

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the William J. Clinton
Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Council on Environmental Quality
Series/Staff Member: Kathleen (Katie) McGinty
Subseries:

OA/ID Number: 2572
FolderID:

Folder Title:
National Environmental Survey

Stack:	Row:	Section:	Shelf:	Position:
S	61	5	4	3

PHOTOCOPY
PRESERVATION

~~Church~~
Please
make a file
for no. National
Environmental Strategy
ask only for a copy
any materials in this
subject. If you have
if you have
please
from
them.

ask

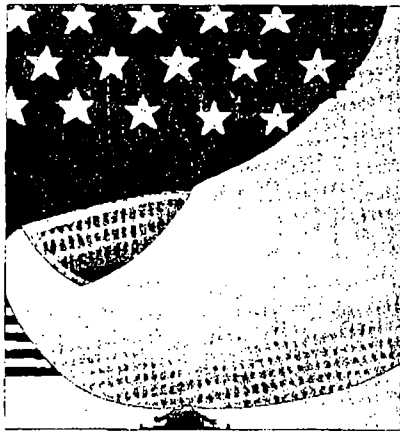
~~Kathy Hare~~

Please read this to
get an idea of
my vision of
National Environmental
Strategy. We need
to get moving on this
pretty quickly.
G.

A policy that set the world standard goes off track

by Keith Schneider

Article you requested from Greenwire. Published 7/8/93



In a review of state spending, Michigan last year took a close look at its environmental protection program. A panel of citizens, scientists and state agency officials spent eight months determining which ecological risks truly posed the gravest dangers and whether environmental laws were doing anything to reduce them. In July, the state published a report full of surprises.

The panel concluded that the environmental issues that had long caused the most fear and attracted the greatest government attention in Michigan—acid rain, hazardous wastes, radiation, toxic air pollution and electromagnetic fields—were of only modest concern. Instead, the priorities the panel considered most important were these: loss of farmland, forests and wetlands, expanding urban sprawl and the deterioration of Michigan's inner cities.

In short, Michigan's most serious environmental problem was its decaying landscape. And as they dug deeper the panelists discovered something even more troubling. State and federal environmental laws for cleaning up and managing

hazardous wastes were partly responsible.

Excessively costly toxic waste cleanup regulations, it turned out, were discouraging employers from developing downtown industrial sites, thereby worsening the economic and social condition of Michigan's impoverished urban centers. The toxic waste rules were also helping drive companies to build new plants in uncontaminated forests and farm fields beyond the suburbs, thus expanding urban sprawl and contributing to air pollution from commuters driving there. Lastly, the toxic waste laws were draining corporate and state money that could have been put to use solving more important environmental problems, such as restoring damaged natural landscapes or improving urban parks.

"If ever there was a textbook case of good intentions producing bad results, what's happened in this state with the toxic waste laws are it," said Dr. William E. Cooper, an ecologist at Michigan State University who led the study. "We have a situation where laws meant to lower risks to the environment and health are raising them. Laws meant to help people are hurting them. It's a microcosm of a much larger problem this country is facing with environmental protection."

The plain-spoken Dr. Cooper, who studies nature's biological bonding not in a white coat but in blue jeans and hiking boots, is far from an isolated voice in the backwaters of the upper Midwest. A nationally recognized scholar who sits on the Environmental Protection Agency's Science Advisory Board, the 54-year-old Michigan researcher says he hears similar complaints about environmental regulations almost everywhere he goes. A generation after the United States responded to dy-

ing rivers and putrid air with a program of environmental protection that set the world standard, the dismaying conclusion now being reached by intelligent people at every level of society is that much of the program is seriously off track.

Public panics

Specialists trace the problem's start back 15 years to the scare over Love Canal and contamination from toxic wastes. Since then, environmental policy has too often evolved in reaction to public panics and not in response to sound scientific analyses of which hazards present the greatest risks. The unhappy result is that often a program designed to respect the land is destroying it. A program intended to be a skillful, thrifty and wakeful defense of public health is endangering it. Most disturbing is that billions of dollars each year are wasted in battling problems no longer considered by scientists and ordinary Americans to be especially dangerous, leaving more important environmental threats unaddressed for lack of money.

