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Subgroup/Office of Origin: Council on Environmental Quality
Series/Staff Member: Kathleen (Katie) McGinty
Subseries: [Correspondence]

OA/ID Number: 2254
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[G - August 1993] [Loose]

Stack:	Row:	Section:	Shelf:	Position:
S	61	5	2	2

THE WHITE HOUSE

WASHINGTON

August 17, 1993

Ms. Rosa Ortiz de Gentry
6033 Alfred Avenue
St. Louis, MO 63110

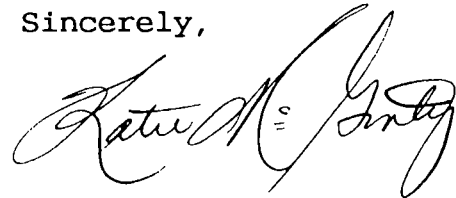
Dear Ms. de Gentry:

Please accept my heartfelt condolences on the death of Allwyn. I am sure that he was much loved and will be greatly missed.

Although I did not have the pleasure of working with Allwyn directly, his work was highly praised to me. Allwyn's many achievements to expand the boundaries of botanical knowledge, specifically his spectacular efforts to collect plant specimens will remain in our memories.

Again, my condolences.

Sincerely,



Kathleen A. McGinty
Director, Office on
Environmental Policy

KAM/avl

*He was a true leader and
visionary. His contributions will
long be remembered and appreciated!*

THE WHITE HOUSE

WASHINGTON

August 11, 1993

Ms. Katie Gill
967 Adams Avenue
Newark, OH 43055

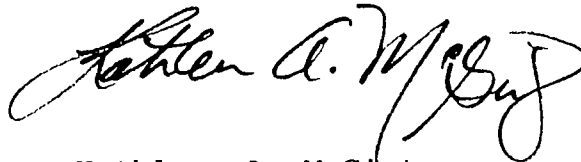
Dear Ms. Gill:

Thank you for contacting me regarding your thoughts about the Animal Damage Control Act.

We are in the process of reviewing our policy with the Department of Agriculture and the Department of the Interior on this very important matter. I agree that further study of the options involved is necessary for an informed and balanced decision to be made. Be assured that we will give every consideration to your concerns as we look at this issue.

Again, thank you for sharing your thoughts with me.

Sincerely,

A handwritten signature in cursive script, reading "Kathleen A. McGinty". The signature is fluid and stylized, with the first and last names being more prominent than the middle initial.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

The White House Office on
Environmental Policy
Atten: Kathleen McGinty
Old Executive Office Bldg.
Room 58
Washington, D.C. 20503

Katie S. Gill
967 Adams Ave.
Newark, Ohio
43055

May 6, 1993

Dear Kathleen McGinty,

Hello, my name is Katie Gill. I am writing to you on behalf of animals all over the United States of America. Poison baits, traps, snares, denning and aerial gunning are some of the indiscriminate and inhumane methods that were killing mammals and birds during the fiscal year of 1992. The number of animals that were killed came to over 109 predatory mammals and more than 1.5 million birds.

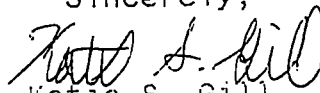
The above methods and number's were reported killed by the Animal Damage Control (ADC) program. The ADC predator control program is neither cost-effective nor biologically sound. In 1992, alone, the ADC spent over 45 million taxpayer dollars to kill wildlife on public lands and to develop poisons and control techniques for wild animals. Most of these techniques are indiscriminate and place threatened and endangered species in jeopardy. At the same time the

government spends millions to kill predators, it also funds multi-million dollar programs to protect and reintroduce endangered species.

As a tax payer and fellow animal lover, I feel strongly that presently it's a impeccable time to put an end to the ADC program. If President Clinton's currently new economic strategy is to cut all unnecessary federal spending. I think the ADC program is a perfect place to start. I want this old fashioned tax-supported federal war on wildlife to come to an end, so that our government can begin to protect our natural heritage. After all, doesn't it seem we should spend money to save our fellow earth dwellers instead of spilling blood on our hard earned tax dollars?

Thank you for your time and effort.

Sincerely,


Katie S. Gill

THE WHITE HOUSE

WASHINGTON

August 2, 1993

Mr. Jim Gilbert
530 Archibald Ct.
Colton, CA 92324

Dear Mr. Gilbert:

Thank you for contacting me regarding your work on increasing the environmental awareness of our nation's youth. It was good to hear from you, and I apologize for the delay in my response.

As you know, I share President Clinton's commitment to the preservation of the environment in a way that leads to strong and sustainable economic growth. I certainly appreciate your efforts on S.A.M. (Small and Mighty) and the activity booklet which you enclosed.

Again, thank you for letting me hear from you.

Sincerely,

A handwritten signature in dark ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" and last name "McGinty" clearly legible.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

530 Archibald Ct.

Colton, CA 92324

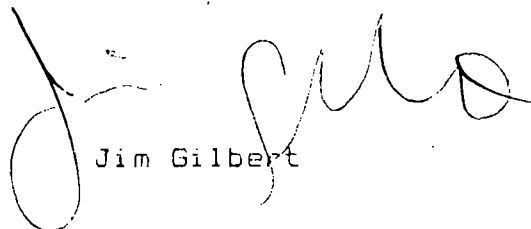
March 16, 1993

Dear Amy Todd,

Nice to "meet" you by phone! Here are some of the coloring and activity sheets I have developed using S.A.M. (Small And Mighty). As I told you, I'm considering starting a youth club to help spread the word about the environment; I'm still working on the details and will keep you informed. In the mean time I wanted to send this information to you, I'll give you a call next week.

Thanks once again for returning my call and my hope is that with a little knowledge the Small And Mighty will be able to turn our world around.

Once again thanks

A handwritten signature in black ink, appearing to read 'Jim Gilbert', with a large, stylized initial 'J'.

Jim Gilbert

THE WHITE HOUSE

WASHINGTON

August 2, 1993

Mr. Richard F. Goodstein
Divisional Vice President
National Government Affairs
Browning-Ferris Industries
1350 Connecticut Avenue, N.W.
Suite 1101
Washington, D.C. 20036

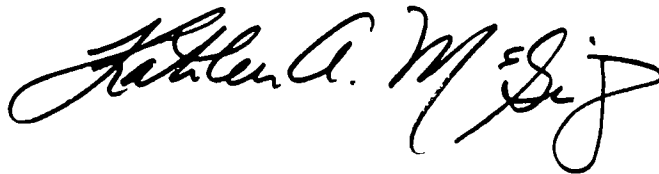
Dear Rich:

Thank you for contacting me with environmental contacts in the business community. It was good to hear from you, and I apologize for the delay in my response.

I certainly appreciate the list you enclosed of important environmental contacts. I am familiar with some of these names, but I appreciate the notes on some of their important achievements. I'm sure this information will prove valuable.

Again, thank you for sharing this information with me.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" and last name "McGinty" clearly legible.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl



BROWNING-FERRIS INDUSTRIES

Richard F. Goodstein
Divisional Vice President
National Government Affairs
Washington Counsel
202/223-8151
Fax: 202/223-0685

April 8, 1993

Ms. Kathleen McGinty
Special Assistant to the President
for the Environment
The White House
Washington, D.C. 20500

Dear Katie:

I enclose a memorandum that should prove useful to you in connection with outreach to the business community. Not long ago Max Baucus asked that I develop this list for his use. He recognized the importance of one-on-one contact with key players in his Environment and Public Works Committee's jurisdiction. It occurred to me that the list could prove useful to you as well, so I have re-styled the memo but otherwise send you the same document that I sent to Max Baucus.

