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Series: Speech File Draft Files
Subseries: Chron File, 1989-1993

OA/ID Number: 13479
Folder ID Number: 13479-001

Folder Title:
Attorneys General Briefing, 3/13/89

Stack:	Row:	Section:	Shelf:	Position:
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MASTER II

Document No. 015345

WHITE HOUSE STAFFING MEMORANDUM

DATE: 3/11/89 ACTION/CONCURRENCE/COMMENT DUE BY: ---
PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
SUBJECT: MARCH 13, 1989

(3/10 - 9:00 p.m. draft)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input type="checkbox"/>	<input type="checkbox"/>	PORTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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HAGIN	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

The attached has been forwarded to the President.

RESPONSE:

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702

(Lange/Blessey)
1989 MAR 10 PM 9:50 p.m.
March 10, 1989

PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
MARCH 13, 1989

"News" -- President Enlists Attorneys General
in Fight for Environment, War on Drugs

Thank you... I'm very happy to be here.

Judging from the kind of work this association has been doing lately, I know we're fighting the same battles.

The two comprehensive reports you adopted this winter -- on environmental protection, and on drug control strategies -- put you out front on two issues that are central to my agenda for the future, to build a better America.

The approaches you've taken reinforce my conviction that, together -- on every front where we have shared concerns -- we're going to find solutions. We're going to define state and federal roles that work. And we're going to apply limited resources in a coordinated manner.

At the federal level, on many environmental issues, I think the time for study has passed. So I'm proposing legislation to reauthorize the Clean Air Act. I want to work with Congress on a

comprehensive acid rain program. And I intend to throw the book at those who engage in illegal ocean dumping.

Over the last decade, the states have taken on a leadership role in protecting our environment -- and that's good news.

I will work closely with you on those environmental questions where we share responsibility. We need to step up the Superfund clean-up process, and improve enforcement. Together, we must assure compliance with hazardous waste laws.

And where enforcement of all of the laws that protect our environment are concerned, I'd like you to think about those most serious cases where we must move beyond civil penalties, toward criminal enforcement -- both as a sanction, and as a deterrent.

In a few minutes, Bill Reilly will outline in detail our agenda on the environment. You will certainly find him -- today, and over the course of this Administration -- to be an outstanding ally and fellow soldier in the struggle.

But before I hand over the podium, I want to enlist your support on another pervasive problem: the war on drugs.

While I'm President, great cities will not be held hostage by crack dealers. And our schools will not be locked in a state of siege.

You know, drugs are like chemical weapons that a society turns on itself. They breed the most insidious forms of domestic terrorism. And they will be stopped.

The budget I presented to Congress last month is a realistic, fiscally responsible plan that identifies key priorities requiring our immediate attention. One of these priorities is combating the scourge of drugs. That's why I'm asking for \$1 billion in new outlays for our anti-drug program. That's a 47 percent increase over 1988 -- for a total of \$6 billion in budget authority for 1990.

Most of that money -- 70 percent of it -- will beef up federal enforcement; provide grants to state and local law enforcement agencies; and build up our prosecution, detention, and intelligence-gathering strength.

As chief legal officers, you understand enforcement. You know how vital it is -- and as my budget makes clear, I want to devote unprecedented resources to enforcement.

But we must do more. This war won't be won by police work alone. Where there is demand, supply will always rise to meet it. Where there is no demand, supply is useless.

That's why I was glad to see that your "blueprint" for drug control strategies broadens the goals of enforcement. You say that reducing demand must be "the ideological cornerstone of any coherent drug enforcement policy" -- and you're right. Enforcement strategies must look beyond effects, to causes.

Drug education, treatment, and prevention provide our best hope for a long-term solution -- especially with our kids. Yes, we need to tell them to "say no." But we must also give them the wisdom to know why -- and the skills to know how -- to say no.

I ask you to continue looking closely at your drug enforcement programs. How can they help reduce demand? Less demand means more success in the war on drugs. And to the extent you can cut demand, you can make your jobs -- my job -- and those of everyone involved in law enforcement -- a whole lot more rewarding.

Our financial resources may be limited, but our resolve is unlimited. With that limitless resolve, I know we can inspire every child, teacher, and parent; every community group, religious institution, and tenant association; and every business

and professional organization in this country. And then, united in common resolve, we will truly be invincible.

As I've said before, we have more will than wallet. But the only limits on our will are the limits we place on ourselves.

Together, we can build a culture of zero-tolerance.

We can send a message, loud and clear, to those who take drugs -- and take our leniency -- for granted: The party... is over.

Let me now introduce Bill Reilly, Administrator of the E.P.A. He is a great builder of bridges between people -- he's even been called "The Great Includer."

He has devoted his career to protecting our land, air, and water -- and he has my complete confidence.

Thank you all very much. And God bless you.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

March 13, 1989

REMARKS BY THE PRESIDENT
TO THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Roosevelt Room

10:02 A.M. EST

THE PRESIDENT: Well, I am just delighted to see this illustrious group here. I wanted you to meet Bill Reilly, who is our Administrator of the EPA, and a man whose reputation many of you know about. And I've prepared just a few remarks that I want to make on the -- a couple of subjects where this group has been out front. And when I finish, Bill will say a few words.

I would ask your forbearance. I just couldn't pull myself away from watching the Discovery take off, and it's now airborne and appears to be going well, so I think that is always a rather tense moment. But the flight is underway.

I would say to Bob and everybody else that this Association, as I look at your agenda, it's clear to me that this Association and the White House are fighting the same battles and on the same agenda. Your reports on environmental protection and also on drug control strategies got you way out front on these two issues. And I think it's a good thing. And we are determined to have those as two prominent agenda items right here in the White House.

Now, the approaches that you've taken reinforce my conviction that, together, where we have these shared concerns, we're going to find solutions and we've got to find state and federal roles that work. We're going to apply limited resources -- and, again, I wish they weren't as limited, particularly in these two areas. But we've got to apply the limited resources in a coordinated manner.

At the federal level, I'm convinced that on many issues the time for study has passed -- on these environmental issues, and I know that Bill agrees with me. So we are proposing legislation to reauthorize the Clean Air Act, and I want to work with the Congress on a comprehensive acid rain program. And, again, I think working with you all we can do a lot of throwing the book at those who engaged in illegal ocean dumping.

Bill is just back from a highly successful international conference that was opened by Margaret Thatcher in the U.K., and he can tell you perhaps a little about what went on there. But in these broad areas of global warming we've got to do better, and we will.

In a few minutes, as I say, Bill will give a little more detail on our environmental agenda, and you will see in him what I have seen, that he is an expert here, an outstanding ally and a fellow soldier in this struggle. He also understands the differences between the state responsibility and the federal, but the need to work together.

So let me just touch on the other subject that I mentioned upfront before turning this over to him. We've got to see that the great cities, indeed some of rural America, that they are no longer held hostage to the crack dealers. Our schools must not be locked in a state of seige. And, you know, drugs are like a chemical weapons that a society turns on itself. And they breed the most insidious forms of domestic terrorism. And they've got to be stopped and we've got to vow that they will be stopped.

The budget that I sent up to the Congress a few weeks ago is a realistic, fiscally responsible plan that identifies key priorities requiring our immediate attention. One of these priorities is combatting the scourge of drugs. And that's why I am asking for \$1 billion in new outlays for the antidrug program. That's a 47 percent increase over 1988, for a total of \$6 billion in budget authority for 1990. Most of that money, 70 percent of it, will beef up federal enforcement, provide grants to state and local law enforcement agencies, build up our prosecution, detentions, and intelligence-gathering strength.

As chief legal officers, you know about enforcement. And you know how vital it is. And as my budget makes clear, I wanted to vote unprecedented resources to enforcement. But clearly, we've got to do more. This war won't be won by police work alone. Where there's demand, supply will always rise to meet it. And where there's no demand, supply is useless. And that's why I was glad to see your Blueprint for Drug Control Strategy broadens the goals of enforcement.

You say reducing demand must be the ideological cornerstone of any coherent drug enforcement policy. And you're right -- enforcement strategies must look beyond effects to causes. Drug education, treatment, prevention, provide our best hope for long-term solution, especially with the kids -- especially with our kids. And we need to tell them, of course, to say no, but we've also got to give them the wisdom to know why and the skills to know how to say no.

I want to ask you to continue looking closely at these drug enforcement programs. How can they help reduce demand? Less demand means more success on the war on drugs and, to the extent you can cut demand, you can make your jobs, my job, and those of everyone involved a whole lot more rewarding.

Our financial resources may be limited, but our resolve is unlimited. And with that limitless resolve, I know that we can inspire every child, teacher, and parent, every community group, religious institution, and tenant association, and every business and professional organization in this country, and then, united in common resolve, we will be truly invincible.

After meeting with the big group we went into a small meeting room and talked to the agents themselves, those that were undercover. And one of them explained it to me this way. It used to be if there was a drug bust people would say "police", or "DEA" or "FBI", or whatever it is, and the bad guys would stop what they were doing and, you know, submit to arrest. Now the culture has changed -- the bad guys turn around and start shooting. And so it really drove home to me the need to support these enforcement officers with changes in the law and whatever else it's going to take. The penalty in some areas for killing a policeman is the same as being caught with "x" ounces of drugs on you. And so how can there be any incentive if we don't have some differentiation.

This is your business; you know this. But we would welcome recommendations to our Attorney General and to the White House on how best to effect the kind of changes that are going to be necessary in that aspect of the problem.

Now back to the first agenda item -- the environment. Bill has got a good way of building bridges between people. He's the first kind of certified environmentalist to be in this important post and he's been called the "Great Includer." You can figure that out when you listen to him, but he's devoted his career really to protecting our land, air and water. He has my complete confidence. I expect when you've dealt with him for a while he'll have yours. I ask that you give him your full cooperation because, again, like the whole question of the second agenda item, this first one, the environment and the need to preserve it and to hand our kids something a little better than we found, is absolute priority.

So with no further ado and the only regret that I won't have a chance to visit more informally with each and every one of you, thanks for coming. And let me introduce you to Bill Reilly, who I know will have your full support.

Bill, all yours. (Applause.)

END

10:13 A.M. EST

MASTER I

015345SS

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

DATE: 3/9/89

ACTION/CONCURRENCE/COMMENT DUE BY:

3/10/89 10:00 AM

SUBJECT: PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION OF

ATTORNEYS GENERAL

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VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
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out of the country

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REMARKS:

Please forward any comments to Chriss Winston, Rm. 122, x2930, by 10:00 AM, Friday, March 10, 1989, with an info copy to my office. Sorry for the short turnaround. Thank you.