Program run amok

Despite accumulating evidence of an environmental program run amok, conservationists in Congress seem frozen, unable or unwilling to respond. In public, Senator Max Baucus, a Montana Democrat and chairman of the Senate Committee on Environment and Public Works, says that while policy needs adjustment, he is far from convinced an overhaul is necessary. In private, Senator Baucus' aides say lawmakers are waiting for signals from the top national environmental groups.

The relationship between Senator Baucus and the national environmental groups is among Capitol Hill's most intriguing. Mr. Baucus is lauded by the National Wildlife Fed-

Keith Schneider is a national correspondent for The New York Times in Washington, D.C.

*A am nervous about EPA (or any other agency) 17
I would have the lead on this because they have too much of a*

*"Guess you paper on me & on
rehabilitate stuff in advance of
our NGS meetings. The
type of effort I have in
mind for the National
Environmental Strategy."*

Article you requested from Greenwire. Published 7/8/93
*... actually be part of the problem. I want the NGS heavily involved because of
the credibility of the report. They can bring*

Cover Story

eration, the Sierra Club, and other national groups for being a staunch supporter of laws to reduce toxic pollution and for battling big business, especially the oil industry. In 1991, he helped bar the industry and the Bush Administration from opening the untouched Arctic National Wildlife Refuge in Alaska to oil exploration and development. Mr. Baucus' effort earned him undying loyalty from several national groups.

In return, these same groups supported the Montana Senator's proposed legislation last year that would have allowed over one million acres of magnificent wilderness in Montana to be cut to the ground. The legislation was blocked after regional environmental groups in the Northwest accused their larger brethren of selling out. In Washington, though, such quid-pro-quo relationships are the stuff of politics, and

Most disturbing is that billions of dollars each year are wasted in battling problems no longer considered by scientists and ordinary Americans to be especially dangerous.

Mr. Baucus maintains an almost unassailable reputation among the most influential environmental lobbyists.

On Capitol Hill, where symbol and substance merge to form peculiar beliefs that substitute as truth, the environment is a near-sacrosanct issue among the Democrats who count, and feared by the rest. To be painted as a skeptic of environmental protection is not the same as being accused of sexual harassment, but it's close. Thus, the environmental movement, which long ago mastered the art of hailing friends and

embarrassing foes, retains its considerable influence. And the leaders of the largest groups are not yet ready to acknowledge that laws they helped enact are backfiring. To do so means important changes in how they do business.

By almost any measure, the most influential national group is the New York-based Natural Resources Defense Council, which was extraordinarily effective during the 1980s in defining the debate over exposure to toxic chemicals in the environment. The NRDC's campaign, taken up by sympathetic mem-

Missing the Target

Concentrations of mercury in fish in thousands of lakes across the Midwest, New York and New England are climbing as a direct result of federal energy and environmental policy. Traces of mercury, a toxic heavy metal that causes nervous system disorders, are contained in toxic wastes, light bulbs, electrical switches, batteries and other products. Federal waste disposal laws that bar or restrict wastes from being buried have encouraged a huge incineration industry that is putting thousands of tons of mercury into the air each year. Mercury then falls back to earth where it washes into lakes and rivers.

Trace amounts of mercury also are found in coal. Thus, the nation's growing reliance on coal for electricity is pouring ever greater quantities of mercury into the atmosphere. In 1990, Congress had an opportunity in the Clean Air Act to require utilities to install smokestack controls to reduce mercury contamination. The lawmakers, though, did not act be-

cause they had already asked utilities to spend \$5 billion a year to control sulfur dioxide, a constituent of acid rain. But in doing so, Congress ignored findings in a \$540 million, ten-year study finished in 1990 that stated ecological damage from acid rain was not nearly as severe as commonly thought.

