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FOR IMMEDIATE RELEASE
THURSDAY, December 12, 1991

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**GORE PRESSES TVA FOR CAREFUL EXAMINATION ON CHIP MILLS IMPACT
Expresses Serious Concerns about Clearcutting**

WASHINGTON -- Expressing "serious reservations about clearcutting," Sen. Al Gore, D-TN, is pressing the Tennessee Valley Authority for an "exacting investigation" of the impact of one or more chip mills on the Tennessee River.

In a letter to TVA Chairman Marvin Runyon, Gore said, "With clearcutting, there is a real risk of significant environmental damage and the overuse and abuse of this technique has contributed to very serious environmental problems both here in the United States and around the world."

Gore said he has heard from hundreds of Tennesseans over the past several months both supporting and opposing the chip mills. "By far, most of those in opposition are concerned about the possible use of clearcutting as a harvesting technique and the harm that might be done by unregulated clearcutting," Gore wrote to Runyon.

Gore commended the TVA for requiring an Environmental Impact Statement on the possible impact of the chip mills and said he will examine that study in detail when it is completed. He pressed the TVA to be "exacting" in its work.

"I urge TVA to be exacting in its investigation of all impacts associated with one or more chip mills on the Tennessee River. The issues and concerns that have been raised in this regard need and deserve a thorough response," Gore wrote to Runyon. "It is my hope that the final decision on this issue will balance carefully the economic development needs of our citizens and communities and the responsible stewardship of our natural resources."

A copy of Gore's letter to Runyon follows.

##

December 11, 1991

Mr. Marvin Runyon
Chairman
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902

Dear Chairman Runyon:

As you know, three requests for the operation of chip mills on the Tennessee River in or near Marion County, Tennessee, are under consideration. I commend TVA for requiring an Environmental Impact Statement on the possible impacts of these mills, and I am looking forward to examining that study in detail.

Over the past several months, I have heard from hundreds of Tennesseans both supporting and opposing the chip mills. By far, most of those in opposition are concerned about the possible use of clearcutting as a harvesting technique and the harm that might be done by unregulated clearcutting. An additional concern is the lack of resources for efforts to work with landowners to encourage best management practices, enforce whatever protections that might exist, and monitor timber harvesting in the region.

I have serious reservations about clearcutting as a timber harvesting method. With clearcutting, there is a real risk of significant environmental damage and the overuse and abuse of this technique has contributed to very serious environmental problems, both here in the United States and around the world. I am sure you share my determination to prevent such a situation from occurring in the Tennessee Valley.

For this reason, I urge TVA to be exacting in its investigation of all impacts associated with one or more chip mills on the Tennessee River. The issues and concerns that have been raised in this regard need and deserve a thorough response. It is my hope that the final decision on this issue will balance carefully the economic development needs of our citizens and communities and the responsible stewardship of our natural resources.

Sincerely,

Albert Gore, Jr.
United States Senator

AG/wem

((3))

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M E M O R A N D U M

DATE: November 25, 1991

TO: Katie

FROM: Mari

SUBJECT: Montana National Forest Management Act of 1991

Leslie Calandro at the Wilderness Institute suggested I call Blake Evans at Audobon, for more information regarding the bill, S.1696. I called Mr. Evans and spoke with his assistant, Jon Ellenbogen. He was able to supply me with the following information:

On the letter that was supposed to go out to all members of the Senate, to gather support in opposition of S. 1696, were the following co-signers:

Montana Wilderness Association
Helena Forest Conservation Coalition
Park County Environmental Coalition
The Wilderness Society
Montana Wildlife Federation
Montana Audobon Council
Alliance for Wild Rockies
Greater Yellowstone Coalition
Friends of the Bitterroot

Also, Jon informed me that the Sierra Club was sending out its own letter in opposition to the bill.

Generally, from what I can understand, the opposition is in response to the aspect of the bill which will make a large part of the Montana National Forest available for "nonwilderness use." Very understandable.

I am still waiting for the new language amending the bill.

M E M O R A N D U M

DATE: 10/30/91

TO: Katie McGinty

FROM: Frank Stauss

SUBJECT: Nuclear Energy

Four major questions about Nuclear Energy:

1. Is it safe?
2. Is it economically competitive?
3. Where to put the waste?
4. Does it help to prevent global warming?

1. SAFETY

Advanced technology (advanced light water reactors/new heavy water reactors...) and improved safety regulations reduced and can further reduce the risk of accidents. So far the Three Mile Island accident of '79 has been the only (reported) major incident in the US in 1500 reactor-years of operation.

However, the statistical risk remains high if put in relation with the potential outcome of a failure: NRC study of 1986: 12% probability that melting of reactor core would occur within 20 years in US. A second scenario quoted in CRS summary: severe nuclear power accident less frequent than once every 10 000 reactor years of operation.

A failure does not automatically stand for public exposure to radioactive materials. A Chernobyl like accident must nevertheless be included in the scenario: 31 deaths within short period, between 5 000 and 45 000 fatal cancers within next 40 years. So far 250 of the 100 000 cleanup workers have died. (CRS, Nuclear Energy Policy, pg 3)

2. COMPETITIVENESS

The question whether Nuclear Energy is competitive to fossil fuels in \$/kwh can be answered easily: no.

1989 DOE survey of US power plant costs:

Nuclear generating cost per kilowatt hour	: 4.85 cents
Coal	: 2.73 cents

Average cost of electricity from nuclear reactors that have come on line since 1980: 9.90 cents

In a march 91 DOE study the gap is even wider:
Nuclear : 6.10 cents
Coal : 2.93 cents

But as always, conflicting data exists:

In a 1990 Utility Data Institute (UDI) report nuclear power units accounted for 10 of the top 25 most cost efficient electric generators in the US. The report contained data for 382 coal-fired, 148 gas-fired, 68 oil-fired, 51 nuclear and 3 geothermal plants. (Nucleonics Week, March 15, 1990)

The USCEA (US Council for Energy Awareness) challenges the DOE data with its own:

Nuclear energy : 4.3 Cents/kwh
Coal : 4.8 Cents/kwh

The data however, is based on a study "... under the economic conditions expected and operating characteristics assumed ..." whatever that means. (USCEA publication, January 1991)

A "Public Citizen" report of May 1989 claims that nuclear power plant operating and maintenance costs have risen dramatically in recent years "... making nuclear plants one of the most expensive sources of electricity." see attached report.

Fact is:

Falling prices for fossil fuels, high construction costs of nuclear power plants as well as rising maintenance and other operating expenses have eroded the cost advantage of these plants that was predicted in the 70's. (Mark Holt, CRS, Nuclear power technology overview, Sept. 91, pg 10)

The CRS report continues: " Many plants have also suffered from chronic safety and maintenance shutdowns, forcing utilities to purchase large amounts of expensive replacement power."

Nuclear plant construction cost in constant dollars rose by more than 300% between 1970 and 1985. (Holt/Davis, CRS: Nuclear Energy Policy, 5/91, pg2)

Additionally, US nuclear power plant performance in 1990 at an average of 66.1% of full capacity (up from 61.5) is rather poor. (Japan: 72, Sweden 75, Spain 73, Germany 66, France 63, GB 52).

3. NUCLEAR WASTE.

A typical 1 000 megawatt commercial reactor annually produces about 20 tons of highly radioactive spent nuclear fuel and 200-300 cubic meters of low-level radioactive waste. (Holt/CRS 5/91, pg5)

A second problem is the decommissioning of the plants after the 40 year operating licenses expired. Assuming a 40 year lifespan, more than half of today's 112 licensed reactors will be decommissioned by the year 2010.

High-Level Nuclear Waste Repository:

Yucca Mountain, Nevada. Designated as only candidate site that is being investigated by DOE for a permanent high-level nuclear waste repository. It would be the one and only permanent repository in the world. If unsuitable, DOE must return to Congress for further instructions.

DOE must project performance for 10 000 years after permanent closure and must consider the full range of scenarios that may affect repository performance during that time.

Problems:

- * Seismic stability: Yucca Mountain lies within Walker Lane shear zone, a broad zone of deformation that extends from northeast California to Las Vegas, Nevada, and is typified by large-scale strike slip faulting. Of particular concern is the Ghost Dance Fault, which cuts through the repository itself. Therefore concerns over future seismic activity exist.

- * Volcanic activity: The mountain is within the Death-Valley-Pancake Range volcanic zone of the southern Great Basin in a series of rhyolitic ash-flow tuffs. But major explosive eruptions have not occurred for at least 6 million years. However, small-volume volcanism is present with last eruptions as recently as 15 000 - 25 000 years ago.

- * Hydrology: Water is the worst enemy of buried nuclear waste. If water did find its way into the repository, it would corrode the storage canisters and hasten the escape of radioactive particles through the rock. Scientists cannot know absolutely whether ground water will well up under Yucca Mountain during the next 10 000 years. (U.S. News and World Report, March 18 1991, pg.17).

CRS summary (James Mielke, CRS: High-Level Nuclear Waste Repository, May 29 1991):

"Certainly, from a scientific viewpoint, no geologist can predict with absolute certainty the behavior of a particular

area for the next 10 000 years. However, one can project with informed confidence the most likely geologic behavior of that region and bound that projection within some probability range. Whether this will eventually meet regulatory needs and satisfy public perceptions will remain to be seen."

4. NUCLEAR ENERGY AND GLOBAL WARMING

Together with the Global Warming discussion, the reduction of CO2 emission from fossil fuel firing plants became a new argument for the nuclear industry to promote nuclear power plants.

However, under the most optimistic assumptions, maximum feasible Federal intervention could boost nuclear power generation by 279.6 billion kilowatt hours by 2000. If that additional nuclear output were used to displace coal-fired generation, US carbon dioxide emissions would be cut by 288 million tons from that projected in 2000. This represents a cut just under 5% from the total CO2 projected for the year 2000. (CRS Report 91-133 ENR, Dec 1990)
See attached chart.

As the implementation of all potential actions is not very likely the amount is expected to be much lower. Additionally I understand, that this projection does not include the potential of advanced emission reduction technology in coal-firing plants that could easily match those numbers.

Finally: What's going on in the world?

But for South Korea and Japan, all industrialized countries have put their nuclear energy programs on hold. No country offers a permanent repository site.

And Public Opinion?

Do you favor or oppose building more nuclear power plants in this country?

Oppose strongly:	32%
Oppose somewhat:	20%
Favor somewhat:	22%
Favor strongly:	18%.

(Time, April 29, 1991)

to: al, greg, marla, leon
from: katie
re: superfund---preliminary look

1. Revamp of the liability system:

Last year, the Senate punted on reauthorization of Superfund. The bill was scheduled to be revamped this year but now will not be taken up until 1995. This was done because the environment committee expected to be consumed with reauthorization of RCRA and Clean Water.

There is some pressure now to revisit this decision, however. Banks have been pushing for legislation that would limit the instances in which they would be liable for the Superfund responsibilities of an entity to which it has made a loan. Caselaw on the point has been erratic and there is general agreement on the need for clarification. This issue has been promoted by Garn and a version of the Garn proposal will likely be added to the Banking bill.

Garn's bill is sweeping, and there is concern that it goes too far in letting the lenders off the hook. The environment committee has an alternative version that will be offered if Garn's initiative is hooked to the Banking bill.

Seeing that lenders may get some relief, municipalities are now lobbying for a similar break. Others are jumping on the bandwagon, too, with the result that it is being suggested that the legislation should be overhauled rather than fixed in a piecemeal fashion. It still looks as though that will not happen in this congress, however.