RESPONSE:

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702

(Lange/Blessey)
March 9, 1989
4:00 p.m.

1989 MAR -9 PM 5:49

PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
MARCH 13, 1989

"News" -- President Enlists Attorneys General
in Fight for Environment, War on Drugs

Thank you... I'm very happy to be here.

Judging from the kind of work this association has been
doing lately, I know I'm among ~~kindred spirits~~ ^{fellow warriors} ?

brother-in-arms

Comprehensive

check The two outstanding reports you adopted this winter -- on
environmental protection, and on drug control strategies -- put
you out front on two issues that are central to my agenda for the
future.

The approaches you've taken reinforce my conviction that,
together -- on every front where we have shared concerns -- we're
going to find solutions. We're going to define state and federal
roles that work. And we're going to apply limited resources in a
coordinated manner.

At the federal level, on many environmental issues, I think
the time for ~~debate~~ ^{study} has passed. So I'm proposing legislation to
reauthorize the Clean Air Act. I want to work with Congress on a
comprehensive acid rain program. And I intend to throw the book
at those who engage in illegal ocean dumping.

~~Finally,~~
All of us are concerned about

Where dumping of medical waste is concerned, you may remember my pledge to end the era of the needle on the beach. Well, we just took the first step. EPA has just established a medical waste tracking system, to ensure that waste goes to proper disposal facilities.

~~make this work~~

This pilot program will apply to medical facilities of all sizes. Some nine states have already agreed to participate. Those of you who haven't, yet -- let me encourage you to contact E.P.A. this month, and get on board in this important effort.

[INSERT CAVEAT HERE]

Over the last decade, the states have taken on a leadership role in protecting our environment -- and that's good news.

MOVED UP

~~This Administration~~
This government will work closely with you on those environmental questions that only have shared responsibilities. We need to step up the Superfund clean-up process, and improve enforcement. Together, we must assure compliance with hazardous waste laws, and encourage strict enforcement of ~~pesticide use~~ ^{regulating governing} pesticide use.

MOVED DOWN

And where enforcement of all of the laws that protect our environment are concerned, I'd like you to think about those cases where we must move beyond civil penalties, toward criminal enforcement -- both as a sanction, and as a deterrent.

outline in detail our agenda

In a few minutes, Bill Reilly will ~~give you his thinking on~~ *outline in detail our agenda*
on the environment. You will certainly find him -- today, and over
the course of this Administration -- to be an outstanding ally *and fellow soldiers in the struggle.*

But before I hand over the podium, I want to turn your
attention *to* -- and enlist your support *for* -- on another pervasive
problem: the war on drugs.

While I'm President, great cities will not be held hostage
by crack dealers. And our schools will not be locked in a state
of siege.

*you know, drugs are like chemical weapons that a society
turns on itself. they*
~~No. Together we are going to ban this chemical weaponry.~~ *Cardozo 2702 -> "OK"*
check

It breeds the most insidious form ^{of} domestic terrorism. And *they*
will be stopped.

*Insert
A
(PINK)*

In the budget I presented to Congress last month -- a
budget, by the way, that was the first Executive budget in quite
a while not pronounced "d.o.a." on Capitol Hill -- I've pushed
for an increase of \$1 billion for our anti-drug program. That's
a 47 percent increase over 1988, for a total of \$6 billion.

in new budget

in budget authority

Most of that money -- 70 percent of it -- will go toward
grants to state and local law enforcement agencies, to beef up
federal enforcement, and to build up our prosecution, detention,
and intelligence-gathering strength.

As chief legal officers, you understand enforcement. You know how vital it is -- and as my budget makes clear, I want to devote unprecedented resources to enforcement.

But we must do more. This war won't be won by police work alone. Where there is demand, supply will always rise to meet it. Where there is no demand, supply is useless.

That's why I was glad to see that your "Blueprint for Drug Control Strategies" looks beyond enforcement, to strategies for cutting the drug problem off at the knees -- beyond effects, to causes.

Drug education, treatment, and prevention provide our best hope for a long-term solution -- especially with our kids. Yes, we need to tell them to "say no." But we must also give them the wisdom to know why -- and the skills to know how -- to say no.

I ask you to
 Let me encourage you to continue looking closely at ^{your} drug enforcement programs. Consider how they can help reduce demand for drugs. Less demand means more success on the war on drugs. To the extent you can do that, you can make your jobs -- my job -- and those of everyone involved in law enforcement -- a whole lot ^{more rewarding.} easier.

Financial
 Our resources may be limited ~~w~~ but our resolve is ^{unlimited.} ~~not~~.

With that limitless resolution, I know we can inspire

~~Our task is to win the hearts and minds of every child, teacher, and parent; every community group, religious institution, and tenant association; and every business and professional organization in this country.~~

And then, united in common resolve we will truly be invincible.

As I have said before, we have more will than wallet. However, the only limits on our will are those limits we place on ourselves.

Together, we can build a culture of zero-tolerance.

We can send a message, loud and clear, to those who take drugs -- and take our leniency -- for granted: The party... is over.

Introduce
Let me now ~~turn this party over to~~ Bill Reilly -- Administrator of the E.P.A. He is a great builder of bridges between people -- he's even been called "The Great Includer."

He has devoted his career to protecting our land, air, and water -- and he has my complete confidence.

Thank you all very much. And God bless you.

FINAL

**BRIEFING FOR NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
MARCH 13, 1989
WASHINGTON, D.C.**

THANK YOU... I'M VERY HAPPY TO BE HERE.

**JUDGING FROM THE KIND OF WORK THIS ASSOCIATION HAS
BEEN DOING LATELY, I KNOW WE'RE FIGHTING THE SAME
BATTLES.**

- 2 -

**THE TWO COMPREHENSIVE REPORTS YOU ADOPTED THIS
WINTER -- ON ENVIRONMENTAL PROTECTION, AND ON DRUG
CONTROL STRATEGIES -- PUT YOU OUT FRONT ON TWO ISSUES
THAT ARE CENTRAL TO MY AGENDA FOR THE FUTURE, TO BUILD
A BETTER AMERICA.**

**THE APPROACHES YOU'VE TAKEN REINFORCE MY CONVICTION
THAT, TOGETHER -- ON EVERY FRONT WHERE WE HAVE SHARED
CONCERNS -- WE'RE GOING TO FIND SOLUTIONS. WE'RE GOING
TO DEFINE STATE AND FEDERAL ROLES THAT WORK.**

- 3 -

AND WE'RE GOING TO APPLY LIMITED RESOURCES IN A COORDINATED MANNER.

AT THE FEDERAL LEVEL, ON MANY ENVIRONMENTAL ISSUES, I THINK THE TIME FOR STUDY HAS PASSED. SO I'M PROPOSING LEGISLATION TO REAUTHORIZE THE CLEAN AIR ACT. I WANT TO WORK WITH CONGRESS ON A COMPREHENSIVE ACID RAIN PROGRAM. AND I INTEND TO THROW THE BOOK AT THOSE WHO ENGAGE IN ILLEGAL OCEAN DUMPING.

- 4 -

OVER THE LAST DECADE, THE STATES HAVE TAKEN ON A LEADERSHIP ROLE IN PROTECTING OUR ENVIRONMENT -- AND THAT'S GOOD NEWS.

I WILL WORK CLOSELY WITH YOU ON THOSE ENVIRONMENTAL QUESTIONS WHERE WE SHARE RESPONSIBILITY. WE NEED TO STEP UP THE SUPERFUND CLEAN-UP PROCESS, AND IMPROVE ENFORCEMENT. TOGETHER, WE MUST ASSURE COMPLIANCE WITH HAZARDOUS WASTE LAWS.

- 5 -

AND WHERE ENFORCEMENT OF ALL OF THE LAWS THAT PROTECT OUR ENVIRONMENT ARE CONCERNED, I'D LIKE YOU TO THINK ABOUT THOSE MOST SERIOUS CASES WHERE WE MUST MOVE BEYOND CIVIL PENALTIES, TOWARD CRIMINAL ENFORCEMENT -- BOTH AS A SANCTION, AND AS A DETERRENT.

IN A FEW MINUTES, BILL REILLY WILL OUTLINE IN DETAIL OUR AGENDA ON THE ENVIRONMENT.

- 6 -

YOU WILL CERTAINLY FIND HIM -- TODAY, AND OVER THE COURSE OF THIS ADMINISTRATION -- TO BE AN ENVIRONMENTAL EXPERT, AN OUTSTANDING ALLY AND FELLOW SOLDIER IN THE STRUGGLE.

BUT BEFORE I HAND OVER THE PODIUM, I WANT TO ENLIST YOUR SUPPORT ON ANOTHER PERVASIVE PROBLEM: THE NATIONAL FIGHT AGAINST DRUGS.

WE MUST SEE THAT ALL GREAT CITIES ARE NOT HELD HOSTAGE BY CRACK DEALERS.

- 7 -

AND OUR SCHOOLS NOT LOCKED IN A STATE OF SIEGE.

YOU KNOW, DRUGS ARE LIKE CHEMICAL WEAPONS THAT A SOCIETY TURNS ON ITSELF. THEY BREED THE MOST INSIDIOUS FORMS OF DOMESTIC TERRORISM. AND THEY WILL BE STOPPED.

THE BUDGET I PRESENTED TO CONGRESS LAST MONTH IS A REALISTIC, FISCALLY RESPONSIBLE PLAN THAT IDENTIFIES KEY PRIORITIES REQUIRING OUR IMMEDIATE ATTENTION. ONE OF THESE PRIORITIES IS COMBATING THE SCOURGE OF DRUGS.

- 8 -

THAT'S WHY I'M ASKING FOR \$1 BILLION IN NEW OUTLAYS FOR OUR ANTI-DRUG PROGRAM. THAT'S A 47 PERCENT INCREASE OVER 1988 -- FOR A TOTAL OF \$6 BILLION IN BUDGET AUTHORITY FOR 1990.

MOST OF THAT MONEY -- 70 PERCENT OF IT -- WILL BEEF UP FEDERAL ENFORCEMENT; PROVIDE GRANTS TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES; AND BUILD UP OUR PROSECUTION, DETENTION, AND INTELLIGENCE-GATHERING STRENGTH.