According to the Department of the Interior, more than a century of mining coal, gold, silver and copper has left immense toxic piles of mine wastes lying like sprawled beasts in at least 25 states. Such piles commonly contain lead, sulfur, arsenic and cyanide. When exposed to rain or snow these contaminants form an acidic slurry that has seeped into drinking water aquifers and destroyed tens of thousands of miles of streams across Appalachia, the Midwest and the West. The government also has reported that at least 162 people have been killed, and hundreds more injured since the late 1970s in falls down unprotected mine shafts and

other accidents at abandoned coal and hard rock mines.

Altogether, the estimated cost of reclaiming lands torn up by mining is more than \$100 billion, putting the problem in the same category as the cost of cleaning up radioactive and toxic wastes at military bases, nuclear weapons plants and chemical dumps. But even as scientists ask new questions about the relative risk to the environment and health from these sites, the federal government this fiscal year will pour \$10 billion into cleaning them up. That is more than a quarter of the roughly \$38 billion the government will spend on environmental protection programs. Yet the states and the federal government will spend less than \$500 million this year to close abandoned mines and restore ruined mining lands, even though the confirmed risks to health and the environment appear to be at least as important as the threat from radioactive and toxic wastes, and perhaps more so. ■

bers of the media, cast chemical companies as willful violators of the public trust, evil villains who pollute without remorse. The NRDC also asserted with great success, and not much scientific evidence, that exposure to tiny traces of chemicals in food and water was causing a "cancer epidemic" in the U.S.

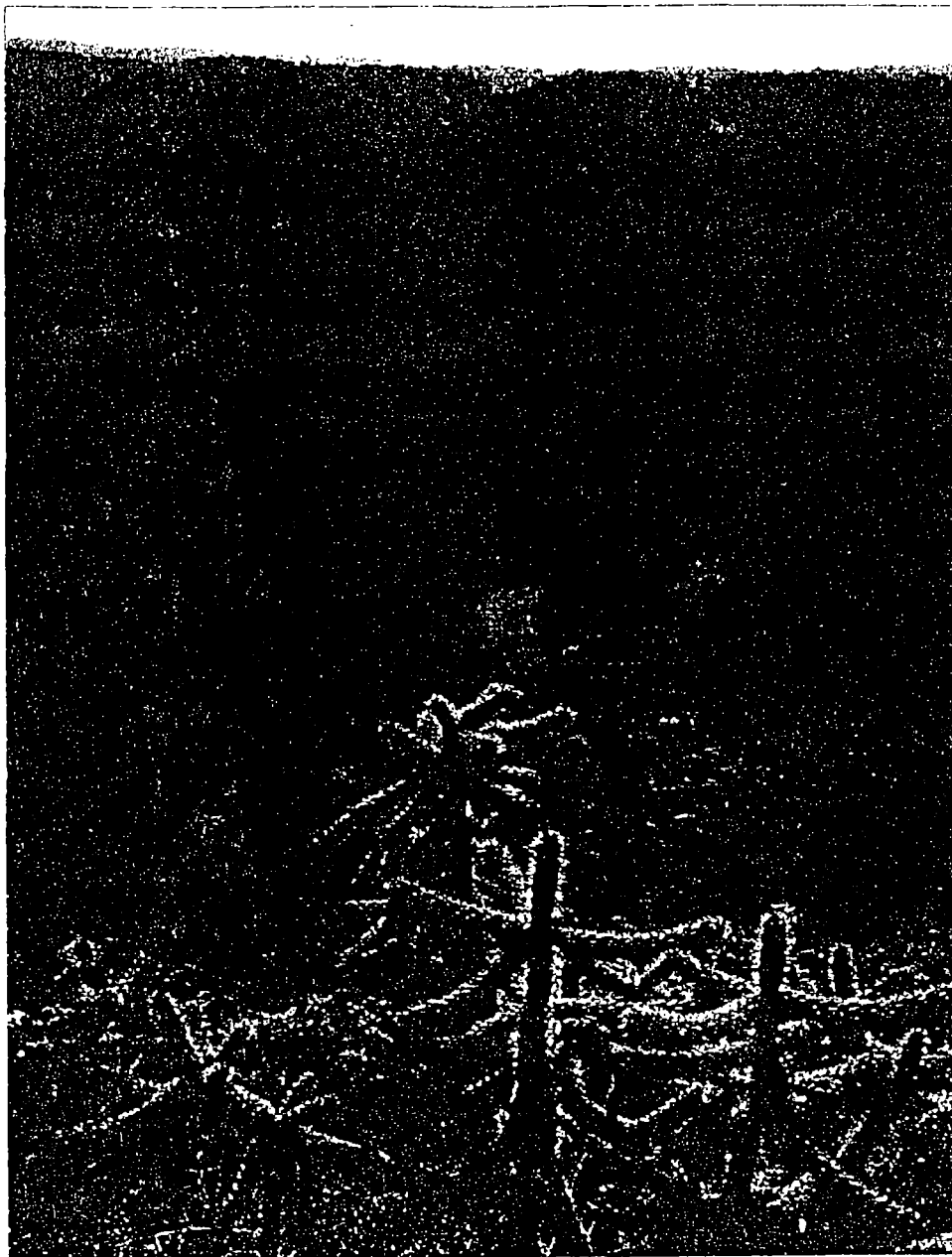
The group's efforts were rewarded by growing membership lists and rising donations from foundations. But the greatest prize came from Congress which time and again during the 1980s invited NRDC experts to help write provisions in air, water and toxic waste laws intended to restrict the presence of chemical compounds in the environment.