I hope it proves useful to you.

Sincerely,

Richard F. Goodstein

THE WHITE HOUSE

WASHINGTON

August 2, 1993

Mr. Peter Root Griesinger
Producer/Director
Griesinger Films
7300 Old Mill Road
Gates Mill, OH 44040

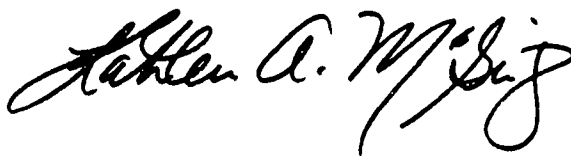
Dear Mr. Griesinger:

Thank you for contacting me with your video, An Introduction to Ecological Economics with Gaylord Nelson, Herman Daly, and John Cobb, Jr. It was good to hear from you, and I apologize for the delay in my response.

As you know, I share President Clinton's commitment to the preservation of the environment in a way that leads to strong and sustainable economic growth. I certainly appreciate learning of your efforts to increase public awareness of the importance of including environmental impacts in the accounting process. As you may know, our Administration is working to promote the use of a "Green GDP" measure at the Department of Commerce.

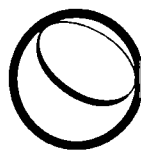
Again, thank you for letting me hear from you.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" and last name "McGinty" clearly legible.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl



GRIESINGER FILMS

7300 OLD MILL ROAD, GATES MILLS, OHIO, 44040
PHONE/FAX (216) 423-1601

March 24, 1993

Katie McGinty
Office of Environmental Policy
Old Executive Office Building
Room #360
Washington, DC 20501

Dear Ms. McGinty,

Tray Lindseth recommended that I send you another copy of our recent 45 minute video release, **An Introduction to Ecological Economics with Gaylord Nelson, Herman Daly, and John Cobb, Jr.** We had sent a copy earlier during Vice-President Gore's transition and I guess that copy is still packed.

This video is distributed by Griesinger Films and will be carried by Island Press in the fall. It is a remarkably clear piece that clarifies and spells out much of Daly's position on preserving our Natural Capital Resource Base. It is illustrated with video provided by LightHawk.

I would think this video would be extremely helpful in illustrating and promoting a rational approach to reforming fundamental accounting practices that presently don't include the real environmental damages caused by resource extraction.

I hope you and David Cottingham can view the video before the Forest Summit. I think it will help persuade fence-sitters.

All my best and I look forward to hearing from you.

Sincerely,

Peter Root Griesinger
Producer/Director

THE WHITE HOUSE
WASHINGTON

August 2, 1993

Mr. Len Gardner
President
Alpine Lakes Protection Society
521 N. 74th St.
Seattle, Washington 98103

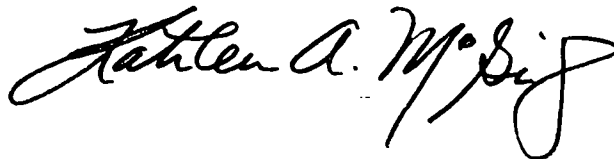
Dear Mr. Gardner:

Thank you for contacting me regarding the proposed change in the U.S. Forest Service administrative appeals regulation. It was good to hear from you, and I apologize for the delay in my response.

As you know, I share President Clinton's and Vice President Gore's commitment to the preservation of our environment. In response to overwhelming interest on this issue, the Forest Service extended the public comment period on the administrative appeals process to last 45 days. I appreciate learning your thoughts about this matter.

Again, thank you for sharing your concerns with me.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" being more prominent and the last name "McGinty" following in a similar style.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl



ALPINE LAKES

protection society

Len Gardner, President
Alpine Lakes Protection Society
521 N. 74th St.
Seattle, Washington 98103
Phone: 206-783-6666

May 16, 1993

Re: Proposed Rule Change - 36 C.F.R. Parts 215 and 217

Deputy Chief
National Forest System (1570)
Forest Service, USDA
P.O. Box 96090
Washington, D.C. 20090-6090

Dear Sir or Madam:

I am writing on behalf of the Alpine Lakes Protection Society (ALPS) to comment on the proposed appeal regulations published in the Federal Register on April 14, 1993 as 36 C.F.R. 215. ALPS is a regional conservation organization, founded twenty-four years ago, with specific interest in the Alpine Lakes Area of Washington.

The purported purpose of the subject rule change is to implement Sec. 322 of the Interior and Related Agencies Appropriations Bill, 1993, but the real purpose seems to be to restrict citizen participation in the decision-making process. The proposed rule violates both the spirit and the letter of Sec. 322 in several respects.

It creates, for example, an enormous loophole by allowing the Forest Service to declare an emergency exempting timber sales from public review. This was not authorized by Congress and is an open invitation to administrative abuse.

The proposed rule also fails to incorporate an express requirement of Sec. 322: that anyone who has asked to be notified about timber sales or other projects, and anyone who has participated in scoping for a project, be mailed a notice of the opportunity to comment about a proposed action. Instead, the proposed rule only requires the Forest Service to publish notice of proposed actions in designated newspapers.

The proposed rule would do away with the "mailbox rule" for filing comments, project level appeals and forest plan appeals, although it is a fixture in contract law. This change in the current rule would rob appellants of up to a week of their effective filing period and subject their appeals to the vagaries of postal delivery. There is no basis for this change in Sec. 322.

The proposed rule makes no provision for second-level or discretionary review of appeals, allowed under current rules. Second-level review is desirable because it gets the review away from the influence of the original decision maker, fostering a more objective review of the appeal issues.

Finally, I note that under the proposed rule, if the reviewing officer fails to decide the appeal within the 45 day period allotted, the original decision will stand as the final agency decision. This feature, which is a change from the current rule, removes the incentive for the Forest Service to decide appeals.

The purpose of Sec. 322 of the Interior and Related Agencies Appropriations Bill, 1993, was to establish as a matter of law the right to appeal certain types of Forest Service decisions. The subject rule change should be scrapped and new regulations drawn up to really ensure that right as Congress intended.

Sincerely,

ALPINE LAKES PROTECTION SOCIETY

A handwritten signature in cursive script that reads "Len Gardner".

Len Gardner,
President

cc: Mike Espy, Secretary of Agriculture
Kathleen McGinty, Director OEP
Members Washington Congressional Delegation
ALPS Trustees

THE WHITE HOUSE
WASHINGTON

August 2, 1993

Ms. Diana Gordon
642 I Street
Washougal, WA 98671

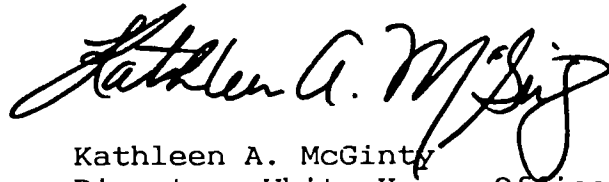
Dear Ms. Gordon:

Thank you for contacting me regarding the proposed change in the U.S. Forest Service administrative appeals regulation. It was good to hear from you, and I apologize for the delay in my response.