- 9 -

AS CHIEF LEGAL OFFICERS, YOU UNDERSTAND ENFORCEMENT. YOU KNOW HOW VITAL IT IS -- AND AS MY BUDGET MAKES CLEAR, I WANT TO DEVOTE UNPRECEDENTED RESOURCES TO ENFORCEMENT.

BUT WE MUST DO MORE. THIS WAR WON'T BE WON BY POLICE WORK ALONE. WHERE THERE IS DEMAND, SUPPLY WILL ALWAYS RISE TO MEET IT. WHERE THERE IS NO DEMAND, SUPPLY IS USELESS.

- 10 -

THAT'S WHY I WAS GLAD TO SEE THAT YOUR "BLUEPRINT" FOR DRUG CONTROL STRATEGIES BROADENS THE GOALS OF ENFORCEMENT. YOU SAY THAT REDUCING DEMAND MUST BE "THE IDEOLOGICAL CORNERSTONE OF ANY COHERENT DRUG ENFORCEMENT POLICY" -- AND YOU'RE RIGHT. ENFORCEMENT STRATEGIES MUST LOOK BEYOND EFFECTS, TO CAUSES.

DRUG EDUCATION, TREATMENT, AND PREVENTION PROVIDE OUR BEST HOPE FOR A LONG-TERM SOLUTION -- ESPECIALLY WITH OUR KIDS. YES, WE NEED TO TELL THEM TO "SAY NO."

- 11 -

**BUT WE MUST ALSO GIVE THEM THE WISDOM TO KNOW WHY --
AND THE SKILLS TO KNOW HOW -- TO SAY NO.**

**I ASK YOU TO CONTINUE LOOKING CLOSELY AT YOUR DRUG
ENFORCEMENT PROGRAMS. HOW CAN THEY HELP REDUCE DEMAND?
LESS DEMAND MEANS MORE SUCCESS IN THE WAR ON DRUGS.
AND TO THE EXTENT YOU CAN CUT DEMAND, YOU CAN MAKE YOUR
JOBS -- MY JOB -- AND THOSE OF EVERYONE INVOLVED IN LAW
ENFORCEMENT -- A WHOLE LOT MORE REWARDING.**

- 12 -

**OUR FINANCIAL RESOURCES MAY BE LIMITED, BUT OUR
RESOLVE IS UNLIMITED. WITH THAT LIMITLESS RESOLVE, I
KNOW WE CAN INSPIRE EVERY CHILD, TEACHER, AND PARENT;
EVERY COMMUNITY GROUP, RELIGIOUS INSTITUTION, AND
TENANT ASSOCIATION; AND EVERY BUSINESS AND PROFESSIONAL
ORGANIZATION IN THIS COUNTRY. AND THEN, UNITED IN
COMMON RESOLVE, WE WILL TRULY BE INVINCIBLE.**

- 13 -

AS I'VE SAID BEFORE, WE HAVE MORE WILL THAN WALLET.
BUT THE ONLY LIMITS ON OUR WILL ARE THE LIMITS WE PLACE
ON OURSELVES.

TOGETHER, WE CAN BUILD A CULTURE OF ZERO-TOLERANCE.
WE CAN SEND A MESSAGE, LOUD AND CLEAR, TO THOSE WHO
TAKE DRUGS -- AND TAKE OUR LENIENCY -- FOR GRANTED:
THE PARTY... IS OVER.

- 14 -

LET ME NOW INTRODUCE BILL REILLY, ADMINISTRATOR OF
THE E.P.A. HE IS A GREAT BUILDER OF BRIDGES BETWEEN
PEOPLE -- HE'S EVEN BEEN CALLED "THE GREAT INCLUDER."

HE HAS DEVOTED HIS CAREER TO PROTECTING OUR LAND,
AIR, AND WATER -- AND HE HAS MY COMPLETE CONFIDENCE.

THANK YOU ALL VERY MUCH. AND GOD BLESS YOU.

#

To President

(Lange/Blessey)
March 10, 1989
9:00 p.m.

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OF ATTORNEYS GENERAL
MARCH 13, 1989

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comprehensive acid rain program. And I intend to throw the book at those who engage in illegal ocean dumping.

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I will work closely with you on those environmental questions where we share responsibility. We need to step up the Superfund clean-up process, and improve enforcement. Together, we must assure compliance with hazardous waste laws.

And where enforcement of all of the laws that protect our environment are concerned, I'd like you to think about those most serious cases where we must move beyond civil penalties, toward criminal enforcement -- both as a sanction, and as a deterrent.

In a few minutes, Bill Reilly will outline in detail our agenda on the environment. You will certainly find him -- today, and over the course of this Administration -- to be an outstanding ally and fellow soldier in the struggle.

But before I hand over the podium, I want to enlist your support on another pervasive problem: the war on drugs.

While I'm President, great cities will not be held hostage by crack dealers. And our schools will not be locked in a state of siege.

You know, drugs are like chemical weapons that a society turns on itself. They breed the most insidious forms of domestic terrorism. And they will be stopped.

The budget I presented to Congress last month is a realistic, fiscally responsible plan that identifies key priorities requiring our immediate attention. One of these priorities is combating the scourge of drugs. That's why I'm asking for \$1 billion in new outlays for our anti-drug program. That's a 47 percent increase over 1988 -- for a total of \$6 billion in budget authority for 1990.

Most of that money -- 70 percent of it -- will beef up federal enforcement; provide grants to state and local law enforcement agencies; and build up our prosecution, detention, and intelligence-gathering strength.

As chief legal officers, you understand enforcement. You know how vital it is -- and as my budget makes clear, I want to devote unprecedented resources to enforcement.

But we must do more. This war won't be won by police work alone. Where there is demand, supply will always rise to meet it. Where there is no demand, supply is useless.

That's why I was glad to see that your "blueprint" for drug control strategies broadens the goals of enforcement. You say that reducing demand must be "the ideological cornerstone of any coherent drug enforcement policy" -- and you're right. Enforcement strategies must look beyond effects, to causes.

Drug education, treatment, and prevention provide our best hope for a long-term solution -- especially with our kids. Yes, we need to tell them to "say no." But we must also give them the wisdom to know why -- and the skills to know how -- to say no.

I ask you to continue looking closely at your drug enforcement programs. How can they help reduce demand? Less demand means more success in the war on drugs. And to the extent you can cut demand, you can make your jobs -- my job -- and those of everyone involved in law enforcement -- a whole lot more rewarding.

Our financial resources may be limited, but our resolve is unlimited. With that limitless resolve, I know we can inspire every child, teacher, and parent; every community group, religious institution, and tenant association; and every business

and professional organization in this country. And then, united in common resolve, we will truly be invincible.

As I've said before, we have more will than wallet. But the only limits on our will are the limits we place on ourselves.

Together, we can build a culture of zero-tolerance.

We can send a message, loud and clear, to those who take drugs -- and take our leniency -- for granted: The party... is over.

Let me now introduce Bill Reilly, Administrator of the E.P.A. He is a great builder of bridges between people -- he's even been called "The Great Includer."

He has devoted his career to protecting our land, air, and water -- and he has my complete confidence.

Thank you all very much. And God bless you.

(Lange/Blessey)
March 10, 1989
6:30 p.m.

PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
MARCH 13, 1989

"News" -- President Enlists Attorneys General
in Fight for Environment, War on Drugs

Thank you... I'm very happy to be here.

Judging from the kind of work this association has been doing lately, I know we're fighting the same battles.

The two comprehensive reports you adopted this winter -- on environmental protection, and on drug control strategies -- put you out front on two issues that are central to my agenda for the future, to build a better America.

The approaches you've taken reinforce my conviction that, together -- on every front where we have shared concerns -- we're going to find solutions. We're going to define state and federal roles that work. And we're going to apply limited resources in a coordinated manner.

At the federal level, on many environmental issues, I think the time for study has passed. So I'm proposing legislation to reauthorize the Clean Air Act. I want to work with Congress on a

comprehensive acid rain program. And I intend to throw the book at those who engage in illegal ocean dumping.

Over the last decade, the states have taken on a leadership role in protecting our environment -- and that's good news.

I will work closely with you on those environmental questions where we share responsibility. We need to step up the Superfund clean-up process, and improve enforcement. Together, we must assure compliance with hazardous waste laws.

And where enforcement of all of the laws that protect our environment are concerned, I'd like you to think about *those most* *serious* cases where we must move beyond civil penalties, toward criminal enforcement -- both as a sanction, and as a deterrent.

All of us are concerned about ocean dumping of medical waste. The needle on the beach is a national shame.

So I'm pleased to announce today that EPA has just established a medical waste tracking system, to ensure that waste goes to proper disposal facilities. This pilot program will apply to medical facilities of all sizes, including Federal facilities.

Nine states have already indicated some interest. Those of you who haven't, yet -- let me encourage you to contact E.P.A. this month, and get on board in this effort. This action alone won't entirely eliminate the problem; but it's an important first step.

In a few minutes, Bill Reilly will outline in detail our agenda on the environment. You will certainly find him -- today, and over the course of this Administration -- to be an outstanding ally and fellow soldier in the struggle.

~~The needle on the beach is part of the medical waste problem we're working to contain. But those needles are also the symptom, cause, and effect of those who abuse -- and are abused by -- drugs.~~

But
So before I hand over the podium, I want to enlist your support in the war on drugs, on another pervasive problem

While I'm President, great cities will not be held hostage by crack dealers. And our schools will not be locked in a state of siege.

You know, drugs are like chemical weapons that a society turns on itself. They breed the most insidious forms of domestic terrorism. And they will be stopped.

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Most of that money -- 70 percent of it -- will beef up federal enforcement; provide grants to state and local law enforcement agencies; and build up our prosecution, detention, and intelligence-gathering strength.

As chief legal officers, you understand enforcement. You know how vital it is -- and as my budget makes clear, I want to devote unprecedented resources to enforcement.

But we must do more. This war won't be won by police work alone. Where there is demand, supply will always rise to meet it. Where there is no demand, supply is useless.

That's why I was glad to see that your "blueprint" for drug control strategies broadens the goals of enforcement. You say

that reducing demand must be "the ideological cornerstone of any coherent drug enforcement policy" -- and you're right.

Enforcement strategies must look beyond effects, to causes.

Drug education, treatment, and prevention provide our best hope for a long-term solution -- especially with our kids. Yes, we need to tell them to "say no." But we must also give them the wisdom to know why -- and the skills to know how -- to say no.