It's no accident that much of the \$140 billion that the United States will spend this year on environmental protection is devoted to making sure that toxic chemicals are not present at levels exceeding a few parts per billion, concentrations that can be measured only with the most sophisticated equipment.

Scare strategy risks

But has this approach made a measurable difference in the incidence of cancer? The answer is no, according to the National Cancer Institute, the Centers for Disease Control and Prevention, and the National Center for Health Statistics. While some types, such as lung and breast cancer, are becoming more prevalent, others are decreasing, most noticeably stomach cancer. Overall, according to federal statistics, the death rates from cancer have fallen since 1950—except among the elderly, and it is a disease of old people.

Such evidence, though, has not dissuaded the NRDC from painting many chemical compounds as a potential cause of cancer. Only four years ago the NRDC and "60 Minutes" teamed up to cause a food scare by attacking Alar, a chemical growth regulator used on apples, as the single greatest cancer threat to children in the food supply. That conclusion has since been described as completely specious by university, federal and state health experts



The magnificent Gila National Forest in Catron County, N.M. Residents have asked the President for control over the timber and grazing lands.

across the country.

When asked whether the enormous cost of the toxics laws, as well as evidence that there is no cancer epidemic, might cause the NRDC to reconsider its strategy, John H. Adams, the group's executive director, was unwavering. "All evidence, and all logic, tells me that when small amounts of toxic chemicals enter your body from air, water and food, that it has to be an effect," he said. "We need to do more to prevent

these chemicals from entering the environment, not less."

Mr. Adams' critics, though, say scaring the public with imaginary risks has put the NRDC in jeopardy of losing its credibility. "John Adams and the NRDC ignore the highest proven risks to health, like smoking and fat in the diet, and focus their energies on risks that are tiny in comparison," said Dr. Michael Cough, a molecular biologist and risk-assessment specialist at the Con-

Cover Story

gressional Office of Technology Assessment in Washington. "It's a campaign designed to attract donations, not to improve public health."

