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Series/Staff Member: Kathleen (Katie) McGinty
Subseries: [Correspondence]

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THE WHITE HOUSE
WASHINGTON

January 20, 1993

Mr. John P. Kennedy
Vice President, Secretary and
General Counsel
Johnson Controls, Inc.
5757 North Green Bay Avenue
P.O. Box 591
Milwaukee, WI 53201

Dear Mr. Kennedy:

Thank you for contacting me regarding your concerns about toxic waste cleanup and liability under Superfund. It was good to hear from you.

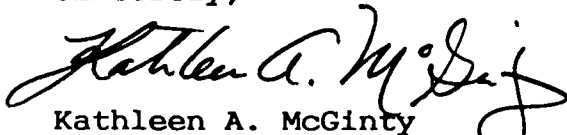
As you know, I share President Clinton's and Vice President Gore's commitment to the preservation of our environment in a way that leads to strong and sustainable economic growth. In his first State of the Union address, the President reaffirmed his goal to increase the efficiency of toxic waste cleanup, as well as to decrease the numerous liability lawsuits associated with Superfund sites.

Last year, Administrator Browner established the Superfund Committee of the National Advisory Council on Environmental Policy and Technology (NACEPT), which has evaluated the Superfund program, identified administrative and legislative options to improve the program, and assessed the advantages and disadvantages of these options. We are currently reviewing NACEPT's recommendations for improving the program along with the views of other stakeholders, as we move toward Superfund reauthorization.

I certainly appreciate learning your concerns about liability and remedy selection issues in light of the upcoming Superfund reauthorization. Rest assured that we will keep your views in mind as we continue our efforts to increase the efficiency and effectiveness of the Superfund program.

Again, thank you for sharing your thoughts with me.

Sincerely,



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

KAM/avl

Johnson Controls, Inc.
5757 North Green Bay Avenue
Post Office Box 591
Milwaukee, WI 53201
Tel. 414/228 2211
FAX 414/228 2077

John P. Kennedy
Vice President,
Secretary and General Counsel

November 23, 1993

JOHNSON
CONTROLS

Ms. Katie McGinty
Deputy Assistant to President and
Director of Office of Environmental
Policy
White House
1600 Pennsylvania Avenue
Washington, DC

Dear Ms. McGinty:

It is my understanding that your office is seeking additional viewpoints on the question of whether the foundations of Superfund, such as retroactive liability and joint-and-several liability, need to be restructured or whether Superfund should be reauthorized with only minor fine tuning. This debate recently surfaced in the differing views being suggested by the U.S. EPA group considering the reauthorization and by the Treasury Department.

There are a number of reasons why Superfund should be restructured. Most assuredly, your office has heard many of these:

- Ineffectiveness. Only 50 of the 1300 NPL sites have been cleaned up despite the expenditure of \$15 billion to date by U.S. EPA and a like amount by private industry. See enclosed attached.

- Inequity. The vast majority of PRPs are people who sent material to waste disposal or landfill sites without violating any law and without any fault. The "midnight dumpers" we hear so much about are never PRPs.

- Inflexibility. The EPA is unable to try any least cost technology at a site and then go to more expensive technology if it doesn't work, because remedies under the current scheme come only when the parties get releases.

- Inaction. Inner cities are plagued with old Superfund sites that, under normal circumstances, could be low cost sites for new start-up business. However, no one wants to take over a site where past liabilities can haunt the current owner or operator.

Ms. Katie McGinty
November 23, 1993
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- Inefficiency. Best estimates are that 60% or more of funds expended have gone to transaction costs such as lawyers, rather than actual clean up activities. This is due to the adversarial nature of the proceedings.

Johnson Controls, Inc. is the country's largest manufacturer of auto batteries. It has been at the forefront of securing the recycling of auto batteries for over 30 years. Today, over 95% of auto batteries are recycled in a closed loop recycling. No other consumer product in the U.S. is even close to this recycling record. Yet, companies like Johnson Controls who collect their spent post-consumer products and send them to recyclers are generators under Superfund; and, as generators, they are responsible for the clean up of the recycler. There are no exceptions. It doesn't matter that the post-consumer goods were shipped to the recycler in total compliance with the existing law or even that the recycler operated in compliance with the existing law. Johnson Controls will be a generator at dozens of recycler sites. As the largest U.S. manufacturer of PET plastic containers, we also have a substantial investment in recycling soft drink bottles. Any liability system that creates retroactive, joint-and-several liability on the basis of a "generator" status promises to create substantial liability for any business engaged in the collection and return of post-consumer waste for recycling. This hardly seems to be consistent with the Administration's encouragement of recycling.

