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OA/ID Number:	29189
Folder ID Number:	29189-010

Folder Title:
Reilly (EPA) (1990) [2]

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GERALD R. FORD

February 5, 1990

THE CHIEF of STAFF
has seen

Dear George:

Recently, your Environmental Protection Agency Administrator, William Reilly, became involved in a Colorado dam debate when he initiated a review of the Corps of Engineers' permit for the Two Forks Dam, a project on the South Platte River designed to supply water to the Denver metropolitan area. I have been closely following this project because of its potential impact on the West Slope of the Colorado Rockies where I have maintained a home for the last twenty-two years. I write to support Mr. Reilly's decision to begin the permit veto review and to offer, for your consideration, my views on the dam project.

During the years I have spent in Vail and Beaver Creek, I have become particularly sensitive to the role that water plays in the process of working out a balance between the protection of our unique natural environment and economic development. Sometimes the scales tip one way or the other, but there is a constant struggle to maintain equilibrium. Many disputes revolve around the construction of dams, especially those that involve the diversion of water from one river basin to another.

On the West Slope, particularly in the headwater counties where Vail and Beaver Creek are located, a substantial amount of employment and commerce is dependent upon the continued availability of water and the associated scenic and recreational values of that water. As I am sure you are aware, Vail and Beaver Creek are among the most popular ski resorts in the world and this area has also distinguished itself as a summer recreation area and conference center. For the past ten years, Vail has even served as the home of the World Forum, a conference of world leaders that I host in June of each year. I look forward to and would greatly appreciate your participation in this year's event.

As President, I became acutely aware of the economic and recreational importance of natural streams when I considered legislation to designate the Eagles Nest Wilderness Area, a

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The Honorable George Bush
February 5, 1990
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high mountain reserve to the north of the Town of Vail. There, as with Two Forks, the dispute centered around transmountain water diversions proposed by the Denver Water Board, I was intensely lobbied to veto the bill. The Congress had concluded that reasonable alternatives were available that avoided infringement upon wilderness boundaries. I concurred with the Congress and signed the bill in 1976.

I was quite disturbed to learn recently that Denver designed Two Forks to provide the storage necessary to accommodate future diversions from at least two projects that would infringe upon the Eagles Nest Wilderness boundaries. It seems to me that this runs directly counter to actions taken by the federal government to protect this area.

Local political leaders on the West Slope have recognized that Front Range cities including Denver will continue to grow and may need to develop additional West Slope water. Their goal has been first to encourage these cities to minimize their dependence on West Slope water through conservation, reuse, and development of cost-effective East Slope water sources. Second, local officials have asked that future transmountain diversions be designed in cooperation with West Slope water users so as to minimize and mitigate adverse environmental and economic impacts. I concur with these fundamental planning principles and I believe that our local officials are correct in their conclusion that Two Forks fails to comply with this approach.

The plans to build Two Forks Dam date back to the turn of the century -- long before the Vail and Beaver Creek resorts existed and long before we realized the ecological and economic benefits of natural streams. The project has always generated fierce opposition because of its significant fiscal and environmental costs. In fact, the U.S. Army Corps of Engineers COE) study (Final Environmental Impact Study or FEIS) concludes that Two forks, at a cost of \$550 million, would be more damaging to recreation, threatened and endangered species, vegetation, wildlife, aquatic life, water quality, and to visual and cultural resources than any of the other alternatives under consideration. These impacts would be felt in both the Colorado and Platte river basins.

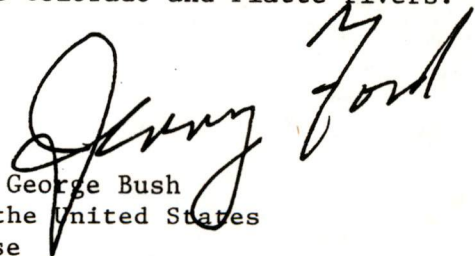
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The Honorable George Bush
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Were Two Forks the only option for supplying water to Denver, the citizens of the region and the federal permitting agencies would face a dilemma -- massive environmental destruction or a future water crisis. Fortunately, the dam is not the only water supply option available. Rather than the construction of a large, costly and environmentally damaging project, Denver could choose to invest in the implementation of an effective and efficient conservation program, the construction of small projects that have broad-based support, and the development of management techniques that would allow systems to be operated more efficiently to deliver larger quantities of water to the metropolitan area. According to the material I have seen, EPA has reviewed and validated the technical feasibility and cost-effectiveness of these approaches. One of the alternative projects, the proposed Muddy Creek Dam near Kremmling, Colorado, is currently moving through the federal permitting process and has the support of both West Slope and environmental interest.

I am sure that Mr. Reilly's decision to intervene in the Two Forks permitting process has led to efforts to involve the White House more directly in the decision. When feelings run high, balance is not easily maintained. From my perspective, Mr. Reilly made the right decision when he initiated the veto process. The citizens of Colorado on both sides of the Divide are well served by his actions, as are all citizens who care about protecting the natural habitat of the Colorado and Platte rivers.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jerry Ford", is written over the typed name and address.

The Honorable George Bush
President of the United States
The White House
Washington, D.C. 20500

THE CHIEF of STAFF
has seen APR 30 1990

April 18, 1990

ELEMENTS OF A COMPROMISE

1. Negligible Risk for Carcinogens
 - a. Negligible risk in the range of 10^{-6} set forth in statute in narrative form.
 - b. EPA to aim for tolerance levels that result in risks that are at the lower end of the range.
2. Health Benefits
 - a. Where the risk to health from the uncontrolled pests would be greater than the dietary risk posed by the pesticide residue; or where the risk to health would be greater from alternative methods of pest control, the tolerance could exceed negligible risk for up to a five year period.
 - b. Dietary diversity would not qualify as a health benefit.
 - c. The Administrator in granting a tolerance above the negligible risk range must determine that reasonable efforts are being made:
 - i. To reduce application rates, change the use, change the application methods, or to take other actions that would reduce risk to a negligible level;
 - ii. To develop an alternative method of pest control that would reduce the risk to a negligible level; or
 - iii. To develop an alternative chemical that reduce risk to a negligible level.
 - d. The tolerance could only be renewed if the Administrator determines that the conditions outlined in a and c above continue to exist.
3. Temporary Tolerances for Significant Adverse Impacts on Consumers or Producers of Food
 - a. A temporary tolerance for a pesticide resulting in a risk not greater than one order of magnitude above the negligible risk range could be set if the loss of use of that or another pesticide produced:

- i. Significant increases in the price of the food to consumers.
 - ii. Significant decreases in the availability of the food to consumers.
 - iii. Significant decreases in the nutritional quality of the food, or
 - iv. Significant adverse economic effects on producers of food.
- b. A temporary tolerance could be in effect for up to three years.
- c. A temporary tolerance could only be renewed if the Administrator determines that the conditions outlined in 3a and 2c above continue to exist.

4. National Uniformity

- a. States could not set tolerances different than tolerances and exemptions newly established or modified by EPA, or existing tolerances or exemptions ratified by EPA based on a complete data set pursuant to a public process.
- b. EPA could grant a state a waiver to permit a more stringent tolerance to respond to special local circumstances of food consumption.
- c. States could enforce identical residue limits under state law.

5. Other Issues Include

- a. Treatment of food and color additives.
- b. Timing for EPA review.
- c. Burden of production of data necessary to demonstrate food is within the tolerance.
- d. State and local labeling requirements for food produced using pesticides for which EPA has set a tolerance.



The Administrator
Washington, D.C. 20460

APR 23 1990

Honorable John H. Sununu
Chief of Staff
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Governor:

It's been a banner year for the Bush
Administration on the environment!

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Bill", is written over the typed name.

William K. Reilly

Enclosure



EPA Scorecard 1989

The Bush Administration's First Year



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EPA HIGHLIGHTS - 1989

CLEAN AIR

- o Worked with White House/other federal agencies to break legislative deadlock by developing comprehensive legislation to reduce air pollution. The bill attacks acid rain, smog and toxic air pollutants.
- o Proposed standards to reduce air pollutants from municipal waste incinerators.
- o Set standards to reduce benzene emissions by 20,000 tons.
- o Set standards to control radioactive emissions from mining and industrial sources.

VALDEZ OIL SPILL

- o Launched innovative project using bioremediation to assist in cleaning up Prince William Sound shoreline. Coordinated long-term federal planning to restore ecology of Prince William Sound.

POLLUTION PREVENTION

- o Established goal of recycling 25 percent of all municipal solid waste by 1992.
- o Drafted comprehensive legislation on pollution prevention and recycling.

ASBESTOS BAN

- o Banned asbestos-containing products in U.S. over next seven years.

PRESIDENTIAL LEADERSHIP ON INTERNATIONAL ENVIRONMENTAL ISSUES

- o Proposed full phase-out of chlorofluorocarbons (CFCs) by turn of century.
- o Offered to host negotiations leading to framework convention on global climate change.
- o Proposed to ban exports of hazardous waste absent adequate safeguards in the receiving country.

PESTICIDE CANCELLATIONS

- o Proposed cancellation of 45 food crop uses for three EBDC pesticides and all food uses for a fourth.
- o Prohibited use of Alar on food crops.

FOOD SAFETY

- o Worked with White House, FDA, and USDA to help draft President Bush's plan to streamline process for canceling problem pesticides.

SUPERFUND

- o Started record high 108 long-term cleanup projects in FY 89. Started 178 new site cleanups and 358 site investigations since enactment of 1986 Superfund Amendments Reauthorization Act. (Eighty percent of 1,219 National Priority List sites have had emergency response or long-term cleanup started.)
- o Negotiated more than \$1 billion of cleanup work by responsible parties.
- o Added 500 new positions to strengthen Superfund enforcement.

ENFORCEMENT

- o Referred 364 civil judicial cases to Dept. of Justice for prosecution in FY 89.
- o Referred 60 criminal cases (record high) to Dept. of Justice for prosecution in FY 89.
- o Issued more than 4,000 administrative orders and more than 200 binding settlement commitments for Superfund cleanup and removal of hazardous wastes.

RADON

- o Issued survey showing widespread elevated levels of radon in homes and schools across the country.
- o Launched campaign with Ad Council to urge comprehensive radon testing in homes and schools and to correct the problem where necessary.

MEDICAL WASTE DISPOSAL

- o Started two-year pilot tracking program to assure proper disposal of medical waste.

OCEAN DUMPING

- o Established schedules to end ocean dumping of sewage sludge.

AIR & RADIATION

New Clean Air Legislation

- o Broke legislative deadlock on clean air. EPA worked closely with White House and other federal agencies to draft Administration proposal to strengthen Clean Air Act, including:
 - market-based approach to cutting acid rain by 50 percent via innovative emissions trading system; sharp cuts in emissions of toxic air pollutants; provisions to promote use of clean alternative fuels.
 - steady progress in reducing smog and attaining urban air quality goals.

Municipal Waste Incineration

- o Proposed standards to cut air emissions by 90 percent from both new and existing municipal waste incinerators, including:
 - proposals to separate reusable components of municipal trash and limits on toxic metals, toxic organics and acid gases.
- o Represents significant step toward minimizing environmental risks from solid waste incineration.

Urban Air Pollution

- o Gasoline Vapor Pressure. Revised summertime gasoline volatility standards to reduce compounds which form smog in urban areas by as much as 13 percent.
- o Evaporative and Running Losses. Proposed new rule to cut automotive volatile organic emissions by about five percent. To implement rule, vehicle manufacturers likely to use larger charcoal canisters to capture vapors and improve vapor recycling systems.

Toxic Emissions Reductions

- o Set new rules for controlling radioactive emissions from over 6,000 industrial facilities such as nuclear power plants, weapons facilities and uranium mines.

- o Industrial Benzene Emissions. Issued new rules cutting 20,000 tons of hazardous air pollutant benzene annually from industrial sources. Proposed rules for additional industrial sources of benzene expected to cut emissions by another 14,000 tons annually. In total, industrial benzene emissions for sources covered would be reduced by 90 percent from current levels.
- o Commercial Cooling Units. Set new rule under Toxic Substances Control Act prohibiting use of hexavalent chromium, a known carcinogen, in commercial air conditioning units. Will result in eliminating about 34 tons per year of hexavalent chromium emissions from 38,000 existing facilities nationwide.

Visibility Improvement in Grand Canyon

- o Launched program to protect vistas in the Grand Canyon by reducing emissions from the Navajo Generating Station, a large coal-fired electric power plant in Arizona.

Radon

- o Radon Survey. Completed radon survey demonstrating elevated levels of this radioactive gas in housing across nation. Recommended school officials test all frequently-used schoolrooms on basement and ground-floors for elevated radon levels. Published booklet describing radon reduction techniques in schools.
- o Ad Campaign. Worked with Ad Council on national media campaign to motivate homeowners to test for and fix radon problems. Campaign expected to result in approximately \$20 million worth of publicity donated by radio, TV and outdoor advertising.

Stratospheric Ozone Depletion

- o Domestic rules took effect to scale back chlorofluorocarbon (CFC) use to 1986 levels to comply with Montreal Protocol on Substances that Deplete the Ozone Layer.

WATER

Drinking Water

- o Treatment Standards. Set new standards to limit toxic pollutants in water supply systems through monitoring and application of additional treatment technologies. Filtering of water required by rules unless specific water quality and watershed control criteria are met.
- o Pesticides Regulation. Proposed rule to regulate 17 pesticides and 21 other contaminants in drinking water--almost doubling number of pollutants subject to federal law nationwide. Also calls for monitoring additional 110 currently unregulated contaminants.

Ground-Water Task Force

- o Reinvigorated internal task force to formulate national strategy to protect nation's ground-water resources. Drafted set of principles and responsibilities for each level of government. Started public dialogue with states, local government, public and private interest groups and citizens in order to solicit their views.

Wetlands Protection

- o Ware Creek. Blocked use of Ware Creek (Virginia) to create a reservoir, less environmentally damaging alternatives are available, project would have resulted in loss of over 400 acres of diverse and unique wetlands, as well as harming a Great Blue Heron rookery.
- o Two Forks. Initiated consideration of environmental veto of construction of Two Forks Dam and Reservoir (Colorado), citing potentially unacceptable and unavoidable environmental effects and existence of alternative water supplies.
- o Memorandum of Agreement. Signed agreement with Army Corps of Engineers providing clarification and general guidance on mitigating wetlands loss. Aim is to reduce delays in permit processing, minimize ambiguity in regulations and provide field personnel with clearer, consistent understanding of mitigation.
- o "No Net Loss." Developing recommendations to attain goal of "No Net Loss of Wetlands" through Domestic Policy Council's Inter-Agency Task Force on Wetlands.