The NRDC's intransigence is emblematic of a broader problem that affects all of the national environmental groups. Having successfully used scare tactics over the last 25 years to push their concerns to the top of the political agenda—and to build multimillion dollar organizations—the NRDC and other groups are reluctant to change what's worked. But faced with growing public resentment, some of Mr. Adams' colleagues in the movement are beginning to criticize the old methods and talk about new approaches, though for now they confront the issue only in off-the-record remarks.

President Clinton is not nearly so reticent. An unmistakable signal of the President's distrust of the national environmental movement has been his obvious reluctance to tap specialists from the NRDC and other groups to be top policy makers in his administration. Mr. Clinton did not choose a single staff professional from such a group for a cabinet post, something even George Bush did when he named William K. Reilly, former World Wildlife Fund head, to be EPA Administrator. And Mr. Clinton has named only a handful of environmental leaders to sub-cabinet positions.

Creative alternatives

As the President said in April, when he held a day-long conference on the fate of the virgin forests of the Pacific Northwest, the time for making policy on the basis of hyperbole, scare tactics and intolerance was over. "Together we can move beyond confrontation to build a consensus on a balanced policy to preserve jobs and to protect our environment," said Mr. Clinton. He added: "This conference has established the dialogue. It's got to continue."

Mr. Clinton's EPA Administrator, Carol M. Browner, has sounded the same theme during her short tenure at the agency. "I want people to understand that I have a role in seeing we have an honest and com-

plete debate about all these tough issues," she said in an interview. "We have to move beyond the posturing."

Of all the President's environmental advisors, it is Interior Secretary Bruce Babbitt who has indicated the most willingness to broker creative alternatives. In his first months in office, Mr. Babbitt's efforts have been aimed primarily at defusing the economic tensions between environmentalists, workers and business owners that has made the 1973 Endangered Species Act a focus of political attack.

Mr. Babbitt's goal has been to prove that a law that has long been considered to be a rigid safeguard

to invoke the requirements of the Endangered Species Act on the rest of its four million acres of timberland.

During the Bush administration, Mr. Reilly also won a reputation for blazing new paths. In 1991, he convinced dozens of industrial companies to voluntarily cut toxic plant emissions in half by the mid-1990s. The annual Toxics Release Inventory, a nationwide accounting of such pollution, reflects steady declines in the amounts of chemicals released into the air and water.

Still, few environmental groups have endorsed the voluntary programs, and the reason is obvious.

The time for making policy on the basis of hyperbole, scare tactics and intolerance is over.

for the nation's most imperiled plants and animals can be made to work with considerable flexibility. In March, Mr. Babbitt signed an agreement with developers and environmentalists in California to settle a fight over the habitat of the California gnatcatcher, a threatened songbird that lives along the Pacific Coast. Mr. Babbitt proposed to divide the coastal scrub and lands favored by the gnatcatcher. Half would be set aside to protect the bird, and the other half would be open to development. In April, Mr. Babbitt took a second step to prevent turmoil over the Endangered Species Act, this time in the South. He signed an agreement with the Georgia Pacific Corporation to save roughly 100 colonies of endangered red-cockaded woodpeckers that live on the company's forest lands in Arkansas and several more states in the Deep South. The company agreed to halt all cutting on at least ten acres that immediately surrounded each of the colonies and to limit logging on 500 more acres that circled the woodpecker nests. In exchange for reducing the cut on some 55,000 acres in all, Georgia Pacific earned a promise from the government not

They distrust industry. That could change, however, as business executives begin to grapple with their own past in confronting environmental issues, a past marked by belligerence, denial and threats to close plants and put people out of work. In headquarters across the country, executives every day confront the huge costs of having lost credibility on the subject.

Business faces up

"We were slow to react and we were not as responsible in our attitudes as we should have been," said Alfred C. DeCrane Jr., the chairman of Texaco, Inc., which now spends \$900 million annually on environmental controls. "That is not true today. We are ready to help and have a lot to offer. But first we needed to establish our bona fides and I think now that's been done."

