scientific community to policy-makers worldwide, more nations are reaching the conclusion that a phase-out is necessary. So far, about nine nations have announced their



support for a phase-out, including Canada, West Germany, Norway, Sweden, Finland, Denmark, Italy, Belgium the Netherlands. The United Kingdom has called for at least an 85% reduction.

Q. What about global climate change? Will reducing CFCs affect that problem? Will the CFC substitutes also be greenhouse gases?

A. Besides destroying ozone in the upper atmosphere (the stratosphere), CFCs also are greenhouse gases and like carbon dioxide trap heat (infrared radiation) given off by the planet from escaping into space. In fact, on a per pound basis they are far more effective at trapping heat than carbon dioxide and contribute about 15-20% to the potential greenhouse warming. As a result, an important side benefit of reducing CFCs is that the potential for global warming will also be slowed.

While CFC substitutes are also likely to be greenhouse gases, they will have substantially shorter atmospheric lifetimes and therefore will still represent substantial progress in slowing the increase in potential greenhouse gases.

Q. China and India have not yet ratified the Protocol. Won't their absence prevent the Protocol from being effective? Will substitutes be available to developing nations at reasonable prices? Some have voiced this concern in deciding whether to join the Protocol?

A. We are hopeful that both of these countries and others that have not joined will do so in the near future. The Protocol takes into consideration the special needs of developing nations and contains measures to facilitate their transition away from CFCs. It also contains increasingly stringent trade restrictions against nations that do not join in order to minimize their possible use of CFCs. We will continue our efforts to encourage all nations to join in the Protocol.

Low cost substitute technologies for CFC and halons will be made available to developing nations through commercial avenues. In addition, the World Bank has announced its intent to assist developing countries in moving away from CFC and halon technologies.

Q. British Prime Minister Margaret Thatcher is convening a conference on "Saving the Ozone Layer" on March 5-7 in London. What is the conference all about? Is your announcement today linked to this conference?

A. EPA Administrator Bill Reilly will lead the U.S. delegation to this conference. The purpose of this meeting is to bring together high-level policymakers from around the world to continue international consultations on this serious issue. I

applaud Prime Minister Thatchers initiative in organizing this conference. The schedule includes presentations on the state of the science, the availability of chemical substitutes and alternative technologies, and the implementation of the Protocol. There will also be ministerial presentations on national efforts to reduce the production and use of CFCs and halons. Over 110 nations will be represented at this conference (90 at the ministerial level). The conference provides the U.S. with a good opportunity to encourage other nations to join us in working toward an international phase-out of CFCs and halons.

Q. Is calling for a phase-out now consistent with the Protocol assessment and review process that will not be completed until late Summer? Might it deter other nations from joining the Protocol?

A. The U.S. fully supports the Protocol's assessment and review process and is actively participating in all aspects of it. While we believe that the final reports will be helpful in fine-tuning our position concerning the exact timing of a phase-out and the and coverage of chemicals -- there is no question that we must phase-out CFCS and halons.

By announcing this goal as our position now we hope to positively influence the thinking of other nations as they develop their positions concerning upcoming changes to the Protocol. We also want to send a strong signal to non-Parties that CFC and halon technologies will soon be obsolete and that they should begin planning to move to alternatives.