Ocean Dumping

- o Secured consent agreements to end ocean dumping. Agreements affect nine remaining municipal sludge generators that ship treated sludges by barge to ocean dump site. Six New Jersey areas will end practice by March 1991, two New York areas by end of 1991, and New York City by June 1992.

Pretreatment Enforcement Initiative

- o Filed suits, with Enforcement Office, Dept. of Justice and states, against 61 cities for failure to control industrial discharges of toxic and hazardous wastewaters into their sewage treatment systems.

Chesapeake Bay

- o Administrator Reilly became chairman of Chesapeake Executive Council, comprised of chief executives of EPA, Maryland, Pennsylvania, Virginia, District of Columbia and Chesapeake Bay Commission. Reported significant reductions in phosphorus discharges to Chesapeake Bay--nation's largest and most productive estuary. Progress reported in restoring striped bass population.

WASTE

Superfund - Strategic Redirection

- o Management Review. Redirected Superfund program via intensive 90-day review of past record and preparation of strategic plan for improvement.
- o "Enforcement First." Adopted new approach using broad range of enforcement tools to increase portion of cleanup done by responsible parties. During FY 89, responsible parties started 60 percent of new Superfund response projects, most in project design and site cleanup. Work valued at approximately \$1 billion, a dramatic jump from previous two years. Added 500 staff to strengthen Superfund enforcement.
- o "Make Sites Safer." Made sites safer by evaluating sites on National Priorities List to determine hazardous conditions requiring immediate action. Emergency response actions started at most sites where serious problems found, with remaining sites a top priority; actions intended as interim measures while site investigations conducted, cleanup technologies selected, and cleanups under way.
- o "Worst Sites First." Focused on worst sites first by establishing new priority system to ensure limited resources directed toward cleaning up worst problems at worst sites first.

Superfund - Improved Performance

- o Site Assessment. Made major strides in evaluating sites in potential Superfund Site Inventory. Of 32,000 sites, 93 percent now assessed; 45 percent do not require further action. Additional sites added to National Priority List--total now 1,222 (all final except for 220 still in proposal stage).
- o Record High Superfund Starts. During FY 89, began 108 long-term cleanup projects (record high). Total sites under construction now 264. Eighty percent of 1,219 National Priority List sites have had emergency response or long-term cleanup started. Treatment is part of cleanup remedy at 70 percent of sites.
- o Exceeded Congressional Targets. EPA started 178 cleanup actions vs. target of 175, and completed 358 site investigations to determine cleanup needs vs. target of 275, exceeding Congressionally-mandated targets for 1986 Superfund Amendments and Reauthorization Act.

- o Hanford Nuclear Site. Reached agreement on cleanup of Hanford Nuclear Site in southeast Washington state in landmark multi-billion-dollar settlement with Dept. of Energy and state of Washington. Thirty-year program required to clean up millions of gallons of chemicals and radioactive wastes.
- o Federal Facilities Cleanup. Negotiated over 30 other settlements for cleanup of federal facilities with Dept. of Energy and Dept. of Defense, including interagency agreement with Dept. of Energy and state of Colorado for study and cleanup of Rocky Flats (Colorado) Nuclear Weapons Plant.
- o National Contingency Plan. Revised National Contingency Plan as regulatory blueprint for Superfund program by incorporating new emphasis on quick action to control immediate dangers, use of treatment technologies, and increased public participation. Creates process to ensure consistent and realistic criteria for remedies selected.
- o Innovative Technologies. Demonstrated emphasis on innovative technologies by completing 10 field evaluations of new treatment technologies and beginning evaluations of 18 additional technologies in Superfund Innovative Technology Evaluation program.
- o Technical Assistance Grants. Streamlined procedures for obtaining grants that make it easier for citizen groups to understand local Superfund cleanup activities. Reduced percent of matching funds required to make it easier for citizen groups to participate. Grants allow groups to hire technical experts of their own choosing to assist in community understanding and involvement.

Resource Conservation and Recovery Act (RCRA) - Waste Management

- o Medical waste tracking. Established two-year pilot tracking program to ensure that medical waste is sent to proper disposal facilities. New Jersey, New York, Rhode Island, and Puerto Rico participating. Program applies to physicians, dentists, veterinarians, small clinics, large health-care facilities, and other medical waste generators.
- o Land disposal restrictions. Issued final rules prohibiting land disposal of hazardous wastes that have not been treated to meet best demonstrated available technology standards. Proposed final phase of land disposal restrictions. This action completes a series of Agency actions leading to the ultimate ban by 1990 of land disposal of all currently regulated hazardous wastes.

RCRA Implementation Study

- o Began intensive review of Agency's hazardous waste management program. Seeking advice from states, industry, public interest groups, and other federal agencies. Review covers evolution of program, regulations, enforcement, federal/state relations, manpower, permitting, and corrective action. Final report expected Spring 1990.

Municipal Solid Waste

- o Published Agenda for Action, which sets national goal of reducing municipal waste by 25 percent by 1992. Sets waste management hierarchy: source reduction, recycling and, only as last result, landfilling or incineration.

Hazardous Waste Exports

- o Developed legislative proposals to support President's ban on all hazardous waste exports absent an agreement to assure safe handling of such wastes.

PESTICIDES AND TOXIC SUBSTANCES

Administration's Food Safety Plan

- o Worked with Administration, Food and Drug Administration and Dept. of Agriculture to help draft President Bush's plan to improve food safety:
 - calls for major revisions to existing pesticide legislation to streamline EPA's ability to remove problem pesticides from use.
 - Strengthens EPA enforcement of pesticide violations.
 - Eliminates long-standing inconsistency in existing laws that govern pesticide residues in foods.
 - Designed to eliminate unacceptable risks to public health and to provide for more orderly regulation of pesticides and their use.

EBDC Cancellation

- o Proposed cancelling 45 food crop uses for three EBDC pesticides and all food uses for a fourth.

Alar Cancellation

- o Ordered prohibition on all sales, distribution and use of daminozide (trade name, Alar) products labeled for use on food crops. Producer Uniroyal Chemical Co. agreed to buy back all food-use stocks of substance. EPA monitoring marketplace removal.
- o Phasing out all tolerance of Alar in imported foods by May 31, 1991.

PCB Tracking

- o Put into effect new regulations under Toxic Substances Control Act that strengthen Agency's control over disposal and storage of polychlorinated biphenyls (PCBs). Action establishes cradle-to-grave control of these hazardous chemicals.

Re-registration

- o Cancelled nearly 20,000 pesticide registrations for failure to pay new annual registration maintenance fees.

Asbestos

- o Ban on new asbestos products. Broke ten year stalemate to ban almost all asbestos-containing products in U.S. in stages over the next seven years, including new product manufacture, imports, and processing. Affects at least 94 percent of U.S. production and imports.
- o Loans and grants. Awarded \$45 million in loans and grants to help nation's most financially needy primary and secondary schools abate asbestos hazards. Funds helped 231 school districts meet requirements of Asbestos Hazard Emergency Response Act.

Endangered Species

- o Proposed revised program to protect endangered species and threatened wildlife from effects of pesticide use. Program will rank endangered and threatened species based on status, vulnerability to pesticides, recovery potential and other factors. With help from Fish and Wildlife Service and Dept. of Agriculture, will identify counties in which each species is located and evaluate uses of pesticides in these areas.

ENFORCEMENT

Aggressive Enforcement

- o Civil Cases. Referred 364 civil judicial cases of environmental law violations to Dept. of Justice in FY '89. Just short of record high 372 cases in FY '88.
- o Criminal Cases. Referred 60 criminal cases (record high) to Dept. of Justice in FY '89.
- o Superfund. In Superfund enforcement, 153 cases referred, representing 34 percent increase over previous fiscal year.
- o New Positions. Added 500 new positions to strengthen Superfund enforcement.

Administrative Orders

- o Record High Numbers. Issued over 4,000 administrative enforcement orders (record high) across all programs in FY '89, representing increase of 33 percent over previous year.
- o Monetary Penalties. Issued \$34.9 million in judicial and administrative civil penalties in FY '89 (second-highest total in Agency history). Included record high \$13.9 million for administrative penalties.
- o Clean Water Act. More than 1,700 orders issued; more than \$2.7 million recovered in 161 final penalty orders.
- o Superfund. Issued over 100 unilateral administrative orders to responsible parties requiring \$211.7 million in hazardous waste site cleanup and removal. Combined with 71 settlements for site cleanup, result is more than \$1 billion in site response work undertaken by responsible parties at Superfund sites.

Right-to-Know Violations

- o Fines. Proposed fines totalling \$1.7 million on 42 companies failing to report toxic chemical discharges as required under Emergency Planning and Community Right-to-Know Act. (Total fines of \$4.5 million sought from 113 companies nationwide during first reporting year.)

- o Notices. Over 1,500 notices of noncompliance issued.

Hazardous Waste Export Regulations

- o Filed first enforcement actions against four violators of hazardous waste export regulations that require generators and transporters to obtain consent of receiving country before shipping hazardous waste.

Asbestos Violations

- o Demolition and Renovation Suits. Filed civil lawsuits, with Dept. of Justice, in New York, Philadelphia, Chicago, Seattle and seven other cities against 34 companies and individuals in major initiative to halt violations of federal rules protecting public from unlawful asbestos demolition and renovation practices.
- o Schools Compliance. Announced that 94 percent of nation's public school districts and private schools are complying with initial requirements of Asbestos Hazard Emergency Response Act to protect school children and teachers from asbestos hazards.

Wastewater Pretreatment Violations

- o Filed suits, with Dept. of Justice, against cities of Detroit, El Paso, Phoenix and San Antonio alleging violations of Clean Water Act. Act requires cities to control industrial discharges of toxic and hazardous wastewaters into their sewage treatment systems. Named 57 other cities in federal and state judicial actions and administrative orders seeking penalties for similar alleged violations.

Landmark Settlements

- o Texas Eastern. Negotiated most extensive environmental settlement ever agreed to by single company. Texas Eastern must pay civil penalty of \$15 million (record high) and expected to pay over \$400 million for required cleanup actions at 89 contaminated sites along 10,000 mile natural gas pipeline running from Texas to New Jersey.
- o Shell Oil. Negotiated settlement, along with Dept. of Justice, state of California and five local agencies, with Shell Oil Co. requiring payment of \$19.7 million in fines and damages for spilling more than 400,000 gallons of crude oil in April 1988 into Peyton Slough and Carquinez Strait near San Francisco. Record high civil penalty for violation of spill prevention regulations under Clean Water Act.

- o Cannons Engineering. Negotiated Superfund cost recovery settlement, along with Dept. of Justice, Massachusetts and New Hampshire, requiring 59 potentially responsible parties to provide more than \$33 million to clean up three of the four Cannons Superfund sites.
- o Metropolitan Denver. Negotiated consent decree, along with Dept. of Justice, with Metropolitan Denver Sewage District No. 1, the Denver Water Board and several other parties to pay \$1.1 million penalty for illegal discharges of sewage waste. Record high Clean Water Act civil penalty against municipality.
- o Environmental Waste Control. Obtained judgement, along with Dept. of Justice and citizens group STOP, Inc., imposing \$2.8 million penalty against Environmental Waste Control, Inc. and an order to close its Fulton, Indiana landfill. Record high civil penalty assessed under Resource Conservation and Recovery Act.
- o Operating Industries, Inc. Superfund Site. Negotiated Superfund settlement, along with Dept. of Justice and California, requiring over 100 companies to contribute more than \$66 million to clean up hazardous waste landfill in Monterey Park, California, one of worst sites in U.S. Record high Superfund cost recovery settlement from private parties.

Landmark Criminal Enforcement Cases

- o Aberdeen Proving Ground. Obtained first EPA-Dept. of Justice conviction of federal employees for environmental misconduct. Three civilian management personnel at U.S Army facility at Aberdeen Proving Grounds, Maryland, sentenced to three years probation and 1,000 hours community service each.
- o Wetlands. Obtained first EPA-Dept. of Justice wetlands conviction involving jail term. Violators sentenced to 21 months and \$5,000 fine each for discharging dredge spills onto wetland property and carrying out unpermitted dredging of canal in navigable waters near Pensacola, Florida.
- o Pennwalt. Obtained judgement against Pennwalt Corporation, Inc. Violators sentenced to pay \$1.1 million fine for chemical holding tank collapse and discharge of 75,000 gallons of toxic chemical into Puget Sound, Washington. One of largest environmental criminal fines ever imposed.

Enforcement Management Review

- o Launched management review to identify opportunities to strengthen EPA enforcement program.

POLLUTION PREVENTION AND RECYCLING

Pollution Prevention

- o Priority. Made pollution prevention a top priority and began to integrate this approach into all Agency activities.
- o Developed Program. Created distinct pollution prevention program to work with industry and other groups to minimize waste production nationwide.
- o Grants Awarded. Awarded \$4 million in grants to states to assist them in developing pollution prevention programs.
- o Pollution Prevention Legislative Proposal. Drafted comprehensive legislative proposal on pollution prevention and recycling.

Recycling

- o Recycling Goal. Established goal of at least 25 percent of all municipal waste to be recycled by 1992.
- o Task Force. Formed recycling mobilization task force to coordinate development and implementation of new ideas aimed at promoting recycling.
- o Procurement Guidelines. Implemented procurement guidelines to stimulate markets for recycled goods. Guidelines require government agencies and contractors to buy products made of recycled materials. More than 20 states established their own procurement programs.
- o Internal Coordinator. Established position of Agency Recycling Coordinator to facilitate recycling efforts within EPA.

COMMUNITY RIGHT-TO-KNOW AND EMERGENCY PLANNING

Toxics Release Inventory

- o Released first ever information on routine emissions of over 300 toxic chemicals to air, land and water to strengthen citizens' role in environmental protection. Data obtained from more than 74,000 reports submitted by 19,000 manufacturing facilities for 1987 emissions.

Emergency Planning

- o State and Local Officials. Strengthened community awareness of hazards posed by chemical accidents and supported emergency planning activities by working with state and local officials.
- o State Emergency Response Commissions. Since Emergency Planning and Community Right-to-Know Act passed in 1986, all 56 states and territories have established State Emergency Response Commissions. Commissions provide oversight for more than 3,800 Local Emergency Planning Committees.
- o Local Emergency Planning Committees. Local committee membership estimated at more than 50,000 people nationwide. Approximately 85 percent of officially designated local committees were operational in 1989. Approximately half that total completed their community-specific plan for addressing accidental chemical releases.
- o Oil Spill Preparedness. As co-chair of National Response Team assisted Coast Guard in drafting report on status of national preparedness for responding to oil spills. Evaluated federal, state, local and industry contingency plans.