As you know, I share President Clinton's and Vice President Gore's commitment to the preservation of our environment. In response to overwhelming interest on this issue, the Forest Service extended the public comment period on the administrative appeals process to last 45 days. I appreciate learning your thoughts about this matter.

Again, thank you for sharing your concerns with me.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" being more prominent and the last name "McGinty" following in a similar style.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

May 23, 1993

Kathleen McGinty
Deputy Assistant to the President
Director, Office of Environmental Policy
Room 360, Old Executive Office Building
Washington, D. C. 20501

RE: CHANGES IN FOREST SERVICE ADMINISTRATIVE APPEALS PROCESS

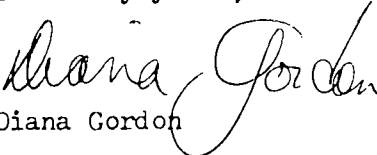
Dear Ms. McGinty:

I am concerned about the Forest Service's proposed changes in the administrative appeals process. I feel that the proposed rules would seriously limit public challenges of Forest Service decisions. Congress clearly intends to encourage better public involvement in Forest Service decisions and a process should be developed to accomplish that intent. Further,

- a) Timber harvests are not the only Forest Service decisions that should be subject to appeal. Trails issues, recreation projects, etc., should be included.
- b) The exclusion of proposed actions related to "emergency issues" should be eliminated. This could be used as a loophole to exempt almost any decision from appeal.
- c) New rules should maintain the current public notice requirements and follow the mandate of Congress to mail written notices of opportunities to comment to anyone who had previously expressed interest in the area or activity.
- d) The new rules should recognize the "mailbox rule", i.e., a comment or an appeal is timely if it is postmarked by the comment or appeal deadline. Requiring that it be in the Forest Service's hands by that time substantially reduces the amount of time available to prepare comments or appeals and it puts people who live in rural areas where mail service is unpredictable at a disadvantage. The IRS uses the mailbox rule. So should the Forest Service.

I feel that the appeals rules must be rewritten to conform to the spirit and intent of the law passed by Congress last fall.

Sincerely yours,


Diana Gordon

642 I Street
Washougal, Washington 98671

THE WHITE HOUSE
WASHINGTON

August 2, 1993

Mr. Robert B. Gelder
Chair, Forest Management Task Force
Western North Carolina Alliance
602 Abbey Circle
Asheville, North Carolina 28805

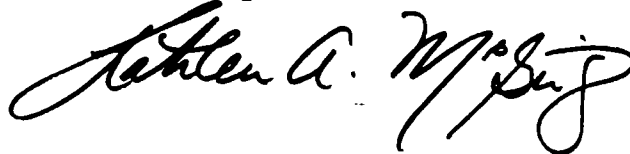
Dear Mr. Gelder:

Thank you for contacting me regarding the proposed change in the U.S. Forest Service administrative appeals regulation. It was good to hear from you, and I apologize for the delay in my response.

As you know, I share President Clinton's and Vice President Gore's commitment to the preservation of our environment. In response to overwhelming interest on this issue, the Forest Service extended the public comment period on the administrative appeals process to last 45 days. I appreciate learning your thoughts about this matter.

Again, thank you for sharing your concerns with me.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" being the most prominent part.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

Siskiyou Regional Education Project

P.O. Box 220, Cave Junction, Oregon 97523 • (503) 592-4459

Deputy Chief
National Forest System (1570)
Forest Service USDA
P.O. Box 96090
Washington, D.C. 20090-6090

May 26, 1993

Re: Appeals Procedure for National Forest Planning and Project
Decisions

Dear Deputy Chief:

I have reviewed the proposed rule for appeal procedures and provide the following suggestions for much needed changes. In general, the rule is procedurally restrictive and appears to be designed to exclude people from the decision process. The Forest Service should be making it easier for people to participate in the decision process, not more difficult.

1. The new appeals rule unlawfully restrict appeals to those that do not require an environmental analysis or are "not controversial". The new rule implies that most District Ranger decisions would not be subject to appeal. Shouldn't the public decide what is controversial, not the Forest Service? If decisions are truly non-controversial, then there will be no appeals with substantive merit. For example, a recent decision by the acting Illinois Valley District Ranger (Siskiyou National Forest) to rent a renovated fire lookout was withdrawn because it was unclear whether the lookout is actually outside the Kalmiopsis Wilderness. If this decision was declared not subject to appeal, an unlawful activity may have been approved. Individuals should have the right to appeal an illegal decision, regardless of unanimous local support. Another example is the routine placement of fish habitat structures in streams with heavy equipment. This may not be controversial among fisherman, but others may question the merits of spending thousands of dollars to put saw logs in streams.

2. "Natural disasters" are no reason to deny the public appeal rights that could prevent potentially damaging timber salvage. Salvaging even one fallen tree from a stream or stream bank may be detrimental to fish habitat. Given the depleted condition of streams and fisheries, any Forest Service activity or authorization in or around streams and sensitive steep slopes should be subject to appeal. The appeals regulations should be rewritten to include all decisions that could have any environmental consequences.

May 25, 1993

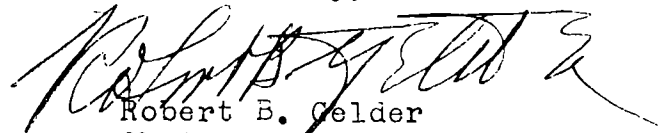
Kathleen McGinty
Deputy Assistant to the President
Old Executive Office Building Room No. 360
Washington, D.C. 20501

Dear Ms. McGinty:

In Western North Carolina where I live we have over a million acres of national forests. The people of this area have a high respect for and love these forests we are privileged to enjoy. In the past we have worked with the USFS to protect "our" forests and have on occasion filed citizens appeals through the proper channels when we felt it was in the best interest of the public domain. The citizens appeal process has worked very well; but now the USFS wants to change the whole process in a severe attempt to by-pass the tax paying public's input in forest management issues.

The citizens' appeal process and the regulations governing the process are indeed complicated and the general public needs an extension beyond May 28th in which to submit comments and discuss the equities (or inequities) of the proposed changes. In my humble opinion, both the Clinton administration and the Congress will receive a boost in the public's eye if either or both act to extend the short arbitrary deadline of May 28th for it input. Please act now to extend the May 28th deadline.

Respectfully,



Robert B. Gelder
Chair, Forest Management
Task Force

Western North Carolina Alliance
602 Abbey Circle
Asheville, North Carolina 28805

THE WHITE HOUSE

WASHINGTON

August 17, 1993

Ms. Nanci L. Gabbard
Attorney at Law
2907 Montclair Avenue
Cincinnati, OH 45211

Dear Ms. Gabbard:

Thank you for contacting me regarding your concerns about federal wetlands policy. I apologize for the delay in my response.

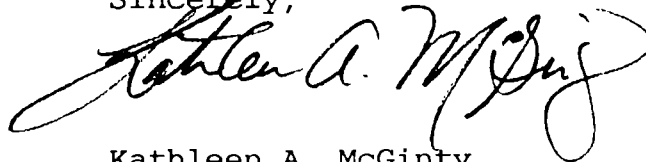
As you know, President Clinton and Vice President Gore are committed to the preservation of our natural resources in a way that leads to strong and sustainable economic growth. This Administration shares your concerns about the uncertainties surrounding wetlands policies of the past.