2. EPA Mismanagement

For over a year, Dingell's subcommittee has been investigating EPA's management and oversight of the \$1 billion plus in contracts it concludes every year. They have uncovered a staggering backlog in required audits. With regard to Superfund in particular, many excesses have been uncovered (e.g. a Superfund contractor billed EPA for potted plants and other office amenities, and one company, CH2M Hill has been charging an overhead of 170 percent and is refusing access to their records).

Overall, there is a general perception that EPA contracts out too much of its work and then fails to exercise oversight. Dingell's investigation is ongoing; much pressure is being put on EPA's office of Inspector General.

THEREFORE, IF WE ARE INTERESTED IN UNCOVERING PROBLEMS WITH THE ADMINISTRATION OF EPA (AS OPPOSED TO ITS CONCEPTION) I BELIEVE THERE IS PLENTY OF AMMUNITION.

Update on our activities regarding Watts Bar

2. First letter to Watkins (May 21, 1990) expressing your concern in light of the release of the Martin Marietta study that documented the nuclear and toxic contamination. You requested a full briefing.
3. Briefing team, led by Mr. Leo Duffy (Director, Office of Environmental Restoration and Waste Management), briefed us on research and clean up activities (June 14, 1990). Primary conclusion was that there is no imminent threat to human health or the environment. In your discussions with reporters, you relayed that information and added that much more needs to be done in terms of data collection and risk assessment and formulating a plan of action. (Note that Marilyn Lloyd was also briefed on this day.)
4. Second letter () to Watkins expressing your continued concern on several issues, the most pressing of which were the dredging situation and continued leakage of contaminants from the White Oak Lake. You indicated in that letter that you also had several other concerns and that we would set up additional meetings to cover them in detail.
5. My call to Ron Gatlin, Army Corps of Engineers in Tennessee.
6. Second briefing (June 29, 1990) this time with Mr. Pat Whitfield (Oak Ridge Operations). Mr. Whitfield was not able to answer many of the two pages of questions we drafted. Mr. Whitfield was given the questions with the understanding that he would provide answers in full in writing.
7. Third letter (July 11, 1990) to Watkins -- expressed your sense that DoE appreciated the fact that a plan of action was needed, but your conclusion that such a plan was nonexistent. You questioned whether lines of communication and cooperation were open among DoE, the Corps, the State, and TVA (we should also have included EPA in this list). You suggested that all parties meet in your office in order to hammer out a plan. You offered your time and staff for however long would be necessary to ensure that this was done.

M E M O R A N D U M

DATE: June 26, 1990

TO: Roy, Carol, Leon

FROM: Katie

SUBJECT: Dredging in Watts Bar Reservoir

I've just spoken to Ron Gatlin of the Corps of Engineers in Tennessee. The conversation was anything but reassuring.

In general, a permit to dredge must be secured from the Corps. Because TVA holds title to the water and surrounding land, TVA approval must also be secured. Through a "section 401" process, the state can also get involved. Gatlin indicated, however, that TN has not been exercising its right to do so.

Because most of the dredging is "small mom and pop" stuff, Gatlin said that the Corps has simply issued a regional permit for the area. Once a regional permit is in effect, individuals can get permission to dredge through an expedited process -- public notice and comment, etc. not necessary. Over the past 5 years some 100 such "ok's" have been given. Those that have been given the ok are basically free to dredge when they please. (Gatlin said that they send postcards to permit holders telling them they are supposed to notify the corps, but . . .) Moreover, Gatlin said that unpermitted dredging does go on and "we only have a small staff in Lenoir city -- we really can't keep an eye on it . . ." The best Gatlin could tell me is that there "probably" is no dredging currently going on; no need to dredge until the winter when water levels drop.

Anyway, the scary thing is that it might not have made much of a difference if the Corps were being notified by those planning to dredge: Apparently, the first news the Corps got about the Oak Ridge/Martin Marietta report was at an open meeting DoE conducted last night in Kingston. Gatlin said that, although DoE is usually cooperative, they never spoke to the Corps about the study or sent them a copy of the report.

Having found out about the contamination problems, Corps' game plan is:

--extend public comment period from June 1 to August 1 for the regional permit which, apparently, is up for renewal

--"maybe" send letters to those with dredging permits to tell them of the study results and "suggest" that they refrain from dredging or at least exercise caution in disposing of the sediment that is dredged up. (currently, I gather this stuff is just dumped "upland" -- I'm not sure anyone is checking it out for contamination.) When asked if the Corps planned to prohibit dredging until further study results are in, Gatlin said that he "supposed" the Corps had the authority to do that but wouldn't (he is, and legitimately so, concerned about unduly scarring folks).

Anyway, I think the situation is bad -- no communication going on re health and safety problems, and no one ensuring that no -- or at least only safe -- dredging is going on. If what DoE has told us is true -- namely that an imminent health and safety problem would be posed if the river were dredged -- I feel like we should be stepping in here somehow. Not sure how; what do you all think?? thanks.

Witherspoon Remarks

The documents that are being released today show without doubt that transformers and other contaminated equipment were shipped from the Department of Energy's Oak Ridge facilities to David Witherspoon's Knoxville scrap yards. Clearly, the Department of Energy is the source not only of radioactive wastes at Witherspoon, but also of toxic chemical wastes. Along with Mr. Witherspoon, DOE is a responsible party. DOE must start acting responsibly now.

In June, I visited South Knoxville and listened to the fears and concerns of the citizens. They were anxious about health risks associated with contamination; they were worried about their children. I share their concerns.

After that visit, I asked the Environmental Protection Agency to inspect the Witherspoon sites and they found hundreds of drums of soil contaminated with radioactive wastes and PCB's -- drums with corrosion on the lids and sides; scrap equipment caked with radioactive material; and gamma counter readings some 9000 counts per minute above normal background at the site.

No longer can the Department of Energy ignore this situation. The time for foot dragging has past. Our top priority is to ensure the health and safety of the residents of South Knoxville, and to prevent further damage to the environment. We will not compromise in achieving this objective, nor will we accept excuses for inaction.

In bringing these documents to light, Todd Shelton and the South Knoxville Citizens' Group has done a service to us all. I would like to offer them my sincere thanks and congratulations, and assure them of my continued efforts to clean up the Witherspoon mess.

to light, the Group

To: Al
From: Katie
Re: Lindzen response to Tom Wicker's piece in the Times
Date: 11-14-91

I have a copy of a letter that Lindzen has written to the Times in response to Tom Wicker's piece of 24 October. Lindzen repeats his claim in the letter that "My hypothesis has been that water vapor, at altitudes of 6-16 km, might very well decrease in a warmer climate, and act to effectively cancel warming due to increasing greenhouse gases. Such an effect would constitute what is known as a negative feedback." Lindzen admits that he withdrew his suggested mechanism for accomplishing this -- namely that "deep clouds might rise to greater heights and deliver less water vapor to the environment." He insists, however, that the bottom line that we will see decreased water vapor in a warmer climate is still correct. The new theory that he offers is that "a similar negative feedback would arise if deep clouds produced more ice in a colder climate and less ice in a warmer climate." Evidence produced at the hearing and subsequent personal communications I have had with scientists completely refute this idea. Indeed, the best Lindzen can do is to say that it is "a not implausible possibility."

To get at the heart of Lindzen's argument-----Is there less water vapor in the atmosphere (either from deep clouds or the new reduced ice theory) as the planet warms? The experts say no and so does the data.

THE EXPERTS:

o Allen Betts' testimony: "Lindzen argues that the cumulonimbus outflow will therefore inject drier air at the highest outflow level; and thne the subsidence of this dry air between clouds will produce a drier upper troposphere. This idea is wrong.... If Lindzen's model were right, the present upper troposphere would be very dry. In fact, the relative humidity near the freezing level in the deep tropics is about 40%." Betts then continues with further refutation of the idea: "Lindzen's model is implausible on more general grounds...."

o Kevin Trenberth's testimony: "Any model convection scheme [like Lindzen's] that 'rains out' all the moisture in these clouds ... fails to come close to reproducing observed moisture concentrations. The vertical moisture transport by convection is vital in forming the observed tropical moisture concentrations in the atmosphere which, in turn, has a strong greenhouse effect."

THE DATA:

Recall that Lindzen has absolutely no data to support his theories. His ideas are merely "thought experiments." The problem is that the "real world" data is directly contrary to his hypotheses.

- o The models: Robert Cess: "A comparison last year of the global warming simulations from 19 general circulation models (GCMs) of the atmosphere found excellent agreement among their depictions of positive water vapor feedback. This is significant with respect to the issue addressed by Lindzen....The point is that the 19b GCMs used several very different parameterizations of convection so that their agreement over water vapour feedback is not an artefact of this parameterization."

- o Satellites and Sea Surface Temps:

- o Raval and Ramanathan used satellite and sea surface temperatures over different oceanic locations as a surrogate for global climate change: their results confirm the GCM predictions.

- o Del Genio used satellite data to compare water vapor over different geographical locations. Results: warmer geographical regions have more moisture in the troposphere than colder regions.

- o David Rind used satellite data to compare the effect of seasonal climate changes and geographical changes on middle and upper tropospheric water vapor content. Results: confirmed the positive feedback predicted by their models and refuted Lindzen. "Increased convection leads to increased water vapour ... in approximate quantitative agreement with the results from current climate models. The same conclusion is reached by comparing the tropical western and eastern Pacific regions."

Lindzen raises an additional argument in his letter. Namely -- that "In current models, the behavior of water vapor in this altitude range (6-16 km) is largely determined by identifiable computational errors." On this, Lindzen is again, dead wrong.

First, as indicated above, actual measurements of water vapor in the troposphere indicate that the models are right on on this.

Second, Lindzen is NOT a modeler, and this statement demonstrates that he is out of touch with the science. The expert on this is Philip Rasch at NCAR. I spoke to him today and he indicated that, while it was once true that the models did not do a good job simulating the effect of water vapor in a greenhouse environment, three years ago he and his colleague David Williamson, developed a new

computational system that corrected the earlier problems. This is the system that models in the United States and in Europe currently use; the accuracy of the new system is validated by the satellite measurements of the actual role of water vapor. Rasch has published profusely on this -- obviously, Lindzen is simply out of touch. (Note Jerry Mahlman's note on this point, too. He also has worked to remove water vapor errors from his model -- local errors may persist, but even then, Jerry says that "I see no evidence that correction of such errors has any reasonable possibility of changing the model sensitivity to water vapor feedback in any significant way.")

OFF THE RECORD: Jerry Mahlman is a chair of the Global Change Research Committee at the National Academy. He confided in me that the Academy is deeply troubled by the negative impact Lindzen is having on the Academy's credibility. The Academy has 2 members that are experts on climate -- Dickinson and Manabe. Lindzen has no expertise in climate (his background is atmospheric dynamics). The Academy had a meeting on this recently where concern was expressed that Lindzen was jeopardizing the Academy's ranking in the world scientific research community on the issue of climate change. International groups such as the IPCC are the authorities; the Academy's work has been marginalized. The Academy is considering doing a position paper to set the record straight on this and to make clear the Lindzen does NOT speak for the Academy on this.

FOR IMMEDIATE RELEASE
WEDNESDAY, SEPTEMBER 18, 1991

CONTACT: Marla Romash
202-224-7155
Heidi Kukis
202-224-7170

STATEMENT OF SEN. AL GORE
Gore Calls Bush Grand Canyon Visit Environmental Hogwash
(As delivered to the U.S. Senate)

Mr. President, today the nation will be treated to another in a series of photo opportunities by the White House when President Bush travels in grand style to the Grand Canyon. There he will attempt to portray himself as he has attempted to do in times past as "the environmental president."