INTERNATIONAL ISSUES

Stratospheric Ozone Protection

- o Chlorofluorocarbon (CFC) Phase-Out. President Bush pledged to attain a full phase-out of CFC use by turn of century. EPA played key scientific and policy role in work to strengthen the Montreal Protocol on Substances that Deplete the Ozone Layer.
- o Domestic Cutbacks. Implemented final domestic rules for cutbacks of CFC use required by Montreal Protocol.

Environment Featured at Economic Summit

- o Administrator Reilly accompanied President Bush to 1989 G-7 Economic Summit in Paris (first time the head of state brought his environmental advisor to such an event). One-third of the communique addressed global environmental agenda.

Global Climate Change

- o International initiatives. U.S. agreed to host several international events to expand knowledge on global warming. International meeting for scientific, environmental and economic officials to discuss global climate change issues to be convened by White House in April 1990.
- o Framework Treaty. President Bush offered to host negotiations leading to framework treaty on global climate change after UN-sponsored Intergovernmental Panel on Climate Change completes its work.
- o Presidential Address to IPCC. President Bush became first head of state to address Intergovernmental Panel on Climate Change in February; in Washington, D.C.
- o Research Efforts. Administration's FY '91 budget proposes \$1 billion in research and monitoring to reduce scientific and economic uncertainties surrounding climate change.

- o Domestic Initiatives. Several domestic initiatives undertaken by Administration will also slow effects of global climate change:
 - Clean Air Proposal. Promotes energy efficiency and conservation measures.
 - Fuel Efficiency Standards. Transportation Secretary Skinner, with EPA support, has strengthened automobile fuel efficiency standards. Will reduce carbon dioxide emissions more quickly in short term than any single EPA regulatory action.
 - National Energy Strategy. Energy conservation programs in National Energy Strategy being developed by Dept. of Energy.
 - Reforest America. President Bush's State of the Union message launched one billion-trees a year reforestation initiative. Measure will store carbon, shelter buildings, reduce energy use, cut pollution and stabilize soils.
 - Reports to Congress. EPA issued reports to Congress on anticipated effects of climate change and on policy options to stabilize greenhouse gases.

Bilateral Relations

- o Eastern Europe. Offered technical training, help in drafting environmental laws and regulations, and access to pollution abatement technology.
 - To support Presidential initiative, laid groundwork for Eastern European Environmental Center in Budapest, Hungary and developed proposals to improve air and water conditions in Krakow, Poland.
- o Mexico. U.S. signed agreement to help Mexico City address air pollution problems. Administrator Reilly participated in U.S.-Mexico Bi-National Commission meeting, first time environment featured on Commission's agenda.
- o Soviet Union. U.S. and Soviet scientists and officials met in Washington, where they agreed to cooperative projects on several key environmental issues--wetlands management, post-Chernobyl radiation monitoring, and Arctic ecology.

Hazardous Waste Shipment Legislation

- o Worked with Administration to draft legislation to implement President Bush's decision to ban all hazardous waste exports absent an agreement to assure safe handling of such wastes.

Coastal Protection

- o Joined with Mexico to eliminate dumping of ship-based debris in the Gulf of Mexico.

Chemical Accident Prevention and Emergency Response

- o Worked with OECD to develop programs to define long-term policies for chemical accident prevention and emergency response. Aim is to exchange information on how to improve industrial safety practices and emergency plans worldwide.

Community Awareness and Right-To-Know

- o Worked with the UNEP to implement program called Awareness and Preparedness for Emergencies at the Local Level. Designed to enhance community awareness of hazardous installations, improve communication of information, and support preparation of emergency response plans in developing countries. Currently starting in several developing countries including Brazil, China, Morocco and the Philippines.

RESEARCH

Valdez Oil Spill

- o Began a bioremediation research and field program to accelerate breakdown of spilled oil by adding nitrogen and phosphorus nutrients (fertilizers) to existing microorganisms on the beaches. Results indicate accelerated breakdown of oil.

Acid Rain Control Technology

- o Developed and tested two processes offering cost-effective control of sulfur dioxide and nitrogen dioxide--compounds emitted from burning coal that produce acid rain. Both technologies together--Limestone Injection Multistage Burner and Advanced Silicate Sorbent Process--projected to achieve high sulfur dioxide control at roughly half cost per ton of conventional scrubber technologies. Potential to save millions of dollars in cost of air pollution control.

Protecting Ecosystem Health

- o Established new interagency Environmental Monitoring and Assessment Program to examine current condition of nation's ecosystems and monitor trends. Program will build on data already being collected to assess condition of ecological resources such as estuaries, wetlands and forests and to probe causes of adverse changes.

Biotechnology

- o Suicide Gene. Responding to concern about unintended consequences of releasing large-scale biotechnology products into the environment, developed and tested concept of "suicide gene" that kills genetically-engineered microorganism that has completed its intended task.
- o Contaminated Groundwater. Developed and tested several methods of using naturally occurring bacteria to clean up contaminated groundwater, including a new technique for dealing with trichlorethylene, an industrial solvent that is a common ground-water pollutant.

Predicting Chemical Toxicity

- o Developed new tool to provide preliminary, inexpensive chemical risk assessments where little toxicity data is available. System uses computer models to predict toxicological properties of compounds based only on knowing chemical's structure. Due to expense of existing evaluation techniques, new system expected to play increasing role in evaluating toxicity of new chemicals.

Innovative Technologies for Superfund Cleanups

- o Completed 10 field evaluations of new treatment technologies and began evaluations of 18 additional technologies in Superfund Innovative Technology Evaluation program. Demonstrations by private sector at actual Superfund sites and evaluations by EPA scientists and engineers provide performance and cost information needed by federal and state programs responsible for selecting remedies.

OTHER ISSUES

Environmental Education

- o Environmental Education Task Force. With National Governor's Association created task force on environmental education to oversee and encourage environmental education activities within EPA and by external groups promoting environmental education in schools.
- o Environmental Youth Awards. President Bush awarded President's Environmental Youth Awards in White House ceremony to youngsters participating in organized environmental activities.

Earth Day Celebration

- o Established Earth Day offices to coordinate and support EPA activities in preparation for 20th anniversary of Earth Day on April 22, 1990.

Outer Continental Shelf

- o Worked closely with Dept. of Interior and other federal agencies as part of Outer Continental Shelf task force. Urged adoption of stringent air quality standards during offshore drilling activities and recommendations to prevent and minimize potential effects of spills during drilling and shipping.

Restoration of Prince William Sound

- o Following Valdez oil spill, Administrator Reilly was assigned responsibility for coordinating federal activities for long-term restoration planning of ecology of Prince William Sound.

Indian Program

- o Made progress toward establishing operational Indian environmental programs under Safe Drinking Water Act, Clean Water Act, Superfund and Community Right-to-Know Act. Administration's Clean Air bill also contains provisions for direct work with tribal governments.
- o EPA Administrator Reilly met with tribal leaders and designated a Special Assistant for Indian Programs.

Internal Management

- o Established Long Range Strategic Planning process to focus over four-year period on actions to reduce risks and prevent pollution via budgeting, accountability systems, and Agency priority setting.
- o Began design of new Biotechnology Research Laboratory in Gulf Breeze, Florida and new Clinical Inhalation Research Laboratory in Chapel Hill, North Carolina. Continued design on renovation of lab at Edison, New Jersey to accommodate Superfund Innovative Technology Evaluation research.
- o Achieved record high contract obligations--\$102 million-- to minority business community in FY '89--fully 10 percent of Agency obligations.

For additional information, phone (202) 382-4355 or write:

Office of Communications and Public Affairs
U.S. Environmental Protection Agency
Washington, D.C. 20460

March 1990

THE WHITE HOUSE
WASHINGTON



Date: 04/25/90

TO: THE CHIEF OF STAFF

FROM: JAMES W. CICONI
Assistant to the President and
Deputy to the Chief of Staff

**The attached has been forwarded
to the President.**

THE CHIEF of STAFF
has seen



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

APR 23 1990

1990 APR 24 PM 6:54 PM 6:54

THE ADMINISTRATOR

Dear Mr. President:

I am very pleased to forward our EPA Scorecard for the first year of your Administration.

It is straightforward and understated but very strong:

Clean Air. Your proposed bill, and what we have done by way of regulation of municipal incinerators, benzene, and visibility protection for the Grand Canyon, it's been a great year.

Hazardous Waste. Superfund had the best year ever, with more settlements, a vast increase in recovery of private party contributions (over \$1 billion), more in fines, attributable in good part to the new directions we decided on last spring in our management review (enforcement first).

Coastal and Estuarine and Wetlands Protection. Medical waste tracking, and floatables in New York Harbor, have been a great success, and the new cooperation with the Corps of Engineers on wetlands is a strong first for both our agencies.

Pesticides. Orrin Hatch told me last week he thought our pesticide reforms were historic, rivalling even clean air legislation in potential long-term significance.

International. The proposed phaseout of CFCs is very significant. If we can convince India and China to agree to that in London in June, there truly will be international protection for stratospheric ozone.

All in all, a year to take pride in, for us at EPA, and more deservedly, for you.

Respectfully,

A handwritten signature in dark ink, appearing to read "W. Reilly", written over the word "Respectfully,".

William K. Reilly

Enclosure



EPA Scorecard 1989

The Bush Administration's First Year



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EPA HIGHLIGHTS - 1989

CLEAN AIR

- o Worked with White House/other federal agencies to break legislative deadlock by developing comprehensive legislation to reduce air pollution. The bill attacks acid rain, smog and toxic air pollutants.
- o Proposed standards to reduce air pollutants from municipal waste incinerators.
- o Set standards to reduce benzene emissions by 20,000 tons.
- o Set standards to control radioactive emissions from mining and industrial sources.

VALDEZ OIL SPILL

- o Launched innovative project using bioremediation to assist in cleaning up Prince William Sound shoreline. Coordinated long-term federal planning to restore ecology of Prince William Sound.

POLLUTION PREVENTION

- o Established goal of recycling 25 percent of all municipal solid waste by 1992.
- o Drafted comprehensive legislation on pollution prevention and recycling.

ASBESTOS BAN

- o Banned asbestos-containing products in U.S. over next seven years.

PRESIDENTIAL LEADERSHIP ON INTERNATIONAL ENVIRONMENTAL ISSUES

- o Proposed full phase-out of chlorofluorocarbons (CFCs) by turn of century.
- o Offered to host negotiations leading to framework convention on global climate change.
- o Proposed to ban exports of hazardous waste absent adequate safeguards in the receiving country.

PESTICIDE CANCELLATIONS

- o Proposed cancellation of 45 food crop uses for three EBDC pesticides and all food uses for a fourth.
- o Prohibited use of Alar on food crops.

FOOD SAFETY

- o Worked with White House, FDA, and USDA to help draft President Bush's plan to streamline process for canceling problem pesticides.

SUPERFUND

- o Started record high 108 long-term cleanup projects in FY 89. Started 178 new site cleanups and 358 site investigations since enactment of 1986 Superfund Amendments Reauthorization Act. (Eighty percent of 1,219 National Priority List sites have had emergency response or long-term cleanup started.)
- o Negotiated more than \$1 billion of cleanup work by responsible parties.
- o Added 500 new positions to strengthen Superfund enforcement.

ENFORCEMENT

- o Referred 364 civil judicial cases to Dept. of Justice for prosecution in FY 89.
- o Referred 60 criminal cases (record high) to Dept. of Justice for prosecution in FY 89.
- o Issued more than 4,000 administrative orders and more than 200 binding settlement commitments for Superfund cleanup and removal of hazardous wastes.

RADON

- o Issued survey showing widespread elevated levels of radon in homes and schools across the country.
- o Launched campaign with Ad Council to urge comprehensive radon testing in homes and schools and to correct the problem where necessary.

MEDICAL WASTE DISPOSAL

- o Started two-year pilot tracking program to assure proper disposal of medical waste.

OCEAN DUMPING

- o Established schedules to end ocean dumping of sewage sludge.

AIR & RADIATION

New Clean Air Legislation

- o Broke legislative deadlock on clean air. EPA worked closely with White House and other federal agencies to draft Administration proposal to strengthen Clean Air Act, including:
 - market-based approach to cutting acid rain by 50 percent via innovative emissions trading system; sharp cuts in emissions of toxic air pollutants; provisions to promote use of clean alternative fuels.
 - steady progress in reducing smog and attaining urban air quality goals.

Municipal Waste Incineration

- o Proposed standards to cut air emissions by 90 percent from both new and existing municipal waste incinerators, including:
 - proposals to separate reusable components of municipal trash and limits on toxic metals, toxic organics and acid gases.
- o Represents significant step toward minimizing environmental risks from solid waste incineration.

Urban Air Pollution

- o Gasoline Vapor Pressure. Revised summertime gasoline volatility standards to reduce compounds which form smog in urban areas by as much as 13 percent.
- o Evaporative and Running Losses. Proposed new rule to cut automotive volatile organic emissions by about five percent. To implement rule, vehicle manufacturers likely to use larger charcoal canisters to capture vapors and improve vapor recycling systems.

Toxic Emissions Reductions

- o Set new rules for controlling radioactive emissions from over 6,000 industrial facilities such as nuclear power plants, weapons facilities and uranium mines.

- o Industrial Benzene Emissions. Issued new rules cutting 20,000 tons of hazardous air pollutant benzene annually from industrial sources. Proposed rules for additional industrial sources of benzene expected to cut emissions by another 14,000 tons annually. In total, industrial benzene emissions for sources covered would be reduced by 90 percent from current levels.
- o Commercial Cooling Units. Set new rule under Toxic Substances Control Act prohibiting use of hexavalent chromium, a known carcinogen, in commercial air conditioning units. Will result in eliminating about 34 tons per year of hexavalent chromium emissions from 38,000 existing facilities nationwide.

Visibility Improvement in Grand Canyon

- o Launched program to protect vistas in the Grand Canyon by reducing emissions from the Navajo Generating Station, a large coal-fired electric power plant in Arizona.

Radon

- o Radon Survey. Completed radon survey demonstrating elevated levels of this radioactive gas in housing across nation. Recommended school officials test all frequently-used schoolrooms on basement and ground-floors for elevated radon levels. Published booklet describing radon reduction techniques in schools.
- o Ad Campaign. Worked with Ad Council on national media campaign to motivate homeowners to test for and fix radon problems. Campaign expected to result in approximately \$20 million worth of publicity donated by radio, TV and outdoor advertising.

Stratospheric Ozone Depletion

- o Domestic rules took effect to scale back chlorofluorocarbon (CFC) use to 1986 levels to comply with Montreal Protocol on Substances that Deplete the Ozone Layer.