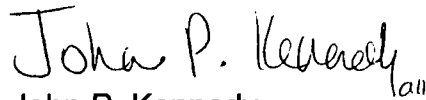
We recognize your office has heard from the insurance industry who are concerned that their historical reserves could be bankrupted by the retroactive liability of Superfund. No doubt long-standing American manufacturers who have provided jobs, paid taxes and pumped dollars into all channels of the economy for decades have pointed out the unfair disadvantage Superfund creates by imposing this liability from the past, when new foreign entrants suffer no such penalty. Certainly, banks have pointed out how Superfund liability has crippled routine financial dealings with real estate. It's our understanding that such pleas are understood by the White House and need not be repeated.

It is our hope that your office will consider these views. If you believe there would be any value in it, I would be happy to meet with you to discuss our position. Johnson Controls' only profile within environmental circles has been as the U.S. EPA's "Green Light Ally of the Year" for its work in energy conservation.

Ms. Katie McGinty
November 23, 1993
Page 3

However, we believe that the views we present are not arguments that have been aired often. It's important that Superfund's damage to those involved in recycling be considered.

JOHNSON CONTROLS, INC.

A handwritten signature in cursive script that reads "John P. Kennedy". The signature is written in dark ink and is positioned above the printed name and title.

John P. Kennedy
Vice President, Secretary
and General Counsel

enclosure

THE WHITE HOUSE
WASHINGTON

January 20, 1994

Mr. Berry Kirwan
1519 Rosedale Avenue
Bronx, N.Y. 10460

Dear Mr. Kirwan:

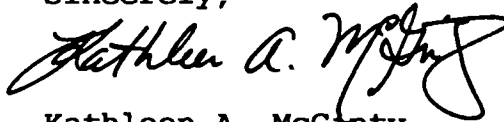
Thank you for contacting me regarding your thoughts about President Clinton's Forest Management Plan. It was good to hear from you.

As you know, President Clinton announced his Forest Plan for a Sustainable Economy and a Sustainable Environment, based on the analytical work of three working groups established at the Forest Conference. This Administration believes that the Forest Plan is scientifically-sound and legally responsible and will provide a sustainable harvest. This plan also includes a new economic assistance program that helps local workers, businesses and communities in strengthening the region's economy by creating family-wage jobs, offering new economic opportunities, and ensuring the region's long-term economic health.

After receiving over 100,000 comments on the proposed plan, we are now working to refine it further and expect to submit it to the court by the end of March. I appreciate learning your views on this very important issue.

Again, thank you for sharing your thoughts with me.

Sincerely,



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

KAM/avl

11-16-93

MR. GERRY KIRWAN
1519 Rosedale Ave.
Bronx, N.Y. 10460

Ms. McHinty
Dir. of Env. Policy
Washington D.C.

Dear Ms McHinty
Regarding the
massive cutting of our American Forests
please oppose option 9. And help to create
full constitutional protection for all NATIVE
Forests on all public lands.

Sincerely
Gerry Kirwan

THE WHITE HOUSE

WASHINGTON

January 13, 1993

Ms. Bernice Kraemer
5642 Comanche Avenue
Woodland Hills, CA 91367

Dear Ms. Kraemer:

Thank you for contacting me regarding your thoughts about the proposed Ward Valley, California, radioactive waste facility. It was good to hear from you.

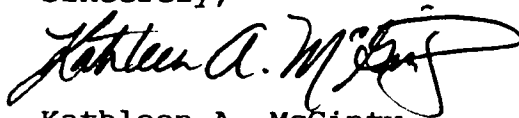
I appreciate learning your concerns about the proposed siting of a nuclear waste facility at Ward Valley. Secretary Babbitt contacted Governor Wilson expressing this Administration's interest in conducting a formal hearing on the record, with expert testimony and cross-examination, before any decisions on land transfers are made.