Now that the campaign season is officially kicking into gear leading up to the 1992 elections, the president's political advisors have reminded him that, during the last campaign, he promised to be the environmental president. Yet he has been the anti-environmental president for his entire term so far, and now that his campaign for re-election is coming up, he is beginning a series of photo opportunities and image-making opportunities beginning with this trip to the Grand Canyon.

Mr. President, the Bush record on the environment is a fraud. The gap between his rhetoric and his record is as deep and broad as the Grand Canyon itself. And I just want to say this: Anyone who sees George Bush as the environmental president at the Grand Canyon ought to look closely for Elvis, alive and well, rafting by on the Colorado River. A zebra cannot change its stripes by standing on a busy street corner in a city. And neither can George Bush become the environmental president by standing in front of one of the most beautiful and scenic places in the entire world.

Let's look at the record. Where the global environment is concerned -- which is now facing the most serious threat in the entire history of humankind -- the world and the American people have looked to President Bush for leadership. Instead, not only has he failed to provide leadership, he has been the principal obstacle to efforts of others who are trying to save the global environment. Time after time as nations around the world have met to talk about what can be done to limit the pollution that is causing global warming; to limit the threat to the rain forests; to stop the poisoning of the oceans and the loss of living species -- time and time again George Bush has stood in the

way -- stonewalling the entire world. He takes his advice principally, of course, from John Sununu.

On the domestic front, Mr. Bush's record is no better. Let's look at his energy policy. Here we have a policy which encourages our collective habit of taking 2,000 pounds of metal with us everywhere we go, and of burning gasoline in cars and trucks that get very low mileage. Efforts to do something about that have been stymied by the White House. The energy policy proposed by the president seems to be based on a single principle: at all costs, the objective is to ensure an unlimited supply of gasoline for John Sununu's limousine. I can't find any other organizing principle in the policy that he has put forward. All the elements to encourage conservation and efficiency and alternative sources of energy were cut out of the president's energy program. So now he wants to go to the Grand Canyon and say he's the environmental president?

It is a fraud, Mr. President. It is a fraud, and I hope the American people won't buy it. The facts simply don't square with the image the President is trying desperately to portray.

Let's look at the history leading up to this visit to the Grand Canyon. The EPA had to fight hard to achieve the 90 percent reduction in emissions from area power plants that the President will announce. And what was one of the principal obstacles the EPA had to overcome? None other than the White House. Specifically, in this case, the obstacle was Vice President Quayle's "Council on Competitiveness," a group that is nothing more than a back door for industry to sabotage environmental regulations. Well, after a long, hard-fought battle, the White House finally agreed to withdraw its objections. This is what the president celebrates today. In truth, the occasion does not mark a victory for the President's environmental objectives, but a defeat for his attempt to front for industry.

And, while the President is visiting national parks, he ought to swing by Yellowstone. That Park is seriously threatened by excessive logging and overuse. Deforestation is threatening fish and wildlife and the air over the park hangs heavy with car exhaust.

Again, experts tried to sound an alarm. But again, however, the heavy hand of the White House reached out to stifle the warning.

John Mumma was a regional forester in Montana who contributed to a report that clearly outlined these problems. What happened? Was the warning heeded? Did the environmental

president say, "Oh, we've got a problem in Yellowstone?" No. The White House had him canned because he spoke up to protect Yellowstone Park against the significant environmental threats that it faces. The technical jargon the Administration uses is that he was given "directed reassignment" to a desk job. What was his crime? Apparently, he failed to cut down as many trees in the park that the White House thought that he should. The timber industry was upset about that and, the Administration, of course, readily did their bidding.

And there is a pattern here, Mr. President. Mr. Mumma's experience is not an isolated incident. In fact, newspapers around the country reported in the last few days complaints from officials within the National Forest Service -- forest supervisors -- that they have "come under intense political pressure from the White House to allow more timber harvesting than is environmentally responsible." To quote further from news accounts, forest service employees claim that "Administration officials are trying to force unsound land stewardship to benefit the timber industry." The Oregonian reports that environmentally minded forest service officials are being pushed out, and our colleague from Illinois, Alan Dixon, told us the other day that similar problems are occurring in the Shawnee National Park. In that Park, the deputy assistant secretary of agriculture has said that he will not suspend any timber harvest even though it is the environmentally responsible thing to do. The president should also travel to Yosemite and find out about the \$2 million in golden parachutes which his representatives gave to the people who run the concessions there.

In our review of the President's record we should also look at the Clean Air Act. In yet another of the White House campaigns to weaken environmental protections, Vice President Quayle and his Council on Competitiveness have sabotaged the most important rule-making to date under the Act. Carving huge loopholes in the proposed rule that EPA sent to the White House, the Council on Competitiveness opened the door for industries to raise their polluting emission while closing the door to citizens and the courts seeking to review the industries' actions.

And the list goes on. The EPA administrator said that municipalities should recycle just 25 percent of their municipal waste before they begin incinerating valuable recyclable commodities that could be brought back into the stream of commerce. Could we have this 25 percent mandate on recycling, just a quarter of the waste, so we could stop building so many incinerators and new landfills? The White House said no. The so-called environmental president said no. We ought to just keep on

burning, building new incinerators, opening up new landfills. The EPA said at least lead/acid batteries should be removed from the waste stream because of the significant health and environmental that lead poses. The White House again said no. Of course, the Administration's lead removal policy is limited to removing it from the Vice President's house -- nobody else's house and nowhere else in the environment.

As I said in the beginning of these remarks, the story is much worse where the global environment is concerned.

I'll close with this final comment Mr. President. We need leadership. We need a president who is truly committed to the environment, not to a series of fraudulent photo opportunities.

July 17, 1990

The Honorable Ned McWherter
Governor of the State of Tennessee

Dear Mr. Governor:

I am increasingly concerned about the problems at the David Witherspoon Inc. scrap yard in South Knoxville. It is my understanding that some 232 barrels of soil contaminated with polychlorinated biphenyls and radioactive wastes are located at the Witherspoon facility.

My primary interest is to make certain that the health and safety of South Knoxville residents is not in jeopardy. At my request, the Environmental Protection Agency conducted a site assessment of the facility on June 29, 1990. A final report is not yet available, but in conversations with my staff, EPA has indicated that the wastes at the site do not pose an imminent threat to human health or the environment. After conducting its own preliminary investigation of the site, the State Superfund office also reported to my staff that an imminent problem is not posed. However, both EPA and the State recommend that the barrels be removed.

I understand that there are many complex issues that need to be addressed in this situation, and that it may take quite some time before the amount of work that needs to be done at Witherspoon can be determined and before responsibility can be allocated. In the interest of safeguarding the health and safety of those living in South Knoxville however, I am particularly anxious to expedite the removal of the contaminated wastes from the facility. To that end, I would like to propose that appropriate representatives from the State, EPA, the Department of Energy, and David Witherspoon, Inc. meet in my office at the earliest opportunity to develop a plan of action. My staff and I will be at your disposal for as long as may be necessary to ensure a satisfactory resolution of this matter.

I look forward to your response, and I hope that we can work together on this matter of mutual concern.

Sincerely,

Albert Gore, Jr.
U.S. Senator

FOR IMMEDIATE RELEASE
WEDNESDAY, SEPTEMBER 18, 1991

CONTACT: Marla Romash
202-224-7155
Heidi Kukis
202-224-7170

STATEMENT OF SEN. AL GORE
Gore Calls Bush Grand Canyon Visit Environmental Hogwash
(As delivered to the U.S. Senate)

Mr. President, today the nation will be treated to another in a series of photo opportunities by the White House when President Bush travels in grand style to the Grand Canyon. There he will attempt to portray himself as he has attempted to do in times past as "the environmental president."

Now that the campaign season is officially kicking into gear leading up to the 1992 elections, the president's political advisors have reminded him that, during the last campaign, he promised to be the environmental president. Yet he has been the anti-environmental president for his entire term so far, and now that his campaign for re-election is coming up, he is beginning a series of photo opportunities and image-making opportunities beginning with this trip to the Grand Canyon.

Mr. President, the Bush record on the environment is a fraud. The gap between his rhetoric and his record is as deep and broad as the Grand Canyon itself. And I just want to say this: Anyone who sees George Bush as the environmental president at the Grand Canyon ought to look closely for Elvis, alive and well, rafting by on the Colorado River. A zebra cannot change its stripes by standing on a busy street corner in a city. And neither can George Bush become the environmental president by standing in front of one of the most beautiful and scenic places in the entire world.

Let's look at the record. Where the global environment is concerned -- which is now facing the most serious threat in the entire history of humankind -- the world and the American people have looked to President Bush for leadership. Instead, not only has he failed to provide leadership, he has been the principal obstacle to efforts of others who are trying to save the global environment. Time after time as nations around the world have met to talk about what can be done to limit the pollution that is causing global warming; to limit the threat to the rain forests; to stop the poisoning of the oceans and the loss of living species -- time and time again George Bush has stood in the

way -- stonewalling the entire world. He takes his advice principally, of course, from John Sununu.

On the domestic front, Mr. Bush's record is no better. Let's look at his energy policy. Here we have a policy which encourages our collective habit of taking 2,000 pounds of metal with us everywhere we go, and of burning gasoline in cars and trucks that get very low mileage. Efforts to do something about that have been stymied by the White House. The energy policy proposed by the president seems to be based on a single principle: at all costs, the objective is to ensure an unlimited supply of gasoline for John Sununu's limousine. I can't find any other organizing principle in the policy that he has put forward. All the elements to encourage conservation and efficiency and alternative sources of energy were cut out of the president's energy program. So now he wants to go to the Grand Canyon and say he's the environmental president?

It is a fraud, Mr. President. It is a fraud, and I hope the American people won't buy it. The facts simply don't square with the image the President is trying desperately to portray.

Let's look at the history leading up to this visit to the Grand Canyon. The EPA had to fight hard to achieve the 90 percent reduction in emissions from area power plants that the President will announce. And what was one of the principal obstacles the EPA had to overcome? None other than the White House. Specifically, in this case, the obstacle was Vice President Quayle's "Council on Competitiveness," a group that is nothing more than a back door for industry to sabotage environmental regulations. Well, after a long, hard-fought battle, the White House finally agreed to withdraw its objections. This is what the president celebrates today. In truth, the occasion does not mark a victory for the President's environmental objectives, but a defeat for his attempt to front for industry.

And, while the President is visiting national parks, he ought to swing by Yellowstone. That Park is seriously threatened by excessive logging and overuse. Deforestation is threatening fish and wildlife and the air over the park hangs heavy with car exhaust.

Again, experts tried to sound an alarm. But again, however, the heavy hand of the White House reached out to stifle the warning.

John Mumma was a regional forester in Montana who contributed to a report that clearly outlined these problems. What happened? Was the warning heeded? Did the environmental

president say, "Oh, we've got a problem in Yellowstone?" No. The White House had him canned because he spoke up to protect Yellowstone Park against the significant environmental threats that it faces. The technical jargon the Administration uses is that he was given "directed reassignment" to a desk job. What was his crime? Apparently, he failed to cut down as many trees in the park that the White House thought that he should. The timber industry was upset about that and, the Administration, of course, readily did their bidding.

And there is a pattern here, Mr. President. Mr. Mumma's experience is not an isolated incident. In fact, newspapers around the country reported in the last few days complaints from officials within the National Forest Service -- forest supervisors -- that they have "come under intense political pressure from the White House to allow more timber harvesting than is environmentally responsible." To quote further from news accounts, forest service employees claim that "Administration officials are trying to force unsound land stewardship to benefit the timber industry." The Oregonian reports that environmentally minded forest service officials are being pushed out, and our colleague from Illinois, Alan Dixon, told us the other day that similar problems are occurring in the Shawnee National Park. In that Park, the deputy assistant secretary of agriculture has said that he will not suspend any timber harvest even though it is the environmentally responsible thing to do. The president should also travel to Yosemite and find out about the \$2 million in golden parachutes which his representatives gave to the people who run the concessions there.