WATER

Drinking Water

- o Treatment Standards. Set new standards to limit toxic pollutants in water supply systems through monitoring and application of additional treatment technologies. Filtering of water required by rules unless specific water quality and watershed control criteria are met.
- o Pesticides Regulation. Proposed rule to regulate 17 pesticides and 21 other contaminants in drinking water--almost doubling number of pollutants subject to federal law nationwide. Also calls for monitoring additional 110 currently unregulated contaminants.

Ground-Water Task Force

- o Reinvigorated internal task force to formulate national strategy to protect nation's ground-water resources. Drafted set of principles and responsibilities for each level of government. Started public dialogue with states, local government, public and private interest groups and citizens in order to solicit their views.

Wetlands Protection

- o Ware Creek. Blocked use of Ware Creek (Virginia) to create a reservoir, less environmentally damaging alternatives are available, project would have resulted in loss of over 400 acres of diverse and unique wetlands, as well as harming a Great Blue Heron rookery.
- o Two Forks. Initiated consideration of environmental veto of construction of Two Forks Dam and Reservoir (Colorado), citing potentially unacceptable and unavoidable environmental effects and existence of alternative water supplies.
- o Memorandum of Agreement. Signed agreement with Army Corps of Engineers providing clarification and general guidance on mitigating wetlands loss. Aim is to reduce delays in permit processing, minimize ambiguity in regulations and provide field personnel with clearer, consistent understanding of mitigation.
- o "No Net Loss." Developing recommendations to attain goal of "No Net Loss of Wetlands" through Domestic Policy Council's Inter-Agency Task Force on Wetlands.

Ocean Dumping

- o Secured consent agreements to end ocean dumping. Agreements affect nine remaining municipal sludge generators that ship treated sludges by barge to ocean dump site. Six New Jersey areas will end practice by March 1991, two New York areas by end of 1991, and New York City by June 1992.

Pretreatment Enforcement Initiative

- o Filed suits, with Enforcement Office, Dept. of Justice and states, against 61 cities for failure to control industrial discharges of toxic and hazardous wastewaters into their sewage treatment systems.

Chesapeake Bay

- o Administrator Reilly became chairman of Chesapeake Executive Council, comprised of chief executives of EPA, Maryland, Pennsylvania, Virginia, District of Columbia and Chesapeake Bay Commission. Reported significant reductions in phosphorus discharges to Chesapeake Bay--nation's largest and most productive estuary. Progress reported in restoring striped bass population.

WASTE

Superfund - Strategic Redirection

- o Management Review. Redirected Superfund program via intensive 90-day review of past record and preparation of strategic plan for improvement.
- o "Enforcement First." Adopted new approach using broad range of enforcement tools to increase portion of cleanup done by responsible parties. During FY 89, responsible parties started 60 percent of new Superfund response projects, most in project design and site cleanup. Work valued at approximately \$1 billion, a dramatic jump from previous two years. Added 500 staff to strengthen Superfund enforcement.
- o "Make Sites Safer." Made sites safer by evaluating sites on National Priorities List to determine hazardous conditions requiring immediate action. Emergency response actions started at most sites where serious problems found, with remaining sites a top priority; actions intended as interim measures while site investigations conducted, cleanup technologies selected, and cleanups under way.
- o "Worst Sites First." Focused on worst sites first by establishing new priority system to ensure limited resources directed toward cleaning up worst problems at worst sites first.

Superfund - Improved Performance

- o Site Assessment. Made major strides in evaluating sites in potential Superfund Site Inventory. Of 32,000 sites, 93 percent now assessed; 45 percent do not require further action. Additional sites added to National Priority List--total now 1,222 (all final except for 220 still in proposal stage).
- o Record High Superfund Starts. During FY 89, began 108 long-term cleanup projects (record high). Total sites under construction now 264. Eighty percent of 1,219 National Priority List sites have had emergency response or long-term cleanup started. Treatment is part of cleanup remedy at 70 percent of sites.
- o Exceeded Congressional Targets. EPA started 178 cleanup actions vs. target of 175, and completed 358 site investigations to determine cleanup needs vs. target of 275, exceeding Congressionally-mandated targets for 1986 Superfund Amendments and Reauthorization Act.

- o Hanford Nuclear Site. Reached agreement on cleanup of Hanford Nuclear Site in southeast Washington state in landmark multi-billion-dollar settlement with Dept. of Energy and state of Washington. Thirty-year program required to clean up millions of gallons of chemicals and radioactive wastes.
- o Federal Facilities Cleanup. Negotiated over 30 other settlements for cleanup of federal facilities with Dept. of Energy and Dept. of Defense, including interagency agreement with Dept. of Energy and state of Colorado for study and cleanup of Rocky Flats (Colorado) Nuclear Weapons Plant.
- o National Contingency Plan. Revised National Contingency Plan as regulatory blueprint for Superfund program by incorporating new emphasis on quick action to control immediate dangers, use of treatment technologies, and increased public participation. Creates process to ensure consistent and realistic criteria for remedies selected.
- o Innovative Technologies. Demonstrated emphasis on innovative technologies by completing 10 field evaluations of new treatment technologies and beginning evaluations of 18 additional technologies in Superfund Innovative Technology Evaluation program.
- o Technical Assistance Grants. Streamlined procedures for obtaining grants that make it easier for citizen groups to understand local Superfund cleanup activities. Reduced percent of matching funds required to make it easier for citizen groups to participate. Grants allow groups to hire technical experts of their own choosing to assist in community understanding and involvement.

Resource Conservation and Recovery Act (RCRA) - Waste Management

- o Medical waste tracking. Established two-year pilot tracking program to ensure that medical waste is sent to proper disposal facilities. New Jersey, New York, Rhode Island, and Puerto Rico participating. Program applies to physicians, dentists, veterinarians, small clinics, large health-care facilities, and other medical waste generators.
- o Land disposal restrictions. Issued final rules prohibiting land disposal of hazardous wastes that have not been treated to meet best demonstrated available technology standards. Proposed final phase of land disposal restrictions. This action completes a series of Agency actions leading to the ultimate ban by 1990 of land disposal of all currently regulated hazardous wastes.

RCRA Implementation Study

- o Began intensive review of Agency's hazardous waste management program. Seeking advice from states, industry, public interest groups, and other federal agencies. Review covers evolution of program, regulations, enforcement, federal/state relations, manpower, permitting, and corrective action. Final report expected Spring 1990.

Municipal Solid Waste

- o Published Agenda for Action, which sets national goal of reducing municipal waste by 25 percent by 1992. Sets waste management hierarchy: source reduction, recycling and, only as last result, landfilling or incineration.

Hazardous Waste Exports

- o Developed legislative proposals to support President's ban on all hazardous waste exports absent an agreement to assure safe handling of such wastes.

PESTICIDES AND TOXIC SUBSTANCES

Administration's Food Safety Plan

- o Worked with Administration, Food and Drug Administration and Dept. of Agriculture to help draft President Bush's plan to improve food safety:
 - calls for major revisions to existing pesticide legislation to streamline EPA's ability to remove problem pesticides from use.
 - Strengthens EPA enforcement of pesticide violations.
 - Eliminates long-standing inconsistency in existing laws that govern pesticide residues in foods.
 - Designed to eliminate unacceptable risks to public health and to provide for more orderly regulation of pesticides and their use.

EBDC Cancellation

- o Proposed cancelling 45 food crop uses for three EBDC pesticides and all food uses for a fourth.

Alar Cancellation

- o Ordered prohibition on all sales, distribution and use of daminozide (trade name, Alar) products labeled for use on food crops. Producer Uniroyal Chemical Co. agreed to buy back all food-use stocks of substance. EPA monitoring marketplace removal.
- o Phasing out all tolerance of Alar in imported foods by May 31, 1991.

PCB Tracking

- o Put into effect new regulations under Toxic Substances Control Act that strengthen Agency's control over disposal and storage of polychlorinated biphenyls (PCBs). Action establishes cradle-to-grave control of these hazardous chemicals.

Re-registration

- o Cancelled nearly 20,000 pesticide registrations for failure to pay new annual registration maintenance fees.

Asbestos

- o Ban on new asbestos products. Broke ten year stalemate to ban almost all asbestos-containing products in U.S. in stages over the next seven years, including new product manufacture, imports, and processing. Affects at least 94 percent of U.S. production and imports.
- o Loans and grants. Awarded \$45 million in loans and grants to help nation's most financially needy primary and secondary schools abate asbestos hazards. Funds helped 231 school districts meet requirements of Asbestos Hazard Emergency Response Act.

Endangered Species

- o Proposed revised program to protect endangered species and threatened wildlife from effects of pesticide use. Program will rank endangered and threatened species based on status, vulnerability to pesticides, recovery potential and other factors. With help from Fish and Wildlife Service and Dept. of Agriculture, will identify counties in which each species is located and evaluate uses of pesticides in these areas.

ENFORCEMENT

Aggressive Enforcement

- o Civil Cases. Referred 364 civil judicial cases of environmental law violations to Dept. of Justice in FY '89. Just short of record high 372 cases in FY '88.
- o Criminal Cases. Referred 60 criminal cases (record high) to Dept. of Justice in FY '89.
- o Superfund. In Superfund enforcement, 153 cases referred, representing 34 percent increase over previous fiscal year.
- o New Positions. Added 500 new positions to strengthen Superfund enforcement.

Administrative Orders

- o Record High Numbers. Issued over 4,000 administrative enforcement orders (record high) across all programs in FY '89, representing increase of 33 percent over previous year.
- o Monetary Penalties. Issued \$34.9 million in judicial and administrative civil penalties in FY '89 (second-highest total in Agency history). Included record high \$13.9 million for administrative penalties.
- o Clean Water Act. More than 1,700 orders issued; more than \$2.7 million recovered in 161 final penalty orders.
- o Superfund. Issued over 100 unilateral administrative orders to responsible parties requiring \$211.7 million in hazardous waste site cleanup and removal. Combined with 71 settlements for site cleanup, result is more than \$1 billion in site response work undertaken by responsible parties at Superfund sites.

Right-to-Know Violations

- o Fines. Proposed fines totalling \$1.7 million on 42 companies failing to report toxic chemical discharges as required under Emergency Planning and Community Right-to-Know Act. (Total fines of \$4.5 million sought from 113 companies nationwide during first reporting year.)

- o Notices. Over 1,500 notices of noncompliance issued.

Hazardous Waste Export Regulations

- o Filed first enforcement actions against four violators of hazardous waste export regulations that require generators and transporters to obtain consent of receiving country before shipping hazardous waste.

Asbestos Violations

- o Demolition and Renovation Suits. Filed civil lawsuits, with Dept. of Justice, in New York, Philadelphia, Chicago, Seattle and seven other cities against 34 companies and individuals in major initiative to halt violations of federal rules protecting public from unlawful asbestos demolition and renovation practices.
- o Schools Compliance. Announced that 94 percent of nation's public school districts and private schools are complying with initial requirements of Asbestos Hazard Emergency Response Act to protect school children and teachers from asbestos hazards.

Wastewater Pretreatment Violations

- o Filed suits, with Dept. of Justice, against cities of Detroit, El Paso, Phoenix and San Antonio alleging violations of Clean Water Act. Act requires cities to control industrial discharges of toxic and hazardous wastewaters into their sewage treatment systems. Named 57 other cities in federal and state judicial actions and administrative orders seeking penalties for similar alleged violations.

Landmark Settlements

- o Texas Eastern. Negotiated most extensive environmental settlement ever agreed to by single company. Texas Eastern must pay civil penalty of \$15 million (record high) and expected to pay over \$400 million for required cleanup actions at 89 contaminated sites along 10,000 mile natural gas pipeline running from Texas to New Jersey.
- o Shell Oil. Negotiated settlement, along with Dept. of Justice, state of California and five local agencies, with Shell Oil Co. requiring payment of \$19.7 million in fines and damages for spilling more than 400,000 gallons of crude oil in April 1988 into Peyton Slough and Carquinez Strait near San Francisco. Record high civil penalty for violation of spill prevention regulations under Clean Water Act.

- o Cannons Engineering. Negotiated Superfund cost recovery settlement, along with Dept. of Justice, Massachusetts and New Hampshire, requiring 59 potentially responsible parties to provide more than \$33 million to clean up three of the four Cannons Superfund sites.
- o Metropolitan Denver. Negotiated consent decree, along with Dept. of Justice, with Metropolitan Denver Sewage District No. 1, the Denver Water Board and several other parties to pay \$1.1 million penalty for illegal discharges of sewage waste. Record high Clean Water Act civil penalty against municipality.
- o Environmental Waste Control. Obtained judgement, along with Dept. of Justice and citizens group STOP, Inc., imposing \$2.8 million penalty against Environmental Waste Control, Inc. and an order to close its Fulton, Indiana landfill. Record high civil penalty assessed under Resource Conservation and Recovery Act.
- o Operating Industries, Inc. Superfund Site. Negotiated Superfund settlement, along with Dept. of Justice and California, requiring over 100 companies to contribute more than \$66 million to clean up hazardous waste landfill in Monterey Park, California, one of worst sites in U.S. Record high Superfund cost recovery settlement from private parties.

Landmark Criminal Enforcement Cases

- o Aberdeen Proving Ground. Obtained first EPA-Dept. of Justice conviction of federal employees for environmental misconduct. Three civilian management personnel at U.S Army facility at Aberdeen Proving Grounds, Maryland, sentenced to three years probation and 1,000 hours community service each.
- o Wetlands. Obtained first EPA-Dept. of Justice wetlands conviction involving jail term. Violators sentenced to 21 months and \$5,000 fine each for discharging dredge spills onto wetland property and carrying out unpermitted dredging of canal in navigable waters near Pensacola, Florida.
- o Pennwalt. Obtained judgement against Pennwalt Corporation, Inc. Violators sentenced to pay \$1.1 million fine for chemical holding tank collapse and discharge of 75,000 gallons of toxic chemical into Puget Sound, Washington. One of largest environmental criminal fines ever imposed.

Enforcement Management Review

- o Launched management review to identify opportunities to strengthen EPA enforcement program.

POLLUTION PREVENTION AND RECYCLING

Pollution Prevention

- o Priority. Made pollution prevention a top priority and began to integrate this approach into all Agency activities.
- o Developed Program. Created distinct pollution prevention program to work with industry and other groups to minimize waste production nationwide.
- o Grants Awarded. Awarded \$4 million in grants to states to assist them in developing pollution prevention programs.
- o Pollution Prevention Legislative Proposal. Drafted comprehensive legislative proposal on pollution prevention and recycling.

Recycling

- o Recycling Goal. Established goal of at least 25 percent of all municipal waste to be recycled by 1992.
- o Task Force. Formed recycling mobilization task force to coordinate development and implementation of new ideas aimed at promoting recycling.
- o Procurement Guidelines. Implemented procurement guidelines to stimulate markets for recycled goods. Guidelines require government agencies and contractors to buy products made of recycled materials. More than 20 states established their own procurement programs.
- o Internal Coordinator. Established position of Agency Recycling Coordinator to facilitate recycling efforts within EPA.