You may be aware that an Interagency Working Group on Federal Wetlands Policy was convened on June 4 to review and seek to clarify the issues surrounding federal wetlands policy in anticipation of the reauthorization of the Clean Water Act. It includes representatives of all federal agencies involved in, or impacted by, the protection of wetlands. In addition, the working group will solicit a broad range of views, including those of the Congress; state and local government; environmentalists; developers and homebuilders; agricultural interests; and others. The working group is scheduled to report their findings and recommendations in the near future.

I appreciate hearing your concerns about policy options with regard to federal wetlands policy. I am sure that the findings of the Interagency Task Force will adequately address the important issues that you raise.

Again, thank you for sharing your thoughts with me.

Sincerely,



Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

2907 Montclair Avenue
Cincinnati, Ohio 45211

July 9, 1993

Ms. Kathleen McGinty
Deputy Assistant to the President
Office of Environmental Policy
Old Executive Office Building, Room 360
Washington, D.C. 20501

Dear Ms. McGinty:

The Interagency Task Force on Wetlands recently completed its hearings and will be developing its recommendations.

Wetlands are a vitally important part of our ecosystem. Their existence plays an important role in our environment. Strong wetlands protection is vitally important to the United States. Therefore, I urge the Task Force on Wetlands to recommend that strong wetlands protection be included in the Clean Water Act Reauthorization.

Sincerely,

A handwritten signature in black ink, appearing to read "Nanci L. Gabbard", written in a cursive style.

Nanci L. Gabbard
Attorney at Law

THE WHITE HOUSE

WASHINGTON

August 16, 1993

Mr. Richard N. Gardner
Attorney at Law
Coudert Brothers
1114 Avenue of the Americas
New York, NY 10036

Dear Mr. Gardner:

Thank you for contacting me regarding Mr. Danny Serwer's interest in working at the U.S. Environmental Protection Agency as Assistant Administrator for International Affairs. It was good to hear from you.

I am forwarding a copy of your letter and Mr. Serwer's information to the Office of the Administrator for their review.

Again, thank you for sharing this information with me.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" being more prominent and the last name "McGinty" following in a similar style.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

COUDERT BROTHERS

ATTORNEYS AT LAW

1114 AVENUE OF THE AMERICAS
NEW YORK, N.Y. 10036-7794
TEL: 212 626-4400 FAX: 212 626-4120

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TOKYO
MOSCOW
BANGKOK
JAKARTA

August 5, 1993

Ms. Kathleen McGinty
Special Assistant to the President
for the Environment
The White House
Washington, D. C. 20500

Dear Katie:

I think I may have written you some time ago about my good friend Danny Serwer, who has been serving with great distinction as Deputy Chief of Mission in our Rome Embassy. Danny has heard that the Assistant Administrator for International Affairs of EPA has not yet been selected and he would very much like to be considered for that position. I strongly support his candidacy for this important post.

I have known Danny for nearly 20 years. We first met when we were both working with Maurice Strong in preparation of the United Nations Conference on the Human Environment held in Stockholm in 1972. I was so impressed with Danny that I brought him with me as Science attache (with a strong environmental responsibility) when I was sent by President Carter as U.S. Ambassador to Italy.

Danny is one of the best examples I know of the "action intellectual" -- someone who combines strategic thinking with the practical know-how on how to get things done. If the job of Assistant Administrator is not available for Danny, he would do very well as the principal deputy, although I would have to say that position would be below the level that he deserves.

Katie, this one is very important to me and I would be grateful if you could give me a call or write me about Danny's prospects at your earliest convenience. His biographical sketch is attached for your information.

With best personal regards,

Sincerely,



Richard N. Gardner

DANIEL P. SERWER

Mr. Serwer is Deputy Chief of Mission at the U.S. Embassy in Rome, where he manages a diplomatic mission of over 800 people, establishing priorities and ensuring that they are met. He serves as principal advisor to the Ambassador on the full range of diplomatic issues and maintains a strong bilateral relationship with Italy within the context of the NATO alliance and U.S./EC relations.

He was previously (1987-90) Minister-Counselor for Economic Affairs, the number three in the Embassy hierarchy. He coordinated the response of seven offices (Economic, Science, Treasury, Agriculture, Commerce, Customs, and Federal Aviation Administration) to the challenges and opportunities of the Italian economy, which is among the world's six largest. His principal areas of concern included macroeconomic policy, internal economic developments, finance, trade, export promotion and export controls, Third World debt, energy, environment, technology, civil aviation, and foreign aid.

From 1984 to 1987, Mr. Serwer was a State Department office director responsible for international energy policy, including energy trade, security, and emergency preparedness. He developed responses to lower oil prices, directed efforts to open energy markets, and coordinated U.S. preparations (later used in the Gulf Crisis) for an oil supply disruption.

As Counselor for Scientific and Technological Affairs in the United States Embassies in Rome and in Brasilia from 1977 to 1984, Mr. Serwer handled technology transfer issues as well as energy and nuclear matters, computers and telecommunications, health and environmental issues, biomedical research, and space and missile technology.

Prior to entering the State Department, Mr. Serwer worked on environmental and energy policy at the United Nations and at Brookhaven National Laboratory.

Mr. Serwer has a doctorate in history of science from Princeton University and degrees in chemistry from Haverford College and the University of Chicago.

In addition to being awarded major fellowships (Woodrow Wilson, Danforth, National Science Foundation), Mr. Serwer has received a grant from the Rockefeller Foundation Program in Conflict in International Relations, the Santos Dumont Medal of the Brazilian Air Force, Performance Pay Awards from the Department of State, and the State Department's Superior Honor Award. He has published numerous articles, lectured at major universities and to business groups in the U.S. and abroad, and explained and defended U.S. policies in radio and television appearances. Mr. Serwer speaks French, Italian, and Portuguese.

November 1992

THE WHITE HOUSE
WASHINGTON

August 16, 1993

Dr. Donald A. Goer
Chief Operating Officer
Zapit Technology
2880 Lakeside Drive
Suite 220
Santa Clara, CA 95054

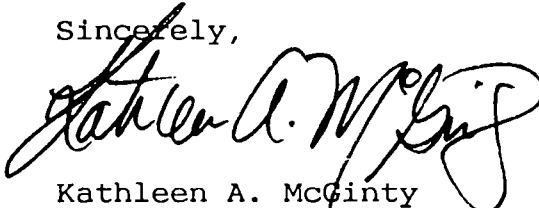
Dear Dr. Goer:

Thank you for contacting me regarding your work at Zapit Technology in studying the treatment of toxic waste for McClellan Air Force Base. It was good to hear from you.

As you know, I share President Clinton's and Vice President Gore's commitment to the preservation of our environment in a way that leads to strong and sustainable economic growth. I agree that we must study new and innovative technologies as an alternative to incineration. I certainly appreciate learning of your efforts at Zapit in this regard.

Again, thank you for sharing this information with me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen A. McGinty". The signature is fluid and cursive, with a large, stylized "M" and "G".

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

cc: The Honorable Harold Ford
Mr. Thurgood Marshall, Jr.