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burning, building new incinerators, opening up new landfills. The EPA said at least lead/acid batteries should be removed from the waste stream because of the significant health and environmental that lead poses. The White House again said no. Of course, the Administration's lead removal policy is limited to removing it from the Vice President's house -- nobody else's house and nowhere else in the environment.

As I said in the beginning of these remarks, the story is much worse where the global environment is concerned.

I'll close with this final comment Mr. President. We need leadership. We need a president who is truly committed to the environment, not to a series of fraudulent photo opportunities.

Hon. William Reilly
Administrator
Environmental Protection Agency
Washington, D.C.

Dear Administrator Reilly:

Urgent action is needed to clean-up Chattanooga Creek and to protect the health and well-being of area residents. Chattanooga Creek is one of the most polluted in the entire Southeast Region, a known public health threat that also endangers every living thing dependent on it. We are writing to urge you to take that action and include Chattanooga Creek in your watershed initiative projects.

Recent studies by your agency reinforce our concern, concluding that Chattanooga Creek remains severely contaminated with "foul odors, domestic sewage, debris and garbage" and "industrial chemicals." Testing showed the continued presence of heavy metals such as lead, zinc, copper, and mercury that are hazardous to the plants, fish, and other living things dependent on the creek for their very survival. And, even more importantly, cancer causing chemicals have been found in the creek's sediment.

We strongly believe that including Chattanooga Creek as a watershed initiative project would recognize the urgency of this situation and make significant progress toward addressing current hazards and renewing the creek. A highly industrialized area, the neighborhood surrounding the creek could, if included in the initiative, become a model greenway and therefore a perfect example of what could be done in other industrialized parts of the country.

Thank you, in advance, for your consideration. We remain ready and willing to work with you on this important issue.

Sincerely,

James Sasser
United States Senator

Albert Gore, Jr.
United States Senator

M E M O R A N D U M

DATE: November 4, 1991

TO: Senator Gore

FROM: Tony Socci

SUBJECT: Invite from PBS/Discussion of Post Piece on Solar Variability and Climate/Global Warming Study of the Marshall Institute - the Now-Infamous Jastrow (et. al) Report (1990)

1) I received a telephone call today on your behalf, from a David Reisma, Education Publication Department, WNAT in New York (PBS in New York). Reisman/PBS in New York are putting together an educational series on the environment. They wish to know if you would allow them to attach your name to this series (educ. package) as an educational advisor. Reisman's tel. no. is (202) 560-6649. I left it that I, or someone else, would get back to him.

2) You asked me today to look into solar variability, or the variation of the solar constant over time. I looked into the piece in the Washington Post, in addition to touching base with the piece in Science upon which the Post article was drafted. I also took the liberty of looking into the Jastrow et al (1990) report on solar variability (the true story of global warming) published by the Marshall Institute. Well, let's take it all on at once.

First of all, there is little known about the variation of solar irradiance, particularly since we have been taking direct measurements of these changes within the last ten years alone. That is the sum total of direct measurements. In the backdrop of the history of climate and climate records this is a virtual paucity of information upon which to say anything about anything let alone climate which is largely only understandable in the context of a lengthy string of records. However, having never been undaunted by tens years worth of information, these authors may be on to something but it will be a very long time down the road before we have amassed a data base sufficient to pose the question as to the possible role of solar variability in climate change.

Having said that, let me also say that down the road their contention (the authors' of the piece in Science - Christensen and Lassen, November 1, V. 254, p. 698-700 - a copy of which I have asked Evelyn to add to your evening reading, in addition to a great piece by Richard Kerr, in

the same volume) may prove to warrant some merit. After all, why shouldn't variability of the sun's output of energy have some impact upon climate. The question is one of magnitude and direction (increase or decrease in solar output, and how much). Assuming we were able to calibrate the climate forcing effect of solar variation (which we are presently incapable of doing) alone, and the climate forcing effect of CO-2 and other greenhouse gases, we would then be able to gauge the relative contributions from both and determine the net climate response, at least in terms of temperature. To my knowledge we are not even close to this level of climate resolution. However, I realize that I am dodging the bullet here.

This afternoon, sometime after you called me, I contacted a good friend of mine, Paul Damon from the University of Arizona in Tuscon. Paul is one of the world's most noted cosmologists, as well as being an authority on solar variability (a heretofore, totally obscure science until greenhouse came into prominence). Paul has little trouble in accepting the premise that solar variability has some influence on climate, presumably separable from the effects of greenhouse gases. He maintains that the magnitudes of these two distinct but intertwined climate-forcing mechanisms are presently unknown. In the case of changes in solar irradiance, Paul is convinced that such changes will do little to forestall or mitigate the long-term global warming which we have already bought into, a warming which he maintains, is already underway.

My personal read on solar variability is that if you buy into it completely, as a significant climate forcing function, the best you can ever hope for is short-term, periodic cooling, but never to the point of offsetting greenhouse warming in my estimation. At best (or worse - depending on how one sees it) there would be short intervals when the greenhouse warming might be slightly offset. But there would be many times when the warming due to greenhouse would be amplified by warming due to solar variability. Damon suggests that the next 75 years will be just that, parallel climate warming due to greenhouse gases and solar variation serving up additional warming, contrary to the Jastrow/Marshall Institute Report, which brings me to my final point.

Paul Damon was the scientist who put John Perry and the National Academy of Science onto the fact that the Marshall Institute Report written by Jastrow, Nierenberg and Seitz was a fatally flawed study. Damon had pointed out to Perry at the time that Jastrow's calculations of solar irradiance were wrong, out of phase by 180 degrees. In other words, Jastrow and company maintained that their calculations indicated that there would be an ebb in solar irradiance in

the foreseeable future, cooling in the face of greenhouse warming in other words - a natural cure for greenhouse warming. However, the calculations, as Damon pointed out, were out of phase by 180 degrees. In other words, had Jastrow and company understood solar irradiance and what drives it in the first place, they would have recognized that what was on the horizon in terms of solar variability, was about 75 years or more worth of warming (this is obviously a benign interpretation because the calculations and conclusions of Jastrow and company may likely have been politically motivated in the first place - where does the Marshall Institute get its money in the first place). The report was also unrefereed, as you well know. Thus Damon and the National Science Academy, in the presence of John Perry, broadsided the report, and rightly so.

Should we get the Marshall boys in for a hearing at some point we shall have to be certain to bring in Damon and Perry (the National Academy).

Well, I'll be in touch again soon.

ADS

ITEM # PLEASE ASSIGN
Complex-21 and Oak Ridge

TOP/SUBTOPIC: defense/general
TYPE OF DOC.: issue
CREATE DATE: OCT-31-91
UPDATE DATE:
AIDE: BWW

PCD: 00

As you know, the Department of Energy is currently planning to streamline its nuclear weapons production activities to create a smaller, simpler, less expensive complex. Five potential sites are being studied for their suitability to take part in a reconfigured nuclear weapons establishment to be called Complex-21; among the prospective sites is Oak Ridge. Because I believe our state has much to offer, I joined the other members of Tennessee's congressional delegation in writing to Secretary of Energy Watkins urging that Oak Ridge's candidacy for Complex-21 be given serious consideration.

As I wrote to Secretary Watkins, a careful assessment of several factors is necessary to achieve the goals of the Nuclear Weapons Complex Reconfiguration plan. These factors include the environmental responsiveness of the facilities, health and safety considerations of the public and employees, the experience and abilities of those who would operate the facility, and the willingness of the Energy Department to address the community's concerns.

It is important to realize how uncertain the future of Complex-21 itself may be. Nuclear weapons production and investment in production capacity depend on an ability to make long-term estimates of our need. Given the rapid changes in the former Soviet Union and in East-West relations, such estimates are virtually impossible to make. In my view, Tennessee would be wise to insist on clarity not only about Complex-21's environmental consequences but also about the project's scope and the likelihood that it will be completed.

When it comes to Complex-21, I want to make sure that the interests of our people are fully protected. I will continue to work to safeguard Tennesseans' interests--including our interests in jobs, a safe environment, and a sound development strategy for the state.

**REMARKS OF
SENATOR AL GORE**

**THE ENVIRONMENT: CORPORATE STEWARDSHIP IN THE DECADE OF THE GLOBAL
AWAKENING**

New York, New York -- December 6, 1990

Good afternoon and thank you for inviting me to join you today. It is a pleasure and an honor to address such a distinguished group of guests and participants.

I would like to begin by referring to the differing viewpoints represented in the Administration by Bill Reilly and John Sununu as an example of the larger-scale debate over how to respond to our environmental challenges. Both Messrs. Reilly and Sununu have counseled the President to take a "prudent" approach in dealing with climate change, which both men agree has uncertainties associated with it.

Bill Reilly's position of prudence is to buy insurance against the changes forecasted by the scientific community, while John Sununu's is that it is prudent not to incur opportunity costs when there's uncertainty, since it will divert funds away from other uses.

Both are thoughtful, prudent positions. The question is, what is the right balance? How much insurance, and how much avoidance of opportunity costs?

This is precisely the type of decision that corporate decisionmakers are faced with each day. But this one is the big one, because it will determine the future shape of the world. What is the proper balance between "buying insurance," and "avoiding opportunity costs when the facts are uncertain?"

Let me take this question on by first noting that even though there are uncertainties, there are also fundamental agreements. For example:

1. The concentration of greenhouse gases in the atmosphere is increasing, mainly as a result of human activities. (e.g., refer to the Greenland/Mauna Loa curve that shows CO₂ increasing from 1700-present... the Greenland ice core data represent 1700 to the late 1950s, and at which point the Mauna Loa data pick up the curve perfectly, showing a steady increase over almost three centuries.)

2. The physics of the greenhouse mechanism -- the radiative forcing capability of greenhouse gases -- is well established. An increase in greenhouse gas concentrations will lead to a warmer world.

3. Most scientists agree that the effect will produce a warming of 2.5 to 5 degrees C increase in temperature by around the middle of the next century, but when and how much is uncertain. And (this is important for the U.S.), there will be regional differences; for example, temperature increases in central North America will be greater than the global average, and summer precipitation will be reduced, therefore lowering soil moisture.

4. The current trends that will lead to this greenhouse gas buildup are population growth and the continued expansion of fossil-fuel driven economic activity around the world.

5. While emissions by developed countries continue to increase -- indeed, US CO₂ emissions are projected to grow by some 15 % by the end of the decade -- future increases in the developing world will be substantial.

6. And finally, because of the lag between the time that greenhouse gases are emitted and the time that their effect on the climate is felt, emissions reductions made sooner have a greater potential for mitigating climate change than emissions reductions made later.

At this point, there are those who would be paralyzed by this uncertainty and the difficulty of this decision. But that's not practical, since if we wait until we are certain, we will be committed to a climate change that will be more difficult and expensive to mitigate than if we take action now. The question is, what action do we take?

Those in the Administration who counsel further research are quite right, it is necessary to better understand the global systems and cycles that we are affecting. But, the nature and potential magnitude of the problem requires some action before those research results become available.

At the very least, there are measures that can be taken in the short term that will bring other benefits anyway -- such as energy efficiency improvements in all sectors of our economy, a shift away from CFC-based technologies, and a major, serious reforestation effort. The costs of taking these types of measures are not lost opportunity costs, because they would be prudent even if there was no climate change.