I ask you to continue looking closely at your drug enforcement programs. How can they help reduce demand? Less demand means more success in the war on drugs. And to the extent you can cut demand, you can make your jobs -- my job -- and those of everyone involved in law enforcement -- a whole lot more rewarding.

Our financial resources may be limited, but our resolve is unlimited. With that limitless resolve, I know we can inspire every child, teacher, and parent; every community group, religious institution, and tenant association; and every business and professional organization in this country. And then, united in common resolve, we will truly be invincible.

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He has devoted his career to protecting our land, air, and water -- and he has my complete confidence.

Thank you all very much. And God bless you.

(Lange/Blessey)
March 9, 1989
4:00 p.m.

PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
MARCH 13, 1989

"News" -- President Enlists Attorneys General
in Fight for Environment, War on Drugs

Thank you... I'm very happy to be here.

Judging from the kind of work this association has been
doing lately, I know I'm among ~~kindred~~ spirits. *(Lange)*

fellow warriors

The two ^{*comprehensive*} ~~outstanding~~ reports you adopted this winter -- on
environmental protection, and on drug control strategies -- put
you out front on two issues that are central to my agenda for the
future.

The approaches you've taken reinforce my conviction that,
together -- on every front where we have shared concerns -- we're
going to find solutions. We're going to define state and federal
roles that work. And we're going to apply limited resources in a
coordinated manner.

At the federal level, on many environmental issues, I think
the time for debate has passed. So I'm proposing legislation to
reauthorize the Clean Air Act. I want to work with Congress on a
comprehensive acid rain program. And I intend to throw the book
at those who engage in illegal ocean dumping.

5:15 N.I.

@ E.P.A.

[759-0043]

Tom Super
382-4727
2

get corresp.

Bob Brady
OMB

Where dumping of medical waste is concerned, you may remember my pledge to end the era of the needle on the beach. Well, we just took the first step. EPA has just established a medical waste tracking system, to ensure that waste goes to proper disposal facilities.

This pilot program will apply to medical facilities of all sizes. Some nine states have already agreed to participate. Those of you who haven't, yet -- let me encourage you to contact E.P.A. this month, and get on board in this important effort.

This is a big problem, of course (Caveat ✓)

Over the last decade, the states have taken on a leadership role in protecting our environment -- and that's good news.

This government will work closely with you, on those environmental questions that only have shared answers. We need to step up the Superfund clean-up process, and improve enforcement. Together, we must assure compliance with hazardous waste laws, and encourage strict enforcement of pesticide use.

And where enforcement of all of the laws that protect our environment are concerned, I'd like you to think about those cases where we must move beyond civil penalties, toward criminal enforcement -- both as a sanction, and as a deterrent.

Ken
Jaworski
Hazard Waste
Ken Yale
26722

↑
Sapp
↑
read to David Bates
2124

In a few minutes, Bill Reilly will give you his thinking on the environment. You will certainly find him -- today, and over the course of this Administration -- to be an outstanding ally.

But before I hand over the podium, I want to turn your attention -- and enlist your support -- on another pervasive problem: the war on drugs.

While I'm President, great cities will not be held hostage by crack dealers. And our schools will not be locked in a state of siege.

No. Together we are going to ban this chemical weaponry. It breeds the most insidious form of domestic terrorism. And it will be stopped.

In the budget I presented to Congress last month -- a budget, by the way, that was the first Executive budget in quite a while not pronounced "d.o.a." on Capitol Hill -- I've pushed for an increase of \$1 billion for our anti-drug program. That's a 47 percent increase over 1988, for a total of \$6 billion.

Most of that money -- 70 percent of it -- will go toward grants to state and local law enforcement agencies, to beef up federal enforcement, and to build up our prosecution, detention, and intelligence-gathering strength.

ban chemical weapons

*check
Aceman
Comments,
D.S.
Proctor*

As chief legal officers, you understand enforcement. You know how vital it is -- and as my budget makes clear, I want to devote unprecedented resources to enforcement.

But we must do more. This war won't be won by police work alone. Where there is demand, supply will always rise to meet it. Where there is no demand, supply is useless.

That's why I was glad to see that your "Blueprint for Drug Control Strategies" looks beyond enforcement, to strategies for cutting the drug problem off at the knees -- beyond effects, to causes.

Drug education, treatment, and prevention provide our best hope for a long-term solution -- especially with our kids. Yes, we need to tell them to "say no." But we must also give them the wisdom to know why -- and the skills to know how -- to say no.

Let me encourage you to continue looking closely at drug enforcement programs. Consider how they can help reduce demand for drugs. To the extent you can do that, you can make your jobs -- my job -- and those of everyone involved in law enforcement -- a whole lot easier.

Our resources may be limited -- but our resolve is not.

Our task is to win the hearts and minds of every child, teacher, and parent; every community group, religious institution, and tenant association; and every business and professional organization in this country.

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Let me now turn this party over to Bill Reilly -- Administrator of the E.P.A. He is a great builder of bridges between people -- he's even been called "The Great Includer."

He has devoted his career to protecting our land, air, and water -- and he has my complete confidence.

Thank you all very much. And God bless you.

President's
copy before
needle & criminal
DAS

(Lange/Blessey)
March 10, 1989
6:30 p.m.

PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
MARCH 13, 1989

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Thank you all very much. And God bless you.

THE WHITE HOUSE

WASHINGTON

March 10, 1989

Memorandum to Chriss Winston

From: Roger B. Porter *RBP/JP*
James P. Pinkerton *JP*

Re: Comments on Junior Achievement, B'nai B'rith,
Derwinski, Attorneys General, Insurance Agents
drafts

A general comment on the drafts: If we are serious about our message of "Building a Better America," then we should state our message. We can't count on anyone else to carry our line if we won't do it ourselves. Ideally, all these speeches should include the phrase "Building A Better America."

Junior Achievement

Overall, a good speech. But the pitch for the President's program doesn't kick in until p.7. Again, there's no effort to ask these people -- renowned for their pep and enthusiasm -- for their help. We need a more imperative voice. The phrase "Building A Better America" should be included since it's our overall theme.

p.2, para. 4: Since this is the paragraph on voluntarism, we suggest including a specific reference to YES.

p.3, para. 1: "In your hands, economics is anything but as some call 'the dismal science.'" Change to: "In your creative hands, economics is anything but the 'dismal science' that some have called it."

p.8, para. 4: "...a system that gives ingenuity free reign" -- "reign" should be "rein." Obviously nobody in the audience will notice, but a reader will.

B'nai B'rith

p.2, para. 4: We must be careful about over-using the words "tolerance" and "intolerance." We used the phrase "intolerance" in the DEA speech and we have spoken repeatedly of "Zero Tolerance." We're tying many meanings and inferences around "tolerance."

When you overload a word with too many messages you sometimes wind up in trouble, as in the President's fumble over the phrase "anti-bigotry, anti-racism, and anti-semitism" in the campaign. We would draw the line right here and turn this negative-sounding sentence into a positive, e.g. "This nation must stand for tolerance, pluralism, and a healthy respect for the rights of all minorities."

Derwinski

p.1, para. 3: Change "bronzed giant," which sounds like a cross between Nietzsche and George Hamilton, to "Jefferson commands our respect: a bronze giant..."

p.2, para. 2: "...is now cast for the ages in bronze." We'd delete "in bronze" at the end of this sentence if we use "bronze giant" above.

p.2, para. 4: "a somber salute to those who fell, and all who answered the call to duty." We would add "to" after the "and." The sentence should now read "and to all who answered the call...."

P. 3, para. 2: "speeches and stone" sounds somewhat cold. We suggest a change to "speeches and statuary," which sounds more generous.

p.3, para. 3: This graf is a non-sequitur from the previous graf: we go from talking about how speeches and stone/statuary are an inadequate repayment, to this paragraph which starts "But that doesn't free us of obligation."

You can't be freed of an obligation by an inadequate repayment. As we move from talking about past debts to current concerns we need a sentence that tracks the logic of what we're saying. I'd change to: "Our obligation is also to the living."

In the second sentence of this graf, the word "entrance" is misspelled.

p.7, para. 1: "...We will never again need to erect another monument to the casualties of war." Strictly speaking, we don't just erect monuments to the casualties of war.

We would change to "...erect another monument to the men and women who protect us and uphold our liberties." We need to demonstrate some sensitivity to the current composition of the armed forces. Note, for example, that the previous page uses the term "airman." This is fine, in view of the demographics of the armies of yesterday. But we need to demonstrate our understanding that times have changed. Thus, our preference for using "men and women" here.

Attorneys General

The President needs to throw a bipartisan bear-hug around these law enforcers based on a common commitment to a stern, no-nonsense struggle against drug abuse and environmental degradation. Thus, a phrase like "kindred spirits" in the third line, and a conclusion like "Let me now turn this party [emphasis added] over to Bill Reilly" evinces a lackadaisical tone unbecoming a President who is dead serious about winning the war on drugs.

p.1, para. 2: "Kindred spirits:" We prefer "fellow warriors" or "fellow soldiers" or something tougher and less convivial than "kindred spirits" in a speech on drugs and cleaning up the environment.

p.2, para. 4: Change "This government will" to the more emphatic "I will."

p.3, para. 1: Change "Bill Reilly will give you his thinking on the environment" to "Bill Reilly will outline in detail our agenda on the environment." If we agree on the need for a more martial overall tone, then we should consider a word like "strategy" in place of "agenda."

Similarly, in the following sentence of that paragraph, we'd change "You will certainly find him...to be an outstanding ally" to "You will certainly find him...to be an outstanding ally and a fellow warrior" or "and a fellow soldier in the struggle."

p.3, para. 2: This should read "turn your attention to and enlist your support for." The current "turn your attention -- and enlist your support -- on another pervasive problem" doesn't parse.

p.3, para. 5: "budget ... not ... d.o.a." -- We're asking for trouble with this complacent, back-patting phrase. We should stop citing an "achievement" that can be stripped away from us in an instant by some sharp-tongued Democrat. The whole graf should read as follows:

"The budget I presented to Congress last month is a realistic, fiscally responsible plan that identifies key priorities requiring our immediate attention. One of these priorities is combating the scourge of drugs. That's why I'm asking for ~~an increase of~~ \$1 billion for our anti-drug program. That's a 47 percent increase over 1988, for a total of \$6 billion."