If this is true, then American industry can thank a new factor in the debate in the 1990s: the troubled economy.

"One reason we got to where we are is people believed that there is no price too high to pay for preserving the environment," said Richard J. Mahoney, chairman and CEO of

Monsanto, the chemical giant based outside St. Louis. "Now the costs are finally becoming unhidden and people are looking at this system in a new light. There is a price for everything and people are beginning to ask, finally, what are we getting for our money?"

In too many cases, the answer is not pleasant. By far the most graphic example of America's environmental policy mess is the 1980 Superfund law for cleaning up abandoned toxic waste sites and the 1984 amendments to the Resource Conservation and Recovery Act, which set strict standards for waste disposal. When Congress passed them, both laws were regarded as triumphs of Democratic government. Now the two laws are probably the most feared and hated of all the environmental statutes.

The newest trend in the politics of hazardous wastes is not communities battling to start cleanups, but cities and towns in 30 states fighting with the Government or private companies to halt them.

Why?

First, in setting strict limits for digging up and disposing of chemical wastes, both laws required millions of tons of contaminated mate-

to the Resource Conservation and Recovery Act prohibited most hazardous chemical wastes from being buried in the land. Though intended to prevent chemicals from seeping into underground water supplies, the most lasting effect of the rule was to spur a national commercial hazardous waste incineration industry. Opponents are battling to halt the construction or operation of such plants in 20 states. Incinerator owners and the government say the technology is safe, but local leaders assert that incinerators increase risks to health and the environment by allowing tons of toxins and heavy metals to pour into the atmosphere.

One of the angriest fights is in Jacksonville, Arkansas, 15 miles northeast of Little Rock. It started in 1979, during Mr. Clinton's first term as governor, when the EPA confirmed local reports that thousands of barrels of dioxin-contami-

est, most complex and most expensive of the options the government could have chosen to clear the site of toxic chemicals. If it was the only choice, said the residents, it probably would be better to do nothing.

Chemical "catch 22"

The opponents turned out to be right. The federal hazardous waste law requires dioxin to be burned with 99.9999 percent efficiency, a destruction standard that not a single incinerator in the country is capable of meeting, the EPA now acknowledges. The law also forbids dioxin-contaminated wastes from being buried in the ground, despite new evidence that the compound is less risky to human health than the government once thought. Nevertheless, the strict destruction and disposal requirements for dioxin now lie at the heart of a cleanup project that has become a bureaucratic fiasco.

Earlier this year, the company hired to burn the wastes revealed that its incinerator was not capable of meeting the efficiency standard of 99.9999 percent. As a result, for every one barrel of dioxin-contaminated wastes burned, two barrels of dioxin-contaminated ash and salt were produced. And because the contractor was barred from burying the new wastes or taking them anywhere else to be buried, the only remedy was to halt the cleanup or indefinitely place the new ash and salt wastes in a new \$300,000 storage building. Not ready to accept complete failure, the government approved the new building.

The moral of the tale in Jacksonville would be laughable if it weren't so grim. Already \$25 million has been spent. Unless the laws are changed or the project is shut down, say government authorities close to the cleanup, more than \$150 million

"Now the costs are finally becoming unhidden and people are looking at this system in a new light. What are we getting for our money?"

American industry can thank a new factor in the debate in the 1990s: The troubled economy.

rials to be dumped in new commercial installations. Most were built in low-income minority communities. Across the country, minority groups have joined hands in a new social justice movement aimed at ending what they say is inequity in how environmental laws are carried out. "When it comes to toxic wastes, federal policy is like a bad chess game. Problems are being shifted from more affluent communities and being dumped on one poor community after another," said the Reverend Benjamin F. Chavis Jr., the new executive director of the NAACP and a founder of the movement.