The remaining question is, how far beyond these measures is it prudent to go at this time?

This is where we need real leadership -- we need to be proactive, not reactive -- and not just in trying to mitigate the impacts from future climate change, but also in adapting to the changes already in the pipeline. We have already committed the earth to some degree of warming, because of the emissions that have occurred to date.

We need to begin working on adaptive strategies and technologies now, because the ones who will be really affected are the poor in the developing countries, where tensions already run high. This fact alone will pose a threat to the future security of all nations, including our own. And, for that matter, this is also an argument against the wait-and-see attitude, because we need to start now on these adaptation needs -- like drought-resistant crops.

And as for the business community, rather than just regulating it, we need to send the right signals. There are a number of measures that the government can take to provide private sector incentives. Also, government needs to support the private sector through education and R&D. On this last matter, I have proposed that the U.S. undertake a Strategic Environment Initiative. I'll speak more about that in a moment.

But first, let me point out that it's not enough for government leaders to shoulder all of this responsibility. It's vitally important that, in particular, the business leadership nationally and internationally actively consider the potential for climate change in their own decisions, and that they and other sectors of society be brought into the decision process to incorporate their expertise. The business community can and must be part of the solution.

In the landmark Clean Air Act amendments, the Congress has taken the first step in this direction. After twenty years of little progress in improving air quality in many cities across the country, we decided to forego traditional "command-and-control" policies in favor of a market-based approach. Essentially, we identified the ultimate environmental objective that must be achieved -- namely, a 10 million ton reduction in sulfur dioxide emissions -- and then left it up to industry to determine the most cost-effective way to make that goal a reality. The market for the purchase and sale of sulfur dioxide emission permits that is also created in the legislation will further enable industry to bring its expertise to bear in determining the least cost method of compliance.

Our campaign to combat acid rain is, therefore, an experiment, and the hypothesis that it is designed to test is that protecting the

environment and strengthening our economy are not mutually exclusive. Without doubt, in the coming years, other experiments will also be designed on this theory. For example, I believe we need to explore the possibility of harnessing market forces to bring greenhouse gas emissions under control, and I have introduced legislation that would set up a marketable permit scheme for carbon dioxide.

[Al -- The bill would require new or expanding utilities to offset their increased CO2 emissions by reducing emissions elsewhere in their system or by buying permits from other sources -- for example, mfgs who have fleets that are more efficient than required by CAFE would receive permits that could be sold to utilities; likewise, appliance mfgs whose appliances are more efficient than required would also receive marketable permits.]

Our solid waste agenda will also be re-evaluated in this light. Recycling is a perfect example of the compatibility -- and, indeed, inextricability -- of economic and environmental forces. Grass roots support for recycling initiatives is strong, and, almost without exception, wherever curbside or community collection programs have been established, participation has been overwhelming. Unfortunately, many of these programs are being dismantled because communities are unable to find buyers for the materials they have collected. The reasons for this disfunction are economic in nature. First, the initial investment in de-inking and other reprocessing technologies is significant, and companies naturally are reluctant to get involved unless they are convinced of the long-term viability of the market for recycled commodities. Second, there are many incentives not to get involved -- to use primary "virgin" materials rather than secondary "recycled" materials -- and these incentives tilt the playing field against recycling.

Recognizing this imbalance, I have introduced legislation that directs federal agencies to procure recycled commodities and offers a ten percent price preference to encourage companies to invest in recycling equipment. By creating demand for recycled goods, the legislation will encourage companies to reuse feedstock materials -- thereby preserving natural resources and relieving the strain on our already overburdened landfills.

But if recycling is to succeed, we also need to remove disincentives to the reuse of resources. Timber subsidies, for example, make virgin paper a very cheap resource, and efforts to remove those subsidies will be reinvigorated in the next session. We also need to take account of the true cost -- from "cradle to grave" -- of the products we produce. "Virgin materials taxes" have been suggested by several of my colleagues as a way to take account of the full cost of resource exploitation and product disposal -- if the playing field is level, corporations can make decisions that make

both economic and environmental sense. And I have launched a series of hearings that will examine our current accounting practices and the extent to which they adequately reflect natural resource depletion and the environmental impact of our economic system.

I am convinced of the fundamental soundness of the hypothesis these and other initiatives are designed to test. Indeed, as is graphically demonstrated in the dual environmental and ecological cataclysm faced by Eastern Europe, economic growth simply cannot be assured unless it is environmentally sustainable. Those who say a strong economy is best for the environment have got it backwards. In fact, there is no better ally in the service of strong economies than a vibrant, healthy environment.

I mentioned before that government needs to support the private sector through education and research and development. Specifically, I referred to what I call SEI, or the Strategic Environment Initiative.

The full magnitude of the global ecological crisis will be determined by actions humanity is willing to take in the years immediately ahead. Indeed, the next decade will test the wisdom of every nation. And despite all the changes that have taken place in the world, I feel that American leadership remains indispensable.

For that reason, I have proposed that the U.S. launch a Strategic Environment Initiative (SEI), similar in scope and funding to the Strategic Defense Initiative (SDI). Last year, together with Senator Nunn and several other of my colleagues on the Armed Services committee, we were successful in setting the wheels of this program in motion.

The need is urgent: no longer is the threat of nuclear war at the top of the world agenda. Instead, global deterioration has become the primary concern of many of the world's leaders. It is imperative that we approach environmental protection and sustainable economic growth with the same intensity as we approached SDI -- and with comparable or greater levels of funding.

In my view, this Strategic Environment Initiative should ultimately be an international effort to identify and spread technologies for sustainable economic growth in developing countries. Therefore, the U.S. ought at the same time to call upon other developed economies to parallel our research efforts.

Here in the U.S., SEI would be a major element of the U.S. policy on the global environment. It would identify, develop, and

disseminate technologies for economic growth that are capable of sharply arresting the increase of greenhouse gas emissions.

Research would have focal points in Energy, Agriculture, Manufacturing, and Transportation -- the very sectors of the economy you are here to learn more about today. The first objective would be to identify available technologies to achieve substantial reductions in greenhouse gas emissions per unit GNP. The second objective would be to stimulate developmental work on both near-term and more advanced technologies, using in-house government resources such as the national labs, but also drawing upon contract work with universities and with private industry.

The energy component of SEI would be a focused effort to develop environmentally safe technologies that will meet the world's growing demand for energy -- a speedy transition to an era that is no longer dominated by pollution-intensive fossil fuels. In the near term, it should address energy efficiency and conservation. The U.S. is a leader in producing a few energy-efficient products, but some nations -- notably Japan -- have realized the true value of these new technologies in a future driven by environmental concerns and shrinking energy resources.

For applications that are perhaps 5 to 20 years away, the SEI should begin now to develop solar power, biomass fuels, geothermal and wind power, with a commitment to bringing these technologies along as far and fast as possible, so that they are marketable at the earliest possible date. In the longer term, we must explore nuclear fusion and enhanced versions of efficiency and solar power.

In its international aspect, an SEI should rely upon research tailored to the needs of developing economies, and upon financial incentives to promote rapid application. To assist the private sector in marketing these technologies overseas, the Secretaries of Commerce and Treasury should be instructed to collaborate on proposals for funding the sale of identified technologies, through innovative approaches to financing, including barter, counter-trade, and joint venture.

We should also support the creation of expanded special loan facilities at the World Bank; for example, special loan facilities must be created to specifically assist developing countries in acquiring the technologies that will allow them to continue their economic development while complying with the terms of the Montreal Protocol, and possible Protocols that will be negotiated under a Global Climate Convention.

During its first year of operation, the SEI management would work to inventory and coordinate ongoing U.S. government programs of

interest; to appraise the potential contributions of our National Laboratories to this effort; to establish internal lines of communication and authority within the government; and to devise a first operational program, with estimated costs projected for ten years. Funding for the first year would therefore be nominal, coming out of existing agency budgets. Costs for running the SEI should thereafter appear as line items in subsequent budget submissions.

This is a serious effort that I propose, but the challenges we face to protect our environment require a serious and sustained response. The societal stresses resulting from these changes in natural climate systems will affect the economic, social, and political fabric of nations around the world.

Policy choices and investment decisions made during the next decade will establish the foundation of economic activity in the 21st century. The productive infrastructure built during the next decade will determine the kinds and quantities of emissions that are released during the next sixty to one hundred years. Thus, choices made in a variety of economic sectors today will shape the character of the global climate for decades to come. Courage and leadership on the part of government and business is required.

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To: Al
From: Katie
Re: Federal Facilities Bill
Cloture vote 10-17-91 at 12:00

Mitchell has called for a cloture vote on his Federal Facilities Compliance Act of 1991, S 596, scheduled for 12 noon tomorrow (Thurs.) You are a cosponsor of this -- you should vote with Mitchell.

Purpose of bill: clarifies that EPA can impose administrative orders and monetary penalties against other federal agencies to force agencies to force their compliance with RCRA. Also makes clear that states can also impose penalties against federal agencies for violating RCRA and state waste laws.

Obstacles: The Administration had strongly opposed the bill and had 11 amends that it wanted incorporated. Purpose of amends was to make it easier for DOE and DOD to comply with RCRA. My understanding is that DOD's problems have been taken care of. Remaining stumbling block is DoE's argument that it cannot treat mixed radioactive and hazardous wastes and that, therefore it stands to get hit with substantial RCRA penalties that will interfere with the cleanup efforts it is conducting. EPW's has tried to compromise on this, but apparently no resolution.

To: Al
From: Katie
Re: Interview/Rebuttal to Patrick Michaels; Future of Coal

I. Rebuttal to Michaels:

I'll list some of the points Michaels made in his interview with a rejoinder or two---

a. global warming hysteria is all a game for political advantage

--this of course is patently ridiculous; can't imagine how it is politically advantageous to point to a problem whose solution could involve some uncomfortable lifestyle changes.

b. tension between forecasts/hypotheses and actual data

--Michaels must be out of touch with the literature. Contrary to his assertion, we are seeing the predicted indicia of climate change:

o the models predict that the oceans will warm and, in fact, they are -- so much so that we are seeing massive and worldwide coral bleaching events -- coral reefs, that are extremely sensitive to warming ocean water, are dying around the world because of the elevated sea surface temperatures.

o the models predict that we will see more frequent and increasingly severe storm activity and we are. England, for example, has been battered three times in just the last several years with storms that, until this time, were considered "once-in-a-century".

o the models predict that the warming will be most intense in the polar regions, and in fact, new satellite data tells us that the Arctic polar ice cap has receded by some 2% in recent years. In addition, there is now evidence that the Wordie ice shelf of Antarctica is disintegrating and, indeed, that the entire Western Ice Sheet of Antarctica is becoming unstable. The consequences of continued disintegration of Antarctic ice would, of course, be disastrous as rapidly rising sea levels would overwhelm coastal communities.

o the models predict that we will see less snowfall and, in fact, research by Dave Robinson at Rutgers University shows that we are indeed experiencing dramatically reduced amounts of snow fall.

o IT IS ALSO IMPORTANT TO NOTE THAT THE MODELS ALSO PREDICT THAT SOME PLACES ACTUALLY COULD GET COLDER AS A RESULT OF THE GREENHOUSE. Contrary to what some skeptics might assert, therefore, increased coolness in some areas does not mean that we are not seeing the effects of global warming. In Europe, for example, winters have on average been cooler over the last several years. This is not inconsistent with the climate models, however, because the increased warming at the poles that is predicted by the models sets in motion complex ocean and atmospheric processes that would interfere with the ability of the gulf stream (the north atlantic current) to carry warm air to Europe.

o IT IS ALSO IMPORTANT TO NOTE THAT IT IS VERY DANGEROUS TO ACCEPT MICHAELS ASSERTIONS ON ANY OF THIS. He recently was involved in a massive media campaign whose objective was to discredit those who think that global warming is a serious problem. Now that is all well and good -- everyone is entitled to their own opinion. HOWEVER, false statements and dirty tactics are never acceptable, and these were the hallmarks of this campaign. For example, the campaign featured ads that said: "If the earth is getting warmer, why is Minneapolis getting colder?" Temperature records from Eastern Minnesota show, however, that temperatures have risen by nearly 4 degrees since the start of the industrial revolution. Moreover, the campaign was targeted at "older, less-educated males from larger households, who are not typically active information seekers ... and "younger, lower-income women". Because of the bad reaction to this campaign, Michaels was forced to withdraw from it. But, you have to wonder, if Michaels was right, why would he have stooped to such tactics to begin with.

c. the earth will warm with a doubling of CO₂, but only by some 1.5 degrees and this will be "barely noticeable"

--2 degrees is the difference between a glacial and an interglacial period, so we cannot discount the impact of even a 1.5 degree change. Moreover, glacial/interglacial changes occur over the millenia, giving plant and animal species time to adapt. We are looking at the possibility that the same order of magnitude of change will occur over just 40 years.

d. warming of the earth will only lead to a longer growing season -- plants will thrive.