COMMUNITY RIGHT-TO-KNOW AND EMERGENCY PLANNING

Toxics Release Inventory

- o Released first ever information on routine emissions of over 300 toxic chemicals to air, land and water to strengthen citizens' role in environmental protection. Data obtained from more than 74,000 reports submitted by 19,000 manufacturing facilities for 1987 emissions.

Emergency Planning

- o State and Local Officials. Strengthened community awareness of hazards posed by chemical accidents and supported emergency planning activities by working with state and local officials.
- o State Emergency Response Commissions. Since Emergency Planning and Community Right-to-Know Act passed in 1986, all 56 states and territories have established State Emergency Response Commissions. Commissions provide oversight for more than 3,800 Local Emergency Planning Committees.
- o Local Emergency Planning Committees. Local committee membership estimated at more than 50,000 people nationwide. Approximately 85 percent of officially designated local committees were operational in 1989. Approximately half that total completed their community-specific plan for addressing accidental chemical releases.
- o Oil Spill Preparedness. As co-chair of National Response Team assisted Coast Guard in drafting report on status of national preparedness for responding to oil spills. Evaluated federal, state, local and industry contingency plans.

INTERNATIONAL ISSUES

Stratospheric Ozone Protection

- o Chlorofluorocarbon (CFC) Phase-Out. President Bush pledged to attain a full phase-out of CFC use by turn of century. EPA played key scientific and policy role in work to strengthen the Montreal Protocol on Substances that Deplete the Ozone Layer.
- o Domestic Cutbacks. Implemented final domestic rules for cutbacks of CFC use required by Montreal Protocol.

Environment Featured at Economic Summit

- o Administrator Reilly accompanied President Bush to 1989 G-7 Economic Summit in Paris (first time the head of state brought his environmental advisor to such an event). One-third of the communique addressed global environmental agenda.

Global Climate Change

- o International initiatives. U.S. agreed to host several international events to expand knowledge on global warming. International meeting for scientific, environmental and economic officials to discuss global climate change issues to be convened by White House in April 1990.
- o Framework Treaty. President Bush offered to host negotiations leading to framework treaty on global climate change after UN-sponsored Intergovernmental Panel on Climate Change completes its work.
- o Presidential Address to IPCC. President Bush became first head of state to address Intergovernmental Panel on Climate Change in February; in Washington, D.C.
- o Research Efforts. Administration's FY '91 budget proposes \$1 billion in research and monitoring to reduce scientific and economic uncertainties surrounding climate change.

- o Domestic Initiatives. Several domestic initiatives undertaken by Administration will also slow effects of global climate change:
 - Clean Air Proposal. Promotes energy efficiency and conservation measures.
 - Fuel Efficiency Standards. Transportation Secretary Skinner, with EPA support, has strengthened automobile fuel efficiency standards. Will reduce carbon dioxide emissions more quickly in short term than any single EPA regulatory action.
 - National Energy Strategy. Energy conservation programs in National Energy Strategy being developed by Dept. of Energy.
 - Reforest America. President Bush's State of the Union message launched one billion-trees a year reforestation initiative. Measure will store carbon, shelter buildings, reduce energy use, cut pollution and stabilize soils.
 - Reports to Congress. EPA issued reports to Congress on anticipated effects of climate change and on policy options to stabilize greenhouse gases.

Bilateral Relations

- o Eastern Europe. Offered technical training, help in drafting environmental laws and regulations, and access to pollution abatement technology.
 - To support Presidential initiative, laid groundwork for Eastern European Environmental Center in Budapest, Hungary and developed proposals to improve air and water conditions in Krakow, Poland.
- o Mexico. U.S. signed agreement to help Mexico City address air pollution problems. Administrator Reilly participated in U.S.-Mexico Bi-National Commission meeting, first time environment featured on Commission's agenda.
- o Soviet Union. U.S. and Soviet scientists and officials met in Washington, where they agreed to cooperative projects on several key environmental issues--wetlands management, post-Chernobyl radiation monitoring, and Arctic ecology.

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- o Began a bioremediation research and field program to accelerate breakdown of spilled oil by adding nitrogen and phosphorus nutrients (fertilizers) to existing microorganisms on the beaches. Results indicate accelerated breakdown of oil.

Acid Rain Control Technology

- o Developed and tested two processes offering cost-effective control of sulfur dioxide and nitrogen dioxide--compounds emitted from burning coal that produce acid rain. Both technologies together--Limestone Injection Multistage Burner and Advanced Silicate Sorbent Process--projected to achieve high sulfur dioxide control at roughly half cost per ton of conventional scrubber technologies. Potential to save millions of dollars in cost of air pollution control.

Protecting Ecosystem Health

- o Established new interagency Environmental Monitoring and Assessment Program to examine current condition of nation's ecosystems and monitor trends. Program will build on data already being collected to assess condition of ecological resources such as estuaries, wetlands and forests and to probe causes of adverse changes.

Biotechnology

- o Suicide Gene. Responding to concern about unintended consequences of releasing large-scale biotechnology products into the environment, developed and tested concept of "suicide gene" that kills genetically-engineered microorganism that has completed its intended task.
- o Contaminated Groundwater. Developed and tested several methods of using naturally occurring bacteria to clean up contaminated groundwater, including a new technique for dealing with trichlorethylene, an industrial solvent that is a common ground-water pollutant.

Predicting Chemical Toxicity

- o Developed new tool to provide preliminary, inexpensive chemical risk assessments where little toxicity data is available. System uses computer models to predict toxicological properties of compounds based only on knowing chemical's structure. Due to expense of existing evaluation techniques, new system expected to play increasing role in evaluating toxicity of new chemicals.

Innovative Technologies for Superfund Cleanups

- o Completed 10 field evaluations of new treatment technologies and began evaluations of 18 additional technologies in Superfund Innovative Technology Evaluation program. Demonstrations by private sector at actual Superfund sites and evaluations by EPA scientists and engineers provide performance and cost information needed by federal and state programs responsible for selecting remedies.

OTHER ISSUES

Environmental Education

- o Environmental Education Task Force. With National Governor's Association created task force on environmental education to oversee and encourage environmental education activities within EPA and by external groups promoting environmental education in schools.
- o Environmental Youth Awards. President Bush awarded President's Environmental Youth Awards in White House ceremony to youngsters participating in organized environmental activities.

Earth Day Celebration

- o Established Earth Day offices to coordinate and support EPA activities in preparation for 20th anniversary of Earth Day on April 22, 1990.

Outer Continental Shelf

- o Worked closely with Dept. of Interior and other federal agencies as part of Outer Continental Shelf task force. Urged adoption of stringent air quality standards during offshore drilling activities and recommendations to prevent and minimize potential effects of spills during drilling and shipping.

Restoration of Prince William Sound

- o Following Valdez oil spill, Administrator Reilly was assigned responsibility for coordinating federal activities for long-term restoration planning of ecology of Prince William Sound.

Indian Program

- o Made progress toward establishing operational Indian environmental programs under Safe Drinking Water Act, Clean Water Act, Superfund and Community Right-to-Know Act. Administration's Clean Air bill also contains provisions for direct work with tribal governments.
- o EPA Administrator Reilly met with tribal leaders and designated a Special Assistant for Indian Programs.

Internal Management

- o Established Long Range Strategic Planning process to focus over four-year period on actions to reduce risks and prevent pollution via budgeting, accountability systems, and Agency priority setting.
- o Began design of new Biotechnology Research Laboratory in Gulf Breeze, Florida and new Clinical Inhalation Research Laboratory in Chapel Hill, North Carolina. Continued design on renovation of lab at Edison, New Jersey to accommodate Superfund Innovative Technology Evaluation research.
- o Achieved record high contract obligations--\$102 million-- to minority business community in FY '89--fully 10 percent of Agency obligations.

For additional information, phone (202) 382-4355 or write:

Office of Communications and Public Affairs
U.S. Environmental Protection Agency
Washington, D.C. 20460

March 1990



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

AC HAS SEEN

Marnie - Pl

discuss

MAR 14 1990

OFFICE OF
THE ADMINISTRATOR

THE CHIEF OF STAFF
has seen 3-19-90

David: Bill's speech to the
Natural Resources Council of America
man speaks to a number of items
(we think quite well!) that seem
to haunt Bill from time to time —
(see e.g. pp 3-6, 12-13). If you agree,
could we ask your help to get copies
into the right hands?

Thanks. Gordon



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

THE ADMINISTRATOR

ENVIRONMENTAL ADVOCACY IN THE 1990's

Remarks by

WILLIAM K. REILLY
Administrator
U. S. Environmental Protection Agency

NATURAL RESOURCES COUNCIL OF AMERICA
CONSERVATION ROUND TABLE

National Press Club
Washington, DC

March 7, 1990

*****AS DELIVERED*****

O THANKS VERY MUCH, HAL (SALWASSER)

-- IT'S GOOD SEE SO MANY OLD FRIENDS AND COLLEAGUES AND TO MEET SOME NEW ONES

-- I KNOW YOU MUST SHARE MY SENSE OF EXCITEMENT AND SATISFACTION THAT THE ISSUES WE'VE BEEN TALKING ABOUT AND WORKING ON TOGETHER FOR THE LAST TWO DECADES HAVE FINALLY MOVED FROM THE MARGINS TO THE MAINSTREAM IN NATIONAL AFFAIRS AND IN INTERNATIONAL CONCERNS AS WELL

O 1990 IS SHAPING UP AS A BANNER YEAR FOR THE ENVIRONMENT

-- AS YOU KNOW, THIS IS THE YEAR WE OBSERVE THE 20TH ANNIVERSARY OF THE NATIONAL ENVIRONMENTAL POLICY ACT, THE CLEAN AIR ACT, AND THE ENVIRONMENTAL PROTECTION AGENCY

-- NEXT MONTH WE OBSERVE THE 20TH ANNIVERSARY OF EARTH DAY...AND PRESIDENT BUSH'S FIRST OFFICIAL ACT OF THIS NEW DECADE WAS TO PROCLAIM APRIL 22 EARTH DAY IN THE UNITED STATES

-- THE PRESIDENT HAS INDICATED HIS DESIRE TO SIGN ON THAT DAY A BILL ELEVATING EPA TO CABINET STATUS; AND I THINK THAT CONSTITUTES A VOTE OF CONFIDENCE BY THE PRESIDENT AND BY CONGRESS IN ENVIRONMENTAL ISSUES AND IN THE AGENCY

-- AND THE PRESIDENT ALSO HAS EXPRESSED HIS HOPE THAT CONGRESS WILL PASS A NEW CLEAN AIR ACT SO HE CAN SIGN THAT CRITICAL LEGISLATION ON EARTH DAY AS WELL

-- SO 1990 PROMISES TO BE A BUSY, PRODUCTIVE YEAR

O THE COLUMNISTS AND COMMENTATORS ALREADY ARE CALLING THE 1990S "THE DECADE OF THE ENVIRONMENT"

-- WELL, WHAT EXACTLY DOES THIS IMPENDING "ENVIRONMENTAL DECADE" HOLD IN STORE?

- WHAT WILL BE DIFFERENT ABOUT IT? AND HOW CAN WE BE SURE THAT WE REALIZE THE FULL POTENTIAL OF CURRENT PUBLIC SUPPORT FOR THE ENVIRONMENT?
- O WE AT EPA SEE OURSELVES AS ADVOCATES FOR THE ENVIRONMENT; THAT IS CERTAINLY HOW I SEE MY ROLE
- I HAVE GIVEN A GOOD DEAL OF THOUGHT TO THE DEMANDS OF ADVOCACY, AND ALSO TO THE DISCIPLINES ADVOCACY SHOULD RESPECT, TO BE BOTH CREDIBLE AND EFFECTIVE
- THERE ARE STYLES OF ADVOCACY THAT I THINK ARE EFFECTIVE IN CERTAIN CIRCUMSTANCES THAT MAY BE LESS APPROPRIATE AT OTHER TIMES
- IN THE 1960S ENVIRONMENTAL ADVOCACY AMOUNTED ESSENTIALLY TO AN EFFORT TO RAISE PUBLIC AWARENESS AND SET AN AGENDA FOR NATIONAL LEGISLATIVE ACTION
- THOSE EFFORTS WERE LARGELY SUCCESSFUL
- IN THE LATTER 1970S AND 80S, ENVIRONMENTAL ADVOCACY TURNED INCREASINGLY TO A PREOCCUPATION WITH JUDICIAL ENFORCEMENT OF THOSE HARD-WON LAWS...
- AND TO PROBLEMS OF IMPLEMENTATION THAT AROSE IN THE EXECUTIVE BRANCH AND THE STATES
- MUCH ABOUT THE EFFORTS OF CONSERVATIONISTS THEN WAS DEFENSIVE
- BUT THE COMMUNITY HAS GROWN IN STRENGTH AND VISIBILITY AND SOPHISTICATION; HERE IN THE UNITED STATES, AND IN MUCH OF EASTERN EUROPE AS WELL, ENVIRONMENTAL ADVOCATES AND THEIR ORGANIZATIONS ARE DRIVING THE NEW IDEAS, THE NEW ASPIRATIONS OF THE PEOPLE
- AND NOW THE NATION AND POSSIBLY MUCH OF THE WORLD IS POISED TO MAKE A REAL AND SIGNIFICANT COMMITMENT TO PROTECTION AND RESTORATION OF NATURE AND THE ENVIRONMENT

- HOW WILL ADVOCATES RESPOND TO THIS MOMENT? WHAT PRIORITIES WILL RECEIVE SUPPORT?
- FIRST, LET ME SUGGEST WHAT IS DIFFERENT ABOUT THIS MOMENT
- I CREDIT THE RENEWED VIGOR OF ENVIRONMENTAL ISSUES TO THREE MAJOR CHANGES THAT HAVE OCCURRED JUST OVER THE LAST COUPLE OF YEARS
- FIRST, THE PRESIDENT IS WITH US; SECOND, THE PUBLIC IS WITH US; AND THIRD, INCREASINGLY THE ECONOMICS ARE WITH US
- LET ME BRIEFLY SPEAK TO EACH OF THESE ELEMENTS:

O **FIRST, THE PRESIDENT:**

- PRESIDENT BUSH HAS MADE IT CLEAR, REPEATEDLY, ON DOMESTIC AND FOREIGN POLICY DECISIONS, THAT HE MEANT IT WHEN HE SAID HE WOULD BE AN ENVIRONMENTAL PRESIDENT
- I AM SEEN BY SOME AS THE "GREEN" MEMBER OF THE BUSH ADMINISTRATION; AND, AS KERMIT THE FROG HAS BEEN KNOWN TO LAMENT, "IT'S NOT EASY BEING GREEN"
- BUT LET ME ASSURE YOU, NO GREEN IN GOVERNMENT HAS EVER HAD THE SUPPORT FROM THE PRESIDENT THAT I HAVE
- NOR HAS ANY OF MY PREDECESSORS HAD ANYTHING LIKE THE ACCESS, THE INCLUSION AT CABINET MEETINGS, THE CONSULTATION ON FOREIGN AND DOMESTIC POLICY, THE INVOLVEMENT IN SIGNIFICANT POLICY ISSUES
- IT MAY SOMETIMES SEEM I HAVE A DOG IN EVERY FIGHT; IT CERTAINLY SEEMS THAT WAY TO ME
- THAT IS THE NATURE OF THE ENVIRONMENTAL CONCERNS TODAY; THEY ARE CROSS-CUTTING
- THE DAYS WHEN CONSERVATIONISTS CARED ONLY ABOUT FORESTS, PARKS AND WILDLIFE, WITHOUT SPEAKING TO A BROADER SET OF ISSUES, ARE LONG PAST

- NOW, AS THE LEADERS OF THE SEVEN INDUSTRIAL NATIONS SAID IN PARIS AT THE ECONOMIC SUMMIT LAST JULY, ENVIRONMENTAL CONSIDERATIONS MUST AFFECT POLICIES FOR ENERGY, AGRICULTURE, TRANSPORTATION AND ECONOMICS
- AND AS THE ENVIRONMENTAL ISSUE IS MORE BROADLY UNDERSTOOD AND MORE FAR-REACHING IN ITS IMPLICATIONS, WE WILL SEE MORE CONTROVERSY AND CONFLICT, NOT LESS
- THAT, HOWEVER, IS NOT A CAUSE FOR CONCERN, BUT RATHER A SIGN THAT THE ISSUE IS BEING TRULY AND EFFECTIVELY JOINED AND ENGAGED
- THE ADMINISTRATION'S RECORD SPEAKS FOR ITSELF: LOOK AT WHAT WE'VE BEEN ABLE TO ACCOMPLISH IN ONE YEAR:
- THE CLEAN AIR PACKAGE; I THINK ALL MAJOR PLAYERS UNDERSTAND THAT THE REASON CLEAN AIR LEGISLATION IS LIKELY TO PASS THIS YEAR, BREAKING A DECADE-LONG STALEMATE...
- ...IS BECAUSE PRESIDENT BUSH IS AN ADVOCATE FOR IT; FOR A TOUGH MEASURE THAT WILL LIKELY ADD \$20 BILLION PER YEAR TO THE COSTS OF CLEAN AIR, BROADLY SPREAD ACROSS THE AMERICAN ECONOMY
- THEN THERE IS THE ASBESTOS BAN AND PHASE-OUT
- AND THE BAN ON IMPORTS OF IVORY, WHICH PRESIDENT BUSH STARTED AND THE EUROPEAN COMMUNITY THEN ADOPTED, WITH VERY ENCOURAGING EARLY RESULTS FOR ELEPHANT CONSERVATION, ESPECIALLY IN EAST AFRICA
- THERE'S THE BAN ON HAZARDOUS WASTE SHIPMENTS ABROAD WITHOUT ADEQUATE SAFEGUARDS IN THE RECEIVING COUNTRY
- AND 500 NEW STAFF POSITIONS FOR ENFORCEMENT OF SUPERFUND; WE'VE HAD A RECORD PERFORMANCE ON ENFORCEMENT IN THE PAST YEAR -- IN ORDERS TO THE DEPARTMENT OF JUSTICE, IN RECOVERIES FROM RESPONSIBLE PARTIES, IN CLEANUPS AND SETTLEMENTS

- THERE'S OUR FOOD SAFETY PACKAGE, TO STRENGTHEN PESTICIDE LAWS
- OUR DECISION TO CANCEL ALAR AND A WIDELY USED FUNGICIDE, EBDC'S
- THE PRESIDENT'S DECISION TO CALL FOR A GLOBAL CLIMATE TREATY
- AND THEN, THE PRESIDENT'S PROPOSAL TO GENERAL SECRETARY GORBACHEV AT MALTA THAT THE UNITED STATES HOST THE GLOBAL CLIMATE CHANGE FRAMEWORK CONVENTION HERE IN THE UNITED STATES
- THE COMMITMENT TO PHASE OUT CFC'S, WHICH DESTROY STRATOSPHERIC OZONE AND ACCOUNT FOR A QUARTER OF ALL GREENHOUSE GASES THAT THE UNITED STATES PRODUCES
- TIGHTENING AUTOMOBILE FUEL EFFICIENCY STANDARDS
- REVIEWING THREE CRITICAL OFFSHORE DRILLING LEASES, AT A COST TO FEDERAL REVENUES OF \$450 MILLION FOREGONE
- THE AGREEMENT BETWEEN EPA AND THE CORPS OF ENGINEERS TO ADOPT THE SAME GUIDANCE ON WETLANDS REGULATION; FOR YEARS, PEOPLE KEPT SAYING, "WHY DON'T YOU TWO GET TOGETHER ON THIS" -- AND NOW, TO THE CHAGRIN OF SOME OF THOSE SAME PEOPLE, WE HAVE
- ALL OF THOSE ISSUES GENERATED DEBATE; ALL INVOLVED TOUGH TRADE-OFFS
- SOME OF THOSE TRADEOFFS HAVE BEEN CRITICIZED; BUT THE SUM OF THESE DECISIONS IS BEGINNING TO ESTABLISH A PATTERN, AND SET A COURSE
- WE ENGAGE THE ENVIRONMENTAL ISSUE; WE ARE MOVING THE AGENDA; WE ARE INVOLVED AND DETERMINED TO INCLUDE THE ENVIRONMENT AS A MAJOR POLICY PRIORITY

- O EFFORTS TO CAST JOHN SUNUNU AS THE VILLAIN IN A BUSH ADMINISTRATION RETREAT FROM CAMPAIGN COMMITMENTS ON THE ENVIRONMENT ARE NOT FAIR TO THE FACTS AND, I THINK, UNWISE POLITICALLY FOR THOSE INTERESTED IN THE ENVIRONMENTAL CAUSE
- GOVERNOR SUNUNU HAS BEEN A STRONG AND CONSISTENT ADVOCATE FOR ACID RAIN CONTROLS, PROMOTING AND DEFENDING AGAINST VERY STRONG CONGRESSIONAL CRITICISM A 10 MILLION TON REDUCTION OF SO₂, AND A PERMANENT CAP ON EMISSIONS AT THAT REDUCED LEVEL
- HE HAS TAKEN A CLOSE PERSONAL INTEREST IN FURTHERING SENATE NEGOTIATIONS AIMED AT ENACTING A STRONG AND EFFECTIVE CLEAN AIR BILL; AND HE HAS PLAYED A KEY ROLE IN THE PRESIDENT'S DECISION TO SUPPORT A TREATY ON CLIMATE CHANGE
- ON WETLANDS REGULATION HE HAS HAD TO BROKER THE CONFLICTING, STRONGLY HELD CONCERNS OF TRANSPORTATION, ENERGY, AND OTHER INTERESTS IN SEVERAL STATES -- A ROLE HE HAS FULFILLED APPROPRIATELY AND RESPONSIBLY AS A CHIEF OF STAFF MUST, WHILE HE HAS CONTINUED TO SUPPORT THE DEVELOPMENT OF A POLICY OF NO NET LOSS OF WETLANDS
- I BELIEVE, AND THIS ADMINISTRATION BELIEVES, THAT ENVIRONMENTAL GOALS AND ECONOMIC GOALS CAN BE INTEGRATED; THE AMERICAN PEOPLE WANT PROSPERITY AND A HEALTHY ENVIRONMENT, AND OUR DECISIONS, HIS CONCERNS, ARE DIRECTED AT ATTEMPTING TO ACHIEVE BOTH
- PERSONALIZING DIFFERENCES ABOUT CONTROVERSIAL AND CONTENTIOUS ENVIRONMENTAL ISSUES RISKS POISONING THE ATMOSPHERE AT A TIME WHEN WE HAVE A VERY GREAT OPPORTUNITY TO MOVE FORWARD TOGETHER AS A COUNTRY ON THE ENVIRONMENT
- O THE SECOND FACTOR IN THE NEW ENVIRONMENTAL EQUATION IS THAT THE PUBLIC -- THE NATION'S CITIZENS AND CONSUMERS -- HAS COME TO AN UNPRECEDENTED AWARENESS OF THE THREATS TO THE ENVIRONMENT

- THE POLITICS OF THE ENVIRONMENT BODE WELL FOR ENVIRONMENTAL PROGRESS
- THE STUNNING REFORMS NOW SWEEPING THE SOCIALIST WORLD HAVE MADE IT POSSIBLE FOR US TO LESSEN SOMEWHAT OUR POSTWAR PREOCCUPATION WITH GLOBAL MILITARY COMPETITION, NATIONAL SECURITY AND DEFENSE...
- AND TO REFOCUS OUR ATTENTION, OUR ENERGY AND OUR RESOURCES ON AN EQUALLY SERIOUS PROBLEM -- THE GROWING GLOBAL THREAT TO THE NATURAL SYSTEMS THAT SUSTAIN LIFE ON THIS PLANET AND SUSTAIN ALL OUR ACTIVITIES, INCLUDING ECONOMIC ACTIVITIES
- THE MORE WE LEARN ABOUT THE EFFECTS OF HUMAN ACTIVITY ON THE ATMOSPHERE, ON FRAGILE ECOSYSTEMS, ON OUR OWN HEALTH AND SAFETY, THE MORE WE SEE THE NEED TO CORRECT THESE PRACTICES BEFORE THEY CAUSE PERMANENT DAMAGE...
- DAMAGE TO PEOPLE'S HEALTH AND TO THE ENVIRONMENT, DAMAGE TO OUR ECONOMIC WELL-BEING, DAMAGE TO THE STABILITY OF NATIONS AND TO THE PROSPECTS FOR WORLD PEACE
- PUBLIC OPINION POLLS INDICATE GREATER CONCERN FOR THE ENVIRONMENT, GREATER SUPPORT FOR ENVIRONMENTAL IMPROVEMENT, THAN EVER BEFORE -- EVEN IN THE LATE 1960S, EVEN AT THE TIME OF THE FIRST EARTH DAY
- I BELIEVE THIS PUBLIC CONCERN WILL BE SUSTAINED THROUGHOUT THE 1990S
- CONSUMERS INCREASINGLY ARE DEMANDING PRODUCTS THAT ARE CLEAN AND GREEN -- MANUFACTURED IN NON-POLLUTING PRODUCTION PROCESSES, AND MADE FROM RECYCLED OR RECYCLABLE MATERIALS

- YOU NEED LOOK NO FURTHER THAN YOUR TV SET FOR EVIDENCE OF HOW POPULAR THE GREEN REVOLUTION HAS BECOME: HIT SHOWS LIKE "MURPHY BROWN" DEVOTING ENTIRE EPISODES TO ENVIRONMENTAL ISSUES; PAUL MCCARTNEY'S MOVING ACCEPTANCE SPEECH AT THE GRAMMY AWARDS; HARD-HITTING ENVIRONMENTAL PUBLIC SERVICE ADS INTERSPERSED AMONG MTV'S ROCK VIDEOS
- JUST AS MY GENERATION HAS GROWN UP UNDER THE SHADOW OF NUCLEAR WAR, TODAY'S YOUTH ARE GROWING UP AGAINST THE BACKGROUND HUM OF OZONE DEPLETION, GLOBAL CLIMATE CHANGE, TROPICAL DEFORESTATION, TOXIC CHEMICALS IN FOOD AND WATER AND AIR
- IN RESPONSE, YOUNG PEOPLE HERE AND IN WESTERN AND EASTERN EUROPE AS WELL ARE FORMING ECOLOGY CLUBS, STARTING RECYCLING CAMPAIGNS, PRESSURING THEIR PARENTS TO PAY MORE ATTENTION TO WHAT THEY BUY AND HOW THEY DISPOSE OF IT
- IF YOU THINK THE ENVIRONMENT IS A HOT ISSUE NOW, WAIT UNTIL THESE YOUNG PEOPLE ARE OLD ENOUGH TO VOTE!
- I HASTEN TO ADD THAT, JUST AS PUBLIC CONCERN ABOUT THE ENVIRONMENT IS THE HIGHEST IT HAS EVER BEEN, SO TOO IS THIS NATION'S GENERATION OF WASTE PER CAPITA AT RECORD LEVELS
- I THINK PEOPLE ARE AWARE OF THIS PARADOX, AND THEY ARE UNCOMFORTABLE WITH IT; THEY WANT AND EXPECT HELP TO DO BETTER
- RECENTLY A RELIGIOUS ORDER OF SISTERS INQUIRED OF EPA ABOUT THE ENFORCEMENT HISTORIES AND COMPLIANCE RECORDS OF SEVERAL CORPORATIONS
- THEY WERE CONSIDERING INVESTING THEIR SCHOOL ENDOWMENT IN THE COMPANIES' STOCK, AND THEY WANTED TO KNOW IF THE FIRMS WERE ENVIRONMENTALLY RESPONSIBLE
- SUCH CALLS ARE BECOMING MORE AND MORE FAMILIAR; AND THEIR IMPORT HAS NOT BEEN LOST ON OUR BUSINESS LEADERS

- COMPANIES LIKE MONSANTO, 3M, DUPONT, DOW AND OTHERS HAVE SET IN PLACE PROGRAMS DESIGNED TO REDUCE BY A VERY LARGE PERCENTAGE CERTAIN KINDS OF WASTE PRODUCTS
- THEY ARE STARTING TO ASK NEW QUESTIONS, QUESTIONS LIKE:
- IS THIS WASTE AVOIDABLE?
- IS THERE A BETTER, LESS POLLUTING PROCESS BY WHICH TO MANUFACTURE THIS PRODUCT?
- HOW WILL THIS PRODUCT BE USED AND DISPOSED OF?
- O AND THAT BRINGS ME TO THE THIRD ELEMENT IN THIS NEW EQUATION: INCREASINGLY, THE ECONOMICS OF THE MARKETPLACE ARE ON THE SIDE OF ENVIRONMENTAL PROTECTION
- DURING THE FIRST ENVIRONMENTAL DECADE, IN THE 1970S, THERE OFTEN SEEMED TO BE AN INHERENT CONTRADICTION BETWEEN THE ENVIRONMENT AND THE ECONOMY
- THE CHOICES OFTEN SEEMED TO BE POSED BETWEEN PROTECTING HEALTH AND THE ENVIRONMENT, AND MAINTAINING JOBS AND U.S. COMPETITIVE PERFORMANCE
- WE BECAME AWARE THAT CLASSICAL ECONOMIC MARKETS DID NOT ALWAYS PROTECT PUBLIC HEALTH; MANY ENVIRONMENTAL COSTS LIKE AIR AND WATER POLLUTION WERE SIMPLY NOT BEING PAID BY THOSE DOING THE POLLUTING
- MANY OF OUR ENVIRONMENTAL PROBLEMS WERE THEREFORE CHARACTERIZED AS "EXTERNALITIES"
- IN RESPONSE, AS A SOCIETY WE CRAFTED TOUGH COMMAND-AND-CONTROL REGULATORY SCHEMES TO ACCOUNT FOR THESE EXTERNALITIES
- NOW, HOWEVER, MARKET FORCES ARE BEGINNING TO MOVE OUR WAY; AND WE NEED TO BE CREATIVE IN MANIPULATING AND GUIDING THESE FORCES TO ACHIEVE ENVIRONMENTAL BENEFITS