Secondly, the 1984 amendments

nated pesticide wastes were stored and buried at a chemical plant in the center of town. In the mid-1980s, the plant was abandoned by its owner, Vertac Chemical Company, and came under the joint control of the federal Superfund program and the state. After more than a year of study, the EPA and the state determined that the safest approach for clearing the site was to burn the wastes. Mr. Clinton supported the decision, said his former aides, because he was told that incineration was the best solution.

Some residents of Jacksonville challenged the young governor, arguing that incineration was the risk-

Cover Story

more could be spent literally to produce twice as much dioxin wastes as there were in Jacksonville when the work began.

Leaders of the environmental movement complain that such examples of mismanagement and waste are an exception, and not emblematic of a structural failure in policy. Their fear, of course, is that such evidence will undermine a program they have worked so hard to establish and which, they argue, has been a worthwhile endeavor for the country and the world. Government officials also are nervous, especially when the administration is slowly beginning to thin out the bureaucracy to save money.

But outside Washington, New York and San Francisco, a new conservation movement is building among farmers, property owners, scientists, community leaders and small businesspeople. This movement, the newest wave of modern environmentalism, has been amassing the evidence indicating that

If these issues are not addressed by Congress and the national environmental movement, ordinary Americans may begin to reject the goals of conservation.

1960s when less was known about what causes death, especially from cancer. This policy of prudence has resulted in excessively costly regulations for reducing toxic compounds in air, water and on land and has not produced any measurable evidence that it is affecting rates of cancer one way or the other. According to federal health studies, the incidence of cancer in most age groups has been steady over the past two decades.

However, this approach to regulating toxic exposures also has resulted in leaving groups of workers and residents most at risk from diseases caused by toxic chemicals largely unprotected. Farmers and field-workers, for instance, are con-

for specific ecosystems or environmental regions, instead of uniform national standards that raise costs but do not lower risks. Cities have begun a campaign to convince Congress to use the best scientific evidence to set goals, instead of rigid standards, for how clean the air, water and land needs to be. Cities could then choose the least costly and most efficient way to achieve those goals.

In Catron County, N.M., a magnificent territory of steep mountains, crystal streams and ponderosa pine forests south of Albuquerque, ranchers and timber industry workers have taken this idea all the way to the White House. They have asked President Clinton to consider turning over the management of the Gila National Forest, which covers 70 percent of the county's area, to local control. They say the timber and grazing land in the forest would be managed more effectively at half the cost of federal control. The idea has attracted not only the attention of administration officials, it is being closely watched by more than 100 other rural counties in the country and by the environmental movement. And for good reason.

In Catron County and elsewhere in the United States there is a recognition of a new peril to the environment: a decline in credibility. High costs, specious science and a policy that is raising risks to human health and dogging the economy has produced a backlash to environmentalism. If these issues are not addressed by Congress and the national environmental movement, ordinary Americans may begin to reject the goals of conservation. A public that is hostile to protecting resources would be the most threatening risk of all in a world that technology and human industry are so clearly capable of harming. ■

High costs, specious science and a policy that is raising risks to human health and dogging the economy has produced a backlash to environmentalism.

America's environmental policy is resulting in mismanagement of the land, causing billions of dollars to be wasted, and raising public health risks.

The leaders of the movement, many of them from rural regions, believe they have identified the primary causes of the problem. The first is a failure by Congress, the press, environmental groups and federal agencies to react to new economic and scientific information about which ecological risks really pose the gravest threats.

The second is the 35-year-old policy of regulating toxic agents that is based on reducing risks to health and the environment to zero. It was a worthwhile goal in the 1950s and

stantly exposed to levels of pesticides in agriculture far higher than what most Americans encounter in food, water and air.

The policy of spending so much to reduce toxic compounds to trace levels also ignores the most important causes of cancer. According to the National Cancer Institute and other health agencies, high-fat, high-calorie diets, smokin, and drinking alcohol are the major sources of cancer. Personal behavior is killing the vast majority of Americans, not trace levels of contaminants in the environment.

Third, cities, towns and residents of rural regions have joined with business leaders to call for more flexible environmental rules designed