--this simply is not the case. research shows that elevated temps will decrease soil moisture and therefore interfere with plant growth. moreover, increased CO₂ by itself will not help plants -- they would also need alot of fertilizers in order to thrive.

d. less than 100 people in the US working on this and of those, many are either undecided or believe effects will be benign:

--In January 1990, the nation's most prominent scientists, including 49 Nobel laureates and 700 members of the National Academy of Sciences sent to the President an "Appeal by American Scientists to Prevent Global Warming." In that appeal, the scientists urged the Pres to provide strong leadership in taking immediate action to prevent global warming.

--National Academy Report: Despite uncertainties, potential effects are so severe that we should act now to limit greenhouse gas emissions.

--Second World Climate Conference -- 700 scientists from around the world agreed that increased ghg emissions could cause disruptions in climate greater than any in the past 10,000 years -- again, action was called for.

e. the National Academy's Adaptation report says we don't have anything to worry about

--the scope of that report was very limited. In fact, the members of the panel that worked on it admitted that global warming could have severe consequences. However, because they did not have the technical capability to account for those effects they omitted them from their analysis. The full National Academy Panel realized this and, in the final report, rejected some of the ideas in the Adaptation report.

f. public should know that the data shows that temps are not increasing.

--again, michaels must be out of touch. 1991 promises to be the second hottest year on record -- second only to 1990, and, the 1980's were the hottest decade

--moreover, analysis of tree rings shows that in the past 65 years, we have experienced warming greater than any in the past 1,090 years, and permafrost data shows a significant warming in the past century.

II. ADDITIONAL QUESTIONS:

They have also indicated that they would like to talk to you about the future of the coal industry; what you think of coal-derived transportation fuels and what if you think that doe should go ahead with the 5th round of clean coal technology demonstration programs.

You should indicate your support for doe's clean coal technology program and indicate that you believe it holds the key to producing

the kind of clean and efficient technologies we need. For example, the program has contributed to the production of combined-cycle coal gasification turbine systems that are at least 10 per cent more efficient than older coal technologies. In addition, these technologies produce emissions of nitrous oxides and sulphur dioxide - the main cause of acid rain -- that are 90 percent less than conventional technologies. Another example is fluidized bed coal combustors -- these also reduce acid rain emissions and are much more efficient. If anything, we need to step up our efforts to replace older and ineffecient technologies with these newer technologies, and in fact I have recommended several proposals by TVA and other Tennessee companies to participate in DOE's project.

With regard to coal-derived transportation fuels, I believe that, if we analyze their efficiency and the impacts they have on the environment on a full fuel cycle basis -- that is, including all of the externalities that are involved with production, distribution, and use of these fuels, they also could outperform petroleum. Production of these fuels is, however, very costly and energy intensive, so I think some careful analysis is needed before we launch a major effort in this regard.

October 4, 1991

To the Editor:

I would like to set the record straight on the recently released report on adaptation to greenhouse warming. First, it is a "sub-report" -- one part of an overall study, "Policy Implications of Greenhouse Warming," that the National Academy of Sciences released in April. Second, the report is critically flawed -- so much so, in fact, that the overall panel ultimately rejected its conclusions.

Contrary to the adaptation panel's "don't worry, be happy" message, the Academy's full body of scientists, economists, and business leaders concluded that even if people can adapt, that "does not mean that the best policy is to wait for greenhouse warming to occur and let them adapt." Rather, the full panel advised that we should act -- and act now: "greenhouse warming poses a potential threat sufficient to merit prompt responses."

A quick examination of the assumptions made by the adaptation panel makes clear why its voice was muted in the final report. In the opening pages, the panel admits that it was "unable to evaluate" the likelihood of abrupt, harmful changes due to greenhouse warming, and, "while recognizing their potential for significant impacts, we have not analyzed their impacts or adaptations to them." But, as 700 scientists from around the world reported at the Second World Climate Conference, greenhouse warming -- the supposed subject of the panel's analysis -- is a phenomenon that threatens disruptions in our lifetimes greater than any experienced in the past 10,000 years!

Dramatic change -- no matter how cumbersome or inconvenient to evaluate -- simply cannot be ignored. The adaptation panel's conclusions are therefore of little relevance to the subject at hand, and the overall panel was correct in undercutting them.

The panel also admits that it is focusing singularly on "the direct effects of greenhouse gases and climate change"; no attempt is made "to assess all the numerous environmental changes that will be taking place simultaneously, including loss of habitat, destruction of the ozone layer, and marine pollution, to name a few." But the fact of the matter is that we are -- right now -- facing all of these environmental crises.

While conducting our uncontrolled experiment on the planet's climate, we are also slashing and burning the world's forests at an astonishing rate -- 1.5 acres per second -- driving thousands of species to extinction, and exposing the life that does remain to an increasingly intense and enduring dose of

ultraviolet radiation. The bottom line, therefore, is that the earth the panel assumes in its study bears little resemblance to the one we currently inhabit, and we are, consequently, little justified in taking comfort in the panel's rosey assessments.

At the very least, these openly acknowledged shortcomings should have tempered the panel's tone. They did not. Instead, having duly listed their simplistic assumptions in the early pages of the report, the panel forgets its limitations and proceeds to pronouncements that are, in my opinion, irresponsible. I wonder, for example, if the additional hundreds of thousands of people in the United States who will suffer skin cancer in the next several decades because of ozone depletion would agree with the panel that "the evident speed of innovation and replacement allows us to wait in most cases until we see the whites of the enemies' eyes"? Or if our farming communities that are facing disasterous drought conditions would agree that "farming is continually adapted to cope with, even exploit, climate and its stresses and fickleness"?

The answers are self-evident; the panel's hubristic notions to the contrary are unfounded.

Council on Competitiveness

* Back door for industry to fight environmental regulations that have been promulgated through experts at EPA.

* Members of the Council:

- Dan Quayle
- Nicholas Brady
- (formerly) Dick Thornburgh
- Robert Mosbacher
- Richard Darman
- Michael Boskin
- John Sunun

*****NOTE THAT DELAND/REILLY ARE NOT MEMBERS

* Examples of deviltries:

--blocked an EPA rule that would have prohibited the incineration of LEAD BATTERIES. Incineration of batteries is a massive source of airborne lead; lead is a major threat to childrens' health. No written analysis supported the Council's decision to bar the EPA action.

--blocked EPA requirement that municipalities recycle 25% of their waste before building new incinerators. EPA's proposed rule supported by extensive analysis -- including cost/benefit analyses; Council's action had no support.

--tried to block EPA's proposed requirement that the Navajo Generating Station near the Grand Canyon reduce emissions of sulfur dioxide by 90% -- insisted instead that only 70% reduction necessary.

--completely revised EPA's proposed rules on issuing permits under the new Clean Air Act. With the Council's revisions, an industry will be able automatically to increase its emissions if, after 7 days, a state does not respond to the industry's notice that it unilaterally has decided to increase emissions. citizen and judicial input are precluded.

--BIOTECHNOLOGY: blocked proposed epa regs on envtl uses of genetically engineered microorgs over the objections of both environmentalists and business community. business resorted to meeting with boyden gray to ask him to exercise veto over the Council. Gray has intervened; no final decision made.

NOTE WELL: on biotech example as well as clean air act, what the council has done may not be in the best interest of the business community. business wanted the clarification the epa biotech rules

offered; and on clean air, several states have indicated that they now will automatically deny all requests for emission increase permits so that the 7-day window does not pass without them being able to respond to a particular request. THE POINT IS THAT THIS GROUP IS AN OBSTRUCTIONIST MENACE THAT OPERATES ON LITTLE OR NO ANALYSIS.

September 22, 1991

Randy---

As we discussed, here is information on the Formerly Utilized Sites Remedial Action Program and proposed language that we would be interested in seeing included in the Committee's Report. (Note that the FUSRAP fund is included in the Energy and Water Appropriations legislation (49 million for FY'92)). I've also included some background information on the sites in question -- basically, they were junk yards that the Department of Energy contracted with to dispose of nuclear and toxic chemical-contaminated materials generated in the course of the Oak Ridge nuclear weapons production operations.

Please let me know if further information would be useful.
Thanks for taking the time to look this over.

June 18, 1991

Honorable J. Bennett Johnston
136 Hart Senate Office Building
Washington, DC 20510

Dear Bennett:

We are writing to express in the strongest possible terms our opposition to provisions in the proposed amendments to the Nuclear Waste Policy Act (NWPA) that would allow development of a temporary storage site for high level nuclear waste before a permanent site is identified and developed. The link established in the Nuclear Waste Policy Act -- which would be broken by these proposed amendments -- between the development of a monitored retrievable storage facility for high level nuclear waste and the development of a permanent repository for that waste must be maintained. While we recognize the importance of identifying safe treatment facilities for nuclear waste, we believe that breaking this connection will hinder, rather than advance that objective.

Throughout the long history of attempts to develop a centralized storage facility, persistent concerns have been raised that if a temporary facility were identified, efforts to develop a safe, permanent storage site would be delayed. Indeed, the Atomic Energy Commission's proposed retrievable surface storage facility, when exposed to public review through the environmental impact assessment process, was soundly rejected precisely on these grounds. And it was because this danger is so grave that we acted in 1987 to amend the NWPA. We are aware of no evidence indicating our judgment was wrong.

Should floor action be scheduled on this bill, we will ask our colleagues to join us in opposition. We are committed to ensuring that this nation leads the way toward a permanent solution to the buildup of nuclear waste. Stop-gap measures will only divert resources that could otherwise be dedicated to that purpose.

Sincerely,

Jim Sasser

Albert Gore, Jr.

CFC AMENDMENTS

I. **HCFC's**---Requires a cap on production levels at 2014 levels in 2015 and a phaseout of servicing uses by 2030.

COMMITTEE BILL: Requires a **FEASIBILITY STUDY** of capping production levels at 2014 levels in 2015 and phasing out servicing uses by 2030.

II. **PROCUREMENT POLICIES**----Requires GSA to ensure that chemicals that are procured as an alternative to CFC's ensure "MAXIMUM ENVIRONMENTAL BENEFIT." **DOD is not affected.