- WE NEED TO DESIGN WAYS OF INCORPORATING THE ENVIRONMENTAL COSTS OF PRODUCTION AND DISPOSAL INTO THE ACCOUNTING SYSTEMS WE USE TO MEASURE ECONOMIC HEALTH AND PROSPERITY
- AS THE TRUE COSTS OF POLLUTION AND NATURAL RESOURCES ARE INTERNALIZED AND REFLECTED AS COSTS OF DOING BUSINESS...
- WHETHER IT BE FOR REASONS OF IMPROVED PRODUCTIVITY AND PROFITABILITY, OR REASONS OF GOOD PUBLIC RELATIONS;
- WE WILL BE ABLE INCREASINGLY TO MOVE BEYOND COMMAND-AND-CONTROL LAWS AND REGULATIONS THAT EMPHASIZE END-OF-PIPE TREATMENT AND CLEANUP...
- AND TOWARD PERFORMANCE-BASED LAWS THAT FEATURE ECONOMIC INCENTIVES AND THAT EMPHASIZE PREVENTING POLLUTION BEFORE IT BECOMES A PROBLEM
- O IN FACT, MANY OF THE PROVISIONS IN THE PRESIDENT'S CLEAN AIR PROPOSAL REFLECT THIS APPROACH
- COMPANIES THAT VOLUNTARILY REDUCE THEIR EMISSIONS OF TOXIC AIR POLLUTANTS BY 90 PERCENT WILL BE REQUIRED ONLY TO SUBMIT THEIR PLANS TO EPA FOR REVIEW AND VERIFICATION
- I SAID 90 PERCENT! MARGINAL IMPROVEMENTS IN COMPLIANCE REQUIREMENTS DON'T GET YOU 90 PERCENT
- MAJOR CORPORATE COMMITMENTS TO INNOVATE WITH NEW PROCESSES AND TECHNOLOGIES, TO RETHINK FUNDAMENTALLY THEIR RELATION TO THE ENVIRONMENT...
- THESE CAN ACHIEVE BIG GAINS; AND WE WANT TO ENCOURAGE THEM
- SO THE METHODS THEY EMPLOY WILL BE LEFT TO THEM
- IN THE SAME WAY, PUBLIC POWER GENERATORS EMITTING HIGH AMOUNTS OF SULFUR DIOXIDES WILL BE ALLOWED EMISSION ALLOWANCES DESIGNED TO REDUCE AGGREGATE SO2 EMISSIONS BY ABOUT HALF

- BUT THEY WILL BE FREE TO BUY EMISSIONS ALLOWANCES FROM OTHERS IF REDUCTIONS WOULD COST MORE THAN ALLOWANCES DO
- OR THEY COULD REDUCE EMISSIONS SO FAR THAT THEY COULD SELL THEIR ALLOWANCES
- AND THEY WOULD BE FREE TO CHANGE FUELS, OR INSTALL TECHNOLOGY, OR PUT LITTLE MEN IN THEIR SMOKESTACKS WITH MITTENS AND BRUSHES IF THEY WANT -- PROVIDED ONLY THAT THEY GET THE POLLUTION REDUCTIONS SOCIETY NEEDS
- O NOW, I AM IN NO WAY SUGGESTING THAT ENVIRONMENTAL ISSUES WILL NO LONGER POSE HARD CHOICES, OR INVOLVE SERIOUS TRADEOFFS
- BUT INCREASINGLY, OUR DISCUSSIONS ARE TAKING PLACE IN A NEW CONTEXT: NO LONGER WHETHER, BUT HOW
- AND THAT PLACES NEW RESPONSIBILITIES ON ALL OF US, AND PARTICULARLY ON ADVOCATES OF ENVIRONMENTAL PROGRESS, TO APPROACH PUBLIC ISSUES WITH A HEIGHTENED REGARD FOR PURSUING ENVIRONMENTAL GOALS IN THE MOST ECONOMICALLY EFFICIENT MANNER
- WHEN PROSPECTS FOR SUCCESS ON MOST ENVIRONMENTAL ISSUES WERE DIM AT BEST, IT PROBABLY MADE SENSE TO PUSH THE SYSTEM AS HARD AS YOU COULD
- BUT NOW WE NEED TO STEP BACK AND TAKE A HARD LOOK AT WHAT OUR REAL PRIORITIES ARE -- BECAUSE THE PRESIDENT AND THE CONGRESS AND THE COUNTRY ARE LISTENING
- O THOSE OF YOU WHO KNOW ME KNOW THAT I STRONGLY BELIEVE THAT ECOLOGY, THAT CONSERVATION, HAS A MORAL -- EVEN A SPIRITUAL -- BASIS
- AT THE SAME TIME, I THINK WE MUST RECOGNIZE THE DIFFERENCE BETWEEN OUR ULTIMATE GOALS -- CLEANING UP OUR AIR AND WATER, PROTECTING THE ATMOSPHERE, MAINTAINING OUR FORESTS AND PRESERVING ENDANGERED WILDLIFE...

- ALL OF WHICH HAVE MORAL AND ETHICAL AND PRACTICAL OVERTONES...
- BETWEEN THOSE GOALS, AND THE METHODS FOR ATTAINING THEM, WHICH IN A DEMOCRATIC SOCIETY LIKE OURS, HAVE MORE TO DO WITH THE POSSIBLE, THE ACHIEVABLE, AND THE REALISTIC
- IN THE CURRENT CLIMATE, WE HAVE TO LOOK MORE CAREFULLY AT WHAT WE CAN REALISTICALLY ACCOMPLISH GIVEN BUDGET CONSTRAINTS...GIVEN LONG-STANDING ANXIETIES OVER ECONOMIC IMPACTS...GIVEN ALL THE OTHER SOURCES OF CONTROVERSY AND RESISTANCE
- SOMEONE ONCE OBSERVED THAT "ALL DISPUTES ARE, IN THE END, RELIGIOUS DISPUTES"
- BUT I THINK THAT WHEN WE TREAT DISPUTES OVER MEANS AS IF THEY WERE ARGUMENTS OVER ENDS;
- WHEN WE ACT AS IF EVERY COMPROMISE, EVERY CONCESSION TO FISCAL OR ECONOMIC OR OTHER REALITIES IS THE MORAL EQUIVALENT OF A JUDAS KISS...
- IT IS THEN THAT WE BEGIN TO LOSE OUR PERSPECTIVE, THINGS START TO GET TENDENTIOUS, AND WE GET DISTRACTED FROM OUR REAL OBJECTIVES
- O THE CLEAN AIR DEBATE IS NOT A MORALITY PLAY, AND IT SHOULD NOT FAIRLY BE CHARACTERIZED AS ONE
- WE IN THE ADMINISTRATION AND THE SENATORS WHO AGREED TO THE RECENT COMPROMISE -- WHICH IS, BY ANY MEASURE, AN EXTREMELY SOUND AND STRONG PIECE OF LEGISLATION, BOTH ENVIRONMENTALLY AND ECONOMICALLY -- ARE BEING ATTACKED IN SOME QUARTERS FOR "CAVING IN TO INDUSTRY"
- THE FACT IS THAT WE HAVE AN OPPORTUNITY NOW TO PASS A NEW CLEAN AIR LAW; WE DARE NOT LOSE IT, NOR THE PRECEDENT FOR FURTHER LEGISLATIVE PROGRESS THAT SUCCESS ON CLEAN AIR WOULD SET

- SENATORS MITCHELL AND DOLE CRAFTED A COMPROMISE THAT HOLDS GREAT PROMISE FOR BREAKING THROUGH THE REGIONAL DIFFERENCES THAT HAVE STALEMATED CONGRESSIONAL ACTION FOR YEARS
- GIVE THEM CREDIT; WE NEED A NEW CLEAN AIR BILL NOW SO WE CAN GET ON WITH THE JOB OF CUTTING AIR TOXICS AND SULFUR OXIDES AND SMOG
- ON SOME ISSUES THE CURRENT ARGUMENTS ARE ABOUT PROGRAMS OR REQUIREMENTS THAT WON'T TAKE EFFECT FOR YEARS...
- DOES ANYONE BELIEVE WE WON'T CONTINUE DEBATING THE BEST METHODS FOR REDUCING AIR POLLUTION -- EVEN AFTER A NEW CLEAN AIR BILL PASSES -- FOR YEARS TO COME?
- NOW, I DON'T NECESSARILY SUBSCRIBE TO THE NOTION THAT "THE BEST IS THE ENEMY OF THE GOOD"; SOMETIMES SETTING PERFECTION AS YOUR GOAL IS THE BEST WAY TO ACHIEVE CONTINUOUS IMPROVEMENT...
- BUT TO CHARACTERIZE ENVIRONMENTAL QUESTIONS THAT DEAL MORE WITH MEANS THAN WITH ENDS AS IF THEY WERE FUNDAMENTAL MORAL CHOICES, OR LITMUS TESTS OF PERSONAL INTEGRITY AND COMMITMENT...
- THAT RAISES THESE DISPUTES TO A LEVEL OF CONTENTIOUSNESS THAT MAKES THEM MUCH MORE DIFFICULT TO RESOLVE THROUGH NEGOTIATION AND COMPROMISE
- IT'S A RECIPE FOR CONTINUED STALEMATE
- O I BELIEVE THAT ENVIRONMENTAL PROTECTION IS ABOUT SUSTAINING LIFE ON EARTH AND ECONOMIC OPPORTUNITY -- FOR THE LONG TERM
- WE ENVIRONMENTAL ADVOCATES ARE LONG-DISTANCE RUNNERS
- WE WANT TO STAY IN THE RACE ON THESE ISSUES FOR YEARS TO COME

- BUT TO DO SO, WE MUST MEASURE OUR PACE, AND TRY TO AVOID DISTRACTING CONFRONTATIONS AND UNNECESSARY POLARIZATION THAT CAN SAP OUR ENERGY AND CREATE EXCUSES FOR INACTION
- O SO THE MESSAGE I WANT TO LEAVE WITH YOU TODAY IS THIS:
 - WE ARE MOVING WITH CONFIDENCE AND A SENSE OF DIRECTION INTO A PROMISING NEW ENVIRONMENTAL DECADE;
 - TOGETHER WE ARE PURSUING OUR GOALS OF ENVIRONMENTAL PROTECTION AND RENEWAL FOR OUR NATION AND OUR PLANET
 - THERE WAS A TIME WHEN NEW ENVIRONMENTAL INITIATIVES WERE TREATED ABOUT LIKE THE MANUSCRIPT THAT NOVELIST ELINOR GLYN SUBMITTED TO A PUBLISHER WHEN SHE WAS JUST SETTING OUT ON HER WRITING CAREER...
 - MS. GLYN SENT HER WORK, OF WHICH SHE WAS QUITE PROUD, TO THE PUBLISHER ALONG WITH A NOTE READING: "PLEASE PUBLISH THE ENCLOSED MANUSCRIPT OR RETURN IT WITHOUT DELAY, AS I HAVE OTHER IRONS IN THE FIRE"
 - A FEW DAYS LATER THE MANUSCRIPT CAME BACK WITH A NOTE THAT SAID: "WE SUGGEST THAT YOU PUT THIS STORY WITH YOUR OTHER IRONS"
 - THOSE DAYS ARE OVER FOR US
 - WE CAN ALL LOOK FORWARD TO BEING HEARD NOW; AND THE MESSAGE, AND THE PRIORITIES, ARE THUS AS IMPORTANT, PERHAPS MORE IMPORTANT, NOW THAN THEY HAVE EVER BEEN
 - THANK YOU

THE WHITE HOUSE
WASHINGTON

TO: GOVERNOR SUNUNU

FROM: DAVID Q. BATES



FYI



Action



Comment

THE WHITE HOUSE
WASHINGTON

David:

Attached is a copy of Bill Rosenberg's speech in Detroit, the ensuing article in the Detroit Free Press, and Rosenberg's letter to the editor which was published. Rosenberg has sent these same materials to Porter, Grady, Gray and Gorman - at our request, he will also send them and a note to Boskin.

Barry

To Governor Sumner
Marlin Fitzwater

FBI

Dove

4/25

Speech Presented By

William G. Rosenberg

Assistant Administrator

For Air and Radiation

U.S. Environmental Protection Agency

at

U.S. Environmental Protection Agency Ann Arbor Laboratory

April 22, 1990

Today is a more than appropriate day to review our history of environmental protection. In reviewing our experience, let me point-out some of the mistakes we have made, the lessons learned, and share some of my predictions for the future.

The 1970 Earth Day started here in Ann Arbor, with a sit-in at the University of Michigan. From those individuals' actions, Americans in 1970 were awakened to our dangerous environmental ways. From that inspiration, the United States Environmental Protection Agency, the Clean Air Act and the Clean Water Act were enacted by Congress.

In the last 20 years since that first Earth Day, we have had many environmental victories. Tailpipe emissions of nitrogen oxides, carbon monoxide and volatile organic compounds from new cars have been cut by up to 90%, and lead emissions are down 99%. These are just a few examples of our many improvements.

Despite these improvements, in 1990 we are still faced with many larger, more complex environmental problems. Motor vehicles still cause 50% of urban ozone smog, 70% of the ambient carbon monoxide, 50% of cancer-causing air toxics, as well as significant carbon dioxide emissions that could affect global climate. Unfortunately, during the last 15 years, as cars got cleaner, fuels got dirtier. As the level of volatile organic compounds coming out of the tailpipe went down, the volatility and toxic components of fuels went up.

It is these and other problems that convinced President Bush to offer his Clean Air Act amendments last year. The President's proposal broke the legislative logjam that had stymied Congressional action for 10 years. The President's comprehensive proposal addressed acid rain, air toxics and urban smog.