Insert A

(Check) → in new spending in 1990.

21 → 47% (fiscal 88) in new outlays

p.4, para. 5: Instead of "Let me encourage you" etc., we would make it more imperative: "I ask you to study your drug enforcement programs. How can they help reduce demand for drugs? Less demand means more success in the war on drugs."

p.4, para. 6: We would make the first sentence more positive and ambitious: "Our financial resources may be limited but our resolve is unlimited." Then add: "With that limitless resolution, I know that we can inspire every child, teacher, and parent; every community group, religious institution, and tenant association; and every business and professional organization in this country. And then, united in common resolve, we will truly be invincible."

And then we suggest adding a Rooseveltian clincher:

"As I have said before, we have more will than wallet. However, the only limits on our will are those limits we place on ourselves."

Note that our rewrite version avoids the phrase "hearts and minds." Anyone who lived through Vietnam remembers the ironic and cynical connotation that phrase took on.

p.5, para. 4: Again, "Let me now turn this party over to Bill Reilly" is simply too light-hearted for this grim subject. In keeping with a more substantive tone, get the job done with simply "Let me now introduce."

Insurance Agents

p. 2, para. 4: This allusory graf contributes nothing to the President's agenda. We think it should be deleted outright.

p.3, para. 3: It seems to us that we should follow this graf with p.4, para. 1 immediately instead of detouring into job creation.

p.4, para. 3: Here we are about to launch into selling our program -- but we don't mention it by name: Building A Better America.

We need a paragraph that establishes an umbrella theme for the speech -- something reminiscent of the following, taken from the 2/9 speech: "But I am presenting to you tonight a realistic plan for tackling [the budget deficit]. My plan has four broad features: Attention to urgent priorities, investment in the future, an attack on the deficit, and no new taxes."

Before we launch into a long list of agenda items we should wrap it into an overriding theme -- Building A Better America.

p.5, para. 1: "It is for this reason that I will resist the movement toward mandated benefits." "Resist" has a footdragging quality to it. We want to communicate the idea that we will not just "resist," but will in fact block the move toward mandated benefits. Therefore we would substitute the word "oppose."

The last sentence of this graf reads: "But these programs, born of the best intentions, can have agonizing consequences." The word "agonizing" implies an unresolved dilemma. We would change to "can have unintended and counterproductive consequences."

Better yet, we could add another layer of anti-mandated benefits argument, as follows:

"We have seen what happens in other countries where mandated benefit programs create obstacles to productivity and growth. We cannot Build a Better America if we weigh down our production sector with new burdens."

p.5, para. 3: "But when local governments cannot install playgrounds, when business are bankrupted, when volunteer organization have to pull back" -- I would add "when mothers struggle to find an obstetrician," -- and "volunteer organization" should be plural.

p.5, para. 4: "All of my policies are centered around a single goal --" We'd change to "My plan for Building a Better America is centered around..."

p.7, para. 1: "So my agenda is this: to confront the emerging problems of the future today." We'd add "and to invest in the future."

p.7, para. 3: Change the word "areas" in "these are the areas that will irrevocably alter the world" to "trends" -- and in the next sentence: "Will American foreign policy be flexible enough to meet this emerging new world order?" the word "flexible" by itself looks weak. Flexibility is a virtue but it should be coupled with vision. We'd rewrite to say "wise enough, creative enough, and flexible enough...."

p.8, para. 1: Again, the term "Dead-On-Arrival" just begs for some Democrat to take it away from us. We suggest using language similar to what we suggested in the Attorneys General speech (pg. 3 of this memo).

p.8, para. 3: "Homelessness concerns a small proportion of Americans." We'd change to "Homelessness afflicts a small number of Americans but concerns all of us."

p.9, para. 1: "The environment -- once the domain of activists, it is becoming a top priority of pinstriped diplomats."

As is written here, "activists" appears to be pejorative. "Pinstriped" is also pejorative, the adjective of choice for critics of the State Department.

We would reverse the logic from pejorative to complementary and also omit "domain," which sounds both parochial and territorial. Instead, we suggest the President throw a bouquet to his fellow environmentalists: "Once the concern of a far-sighted few, it is now a top priority of my Administration, at home and abroad."

p.10, para. 3: "I've laid out my agenda for you." Change to "I've laid out my agenda for Building a Better America."

#

Tom Super - EPA

We have to stop saying that this new medical waste tracking system will ~~not~~ stop the needles on the beach, because over a billion needles every year are used at home and home users are excluded from this tracking system.

So until they solve the home users problem, come May you could see needles on the beach again.

They have taken the first step by controlling ~~at~~ needles (and med. waste) from hospitals, doctors, vets, etc. . . . but until the drug addiction problem is solved (most of the needles are cocaine, crack, heroin)

these needles on the beach
won't be solved either.

Comments on speeches

Brad Baker Treasury 806-2285

AG comments from EPA — # 382-4727

Tom Spier 382-4727

must stop saying EPA 1

not going to keep needles off beach

cocaine-crack-insulin

most needles come from indiv. users.

diabetics, etc...

not hospitals
doctors
vets

no needles
no blood > indumpsters

stop irresponsible
disposal of needles
& blood

were not going to solve
needles prob until solve
drug addiction problem

educate home users of med prod.
to end scourge of drugs

- ads
- elderly
- home health care

fracking
Acts

even include
unused sharps
sawed off thru
Golf in dumpster.

none of that waste
captured in this
system
intentionally

over a billion needles are used at home
& they aren't

to the extent that waste on beaches

is generated by home users this is
not included in tracking system

WHITE HOUSE STAFFING MEMORANDUM

DATE: 3/9/89

ACTION/CONCURRENCE/COMMENT DUE BY: _____

3/10/89 10:00 AMSUBJECT: PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION OF

ATTORNEYS GENERAL

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STUDDERT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
BREEDEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WINSTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CICCONI	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PINKERTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BENNETT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
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REMARKS:

Please forward any comments to Chriss Winston, Rm. 122, x2930, by 10:00 AM, Friday, March 10, 1989, with an info copy to my office. Sorry for the short turnaround. Thank you.

RESPONSE:

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702

(Lange/Blessey)
March 9, 1989
4:00 p.m.

1989 MAR -9 PM 5:49

PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
MARCH 13, 1989

"News" -- President Enlists Attorneys General
in Fight for Environment, War on Drugs

Thank you... I'm very happy to be here.

Judging from the kind of work this association has been doing lately, I know I'm among kindred spirits.

The two outstanding reports you adopted this winter -- on environmental protection, and on drug control strategies -- put you out front on two issues that are central to my agenda for the future.

The approaches you've taken reinforce my conviction that, together -- on every front where we have shared concerns -- we're going to find solutions. We're going to define state and federal roles that work. And we're going to apply limited resources in a coordinated manner.

At the federal level, on many environmental issues, I think the time for debate has passed. So I'm proposing legislation to reauthorize the Clean Air Act. I want to work with Congress on a comprehensive acid rain program. And I intend to throw the book at those who engage in illegal ocean dumping.

Where dumping of medical waste is concerned, you may remember my pledge to end the era of the needle on the beach. Well, we just took the first step. EPA has just established a medical waste tracking system, to ensure that waste goes to proper disposal facilities.

This pilot program will apply to medical facilities of all sizes. Some nine states have already agreed to participate. Those of you who haven't, yet -- let me encourage you to contact E.P.A. this month, and get on board in this important effort.

Over the last decade, the states have taken on a leadership role in protecting our environment -- and that's good news.

This government will work closely with you, on those environmental questions that only have shared answers. We need to step up the Superfund clean-up process, and improve enforcement. Together, we must assure compliance with hazardous waste laws, and encourage strict enforcement of pesticide use.

And where enforcement of all of the laws that protect our environment are concerned, I'd like you to think about those cases where we must move beyond civil penalties, toward criminal enforcement -- both as a sanction, and as a deterrent.

In a few minutes, Bill Reilly will give you his thinking on the environment. You will certainly find him -- today, and over the course of this Administration -- to be an outstanding ally.

But before I hand over the podium, I want to turn your attention -- and enlist your support -- on another pervasive problem: the war on drugs.

While I'm President, great cities will not be held hostage by crack dealers. And our schools will not be locked in a state of siege.

No. Together we are going to ban this chemical weaponry. It breeds the most insidious form of domestic terrorism. And it will be stopped.

In the budget I presented to Congress last month -- a budget, by the way, that was the first Executive budget in quite a while not pronounced "d.o.a." on Capitol Hill -- I've pushed for an increase of \$1 billion for our anti-drug program. That's a 47 percent increase over 1988. ~~for a total of~~ \$6 billion.

Most of that money -- 70 percent of it -- will go toward grants to state and local law enforcement agencies, to beef up federal enforcement, and to build up our prosecution, detention, and intelligence-gathering strength.

Hale
3120

Anderson
(x 4630)

should be
4790 o.k.
it's Janet
SEB

(HOLK 5178)

proposed

in new dettays

As a result ~~now~~ in new authority

Spending authority will

* NOTE: from pg 181 - Bldg. A Better America

in 1990.

(HOLK 5178)

As chief legal officers, you understand enforcement. You know how vital it is -- and as my budget makes clear, I want to devote unprecedented resources to enforcement.

But we must do more. This war won't be won by police work alone. Where there is demand, supply will always rise to meet it. Where there is no demand, supply is useless.

That's why I was glad to see that your "Blueprint for Drug Control Strategies" looks beyond enforcement, to strategies for cutting the drug problem off at the knees -- beyond effects, to causes.

Drug education, treatment, and prevention provide our best hope for a long-term solution -- especially with our kids. Yes, we need to tell them to "say no." But we must also give them the wisdom to know why -- and the skills to know how -- to say no.

Let me encourage you to continue looking closely at drug enforcement programs. Consider how they can help reduce demand for drugs. To the extent you can do that, you can make your jobs -- my job -- and those of everyone involved in law enforcement -- a whole lot easier.

Our resources may be limited -- but our resolve is not.

Our task is to win the hearts and minds of every child, teacher, and parent; every community group, religious institution, and tenant association; and every business and professional organization in this country.

Together, we can build a culture of zero-tolerance.

We can send a message, loud and clear, to those who take drugs -- and take our leniency -- for granted: The party... is over.

Let me now turn this party over to Bill Reilly -- Administrator of the E.P.A. He is a great builder of bridges between people -- he's even been called "The Great Includer."