After careful consideration, this Administration is not prepared to transfer the Ward Valley site to the State of California under the Federal Land Policy Management Act without there being a formal hearing. Because this project has created a substantial amount of controversy and genuine public concern, I believe that a formal hearing would prove beneficial. We have asked Governor Wilson to hold this hearing, which should be presided over by a disinterested party.

I understand and share your concern that the problem of low-level radioactive waste disposal is a serious one. I think that the current situation will provide the opportunity necessary to open the process for additional review.

Again, thank you for sharing your concerns 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 initial "K" and "M".

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

KAM/avl

December 30, 1993

President William Clinton
c/o Katie McGinty, Environmental Policy Advisor
The White House
Washington, D. C. 20500

RE: Ward Valley Radioactive Waste Dump

Dear President Clinton:

The citizens of California are very concerned about the prospect of the deposit of plutonium in unlined trenches in the Ward Valley.

Enclosed is a copy of my letter to Secretary of the Interior, Bruce Babbitt, concerning this troubling situation.

Your acknowledgement of the health, safety and environmental issues at stake is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Bernice Kraemer".

Bernice Kraemer
5642 Comanche Avenue
Woodland Hills, CA 91367

THE WHITE HOUSE

WASHINGTON

January 14, 1994

Mr. and Ms. Clark Keller
582 Observatory Drive
Colorado Springs, CO 80904

Dear Mr. and Ms. Keller:

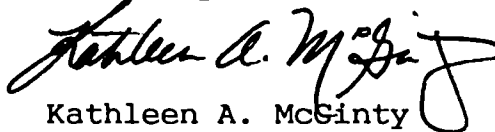
Thank you for your recent letter regarding your thoughts about the proposed legislation H.R. 1627 on pesticide regulation. It was good to hear from you.

As you know, I share President Clinton's commitment to preserving our environment. Last fall the Environmental Protection Agency announced a proposal for comprehensive reforms of the nation's pesticide and food safety laws. This is a result of a joint study of the EPA, the USDA, and the FDA to update the existing laws of 20 years ago. It calls for a stricter standard of a "reasonable certainty of no harm" for food safety across the board, including specific provisions not only to protect infants and children. We feel these actions are a significant step towards a safer food supply.

I certainly appreciate learning your views with regard to H.R. 1627. Rest assured that this Administration will continue its efforts to protect the health of our nation's people and the integrity of our food supply.

Again, thank you for sharing your thoughts with me.

Sincerely,



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

KAM/avl

Dec 16, 1993

Katie McInty —
we're not in favor of
E.P.A.'s Carol Browner making
noises about weakening the
Delaney amendment. It states
clearly, that no substance
known to cause cancer in
animals, may be added to
food or water supply.

Thank you, Sincerely yours

m & Mrs. Clark Keller
582 Observatory Dr.
Colorado Springs CO

80904

K J. Keller
582 Observatory Drive
Colorado Springs, CO 80904

THE WHITE HOUSE

WASHINGTON

January 7, 1994

Ms. Sue Knoll
3317 11th Street
Leviston, Idaho 83501

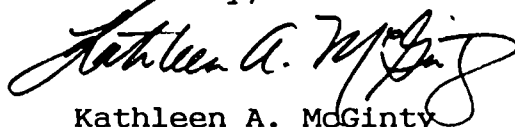
Dear Ms. Knoll:

Thank you for contacting me regarding your thoughts about the use of hydroelectric power and salmon issues in your state. It was good to hear from you, and I apologize for the delay in responding.

As you know, this Administration is committed to promoting both environmentally and economically sustainable policies. You may be aware that my office is chairing an Interagency Salmon Conservation Working Group to look into the pressing issues that you and others like you have raised. This working group will make its recommendations on how best to proceed to ensure an effective, well coordinated and sustained effort on the complicated and important subject of salmon conservation in the Pacific Northwest.

Again, thank you for sharing your views with me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen A. McGinty', written in a cursive style.