After the President offered his proposal in June 1989, both the House and the Senate developed proposals of their own. In an effort to avoid bitter political battles, the Administration and the Senate entered into intense negotiations to hammer out a comprehensive agreement on all aspects of a Clean Air Act. This agreement withstood over 200 amendments on the Senate floor and was adopted by the Senate on a vote of 89 to 11 on April 3, 1990.

Regarding motor vehicles and fuels, there was a remarkable consensus around the President's proposal for reduction in tailpipe emissions and improved refueling and maintenance procedures by 1995 which achieve a 40% reduction in emissions. The clean fuels provision of the compromise agreement requires an additional 20% reduction from vehicles sold in the nation's nine dirtiest cities in 1995 and 30% by the year 2000. Federal and private fleets operating in those cities would be obligated to reduce pollution from those vehicles by 75%. And urban transit buses, beginning in 1992 and increasing in numbers through 1996, would no longer emit clouds of black diesel particulate, but would operate like the clean-fueled buses displayed in Ann Arbor today. Through these

innovations, the clean fuels program will fairly allocate the burden of pollution control between the auto and oil industries permitting the most cost-effective control strategies to be developed to benefit the overall economy.

Shortly after passage of the Senate bill, the House Committee on Energy and Commerce, chaired by John Dingell of Michigan, voted out another compromise reached with Mr. Dingell's long-time adversary, Congressman Henry Waxman of California. While the House and Senate bills each contain provisions that differ from the Administration's bill, it now appears likely that legislation can emerge which will achieve strong environmental protection at a reasonable cost.

Given the widespread agreement that new clean air legislation is needed, it might be argued that we are environmentally no better off in 1990, or perhaps worse off, than in 1970. To the contrary, I say we are vastly better off. In these last 20 years we have learned a great deal about how to protect our environment. Let me walk through these lessons.

First, we have learned that the economy can be reconciled with the environment--that we can have economic growth and a safe environment. By using market-based trading systems to achieve environmental goals, we can protect the environment at vastly lower costs. Such strategies are exemplified by the acid rain trading provision of President Bush's Clean Air Act amendment through which we can cut utility emissions that contribute to acid rain by 10 million tons while saving \$1 billion over other control strategies.

With these provisions we can continue the trend of the last 15 years in which we achieved a 30% reduction in SO₂ emissions despite a 70% increase in electricity generated from coal-fired power plants.

Second, we have realized that we must be innovative in designing environmental solutions. For example, one of the most innovative aspect of the President's clean air proposal is the alternative fuels program. These inherently less polluting motor fuels, combined with the high technology vehicles on display at EPA's Ann Arbor Laboratory, can cut automotive pollution up to 90% from existing levels.

The third lesson we have learned is that although many people have raised concerns about the high economic costs of achieving clean air, these costs can only be understood in reference to the benefits our nation gains from cleaner air. For example, chronic and acute respiratory illnesses, premature deaths, and carcinogenic impacts of air toxics all have significant cost to society. Air pollution also damages our terrestrial and aquatic ecosystems and is diminishing the beauty of scenic vistas in national and state parks. And, air pollution can travel great distances. Although DDT was banned in the U.S. nearly twenty years ago, we are now finding traces of DDT in Great Lakes' fish due, it's suspected, to the DDT which is still used in Central America. We may not always know how to quantify precisely in dollars and cents the cost of losing the opportunity to see the far edge of the Grand Canyon or the stars on a Metro Detroit summer night, but we do know it adds

immeasurably to the quality of our lives and that we want to preserve and improve these resources for our children.

The belief that clean air expenditures are harmful to the economy also fails to consider that the costs of control have decreased over time and that new jobs will be created by the development of innovative pollution control methods. History has shown that more efficient technologies will be developed when standards are established and industry is given sufficient lead time. For example, the cost of scrubbing powerplant emissions has decreased by nearly fifty percent in the decade following passage of the 1977 amendments to the Clean Air Act. And, although the auto industry claimed during the late 'sixties and early 'seventies that catalytic converters could not be feasibly developed, by the mid-'eighties the industry, to its credit, had cost-effectively reduced emissions from automobile tailpipes by 96%.

While some industries may indeed experience job dislocations, in most cases these will be offset by gains in other parts of the economy. As older and dirtier facilities cut back on production, they will be replaced by newer, cleaner facilities; the loss of high sulfur coal jobs will be compensated for by job gains at low sulfur coal mines. Studies show that for every billion dollars in air pollution control expenditures, 20,000 high quality jobs will be created--jobs for pollution control engineers, environmental and public health officials, consultants, lawyers and technicians. And finally, investment in cleaner air will keep the U.S. in its preeminent position as the world's leading exporter of pollution

control expertise.

But as we celebrate Earth Day 1990, there is a fourth lesson which is perhaps the most important--a lesson to take with us if we are to have future decades of environmental protection.

Sound governmental policy is only part of the equation. The success of government policy will depend on the readiness of individuals--you and I--to change our habits: to buy more energy-efficient light bulbs or cleaner gasoline, to recycle our wastes at home, or to plant a tree. As President Bush said: "Through millions of individual decisions, simple, everyday, personal choices, we are determining the fate of the Earth. So the conclusion is also simple: we're all responsible, it's surprisingly easy to move from being part of the problem to being part of the solution."

Americans are showing that we are ready to step up to this responsibility. According to a recent New York Times/CBS News poll, 84% of Americans believe pollution is a serious national problem that is getting worse, and 74% say that environmental requirements cannot be too stringent and that improvements must be made, regardless of the cost. In addition, 60% of the people polled by USA Today said they would pay more for groceries in recyclable packages.

Responsible corporate action is also necessary, and news has recently been encouraging. Several business leaders have decided that maintaining a clean environment is not only their duty, but is also good for business. McDonald's has begun to recycle its

plastic and paper packaging, and recently announced it would buy \$100 million worth of recycled products; Archer Daniels Midland sells clean air gas which is a blend of gasoline and ethanol; ARCO in Los Angeles last fall introduced EC-1, a reformulated gasoline, and sells methanol fuels as does Chevron in many California cities; Marathon Oil Company introduced "Amaraclean" gasoline in Detroit; and Shell Oil Company, the nations largest gasoline marketer, has introduced cleaner burning gasoline in the nine dirtiest cities. Monsanto Chemical has established a voluntary goal of reducing toxic air pollution by 90% within three years, a goal that is pushing its engineers to the limit. Starkist Tuna, a division of H. Heinz, last week announced it would sell dolphin-safe tuna, and within 24 hours its competitors followed suit. And Conoco Oil, a division of DuPont, announced it would purchase double-hulled oil tankers even though Federal requirements have not yet been enacted.

Standing back and comparing Earth Day 1970 to Earth Day 1990, both events have been preceded by extraordinary public concern about the environment. But as these corporate actions demonstrate, today there is strong evidence that it is now good business to sell cleaner products. As polls have demonstrated, there is a marketing advantage to meeting the public's demand for products that have been manufactured with the environment in mind.

Given the public's continuing and growing concern I ask these questions:

- o Will it be long before automakers find it to their advantage to offer cars that exceed minimum Federal pollution standards,

just as the oil industry is selling premium gasolines that are cleaner than required?

- o Can there be any doubt that a family that voluntarily recycles its bottles, cans and newspapers, that carefully conserves electricity, and that follows the President's lead by planting a tree to improve global climate, would also be willing to pay 1% more for a family car that pollutes 30% less?

Bill Reilly at EPA drives a demonstration vehicle that operates on either clean methanol/gasoline blends when alternative fuels are available, or on conventional gasoline when they are not. This demonstration vehicle is made by Ford Motor Company in Dearborn; hopefully, the first production model will also be made in the USA.

On this Earth Day 1990, we can be more optimistic than we were at Earth Day 1970. Today, the American people, their government, and their businesses are all focused on improving our environment.

Three-year-old Jessica Birch of Ann Arbor tries on a scrap hat for size during an Earth Day street fair in downtown Ann Arbor on Sunday. Hundreds turned out to sample organic produce and sign petitions to save resources.



CRAIG PORTER/
Detroit Free Press

Bush official criticizes automakers

BY EMILIA ASKARI
Free Press Environment Writer

Wrapped in the Earth Day mantle, a high-level Bush administration official came to the American auto industry's backyard Sunday and criticized carmakers for their unenthusiastic efforts to cut tail-pipe emissions.

"When are the automakers going to find it's to their advantage to sell cars that exceed the minimum federal air pollution standards?" said William Rosenberg, the U.S. Environmental Protection Agency's top air pollution official.



In a ceremony at the agency's Motor Vehicles Emission Laboratory in Ann Arbor, Rosenberg referred to the many clean-running automobile prototypes on display inside.

"We can only hope that the pro-

duction models of these cars are made in the United States," he said.

Rosenberg's remarks came as a surprise to auto executives in the audience who were basking in the spring sunshine and the glow of an Earth Day celebration heavy on corporate hype.

Reducing tail-pipe emissions even further is "easy to talk about," said Harry Schworchert, a General Motors Corp. emissions manager. "But we've taken the technology almost as far as it can go. ...

Emissions from an individual car

See EARTH DAY, Page 9A

Air pollution official slams carmakers at home

EARTH DAY, from Page 1A

today are really very low."

He also pointed out that GM last week announced plans to mass-produce an electric-powered vehicle. The company didn't say when it would be commercially sold.

Emissions from gasoline-powered cars aren't low enough, though, said Rosenberg, who criticized Detroit auto makers for lobbying against the Clean Air Act. He predicted the bill would become the first major legislation to ride the Earth Day wave of concern through Congress.

The Senate approved a compromise version of the bill a few weeks ago. The House is scheduled to take up

the debate May 14. Rosenberg said he expects the bill to be on the president's desk by Memorial Day.

The first phase of the compromise bill hammered out in the Senate would require auto companies to make design changes and do more emission tests, raising the price of an average car \$150, Rosenberg said.

The modifications — vehemently fought by the auto lobby — would result in a 30-percent reduction in tail-pipe emissions, Rosenberg said.

"Can there be any doubt that a family that voluntarily recycles its newspapers, bottles and cans, that carefully conserves electricity and follows the president's lead in planting a tree to help the environment would

also be willing to pay 1 percent more for a car that pollutes 30 percent less?" Rosenberg said.

The auto industry accepted the compromise Senate bill that includes those standards. No one knows how the car manufacturers will respond if the tenuous compromise falls apart in the House. Representatives from the coal-producing region of Appalachia have vowed to fight the bill.

After his speech, Rosenberg told reporters that he decided to come down hard on automakers in their own backyard because his boss, EPA Administrator William Reilly, is coming to Detroit next week to negotiate with industry officials.

It's all part of a Bush administration

campaign to pass the Clean Air Act, Rosenberg said.

On Sunday, more than 2,000 people visited the EPA lab in Ann Arbor to hear Rosenberg and see prototype electric cars and methanol-powered buses. Agency staff members also handed out hundreds of foot-tall pine trees and conducted dozens of free emissions tests.

Some executives of Japanese automakers were on hand to promote Earth-friendly aspects of their cars, including elimination of ozone-depleting gases in their cars and manufacturing processes.

"We have to be aware of social trends," said Hisayo Hagiwara, 32, a Nissan public relations executive.

IN OUR OPINION

ACK

should lead to tighter financial rules

rdly our favorite
d it's tough to say
ifferent from the
will represent

crat insisted that the conduct that led to his
resignation was "unintentional," not
"wrongful or criminal."

Still, some good may come out of Sen.
Mack's departure if it

reflects an overdue
willingness by the of-
fices of the attorney
general and secre-
tary of state — and
by lawmakers them-
selves — to crack



MICHIGAN

A state for the 1990s

ing anyone great

contest Tuesday
ge of collecting
om the state for
it did not make
er Peninsula dis-

down harder on ethical and campaign-
finance abuses. The Senate, following ac-
counts of Mr. Mack's activities, has tight-
ened its reporting standards for travel
reimbursement. The House should do like-
wise. And that is just the first of the
institutional reforms that need to be made
to restore public confi-
dence in both the politi-
cal and legislative pro-
cesses in Lansing.



Mack: A cautionary tale

The career-ending
experience of a politi-
cian who had come to
seem as permanent a
fixture in Lansing as
the Capitol itself might
offer a cautionary tale
to other well-en-
trenched lawmakers
who are tempted to
cheat just a little. And it
may help persuade vot-
ers that, at least in
state government,
"political integri-
ty" need not be an
oxymoron.

CIOUS

en's reply shows some poor judgment

anches of govern-
liary is the one
tended to hold in
them. We've dis-

public. Further, we said, he added insult to
injury by — in a related case — imposing a
gag order on city officials, elected and
appointed, to prevent them from commenting



FROM OUR R

EPA praises automakers

Your report of my Earth Day speech
was grossly inaccurate ("Bush
official criticizes automakers,"
April 23). You reported that while
speaking in Detroit, I was critical of U.S.
automakers. In fact, I complimented the
industry for the remarkable progress it has
made in reducing auto emissions. You also
said that EPA administrator William Reilly is
coming to Detroit next week to negotiate
with industry officials, when, in fact, he is
coming to make a public address at the
Economic Club of Detroit.

I did suggest in my remarks that opinion
polls show that products designed with the
environment in mind are doing well in the
marketplace, and I challenged the industry to
offer consumers options to buy cleaner cars.
But those comments hardly amount to
slamming the auto industry.

As a matter of fact, the EPA Earth Day
activities in Michigan were conducted with
large participation from the auto industry,
whose themes throughout spoke to future
progress.

Environmental improvement is an
important issue that requires striking a
sensitive balance between ecological and
economic concerns. Sensationalizing a
speech beyond recognition serves neither
end well. Nor does it serve the readers of
your usually outstanding newspaper well.

William G. Rosenberg
Assistant Administrator
for Air and Radiation
U.S. Environmental Protection Agency
Washington, D.C.

THE WRITE STUFF

Send your letters to the Ed
Free Press, 321 W. Lafay
48231. They must be signed
the writer's full home addre
and business telephone nu
cause of space limitations, I
be 200 words or less; all
subject to editing. Although
to use only a small perce
letters we receive, we value
those who take the time to
comments.

priority of nurses employed in t
Department.

We work and live in the city
city to survive and ultimately
thrive. Our mission is to raise t
health in the community.

The Free Press should be
that responsible journalism req
to be reported accurately. Th
misleading headlines may sell
errs on truth.

Dorothy J. Mottley
President
Registered Nurses Organ
AFSCME Local 273
Detroit

Don't give up

Pleading for help has becc
international wolf call that has
as crying machines for every
blip on the planet. Too much ti
are spent on mental whirlingig
others' problems and we have

Misleading story

I am compelled to respond to the April 13
Free Press article "Nurses union leader
... which was grossly