COMMITTEE BILL----Recognizes need to use safe alternatives, but only requires EPA to **STUDY** procurement policies and **RECOMMEND** changes.

EXAMPLE OF NEED FOR SAFE ALTS POLICY: In 1978, when the United States banned CFC propelled aerosol cans, many industries switched to hydrocarbon propelled aerosols. The South Coast Air Quality Management Board has now identified hydrocarbon propelled aerosol use as a major source of smog recently proposed a ban on hydrocarbon propelled aerosols.

III. **CONTROL OF TRADE**---Requires the President to promulgate regulations **EFFECTIVE IMMEDIATELY** to place controls on export of CFC producing equipment and investment in overseas facilities that produce ozone-depleting chemicals.

COMMITTEE BILL---Same, except regulations controlling export will not go into effect for one year.

IV. **PREEMPTION**---Strikes provision preempting state authority to regulate ozone-depleters.

COMMITTEE BILL---Preempts state authority to regulate ozone-depleting chemicals (but allows states to apply to EPA for a waiver from preemption).

May 20, 1991

Honorable Joseph Biden
United States Senate
Washington, D.C. 20510

Dear Joe:

I've asked my staff to research your question on ocean temperatures. You had asked whether the oceans were cooling. The answer is that they are not; both the Northern and the Southern Hemisphere oceans are warming.

There is room for confusion here: while the oceans overall are warming, the Indian Ocean and a very narrow band around the equator do show downward trends in temperature during the 1980's. (Note that this trend may be changing. The Indian ocean has reached record warm temperatures recently, and many scientists suspect that the elevated temperatures touched off the severe storm systems Bangladesh has suffered.) Moreover, while the Southern Ocean is warming, the rate of temperature increase has not been as rapid as in the Northern Hemisphere.

These results are derived from satellite data. Importantly, they have very recently been checked against -- and found to be strongly correlated with -- buoy sea surface temperature data. In addition, the results are in agreement with the predictions made by climate modelers of the likely effects of greenhouse warming.

It may also interest you to know that sea levels have risen over the last century by some 10-24 cm, and that scientists have determined that the rise is due, at least in part, to the observed warming trend. On a yearly basis, a globally averaged rise of 2.4 mm has been detected. At a hearing I had two weeks ago, scientists testified that land-based ice sheets and mountain glaciers have been diminishing and possibly are also contributing to sea level rise.

If you would like further information on the temperature trends, Alan Strong (301-267-3561) is NOAA's expert. I enclose his two most recent papers for your information.

Best Regards,

Additional Questions of Senator Al Gore

Armed Services Hearing on Department of Energy Clean-up and
Restoration of Weapons and Multi-Purpose Facilities
May 22, 1991

1. A "Federal Facilities" agreement is currently being negotiated by the State of Tennessee, the Environmental Protection Agency, and the Department of Energy.

o When do you expect the agreement to be ready for signature?

o Have particular problems slowed progress on the agreement?
If so, please identify and discuss each of those problems.

o Under the terms of this agreement, will the EPA and/or the State of Tennessee have the right to impose penalties on the Department of Energy when terms of the agreement are violated? If such penalty provisions of the agreement exist, do they preclude any other legal actions or remedies available to the parties under federal or state environmental law? Please explain DOE's position on stipulated penalties in federal facility agreements.

2. A "Health Studies" agreement is also being negotiated by the Department and the State of Tennessee.

o Section 1.2.4 of the draft agreement provides that "no provision [of the Agreement] shall be interpreted to require the obligation or payment of funds in violation of the Anti-Deficiency Act, 31 U.S.C. 1341," and allows for an adjustment of the "the dates that require the payment or obligation of such funds" if appropriated funds are not available to fulfill DOE's obligations under the agreement. In light of these stipulations, why has the Department argued that additional language specifying that DOE's obligations are "subject to the availability of funding" must be added to individual provisions of the agreement?

o In the Department's estimation, who should control public release of the data collected under the Agreement? What method can be found to allow the Health Study Agreement to go forward without damaging the independence and credibility of the Steering Committee that will control the study?

3. High levels of radioactivity have been detected in White Oak Creek.

o When did the Department first learn that the sediments in White Oak Creek were exposed to erosive forces which would possibly

carry radioactively contaminated materials into the Clinch River? When were the earliest tests of the radioactivity in White Oak Creek sediments? What subsequent tests were conducted? Please supply all test records and separately list all test dates and results.

- o Are the high levels of radioactivity in White Oak Creek sediments associated with a temporary draining of White Oak Lake during the 1950s or 1960s? If so, who was directly responsible for the project that released the contamination and what was the justification at that time for the release?

- o Compare the level of radioactivity of sediments which are subject to release through erosion and transport via White Oak Creek into Clinch River with levels of radioactivity which are permissible for release into the environment under Nuclear Regulatory Commission rules and regulations?

- o What measures has the Department taken to contain contaminated materials? With whom did the Department consult before taking action? Does the Department feel that the measures it has taken will effectively contain the contaminated materials under all reasonably possible weather conditions? If not, what additional actions will the Department take and how quickly will it take them?

- o Given the current situation and given reasonably possible severe storm event conditions, what volume of contaminated sediment and water would be released to the Clinch River? In one storm event? Expected annually?

- o Please estimate the total nuclear activity in curies that would be released to the Clinch River via White Oak Creek in a reasonably possible storm event. Expected annually? How would these volumes of contaminated material and amounts of activity released change with planned containment?

- o Please supply all engineering analyses and other supporting technical documents that support the measures the Department has taken thus far, and plans to take, to contain contaminated materials in White Oak Creek.

I. Questions for Bromley
Hearing on National Academy Global Warming Study

1. The National Academy identifies measures that, when implemented, can reduce emissions by 10 to 40 percent of 1990 emissions, and in fact, if we consider that cfc's will be phased out by 2000, the Academy's recommendations would achieve even greater emissions reductions.

Q: What level of reductions will the Administration's policies achieve?

He will say a 25% reduction from 1990 levels.

a. The main point to be made here is that the Administration's figures, unlike the Academy's, are highly questionable:

You should note here also that, even on the CFC front we lag behind other countries and that, had it not been for the resistance of the US, Japan, and the USSR, the Montreal Protocol Parties would have further accelerated the phaseout schedule in London last year, as the new ozone data we have just received shows clearly is the necessary course.

You should also note that, if other countries counted their obligatory reductions in CFC emissions toward their global warming commitments, some (for example, Germany) could commit to reductions on the order of 40%.

b. Bromley may qualify that the reductions will kick in after 2010. A graph in the National Energy Strategy shows some reductions kicking in after the year 2020. The important point then is to show that, while the Academy figures are based on very realistic achievements that can be met with currently existing technology, the Administration's projections are made out of whole cloth:

1. They are in part based on "improved energy efficiency ... in the transportation sector". Yet, the Administration not only fails to call for enhanced CAFE standards in the energy strategy, it opens a potentially huge loophole in the current CAFE law that could gut the law. Specifically, the Administration would lift the current cap on credits that can be earned against efficiency requirements for the manufacture of flexibly fueled cars without concomitantly requiring that the automobile in fact be operated on an alternative fuel.

In addition, the disingenuousness of this assertion is admitted by the administration -- buried deep in the appendices of the National Energy Strategy: In appendix C, on p. c-15: "Without large increases in fuel prices or government conservations policies (neither of which are called for in the

strategy), highway fleet efficiencies rise only slowly ... Average onroad passenger vehicle efficiency is expected to rise from about 19 mpg today to 21.3 mpg in 2010 and only 23.2 mpg by 2030."

2. They are based on "greater use ... of nuclear power". In fact, the Administration's projections are based on the assumption that an additional "195 large plants" (p. c-24) will be on-line in the year 2030!! (They admit that baseline projections estimate that only 6 such facilities will be on-line at that time). Given that not a single new nuclear energy plant has been ordered in this country since 1978, how honest (realistic) are your projections? ***He may counter here that they do not expect 195 NEW nucs by 2030. If he pursues this angle, you should ask about their assumptions concerning the lifetime of EXISTING plants. An extensive dig through their background documents for the NES shows that they are assuming that the plants will last for 60 years---again, completely unrealistic.

3. They are based on presumptions that just by "encouraging" efficiency -- ex. through labelling programs -- we will in fact achieve efficiency and, therefore, reductions. At least a bit of wishful thinking...

IN FACT, IT IS NOT LIKELY THAT THE ADMINISTRATION WILL ACHIEVE THE REDUCTIONS THEY CLAIM, ISN'T THAT RIGHT, DR. BROMLEY?

2. Dr. Bromley, the Academy recommends several policy measures that should be taken now. The Academy says that "substantial mitigation can be accomplished at modest cost," and in short, that "insurance is cheap." Their policy recommendations include the following: (A1, you should go through them and ask whether the Administration is doing these things).

--ADOPTING NATIONWIDE ENERGY-EFFICIENT BUILDING CODES. [He will answer that the admin is doing this]. Your Response is two-fold: (1) the national energy strategy says that the administration will assist state and local governments in this regard -- however, we know that the President proposed to zero-out state conservation programs in his budget submission, (2) the national energy strategy says that all new bldgs subsidized by federal funds or federally insured mortgages will be required to meet the standards set by major national organizations. This is a welcome provision. However, the affected buildings are only a fraction of the market for residential and commercial buildings. In not extending the requirements to all new buildings, we are missing a significant opportunity. According to OTA, if all new buildings were required to be energy efficient, CO2 emissions would be cut by 3.5% to 6% and we could save as much as \$53 billion per year -- more than twice the cost of the new Clean Air Act.

--IMPROVE THE EFFICIENCY OF U.S. AUTOMOTIVE FLEET THROUGH THE USE OF AN APPROPRIATE COMBINATION OF REGULATION AND TAX INCENTIVES. See above discussion of CAFE. Also note here that he will not be able to get out of this by saying the Admin is supporting automotive R&D--the Academy specifically called for regulation and taxation.

--STRENGTHEN FEDERAL AND STATE SUPPORT OF MASS TRANSIT. In fact, the President's highway trust fund proposal all but ignores mass transit.

--IMPROVE APPLIANCE EFFICIENCY STANDARDS. In fact, the Department of Energy is stripped of its authority to set new standards for lighting and for commercial equipment. Again, a tremendous opportunity missed. With efficient lights alone, we could cut nationwide CO2 emissions 3% to 5%. And the Administration's proposal to label lights as to their efficiency is another disingenuous gesture. Of course, most lights are already so labelled, and I have to question the Administration's suggestion that simply writing current practice into law will effectively induce consumers to purchase efficient lights. To the extent that increased use of efficient lights also figures into the Administration's emissions reduction calculus, I think we again have grounds for suspicion.

--ENCOURAGE RECYCLING AND USE FEDERAL PROCUREMENT TO PROMOTE BEST PRACTICES. In fact, the Administration was alone in expressing opposition to recycling legislation that I introduced that requires the Federal government to procure recycled commodities. All others -- including industry and environmental groups -- were supportive of the measure. In light of the Academy's suggestion Dr. Bromley, can I now count on the Administration's support?

--ENCOURAGE LEAST COST PLANNING BY UTILITIES. He will say Administration will do this under the National Energy Strategy. However, the Administration has proposed to do two things in this regard and both are highly suspicious: (1) Increased assistance to State utilities -- but we know that the President's budget zeroes out state conservation programs at the Department of Energy, and (2) Provide tax-free treatment of utility bill DISCOUNTS that electricity consumers receive for their investments in energy efficiency -- The trick here is that utilities rarely use DISCOUNTS (this would be administratively very difficult). Rather, utilities give either install the equipment for their customers or give their customers REBATES. And in fact, it probably would be counter-productive to give discounts -- to the extent a utility bill is discounted, a consumer may be encouraged to use more energy. In effect, therefore, this provision will provide little conservation incentive.