He has devoted his career to protecting our land, air, and water -- and he has my complete confidence.

Thank you all very much. And God bless you.

Tom Super EPA Comments

382-4727

(Lange/Blessey)
March 9, 1989
4:00 p.m.

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OF ATTORNEYS GENERAL
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* See attached page

2

MF

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the AG's have a lot of prob. w Fed. fac. too, so they'll like this.

MF

T. Super EPA →

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Thank you all very much. And God bless you.

THE WHITE HOUSE
WASHINGTON

March 8, 1989

MEMORANDUM FOR ROGER PORTER
DAVE DEMAREST
JIM CICCONI

FROM: MARLIN FITZWATER

SUBJECT: ANNOUNCEMENT OF EPA TRACKING
SYSTEM FOR MEDICAL WASTE

Please take a look at the attached and see if this is something we should get the President involved in. Our political advisers told Governor Sununu that this would be a great issue to take a stand on. This EPA action might be a vehicle.

Attachments

THE WHITE HOUSE

WASHINGTON

March 2, 1989

*Steve
Hales*

MEMORANDUM FOR MARLIN FITZWATER

FROM: DAVID BATES

SUBJECT: Announcement of EPA Tracking System for Medical Waste

EPA will announce today the establishment of a two-year limited tracking system to ensure that medical waste is sent to proper disposal facilities. The pilot system was authorized by Congress last year. EPA will report to Congress after two-years on whether changes are needed and whether such a system should be applied nation-wide.

The tracking system will apply to small producers, such as doctor's offices and small clinics, as well as to large facilities such as hospitals. Violators in states implementing the tracking system can be assessed civil penalties up to \$25,000 per day per violation and criminal penalties up to \$50,000 per day per violation and jail terms up to five years.

The tracking system will be implemented by New York, New Jersey, Connecticut, Pennsylvania, Ohio, Illinois, Indiana, Michigan, and Minnesota. Other states have 30 days to advise EPA that they wish to participate. All participating states have 90 days to implement the tracking system.

The implementation of the tracking system constitutes a first step in fulfilling the President's pledge to clean up beaches with wash-ups of medical waste.

I have attached a larger press release from EPA on the issue.

*Memo from DQB
to Sumner
Fitzwater
cc: DeLima
Peters*



Environmental News

DRAFT

DRAFT

Scheduled for release ~~3/2/89~~

Robin Woods (202) 382-4377

EPA SETS UP PILOT TRACKING PROGRAM FOR MEDICAL WASTE

The U.S. Environmental Protection Agency today set up a two-year limited federal tracking system to ensure that medical waste is sent to proper disposal facilities. The system will be used in those states that wish to be part of the pilot program.

The two-year demonstration tracking system was authorized by Congress last year under the Medical Waste Tracking Act of 1988. EPA will report back to Congress at the end of the project on whether changes are needed and whether such a system should be applied nationwide.

(Acting Deputy) EPA Administrator *Dr. John A. Moore* / ~~Robert M. Anderson~~ said, "Medical waste on beaches is unacceptable to all of us and we intend to minimize public exposure to these wastes. This tracking system will substantially increase the amount of medical waste receiving special handling and will ensure that it arrives at its intended destination -- a proper disposal facility or incinerator."

The tracking system will apply to small producers, such as doctor's offices and small clinics, as well as to large health-care facilities, such as hospitals.

Violators in states implementing the tracking system can be assessed civil penalties of up to \$25,000 per day for each violation and criminal penalties of up to \$50,000 per day per violation and can receive jail terms up to five years.

(more)

The tracking system will be implemented and enforced by the states, with EPA oversight. The law automatically includes New Jersey, New York, Connecticut, Pennsylvania, Ohio, Illinois, Indiana, Michigan, and Minnesota. These states may withdraw from the program within the next 30 days. Other states have 30 days to let EPA know if they want to be included in the tracking program. All states that wish to be included in the program have 90 days to implement the system.

Nearly 3.2 million tons of medical waste is generated by hospitals alone each year. EPA estimates that 10 to 15 percent of all medical waste is infectious. Several studies, including those by the Centers for Disease Control, indicate that medical waste does not present a public health threat, especially after it has been exposed to air and water.

Large health-care facilities already follow very strict procedures in handling medical waste. Most medical waste generated by these facilities is incinerated on-site; only 15 percent is transported off site, and of that, 10 percent is incinerated off site. Of all medical waste producers, the smaller generators are generally unregulated and much of their waste is disposed of in ordinary trash. Small generators are the suspected source of the medical waste washups along the beaches last summer, since along with the medical waste investigators found many items from ordinary trash and garbage.

EPA's regulations establishing the tracking system define affected medical waste and establish uniform standards for segregation, packaging, labeling and reporting.

Medical wastes affected by the new program include:

- cultures and stocks of infectious agents;
- blood and blood products;
- pathological wastes, including those from surgery and autopsy;
- contaminated animal carcasses;
- isolation wastes; and
- discarded medical equipment and parts, including used sharps (needles, scalpels, etc.) and unused sharps.

The tracking system requires the use of a tracking form by those who generate over 50 pounds a month of medical waste and for all medical waste shipments over 50 pounds. The generator must put his name and address on the form and identify the transporter, intended disposal facility and the type of waste. The transporter must sign the form when he receives the wastes. The operator of the disposal facility also must sign the form upon receipt of the waste and return a copy of the form to the generator. If the generator does not receive the copy within 45 days, he must notify the state and EPA.

Small generators, such as doctor's offices, dentists, clinics and labs that produce less than 50 pounds per month, are subject to all of the requirements, except that they must maintain a log instead of initiating the use of a tracking form. For all shipments, including those of less than 50 pounds, transporters must use the tracking form, and disposal facility operators must sign off upon receipt of the wastes.

(more)

Each package must be marked with the generator's and transporter's name and address. The packaging standards also require double-packaging with rigid outer packaging to withstand transportation. Sharps and free fluids must be packaged separately with rigid primary packaging which is leak and puncture-resistant.

The new rules are expected to cost generators nearly \$31 million a year to comply with, and transporters and disposal facilities \$25 million a year. Average annual compliance costs per facility range from \$3,757 for hospitals to \$71 for dentists. The overall average incremental cost increase per pound of medical waste is approximately eight cents.

Since 1982, EPA has provided technical assistance to the health-care community and to states on the proper handling and disposal of medical wastes. The agency also has provided technical materials and met regularly with health-care professionals and representative associations. A number of additional projects are underway to provide technical information and expertise to the medical community. Among them, EPA is studying and preparing technical materials on medical waste incinerators, including operator training and inspection manuals. These incinerators currently not subject to federal Clean Air Act standards, as they are too small, but they may be subject to state air requirements. EPA is also conducting a number of studies to further quantify and define the medical waste issue and on how states currently regulate medical waste.

EPA also is working with the Center for Marine Conservation to collect and analyze data on debris found on beaches. The agency provided \$20,000 to the Center last year for the study and will provide \$50,000 this year.

In a separate project, EPA is collecting marine debris from U.S. harbors -- Boston, New York/New Jersey, Philadelphia, Baltimore, Miami, Seattle and San Francisco. Very preliminary information indicates that less than one percent of the marine debris is medical waste or drug related. The agency believes the sources of this waste include street runoff and storm-sewer overflows. As a result, EPA is conducting another study on combined sewer overflows in Boston and Philadelphia. EPA is also working with the National Oceanic and Atmospheric Administration and the Department of the Interior on a public information campaign concerning ocean debris.

The tracking system rules will be published in the Federal Register within the next two weeks. For further information, the public can call EPA's waste hotline at 800-424-9346 or 382-3000 in Washington, D.C.

###

PAY TO: STEVE HART
456-2883

MEDICAL WASTE TRACKING ACT: REGULATORY HIGHLIGHTS

GOAL

To issue comprehensive interim final regulations addressing segregation, packaging, labeling, and tracking of regulated medical waste such that they are effective prior to next beach season.

A. **OVERVIEW OF REGULATIONS - DEFINITION** (Wastes to be tracked are recognizable, potential human health and esthetic hazards. Human health risk is probably not as great as environmental degradation).

1. Segregation of medical waste.
2. Double - packaging of all regulated medical waste.
3. Labeling regulated medical waste - both packages.
4. Marking - name of generator, transporter(s), treater (if not disposer).
5. Four - part tracking form covering all waste manifested and, for small generators (under 50lb/mo), transporter initiates tracking form.
6. Recordkeeping and Reporting:
 - * by generators (logs and copies of tracking forms exception reporting)
 - * by transporters (notification, logs and copies of tracking forms; quarterly reports and discrepancy reports)
 - * treaters (logs and would initiate a new tracking form to accompany to disposal; discrepancy reports)
 - * disposers (tracking forms and discrepancy reports)

B. **SEGREGATION AND TRACKING** - (Regulation is not a treatment, permitting or clean-up proposal, just tracking). This alone should not be expected to stop all wash-ups.

1. First 5 types included in MWTA:
 - * cultures and stocks
 - * pathological wastes

- * blood and blood products (including blood and IV bags and blood bandages)
- * sharps
- * animal waste

2. Isolation wastes where isolation is due to highly communicable diseases.

3. Also, unused sharps.

C. WASTES NOT REGULATED

1. Small Quantity Generators of 50lbs and under - exempted only from manifest requirements. (Still must segregate package and label properly)

2. Household medical wastes exempted, but public education on proper disposal is critical (i.e., alternatives to flushing). No new resources allocated for this, however.

3. Those waste that have little potential to cause disease, are not responsible for beach closings, and have little potential for physical harm.

4. This represents a virtual consensus opinion of the regulated community, Federal agencies involved in infection control (CDC, NIH), and the regulators (the States)

D. ENFORCEMENT

1. \$25,000/day civil penalty
2. \$50,000/day criminal penalty

E. RESOURCES

1. No New Resources authorized or appropriated by 100th Congress, nor included in Reagan's 1990 budget submitted Jan 3, 1989.

2. Estimated administrative costs to participating states: \$350,000/yr for small states for inspections and enforcement; 500,000/yr for bigger states (NJ estimates needing 20 people alone for implementation of NY/NJ agreement.)

F. STATE PARTICIPATION

1. Currently, estimate 7-8 states will participate: [NY, NJ, and CT; MI, MT, LA and American Samoa]

G. COMMUNICATIONS PLANNED

1. Draft brochure in progress.
2. Press Release and Press Briefing.
3. Congressional and constituency briefings including states and local governments.
4. Timing - OMB is to review EPA's proposed inter final regulations in 10 calendar days. After OMB approval, 3 days more post EPA Administrator's signature for Federal Register notice.