HAROLD E. FORD
9TH DISTRICT, TENNESSEE

COMMITTEES:
WAYS AND MEANS
CHAIRMAN
SUBCOMMITTEE ON HUMAN RESOURCES

SUBCOMMITTEE ON OVERSIGHT

SELECT COMMITTEE ON AGING



Congress of the United States
House of Representatives
Washington, DC 20515-4209

OFFICES:

2211 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4209
(202) 225-3265

167 NORTH MAIN STREET
FEDERAL OFFICE BUILDING, SUITE 369
MEMPHIS, TN 38103
(901) 544-4131

May 27, 1993

Mr. Thurgood Marshall, Jr.
Director of Legislative Affairs
for the Vice President
S212--The Capitol
Washington, DC 20510

Dear Mr. Marshall:

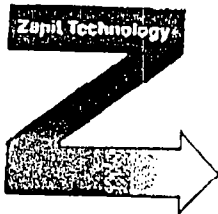
Dr. Alfred Goldson recently forwarded to me a copy of this letter disclosing a new technology that is being used in toxic waste disposal. I thought that it would be of interest to you.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harold", followed by a horizontal line.

Harold Ford
Member of Congress



2880 Lakeside Drive, Suite 220
Santa Clara, CA 95054
(408) 986-1700
FAX (408) 986-0222

May 25, 1993

The Honorable Albert Gore
Vice-President of the United States
Old Executive Office Building
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. Vice-President:

A friend of mine just forwarded to me the enclosed *Washington Post* article by Mary McGrory on the Ohio incinerator. It's unfortunate that your administration is taking a beating in the press for being on the right side of this issue.

What you probably don't know is that about a year ago, the DOE, (through Lawrence Livermore National Laboratory (LLNL)), licensed a non-burning, advanced oxidation technology for volatile waste remediation and air pollution control. A new company, Zapit Technology, was formed to commercialize this technology which uses electron beams to transform toxic molecules into non-toxic molecules. Zapit has had some excellent local press coverage, in part because it uses a technology licensed from a local weapons lab, and in part because Zapit has been identified by the Joint Venture: Silicon Valley as a company with the potential of generating an entire new industry. Copies of some of the local coverage are also enclosed.

Zapit has already completed a treatability study in its laboratory on toxic waste for McClellan Air force Base and is planning to conduct a similar study for Edwards Air Force Base. The first commercial system is scheduled to be shipped to the **University of Tennessee Space Institute** in June for system testing.

Zapit's technology, developed in part by a collaborative effort of a small business with LLNL, is, in my view, one of the best commercial technologies to emerge from a government laboratory. It promises to be the basis of a cost-effective approach to preserve our environment and help clean up the mess we've generated over the last fifty years.

As a technically astute legislator and administrator, I believe you will appreciate the value of this technology. Zapit's electron beam system will play an important role in the new technologies needed to restore and preserve our environment. It will help return our defense bases to productive use in the commercial sector, create jobs and increase export sales.

Page 2
Zapit Technology

While the fact that not many people in the Government are aware of the potential of Zapit has allowed the company to develop without interference and at a proper pace. Unfortunately, it has also deprived the Government of an opportunity of receiving the benefit from being the author of this exciting new American industry.

Your administration, the environment and our economy can certainly use some good news. I think Zapit is one example of a Government program gone right!!

Sincerely,

Donald A. Goer, Ph.D.
Chief Operating Officer

DAG:ns

Enclosures

THE WHITE HOUSE

WASHINGTON

August 5, 1993

The Honorable Sam Gejdenson
Chairman, Subcommittee on Economic
Policy, Trade and Environment
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Gejdenson:

Thank you for responding to my request for your thoughts about the reduction of greenhouse gas emissions to 1990 levels by the year 2000. It was good to hear from you.

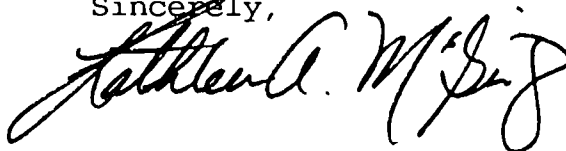
As you know, President Clinton and I are committed to the preservation of our global environment in a way that leads to strong and sustainable economic growth. In his Earth Day Address, President Clinton announced this Administration's intention to return U.S. greenhouse gas emissions to 1990 levels by the year 2000.

The White House Office on Environmental Policy has initiated an extensive interagency process to evaluate policy options. I certainly appreciate learning your thoughts as we move forward on this very important and challenging matter. I appreciate your input on joint implementation. Working together with other countries (especially developing ones) is a very promising approach to global greenhouse gas emission reductions. In addition to our efforts, the Department of State is preparing for the August meeting of the International Negotiating Committee, where the details of international cooperative ventures will be discussed.

Because the President has given us an August deadline for developing a plan, I appreciate your prompt response to my letter. We plan to conduct a dialogue with the Hill through a series of staff briefings and working sessions.

Again, thank you for sharing your thoughts with me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Kathleen A. McGinty', with a stylized flourish at the end.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

LEE H. HAMILTON, INDIANA
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FRANK MCCLOSKEY, INDIANA
THOMAS C. SAWYER, OHIO
(VACANCY)

MICHAEL H. VAN DUSEN
CHIEF OF STAFF

One Hundred Third Congress

Congress of the United States

Committee on Foreign Affairs

House of Representatives

Washington, DC 20515

BENJAMIN A. GILMAN, NEW YORK
RANKING REPUBLICAN MEMBER

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EDWARD R. ROYCE, CALIFORNIA

RICHARD J. GARON
REPUBLICAN CHIEF OF STAFF

June 28, 1993

Kathleen A. McGinty
Director, White House Office on Environmental Policy
Room 360, Old Executive Office Building
Washington, D.C. 20501

Dear Ms. McGinty:

Thank you for your letter regarding President Clinton's global warming initiative. I appreciate the invitation to submit my views to the Administration regarding this critical issue.

While I am interested in all aspects of the global warming debate, the Subcommittee on Economic Policy, Trade and Environment, which I chair, has primarily focused on the subject of technology transfer. The Subcommittee dealt with the technology transfer issue in last year's Energy bill, as well as in the House-passed FY 1994 Foreign Assistance Authorization bill. I would like, therefore, to address my comments to the international aspects of the global warming debate.

In my view, the U.S. must significantly increase its support for projects in the developing world which reduce greenhouse gas emissions. By helping the developing world to produce energy in an environmentally-sound manner, and to protect sinks for greenhouse gas emissions, the U.S. can play a leadership role in protecting our global environment. Furthermore, the U.S. can also live up to its obligations under the Global Climate Change Convention, signed at the Earth Summit in Rio de Janeiro last year.

It is important to recognize that the U.S. already has significant efforts underway to help other nations tackle global warming. Through its support for renewable energy, energy efficiency and deforestation projects, the Agency for International Development has gained valuable expertise over the past decade in projects which reduce greenhouse gas emissions. Unfortunately, AID resources devoted to this critical task are entirely inadequate. Only two percent of AID's total budget is devoted to energy projects, much of which is spent in one region, the Near East. In FY 1992, \$106 million out of \$235 million spent by AID on energy projects was spent in the Near East, primarily in Egypt, while only \$1 million was spent by AID on

energy projects in Africa. Over the past two years, AID has not supported any African renewable energy projects.

I would like to submit three policy recommendations to significantly increase the quantity and quality of AID support for environmentally-sound energy projects which reduce greenhouse gas emissions. First, the Administration should support efforts to use foreign aid money for capital projects, particularly in the energy sector. Second, the Administration should ensure that AID devotes a sufficient portion of its budget for environment and energy activities. Third, AID should change its hiring and staffing patterns to recruit people with significant environment and energy expertise.