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

KAM/avl

November 5, 1993

Ms. Katie McGinty
The White House
Office of Environmental Policy
360 Old Executive Office Bldg
Washington, D.C. 20503

Dear Ms. McGinty,

There was an interview with Jamie Lee Curtis in the Parade magazine Sunday October 10, 1993 which typifies for me the problems we have in Idaho. Ms Curtis mentioned that she and her husband had just met with Governor Andrus. To quote her directly, "There are so many dams on the rivers, the salmon can't get down to the sea and can't get back upstream again to spawn." Yes we do have a lot of dams in Idaho, and yes it does create problems with certain types of fish. What Ms Curtis doesn't mention in her article is that we built the dams for hydroelectric power which we in Idaho use, and which we also sell to states like California. I doubt she even realizes that without our dams there wouldn't be any electricity to run the million dollar mansions that so many movie stars like her live in.

I live in Idaho, I work in Idaho, I pay taxes in Idaho, and I will be here long after people like Ms Curtis have gotten bored with dams & trees and spotted owls and moved along. In the meantime our economy and way of life will be completely destroyed. I understand that for her, Idaho is just a big ski resort but for me this is my home. I don't fly here for a few days on vacation, I live here all the time. People like me have spent all our lives paying the taxes that have built Idaho's roads, Idaho's airports, provided Idaho's police and fire protection, and Idaho's Fish & Game Department. People like Ms Curtis use all these facilities when they visit my home and then go back out into their world bitch about us behind our backs and tell us we don't know how to handle our affairs. Then they wonder why most of us really don't care to develop the tourist trade. Our economy, just like everyone else's, is based on natural resources which in our case is cheap power and trees. It just doesn't seem fair to me that everyone gets to make decisions about how we run Idaho except for those of us who live and work here. Not a day of my life goes by anymore that I don't wonder how much longer my job will last and what will happen to me and my family. Personally I think it would be nice if Ms Curtis would invite me to crash at her house until I get back on my feet again. It would be fun to bite the hand that feeds me for a change. I feel like a little kid who is being pushed around by someone bigger than me.

Sincerely,

Due Knall
3317 11th Street
Leaviston Idaho 83501

THE WHITE HOUSE

WASHINGTON

January 7, 1994

Mr. Clifford Klein
1600 Country Club Drive
Glendale, CA 91208

Dear Mr. Klein:

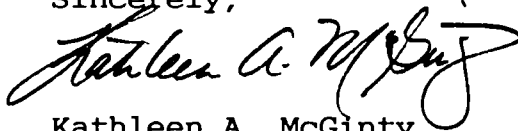
Thank you for contacting my office regarding your thoughts about the Executive Order on Recycled Goods, as well as your thoughts about recycling garden waste. It was good to hear from you, and I apologize for the delay in responding.

This Executive Order will reduce solid waste, build markets for recycled products, encourage new technologies and protect the environment. The Order also requires all Federal purchases of printing and writing paper to contain 20 percent post-consumer material by the end of 1994, and 30 percent by the end of 1998. In addition, in order to further reduce the burden on landfills, paper made with 50 percent recovered by-products from the production of goods other than paper or textiles may be purchased, provided that this waste would otherwise end up in a landfill, as determined by the State.

In addition, in his Earth Day Address President Clinton announced his intention to perform an environmental audit and upgrade of the entire White House Complex. Attached is a copy of the press release in this regard. I have taken the liberty of forwarding your letter to the group working on this initiative.

Again, thank you for letting me hear from you.

Sincerely,



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

KAM/avl

Clifford L. Klein
1600 Country Club Drive
Glendale, California 91208
(213) 580-3245

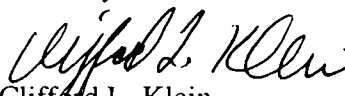
November 8, 1993

Ms. Kathleen McGinty
White House Office on Environmental Policy
The White House
Washington D.C. 20500

Dear Ms. McGinty:

I was pleased to read about President Clinton's new guidelines regarding the purchase of paper with a greater content of recycled paper. There are additional aspects to a comprehensive recycling program, such recycling as garden waste. The White House has a large lawn, which presumably is regularly cut, and numerous trees. Are the grass clippings and leaves disposed of in landfills or are they composted and used as soil amendments? If the vegetation is placed in a composter, I recommend this be publicized as an example for the American public of what each homeowner can do to improve their garden soil and reduce the volume of garden waste in landfills. In addition, there is a lot of federal land producing garden clippings which could also be placed in composters. Is there any requirement for disposing of this waste in an environmentally sensitive manner?

Sincerely,


Clifford L. Klein