H. NEXT STEPS

1. March - Notice of those States participating
2. April - distribute outreach materials
3. May - Implement the rules



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

DRAFT

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Interim-Final Rule for the Tracking and Management of
Medical Waste--ACTION MEMORANDUM

FROM: J. Winston Porter
Assistant Administrator

THRU: The Deputy Administrator

TO: The Administrator

I. PURPOSE

The purpose of this memorandum is to obtain your signature on the interim final rule setting forth the regulations for the medical waste demonstration tracking program. The regulations are issued under the authority of the Medical Waste Tracking Act of 1988 and establish standards for segregation, packaging, labeling, and tracking of medical waste, list the wastes included in the program, and establish reporting requirements for on-site incinerators. This regulation must be signed by mid-February so that the program is in place prior to the beginning of next beach season.

II. BACKGROUND

Currently there are no Federal regulations governing the segregation, packaging, labeling, or tracking of medical waste. These wastes are now considered solid wastes and subject only to the RCRA Subtitle D criteria; that is, they require no special handling. The Medical Waste Tracking Act establishes a new Subtitle J of RCRA, and requires EPA to develop regulations for a demonstration tracking program that will be effective in a limited number of States. The Act specifically requires EPA to do the following:

- o List the medical wastes to be included in the tracking program;

- o Develop uniform procedures for:
 - Segregation
 - Packaging
 - Labeling
 - Tracking and record keeping; and

- o Prepare two interim reports and a final report to Congress concerning various aspects of medical waste management and the success of the demonstration tracking program.

The Act requires EPA to consult with the affected States in developing the rules. The Agency sponsored a meeting with the interested States hosted by the National Governors Association on December 19 and 20 to discuss draft regulations. Also, EPA held a series of individual meetings with various representatives of the potentially regulated community, and invited a large group, including waste generators, Federal officials, environmental groups, and waste management officials, to review and discuss our ideas on the regulations at a meeting in Annapolis, Maryland on November 14-16. Therefore, although there has been no prior formal proposal of medical waste regulations (i.e., this rule will be issued in interim final form as allowed by the Act), we believe that EPA has obtained substantial input from interested parties.

The Medical Waste Tracking Act also requires EPA to promulgate the regulations within six months of the enactment of the legislation, i.e., by May of 1989. The effective date of the regulations must be within 90 days of the publication date, i.e., by September of 1989. Region II requested that we accelerate the promulgation of the regulations so that they would become effective before or concurrent with the beginning of beach season. The Deputy Administrator agreed to this request and we have, accordingly, accelerated the schedule for this rulemaking.

III. DESCRIPTION OF ACTION

A. TYPES OF WASTE TO BE REGULATED

This rule lists the medical wastes that will be tracked under the demonstration program. The Act lists five categories of waste that must be tracked:

1. Cultures and stocks of infectious agents
2. Pathological waste
3. Blood and blood products
4. Used sharps
5. Contaminated animal carcasses.

Five additional categories of medical waste are listed in the Act that may be excluded from regulation provided that EPA can show that they present no present or future endangerment to human health and the environment. They include:

6. Wastes from surgery and autopsy
7. Laboratory wastes
8. Dialysis wastes
9. Discarded medical equipment and parts
10. Isolation wastes.

There is considerable overlap between the two lists (e.g., pathological wastes are derived from surgery and autopsy).

There was agreement among the participants at the Annapolis meeting and the State meeting that it was not necessary to regulate those additional wastes in categories 6 through 9 that are already listed in categories 1 through 5, and that category 10 should be narrowly defined. They all contended that such regulation was not necessary to protect human health and the environment because all wastes of true concern were already included in categories 1 through 5, it would not be enforceable, and their inclusion would overburden existing management systems. This position is supported by the Centers for Disease Control and the National Institutes of Health. We have continued these discussions with interested parties and have completed an evaluation of all available information. We agree that it is not necessary to regulate the additional wastes included in categories 6 through 9, and that category 10 should be defined narrowly to include only wastes from patients with highly communicable diseases, as defined by CDC.

Additionally, the statute authorizes EPA to include any other waste it believes poses a threat to human health and the environment. We believe that unused sharps pose such a threat if not properly managed due to their physical hazard. Thus, wastes in the first five categories, in the narrowly defined category 10, and unused sharps are termed "regulated medical waste."

B. REGULATORY PROVISIONS

The rules require regulated medical waste to be segregated from other waste at its source, when practicable, double packaged, and labeled with both the generator's and the transporter's name and address. The waste must be delivered to an appropriate disposal facility by an authorized transporter. A generator-initiated tracking form must accompany all shipments of medical waste greater than 50 pounds. Small quantity generators are exempt from preparing a manifest for shipments of less than 50 pounds but not from any of the other requirements. The regulations also include record keeping and reporting requirements, with special emphasis placed on transporters.

The regulations also contain notification requirements for transporters and vehicle requirements. Additionally, there are provisions for consolidating or reassigning wastes to a new tracking document to reduce the paperwork burden on disposal facility personnel.

The disposal facility requirements pertain to the use of the tracking form, reporting of tracking document discrepancies, and record keeping.

IV. IMPACTS

A. ENVIRONMENTAL

The interim final rule would substantially increase the amount of medical waste receiving special handling and transportation. The effect of this would be to insure that regulated medical waste arrives at a disposal facility and that waste handlers and the public are not exposed. While there is little evidence to suggest that these wastes, when in the natural environment, pose a substantial health risk to humans, some pose a physical hazard (puncture by sharps) and all pose an aesthetic insult. The sources of medical wastes washing up on our shorelines are not certain; however, combined sewer overflows and sloppy waste transfer operations at municipal waste landfills near water may significantly affect these sources of wash-ups. Thus, while compliance with the regulations will substantially improve management of large volumes of medical waste, it will not preclude the possibility of future incidents of beach wash-ups.

B. INTERMEDIA IMPACTS

Currently, most medical waste is land disposed, sometimes with prior treatment by autoclaving or incineration. The rules have been structured so that no one method of treatment or disposal is favored or discouraged. The main intent of this regulation is to insure that the waste safely reaches a disposal facility and is not illegally dumped in the water or on the land.

C. COSTS

Aggregate costs for the interim final rule would be about \$56 million per year, assuming the ten listed States participate in the program. Medical waste generators bear approximately \$31 million (55%) of the total compliance costs of today's rule, with the remaining \$25 million in costs being divided between transporters and disposers. Average annual compliance costs on a per facility basis range from \$3,757 for hospitals to \$71 for dentists, while an overall average incremental cost increase per pound of medical waste is approximately \$0.08.

D. RESOURCE AND REPORTING REQUIREMENTS

The interim final rule would have resource impacts on both EPA and the covered States. The enabling legislation requires EPA to prepare two interim reports and a final report to Congress. The Agency must collect and analyze the information required in the report. The States would be responsible for implementing the program, causing them to set up administrative staff, as well as expanding their facility inspection programs and transporter permitting activities. EPA also has to maintain staff to administer the program and assist the States with enforcement. We have estimated the total resource needs for the program to be in the range of 7.5-25.5 FTE, and \$850,000-\$4,850,000 for FY89 and FY90 each, depending on how many States participate and how EPA implements the enforcement provisions. We will refine these estimates after the close of the thirty day "opt out/petition in" period.

E. REGULATORY FLEXIBILITY ANALYSIS

This rule is not subject to the requirements of the Regulatory Flexibility Act, because of a finding that a proposal is impracticable and because of specific statutory

language allowing promulgation without prior opportunity for public comment. Thus, no Regulatory Flexibility Analysis has been prepared.

V. MAJOR ISSUES

The following is a discussion of issues that were raised in meetings the Agency held with members of the regulated community, environmental groups, and the States. All issues that were brought up in the workgroup meetings have been resolved.

A. LISTING OF MEDICAL WASTES

RCRA Section 11002 requires EPA to track all ten wastes listed in the Act unless a finding of no present or future threat to human health or the environment can be made for categories 6 through 10. As explained previously, health care providers, state health officials, and other government officials (e.g., CDC and NIH) strongly supported exclusion of categories 6 through 9 and a very narrowly defined category 10.

Based on the available information, we have concluded that it is not necessary to regulate wastes from surgery and autopsy, laboratory wastes, dialysis wastes, discarded equipment, isolation wastes (except those from highly communicable diseases), and animal pathological wastes in order to protect human health. Available information indicates that these wastes pose little threat and that regulating them would be burdensome and the regulations would be virtually unenforceable. Additionally, discussions with officials from New York and New Jersey indicate that these wastes are not the types that have contributed to beach closings.

While most groups will endorse this decision, we do not anticipate that it will be universally supported. Environmental groups and some members of Congress are likely to favor broader coverage due to potential aesthetic problems posed by wastes in categories 6 through 9.

The American Hospital Association provided comment to the Agency concerning the definition of regulated medical waste. They recommended that bloody wastes that were saturated with more than 20 cubic centimeters (cc) of blood be considered a regulated medical waste under category 3. The Agency considered this recommendation and agrees that these wastes

should be included; however, a 20 cc free liquid standard would be difficult to measure or enforce. We determined that, rather than trying to set such a standard, it would be more appropriate to include saturated and dripping bloody materials that contain free liquids under category 3.

B. STATE RESOURCES

State resources for nonhazardous waste activities are limited and would be strained by the addition of this program. Officials of many States have indicated they are unlikely to participate without significant Federal funding.

C. INTERSTATE ENFORCEMENT

The States expressed concern over how violations of the regulations by disposal facilities in noncovered States will be addressed. Of particular concern is what happens when a tracking form is not returned to the generator when the waste is shipped to a noncovered State for disposal.

Our enforcement strategy indicates that EPA will assume the role as lead agency responsible for following up on any interstate shipping problems, if the noncovered State does not. EPA will take enforcement actions when problems arise to the extent possible given available resources.

D. VETERINARY WASTES

The Agency decided to exclude veterinary wastes other than sharps from regulation. This decision was strongly urged by the Midwestern States. New York, New Jersey, and Connecticut favor their inclusion. However, if we adopt their approach, it will likely provide additional incentive for several States to opt out of the demonstration program. We have concluded that the best approach is not to include these wastes, and individual States that wish to track such wastes may use their individual authorities to do so.