Under the first recommendation, the U.S. would use a greater portion of its foreign aid budget to support capital projects in developing countries, particularly those projects which produce energy in an environmentally-sound manner. Section 1505 of the House-passed FY 1994 Foreign Assistance Authorization bill provides \$300 million for the establishment of a pilot capital projects program within the Trade and Development Agency (TDA). This program will support developmentally sound capital projects in developing countries and in countries making the transition from nonmarket economies. All projects must take into consideration not only the developmental needs of the host country, but the export opportunities for U.S. firms.

Given that the Foreign Assistance Authorization bill must clear several hurdles before it is presented to the President, I believe that strong Administration support for Section 1505 could be one element of the President's global warming initiative. This pilot program can provide essential support for energy projects around the globe which reduce greenhouse gas emissions. The program will also benefit American exporters of environment and energy technologies and equipment, and promote global sustainable development.

The second policy recommendation is to ensure that the overall level of AID spending on environment and energy is sufficient. AID spent \$679 million on environment and energy activities in FY 1992, and \$674 million in FY 1993. With this money, AID supported worthwhile projects around the world to stop deforestation, protect wildlife, promote biodiversity, and construct environmentally-sound energy projects. Given the severity of the global warming problem, as well as the increasing number of environmental crises facing the developing world, this level of support is inadequate.

As the President has repeatedly stated, however, we must continue our efforts to downsize the federal budget. In this regard, I believe that the White House must work with AID to ensure that the FY 1993 funding level for environment and energy activities at AID -- \$675 million -- serves as a floor for such activities in FY 1994 and beyond. AID can play a critical role

in helping the U.S. to meet its commitments under the Global Climate Change Convention, but only if it devotes sufficient resources to this important task.

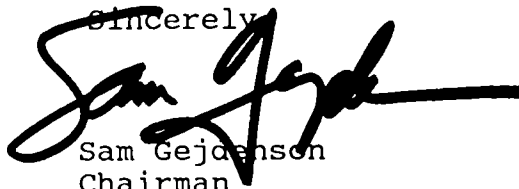
The third policy recommendation is to change AID's staffing patterns in order to increase the agency's ability to prevent global warming. Under the current system, most of AID's environment and energy experts are not in a position to influence the agency's environmental portfolio. The central bureaus, where most of AID's environment and energy staff are located, have no formal authority over country and regional programs. The regional bureaus have few environment or energy experts, as do AID's country missions.

As a consequence, AID provides insufficient support for environment and energy projects. AID lacks experts in the field who have backgrounds in energy and environmental sciences. Consequently, when AID missions work with the government of a developing country to prioritize the country's needs and select appropriate projects, the environment and energy fields do not receive the attention and support they deserve.

In the report accompanying the FY 1994 Foreign Assistance Authorization bill, the Foreign Affairs Committee included the Subcommittee's report language recommending that AID should increase the number of direct-hire staff in AID missions and in the regional bureaus with environment and energy expertise. This will increase the quality and quantity of AID-assisted environment and energy projects, and help developing countries reduce greenhouse gas emissions. The Committee recommended that AID should achieve this goal by using its existing authority to hire staff using program funds and by changing its recruitment patterns.

Please feel free to contact me or my staff if you have any questions regarding these policy recommendations. I look forward to working with the Administration on this important issue in the coming years.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Gejdenson", with a long horizontal stroke extending to the right.

Sam Gejdenson
Chairman
Subcommittee on Economic Policy,
Trade and Environment

THE WHITE HOUSE

WASHINGTON

August 2, 1993

Mr. Robert J. Goldstein
Attorney at Law
505 White Plains Road
Tarrytown, NY 10591

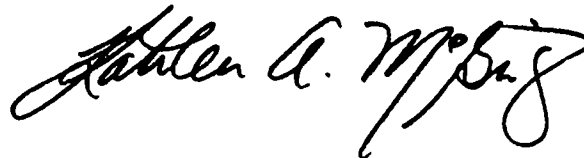
Dear Mr. Goldstein:

Thank you for contacting me regarding your work on global environmental disasters and the copy of your article, "Proposal for Institutionalization of Response to Global Environmental Disasters." It was good to hear from you, and I apologize for the delay in my response.

I certainly appreciate learning of your efforts in this regard. I am forwarding your information to the U.S. Environmental Protection Agency for their review and response.

Again, thank you for letting me hear from you.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" and last name "McGinty" clearly legible.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

ROBERT J. GOLDSTEIN
ATTORNEY AT LAW
505 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK, 10591

LL.M. ENVIRONMENTAL LAW

(914) 332-6117

April 27, 1993

Ms. Katie McGinty
White House Office of Environmental Policy
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Proposal for the International Green Cross

Dear Ms. McGinty:

I am writing to you as head of the new White House Office of Environmental Policy. I am deeply interested in, and committed to the idea of an institution dedicated to responding to global environmental disasters. To that end I have written and published the enclosed article entitled "Proposal for Institutionalization of Response to Global Environmental Disasters."

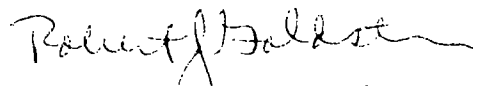
This proposal is intended to internationalize response to disasters, and thereby spread the cost of response more fairly.

I would like to become involved with our government's planning for this type of entity.

I ask your help in contacting the appropriate persons, and communicating my desire to participate in any activities which will bring this idea to fruition.

Thank you for your thoughtful assistance.

Sincerely,


Robert J. Goldstein

Enclosure

C:\LLMWORK\ENVPOL.LEP

THE WHITE HOUSE

WASHINGTON

August 3, 1993

Mr. Patrick F. Gallagher
236 Terrace Avenue
Elkins, WV 26241

Dear Mr. Gallagher:

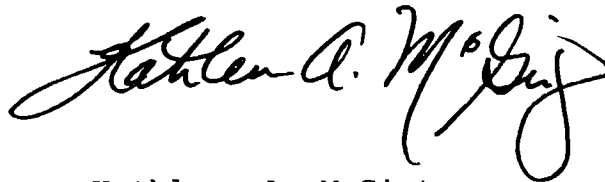
Thank you for contacting my office regarding the potential environmental impacts of building a highway through central West Virginia. I apologize for the delay in my response.

As you know, I share President Clinton's and Vice President Gore's commitment to the preservation of our environment in a way that leads to strong and sustainable economic growth.

I appreciate hearing your thoughts about the building of a highway with potential environmental implications in central West Virginia. I am forwarding your information to Region III of the U.S. Environmental Protection Agency for their review and response.

Again, thank you for sharing your concerns with me.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" and last name "McGinty" clearly legible.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

Vice President Al Gore
Office of Environmental Policy
Room 358
Old Executive Building
Washington, DC 20501

15 March 1993

Dear Mr. Vice President,

I choose to live in one of the most scenic, ruggedly beautiful-yet ecologically sensitive areas in the eastern United States. I refer to the mountainous section of eastern West Virginia.

Currently, there are plans underway to impose an environmentally damaging highway connecting I-79 in central West Virginia with I-81 in Virginia. This would be the 23rd-and final-of the "corridor" highways envisioned back in 1965 under the auspices of the Appalachian Regional Commission.

It would be a four lane with a 2000 foot right of way, on par with one of our country's Interstate highways.

The reason-or justification-for this mammoth construction project is to "open up the region" for economic growth. Yet, it is estimated this undertaking would cost U.S. taxpayers one billion dollars. The state of West Virginia is currently entertaining the idea of placing a five cents a gallon gasoline tax to pay our share.