VI. EXPECTED REACTIONS TO THE RULE

We anticipate that the healthcare industry will consider the demonstration program to be costly, overly burdensome, and unnecessary due to the lack of documentation of a significant health risk posed by medical wastes. They will, however, support EPA's decision to narrow the universe of covered wastes. The waste management industry will generally support

the demonstration program, as will environmental groups, although environmental groups may oppose the narrowing of the universe of covered wastes. Most States generally support the program, particularly with the narrowed universe of covered wastes. We do not know, however, which States will decide to opt out or petition in. The decision seems to depend primarily on the availability of resources, Federal funding levels, and political factors unique to each State. Additionally, those States that have, or are developing, permanent programs that are more comprehensive than the Federal demonstration program have less incentive to participate.

We do expect some adverse reaction from some members of Congress, particularly the New Jersey House delegation, to our decision not to regulate all medical wastes that could potentially be included in categories 6 through 9. We believe that the wastes in those categories that might pose a threat to human health and the environment are included under our interpretation of categories 1 through 5 (e.g., pathological wastes from surgery and autopsy are included under category 2 and blood soaked wastes are included under category 3). Additionally, discussions with New York and New Jersey State officials indicate that the nonregulated medical wastes included in categories 6 through 9 are not the wastes responsible for last summer's beach closings and support our position to exclude these wastes.

VII. RECOMMENDATION

I recommend that you sign the interim final regulation.

Attachments

- Tab A: Preamble
- Tab B: Regulation
- Tab C: Communication Strategy



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

JAN 25 1989

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Interim Final Rule for the Tracking and Management of Medical Waste--TRANSMITTAL MEMORANDUM

FROM: *J. Winston Porter*
J. Winston Porter
Assistant Administrator

TO: The Deputy Administrator

Please find attached the interim final rulemaking package for the Standards for the Tracking and Management of Medical Waste. I am transmitting this to you in your capacity as Chairman of the Medical Waste Task Force. As previously agreed, the Task Force will review this package in lieu of Red Border Review.

This regulation was developed to implement the Medical Waste Tracking Act of 1988. It establishes segregation, packaging, labeling, tracking, and record keeping requirements for regulated medical waste. It defines regulated medical waste and includes a listing of medical wastes included under that definition. It also contains provisions for the named States to opt out and interested States to petition in, as directed by the legislation.

I request that this package be submitted to the Medical Waste Task Force for their review and approval. To stay on schedule for a mid-February promulgation, the Task Force must complete its review by February 2. We have tentatively scheduled a meeting of the Task Force for that date to accept all final comments.

Attachment

STANDARDS FOR THE TRACKING AND
MANAGEMENT OF MEDICAL WASTE
INTERIM FINAL RULE

BACKGROUND

- o The Medical Waste Tracking Act of 1988 was signed into law on November 1, 1988.
- o The Agency has six months from enactment to promulgate an interim final rule for a demonstration tracking program in a limited number of States.
- o EPA believes that it is important that the program be in place by the beginning of the 1989 beach season. Therefore, at the request of Region II, and with the approval of the Deputy Administrator, the schedule was accelerated to publish the regulations by the end of February.

THE REGULATION

- o Contains provisions for the named States to opt out and interested States to petition in, as directed by the legislation.
- o Defines and lists the categories of regulated medical waste.
- o Establishes standards for the segregation, packaging, labeling, tracking, and recordkeeping requirements for regulated medical waste.
- o Contains reporting requirements to help administer the tracking system, including the special incineration reports specified by the statute.

ISSUES

- o The Agency made a finding that several waste types listed in the Act pose no present or potential threat to human health and the environment and do not warrant regulation.
- o States have very limited resources for nonhazardous waste activities and many States may be unlikely to participate without substantial Federal funding.

- o The States have expressed concern over how violations of the regulations by disposal facilities in noncovered States will be addressed. EPA's enforcement strategy recognizes that we should place primary emphasis on problems at these disposal facilities.

SCHEDULE

- o 1/26/89 OSWER distributes draft to Task Force and Steering Committee members.
- o 2/2/89 Task Force meets to resolve all issues.
- o 2/3/89 Submission of draft to OMB.
- o 2/13/89 OMB completion deadline.
- o 2/17/89 Promulgation package to the Administrator for signature.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 3/9/89 ACTION/CONCURRENCE/COMMENT DUE BY: 3/10/89 10:00 AM

SUBJECT: PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STUDDERT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
BREEDEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WINSTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CICCONI	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PINKERTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BENNETT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
HAGIN	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward any comments to Chriss Winston, Rm. 122, x2930, by 10:00 AM, Friday, March 10, 1989, with an info copy to my office. Sorry for the short turnaround. Thank you.

All comments
XX

RESPONSE:

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702

(Lange/Blessey)
March 9, 1989
4:00 p.m.

1989 MAR -9 PM 5:49

PRESIDENTIAL REMARKS: BRIEFING FOR NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL
MARCH 13, 1989

"News" -- President Enlists Attorneys General
in Fight for Environment, War on Drugs

Thank you... I'm very happy to be here.

Judging from the kind of work this association has been doing lately, I know I'm among kindred spirits.

The two outstanding reports you adopted this winter -- on environmental protection, and on drug control strategies -- put you out front on two issues that are central to my agenda for the future.

The approaches you've taken reinforce my conviction that, together -- on every front where we have shared concerns -- we're going to find solutions. We're going to define state and federal roles that work. And we're going to apply limited resources in a coordinated manner.

At the federal level, on many environmental issues, I think the time for debate has passed. So I'm proposing legislation to reauthorize the Clean Air Act. I want to work with Congress on a comprehensive acid rain program. And I intend to throw the book at those who engage in illegal ocean dumping.

Where dumping of medical waste is concerned, you may remember my pledge to end the era of the needle on the beach. Well, we just took the first step. EPA has just established a medical waste tracking system, to ensure that waste goes to proper disposal facilities.

need to say this is news.

This pilot program will apply to medical facilities of all sizes. Some nine states have already agreed to participate. Those of you who haven't, yet -- let me encourage you to contact E.P.A. this month, and get on board in this important effort.

Over the last decade, the states have taken on a leadership role in protecting our environment -- and that's good news.

This government will work closely with you, on those environmental questions that only have shared answers. We need to step up the Superfund clean-up process, and improve enforcement. Together, we must assure compliance with hazardous waste laws, and encourage strict enforcement of pesticide use.

And where enforcement of all of the laws that protect our environment are concerned, I'd like you to think about those cases where we must move beyond civil penalties, toward criminal enforcement -- both as a sanction, and as a deterrent.

In a few minutes, Bill Reilly will give you his thinking on the environment. You will certainly find him -- today, and over the course of this Administration -- to be an outstanding ally.

But before I hand over the podium, I want to turn your attention -- and enlist your support -- on another pervasive problem: the war on drugs.

While I'm President, great cities will not be held hostage by crack dealers. And our schools will not be locked in a state of siege.

No. Together we are going to ban this chemical weaponrv. It breeds the most insidious form of domestic terrorism. And it will be stopped.

In the budget I presented to Congress last month -- a budget, by the way, that was the first Executive budget in quite a while not pronounced "d.o.a." on Capitol Hill -- I've pushed for an increase of \$1 billion for our anti-drug program. That's a 47 percent increase over 1988, for a total of \$6 billion.

Most of that money -- 70 percent of it -- will go toward grants to state and local law enforcement agencies, to beef up federal enforcement, and to build up our prosecution, detention, and intelligence-gathering strength.

As chief legal officers, you understand enforcement. You know how vital it is -- and as my budget makes clear, I want to devote unprecedented resources to enforcement.

But we must do more. This war won't be won by police work alone. Where there is demand, supply will always rise to meet it. Where there is no demand, supply is useless.

That's why I was glad to see that your "Blueprint for Drug Control Strategies" looks beyond enforcement, to strategies for cutting the drug problem off at the knees -- beyond effects, to causes.

Drug education, treatment, and prevention provide our best hope for a long-term solution -- especially with our kids. Yes, we need to tell them to "say no." But we must also give them the wisdom to know why -- and the skills to know how -- to say no.

Let me encourage you to continue looking closely at drug enforcement programs. Consider how they can help reduce demand for drugs. To the extent you can do that, you can make your jobs -- my job -- and those of everyone involved in law enforcement -- a whole lot ~~easier~~, *more rewarding!*

Our resources may be limited -- but our resolve is not.

Our task is to win the hearts and minds of every child, teacher, and parent; every community group, religious institution, and tenant association; and every business and professional organization in this country.

Together, we can build a culture of zero-tolerance.

We can send a message, loud and clear, to those who take drugs -- and take our leniency -- for granted: The party... is over.

Let me now turn this party over to Bill Reilly -- Administrator of the E.P.A. He is a great builder of bridges between people -- he's even been called "The Great Includer."

He has devoted his career to protecting our land, air, and water -- and he has my complete confidence.

Thank you all very much. And God bless you.

March 9, 1989

MEMORANDUM FOR JIM CICCONI

FROM; DENISE SCHWARZ
OFFICE OF CABINET AFFAIRS

SUBJECT; PRESIDENTIAL REMARKS; BRIEFING FOR NATIONAL
ASSOCIATION OF ATTORNEYS GENERAL LOG # 015345SS

We have reviewed the attached EPA and Justice had the same concerns on the first sentence on page 2. I had EPA talk directly to Chriss Winston about the wording of the paragraph.

Attachment

cc: Chriss Winston

(Lange/Blessey)
March 9, 1989
4:00 p.m.

1989 MAR -9 PM 5:49

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Thank you all very much. And God bless you.

THE WHITE HOUSE

WASHINGTON

March 10, 1989

MEMORANDUM FOR CHRISS WINSTON
DEPUTY ASSISTANT TO THE PRESIDENT
FOR COMMUNICATIONS

FROM: NELSON LUND *NL*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Remarks: Briefing for National
Association of Attorneys General

At the request of James W. Cicconi, Counsel's Office has reviewed the captioned draft presidential remarks. We have no legal objections.

We note, however, the last sentence of the penultimate paragraph on page 2, which urges the "strict enforcement of pesticide use." We suggest that it would be better to refer to "strict enforcement of the regulations governing pesticide use."

We appreciate the opportunity to review these draft remarks.

Attachment

cc: James W. Cicconi
Assistant to the President and
Deputy to the Chief of Staff