Tourists come to this area adjacent to The Monongahela National Forest to escape the busy highways of the cities-to drive on scenic roads.

Let's not obliterate the small communities detouring the existing roads to build an expensive highway that would severely damage the wetlands, trout streams & beautiful mountains that make West Virginia "Wild & Wonderful". Thank you for concern.

Patrick F. Gallagher
135 Terrace Avenue
Elkins, West Virginia 26241

(304) 836-1900

Patrick F. Gallagher

THE WHITE HOUSE

WASHINGTON

August 3, 1993

Mr. Jim Guirard, Jr.
Attorney at Law
1730 Rhode Island Avenue, N.W.
Suite 419
Washington, D.C. 20036

Dear Jim:

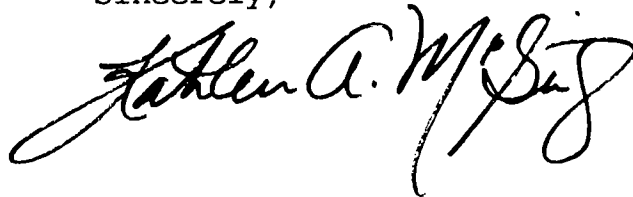
Thank you for contacting my office regarding your work with Marine Shale Processors and their efforts on a new system for the reuse-recycling of hazardous wastes. It was good to hear from you, and I apologize for the delay in my response.

As you know, I share President Clinton's and Vice President Gore's commitment to the preservation of our environment in a way that leads to strong and sustainable economic growth.

I appreciate learning about your work with Marine Shale Processors and their efforts on the reuse-recycling of hazardous wastes. I understand you have been in contact with EPA's Office of Policy, Planning, and Evaluation, so I am forwarding your information to them for their review and response.

Again, thank you for sharing your concerns with me.

Sincerely,

A handwritten signature in black ink, reading "Kathleen A. McGinty". The signature is fluid and cursive, with the first name "Kathleen" being more prominent and the last name "McGinty" following in a similar style.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl

JIM GUIRARD, JR.
ATTORNEY
AND
GOVERNMENT AFFAIRS CONSULTANT

SUITE 419
1730 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20036

(202) 293-3411 (FAX) 293-2902

May 5, 1993

Ms. Kathleen McGinty
Special Assistant to the President
for Environmental Policy
The White House
1600 Pennsylvania Ave., N. W.
Washington, D. C. 20520

Dear Katie:

When I wrote you a congratulatory note several weeks ago, I did not realize that I would be writing again on a matter of official, environmental concern.

In the interim, I have been retained by a former client which is seeking a change in Reagan-Bush EPA regulatory practice and policy toward its highly-innovative system of reuse-recycling of hazardous wastes. I have no doubt that you know of the company -- Marine Shale Processors (MSP) -- and are familiar with the allegations that its patented manufacturing process is one of "sham recycling."

This derogatory label, concocted several years ago by MSP's terrified competitors and parroted by both the Reagan and Bush EPAs, was intended to impede the company's patented process which recycles hazardous wastes as ingredients and fuels into safe aggregates which meet EPA's published health standards. At the heart of this process is the most advanced, highest capacity, operational vitrification system in the nation. As you know better than I, the idea here is to lock "heavy metal" contaminants into a glass matrix from which they cannot leach into the environment.

Their self-serving argument was, and remains, that the company should be classified and regulated under RCRA as a run-of-the-mill commercial "incinerator" of hazardous wastes -- never mind what damaging consequences might result. For example:

- o Never mind the fact that MSP's non-toxic, beneficially-useful products of recycling which meet EPA's health standards would be forced (nonsensically) into RCRA hazardous waste landfills, there to share an endless joint and several liability with "incinerator" wastes which are, indeed, hazardous.
- o Never mind the fact that MSP's innovative system of high-volume, low-cost vitrification of hazardous wastes has been deliberately impeded by one branch of the EPA, while the scientific branch has been loudly singing the praises of vitrification as a major solution to the hazardous waste problem, and has cited MSP's process as a prime example.
- o Never mind the major savings which several Federal cleanup programs (including "Superfund") could realize from MSP's price structure, which is 20-40% lower than that of the typical "incinerator," but from which all Federal agencies are currently debarred by the EPA.

Katie, both the genesis and the sustaining element in this controversy involve a classic case of competitors with obsolete technology attempting to impede and to destroy someone else's much better, much more cost-effective mouse trap. Rather than decide to license the MSP technology, they chose some years ago to fight and, if possible, to subvert it entirely.

Tragically for the environment in general and for several large Federal clean-up and remediation programs in particular, these companies were able to persuade both the Reagan and Bush EPAs to join them in this self-serving, backward-looking effort to impede best available technology.

Not surprisingly, many in the U.S. Congress -- relying on the competition's clever propaganda, the normal "NIMBY" factor and the EPA's misguided anti-vitrification policy -- assumed that the MSP system was, indeed, one of sham recycling. They agreed that it should either be shut down or at least be forced into the RCRA "incinerator" category.

In this atmosphere, the EPA filed a lawsuit in June of 1990, claiming MSP operates an unpermitted "incinerator." But then, on February 21, 1991, EPA issued new rules for boilers and industrial furnaces (BIF's) which recycle hazardous waste with the requirement that "BIF's operating under the interim status incinerator regulations must comply with the BIF regulations on their effective date in lieu of the incinerator regulations so that it is subject to the more stringent BIF rules." MSP has complied fully with the new BIF rules, which went into effect on August 21, 1991.

Under these new circumstances, it is our belief that Louisiana's Congressional Delegation (particularly Senators John Breaux and Bennett Johnston and Rep. Billy Tauzin, in whose state and district MSP's state-of-the-art facility is located) would be satisfied to see MSP's facility regulated under the "more stringent" BIF rules.

Ironically, however, the EPA and the Justice Department are in Court, seeking a judgement to the effect that MSP's process does not constitute legitimate "reuse-recycling" and must, therefore, be classified "incineration" -- which would make MSP subject to less stringent rules than it now is.

With the advent of a new Administration, it is our hope that both EPA and White House policy and planning officials will take an objective new look at this whole situation, so that the mere passage of time does not result in your inheriting and being "stuck with" a badly mistaken Reagan-Bush policy to which you should feel no particular loyalty.

In other words, Katie, before this policy and all its negative consequences become yours by osmosis or by blind bureaucratic transference, our plea is that the Clinton-Gore Administration undertake a complete re-evaluation of EPA's position toward MSP. It is time that the new EPA put away whatever grudges and biases the Reagan-Bush EPA may have developed and begin taking advantage of MSP's remarkable technology to help our nation's environment.

Most of EPA's scientists know full well that MSP is operating the process of the future. Millions of dollars have been spent and millions more are earmarked by EPA for the SITE Program to develop the sort of vitrification process MSP has already patented and has been using with great success for several years.

MSP's desire from the start has been that its patented process be assessed and be compared to the twenty or thirty aggregate and cement kilns in the U.S. that use hundreds and thousands of tons of waste each year to make products which are placed on the ground without any objection by EPA at all. The company's longstanding objection to the idea of being thought of or regulated as a RCRA "incinerator" is due to the fact that it does not operate a mere incinerator. Its manufacturing process is far different from and clearly superior to the obsolescent incineration systems, as shown by each of the following relevant categories:

- a) air emissions -- in which MSP is required to meet RCRA "BIF" standards which are more stringent than the RCRA "incinerator" standards.
- b) fluid discharges -- of which MSP, which uses a dry scrubber/reactor, has absolutely none at all.

- c) solids discharges -- of which MSP produces consistently non-toxic, non-hazardous and commercially-valuable aggregates which meet EPA's health standards for use, rather than highly toxic incinerator ash.
- d) cost or price considerations -- in which MSP offers a price structure which is from 20% to 40% lower than that of the typical "incinerator."
- e) volumetric considerations -- in which MSP's system processed and rendered non-toxic and beneficially-useful some 128,000 tons of hazardous waste in 1992 -- an amount which exceeds the total throughput of any "incinerator" company.
- f) legal liability considerations -- in which the MSP system completely eliminates the horrendous burdens and risks of unending joint and several liability which are intractably associated with today's RCRA-mandated hazardous waste landfilling.

Katie, it is our very strong feeling that an unbiased assessment of all these elements will result not only in a conclusion by the EPA and by the White House that MSP is "best available" overall but is markedly superior in each and every one of the six major categories listed above.

May I respectfully suggest that an optimum first step in the right direction would be for you and a couple of your technical and policy advisors, along with a similar team from the EPA, to schedule a two-part field trip,

- first, to visit a modern RCRA "incinerator," perhaps the Rollins facility at Baton Rouge, which was recently accorded "Part B" RCRA status by the EPA; and,
- second, to visit MSP's state-of-the-art recycling facility southwest of New Orleans.

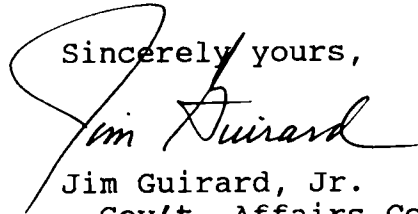
Since these two major facilities, each of which is claimed by its owners and operators to be "better" than the other, are situated only about 75 miles apart, they could easily be visited in the same day.

If it were of interest to the EPA and the White House, these visits could be officially hosted by the highly-respected LSU Institute for Recyclable Materials, which regularly takes its graduate students, research associates and other guests through both facilities for purposes of technology assessment and comparison. The LSU Institute's Associate Director, Dr. Marty Tittlebaum, who is well known in EPA circles, has offered to extend such an invitation if and when it is deemed appropriate.

Such a visit could serve as an appropriate precursor to a major change in both EPA and White House attitudes toward MSP's remarkably successful method of using hazardous wastes to manufacture useful, needed and environmentally safe products.

I look forward to discussing "L'Affaire MSP" with you in person in the very near future. In the meantime, I remain,

Sincerely yours,



Jim Guirard, Jr.
Gov't. Affairs Consultant to
Marine Shale Processors, Inc.

ATTACHMENTS:

1. Technical description and patent papers of MSP's "Method and Apparatus for Using Hazardous Waste to Form Non-Hazardous Aggregate"
2. Technical description of MSP's continuous emissions monitoring (CEM) system
3. Technical description of MSP process, by Woodward-Clyde Consultants
4. MSP's regulatory history and list of EPA and La. DEQ operating permits
5. Exerpt from the May, 1992 EPA Handbook: "Vitrification Technologies for Treatment of Hazardous and Radioactive Wastes"
6. Copy of 1992 U. S. Department of the Interior analysis: "Synthetic Aggregate: A New Answer to An Old Problem"
7. Copies of an April 15, 1993 memo and MSP "white paper" addressed to EPA Deputy Assistant Administrator Karl Hausker, and of an April 22, 1993 letter to Mr. Hausker, responding in detail to major questions raised by EPA policy and legal staff
8. Videotape copy of the MSP film "Good News: the Marine Shale Story"

THE WHITE HOUSE
WASHINGTON

August 3, 1993

Mr. Thomas J. Graff
Senior Attorney
Environmental Defense Fund
Rockridge Market Hall
5655 College Avenue
Oakland, CA 94618

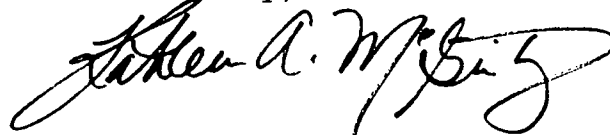
Dear Mr. Graff:

Thank you for your letter and the copy of your testimony before the House Subcommittee on Environment and Natural Resources of the Committee on Merchant Marine and Fisheries.

President Clinton and I are committed to the preservation of our environment in a way that leads to strong and sustainable economic growth. As you know, this Administration is absolutely committed to coordinated management of water resources in California in a manner which serves the interests of all the state's residents. The parallel goals of the Clinton Administration's water policy will be to ensure water quality standards that both protect the health of the Bay-Delta environment and achieve reliable supplies for water users. I appreciate learning your concerns about the short term implementation of the Miller/Bradley bill and the Endangered Species Act designation of Delta smelt and winter run salmon, as well as your concerns about the long-term federal/state planning process. Be assured that this Administration will continue in its efforts to work toward a resolution of this very important matter.

Again, thank you for sharing your thoughts with me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Kathleen A. McGinty', with a stylized, flowing script.

Kathleen A. McGinty
Director, White House Office on
Environmental Policy

KAM/avl



California Office
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July 2, 1993

Hon. Kathleen McGinty
Director, White House Office on Environmental Policy
The White House
1600 Pennsylvania Ave.
Washington, DC 20500

Dear Katie:

The Clinton Administration has a big decision coming up in how to complete its response to Governor Wilson's request to convene a joint federal-state process for long-term San Francisco Bay/Delta water policy planning. Your May 27 letter responding to Governor Wilson's letter of March 5 to the President sets the stage for a more complete Administration response. Let me be so bold as to suggest some particular elements as part of the Administration's follow-up.

First, it should be made clear to the State that any long-term joint federal/state process should not and would not interfere with more immediate actions that are required by current federal law and that should proceed on rapid timetables. These include (1) adoption of Bay/Delta water quality standards by EPA; (2) promulgation of implementing actions for the winter run salmon and Delta smelt ESA endangered species designations; and (3) timely implementation of the Miller/Bradley bill (the Central Valley Project Improvement Act of 1992).

Second, any joint long-term federal/state planning process should be made contingent on two specific commitments from the Wilson Administration. These are: (1) full and supplemental funding of the state's Miller/Bradley cost-sharing obligations; and (2) a gubernatorial level agreement with the Clinton Administration that endangered species protection for the salmon and the smelt, as well as the Miller/Bradley doubling of anadromous fish and Level 4 waterfowl refuge objectives, will be among the state's goals for the planning process.

Enclosed is a piece of EDF testimony I will be delivering at a California hearing of a Merchant Marine and Fisheries subcommittee on Wednesday, July 7. You will see that it praises Miller/Bradley and that it criticizes Governor Wilson's record to date on water policy. The early

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Hon. Kathleen McGinty
July 2, 1993
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scuttlebutt has it, however, that the Governor may try to mend fences with the environmental community at the hearing on Wednesday, where he will be the lead witness. We shall see.

Thank you for your consideration of these views. I hope all goes well for you in your current post.

Sincerely yours,



Thomas J. Graff
Senior Attorney

cc: Tom Epstein (w/testimony)
Bob Hattoy (w/testimony)

encls.

TJG:mjg