--SHARPLY INCREASE EFFICIENCY R&D BUDGET-- Administration does increase the budget by some 34%. But this still

leaves conservation and renewables as DOE's second-to-lowest and lowest priorities. We still do not have the level of commitment we need. MOREOVER, the investments we do make will be of little use if the Administration persists in its opposition to "industrial policy". Significant new r&d developments are likely to go the way of solar and wind power. We are now net importers of those technologies, despite the funds we dedicated to their development.

3. The Academy says that, in the international arena, the United States, "as the largest source of current greenhouse emissions, ... should exercise leadership in addressing responses to greenhouse warming."

Q: Has the United States exhibited that kind of leadership, Dr. Bromley?

In fact, the United States has been the major obstacle to progress on international commitments to take action on global warming. Currently, over 20 countries have committed to reducing their CO2 emissions. The US however has refused. Administration figures show CO2 emissions actually increasing by 15% by 2000 and 25% by 2010. And OTA predicts that CO2 emissions could increase by as much as 50% by 2015.

**If Bromley comes back with the Administration line that targets and timetables are meaningless -- real action is what counts -- your response should be two-fold:

a. [If it is true that targets and timetables are meaningless, then so is the President's new Executive Order on Federal Energy Management]

Q: So you're saying that targets and timetables -- by themselves are not likely to get the job done? [yes] Are you familiar with the President's new Executive Order on Federal Energy Management? Let me remind you of it. It provides that "Each agency shall [reduce energy use] by 20 percent from 1985 levels" in the year 2000, and shall achieve a 10 percent reduction in motor vehicle petroleum use from 1991 levels by 1995."

Does that sound like "targets and timetables, Dr. Bromley?" Is the Order meaningless?

Actually, Dr. Bromley, I might agree with you that this Order is meaningless. Not because it sets out worthy goals, but because as we know, funds are not made available to execute the Order.

b. The "actions speak louder than targets and timetables" critique of other country's actions is also no longer

valid. Many countries are in fact taking action to achieve their commitments:

-- Germany: On January 9 of this year, Germany's ruling political parties agreed to enact a carbon tax at some point this year. Moreover, if it is legitimate to include actions on CFC's in the accounting as the Administration is insisting, Germany will also phaseout CFC's, carbon tetrachloride, and methyl chloroform by 1995, and HCFC-22 by 2000.

--Netherlands: New energy efficiency standards; a CO2 tax has been imposed and funds are being used for conservation initiatives.

--Norway: Gas tax increase of 8-9% last year; fuel oil tax increase of 48%; carbon tax on offshore oil and gas production.

--Sweden: Carbon tax of \$11/ton; 23% tax on gasoline.

--Australia: Least cost planning required; imposed vehicle registration taxes based on vehicle efficiency.

--Denmark: CO2 and SO2 taxes; strengthened building and insulation codes.

--Switzerland: Carbon tax.

3. The Academy says that "the United States should undertake not only several actions that satisfy multiple goals but also several whose costs are justified mainly by countering or adapting to greenhouse warming."

Q: What is the Administration's position on this recommendation? In fact, the Administration is diametrically opposed to this idea, isn't that right, Dr. Bromley. In fact, you have testified before me in this very room on numerous occasions that the Administration will not take actions solely to combat global warming. "Other justifications" are an essential prerequisite to Administration action. What information does the Administration have -- or does Mr. Sununu have in his laptop -- that the Academy scientists are lacking?

4. [Al --- we need to talk about this before you ask it]. The Academy says that "We need to know more about the social and economic processes generating greenhouse gas emissions and about the costs of mitigating these emissions, especially in the energy sector. We need reviews and assessments of policy options to slow climate change, and

improvements in the data base for understanding economic and environmental trends relating to global change."

A working group has been set up under the Committee on Earth and Environmental Sciences to look at just these issues -- the Mitigation and Adaptation Research Strategies working group. Isn't that right, Dr. Bromley. [Yes]. Good. I have heard several disturbing reports that OMB was threatening to withhold funding for that working group. Have you heard anything to that effect?. [No]. Good. Just thought I'd check to make certain that that was just a viscious and unfounded rumor. Let's keep in touch on the progress of this anyway -- just in case.

II. QUESTIONS FOR NITZE:

1. If the Congress implements the policy measures recommended by the Academy, will that be good for US businesses?

[Al, it is important to get on the record that efficiency and implementation of new technologies is GOOD for business].

2. In your opinion, has the Administration exhibited the kind of international leadership on global change issues that the Academy suggests?

III. QUESTIONS FOR EVANS/PRESS

1. A piece by Peter Passell in the New York Times yesterday stated: "The academy's synthesis can be summed up briefly as concluding that human adaptation to warmer weather will likely be relatively painless". Is that an accurate assessment? [The academy has some DUMB statements to the effect that the US, because of our financial resources and many different climatic regions, may undergo no more hardship than resulted from the Dust Bowl. Jessica Matthews wrote separately expressing strong disagreement with this statement. HOWEVER, the Academy did NOT say the impact on HUMANS might be so tolerable. In fact, it asserted that on poorer and smaller countries, the impact could be much harsher.]

React to Oak Ridge Epidemiological Study

I am extremely troubled by the results of the epidemiological study released today. As the Department of Energy pursues this matter aggressively and the Department of Health and Human Services launches a comprehensive investigation to identify the root of the problem, I will do all in my power to ensure that these studies are conducted as thoroughly and as expeditiously as possible.

But, while the studies are being conducted, there are important actions that can -- and must -- be taken now. The Department of Energy should immediately investigate worker exposure to radiation and carcinogenic chemicals at Oak Ridge and ensure that all health and safety standards are, in fact, being strictly enforced at the lab. Because the study focuses on 1943 to 1972 it is quite possible that any potentially dangerous exposures have been eliminated by tougher regulations enacted since that time. I intend to make it my first priority to ensure that the well-being of Oak Ridge employees is vigorously protected.

To: Al
From: Katie
Re: ACID RAIN AND THE NAPAP STUDY
Date: 1-5-91

CBS aired a story on its "60 MINUTES" broadcast concerning the acid rain controls contained in the new Clean Air Legislation and the conclusions of the National Acid Precipitation Assessment Program. The import of the story was that the controls mandated in the Clean Air Law are not justified by the damage done by acid rain and further, that the NAPAP report proves that the law is excessive. This assessment misrepresents the full conclusions -- as well as the questions left open in the report. Moreover, statements made by Dr. Mahoney, the director of NAPAP, prior to and during congressional deliberation on Clean Air argue to the contrary.

60 Minutes emphasized the fact that, contrary to the claims of some, NAPAP concluded that acid rain does not portend an imminent ecological catastrophe. True enough, but 60 Minutes neglected to mention that the report also discredited those on the opposite extreme who would assert that acid rain is benign. (True-to-form for a scientific report, it simply was very cautious in its conclusions.)

With regard to LAKES AND STREAMS, 60 Minutes emphasized that NAPAP found that fewer are chronically acidic than originally feared, and for those that are acidic, the condition may be attributable more to naturally low buffering capacity of the soil and streambed than to the unnaturally high acid level due to acid precipitation. This may be true, but other effects -- in addition to the killing of acid-intolerant aquatic life -- must also be taken into account. NAPAP did not -- nor could it -- estimate the implications for the ECOSYSTEM of which the lake or stream is a part. (In Mahoney's own words, (presentation of NAPAP results, Natn'l Academy of Sciences, Sept 5, 1990) "Ecosystem effects of acidic deposition are highly complex and interdependent, and most scientific findings in this field have unavoidable uncertainty.") We therefore simply do not know how many other species were killed/driven to other habitats due to the loss of these links in the food chain. The overall ecological perturbations could be quite profound. Moreover, it should also be kept in mind that NAPAP found (although only in isolated instances) that HUMAN HEALTH is threatened by aquatic acidification as lead levels in drinking water, and methylmercury levels in fish are elevated as water becomes more acidic. And finally, as the NAPAP report also recognizes, even those lakes and streams with natural buffering capacity (and therefore currently not chronically acidic) are not forever immune -- the natural buffers are not in inexhaustible supply.

With regard to FORESTS AND CROPS, the damage done by acid rain is downplayed because NAPAP only directly identified high altitude red spruce as victims. Other tree die-offs were attributed to tropospheric ozone. Problems with this: first, as NAPAP recognized but did not figure into its analysis, sulfates and nitrates are ozone precursors (therefore, even if in acidic form these substances aren't bumping off forests and crops, their regulation is justified because they are essential ingredients for something (tropospheric ozone) that is lethal). Second, acid rain increases leaching rates of important soil nutrients (calcium and magnesium), and therefore (again indirectly) is a threat to plant life. Third --ecosystem implications -- climatic perturbations due to the loss of tree and crop life have not been accounted for, nor has the loss of habitat for tree-dwelling species been taken into account. (Finally, you should keep in mind your own personal interest in this -- vast stretches of red spruce stands in the Smokies have been among the hardest hit while the fog that gives the Smokies their name has been measured at pH levels 1,000 times more acidic than normal rain.)

With regard to HUMAN HEALTH effects, the conclusions of the study are easily misrepresented by incomplete citation: The study found that "The great majority of the population in the United States resides in regions where the ambient standards for SO₂ and nitrogen oxides are being attained." (NAS speech, p.11; NAPAP assessment highlights report, sept. 1990, p. 9). For those who want to downplay the hazards of acid rain, that finding is easily cited to show that, even if in theory a health problem is posed, in fact levels of SO₂ are not high enough to induce adverse effects. What may not be pointed out, however, is that the study also found that, when SO₂ and NO_x react in the air to form aerosols, a threat to human health is posed even if ambient air quality standards are being met. As Mahoney has pointed out: "A growing body of data raises concerns that acidic aerosols, composed primarily of ammonium bisulfate, sulfuric acid and nitric acid, acting alone or in concert with other pollutants, may be contributing to health effects in exposed populations at current concentration levels." (NAS speech, p. 11; assessment highlights, p.9). Moreover, it must again be kept in mind that SO_x and NO_x are ozone precursors. Ambient air quality standards for ozone are currently not being met in over 80 cities (despite 20 years of Clean Air), and the adverse health effects of ozone are well documented. Finally, what about the impact on animal life? I can't imagine that acid precipitation can be any good for the respiratory health of birds, for example, and there is evidence that acid rain is directly related to declining duck and frog populations because the acidity weakens egg shells.

With regard to BUILDINGS AND MATERIALS, the study is unequivocal in its conclusion that "Air pollution and acidic deposition contribute to the corrosion of metals and deterioration of stone in buildings,

statues, and other cultural resources." (assessment highlights, p.7). That the investigators could not put a dollar sign on the damage done is neither surprising (things of aesthetic or historical importance are never easily valuated); nor does it detract from the bottom line that -- if nothing is done -- materials will fail and perhaps even human life will be lost.

With regard to effects on VISIBILITY, the study is unequivocal in its finding that "Fine particles in the atmosphere containing sulfate, largely the result of man-made sources of sulfur dioxide, have been the major factor in the reduction of visibility in rural and urban areas in the eastern United States since the beginning of the century." (assessment highlights, p.8). And the impact has not been trivial -- "Sulfate particles are estimated to account for 55-60% of the visibility reduction in the East compared to natural background." (assessment highlights, p.8) -- and not limited to the East -- "Sulfates are also important in the West ...". (NAS speech, p.10). I suppose reasonable minds can differ about how much the "spacious skies" and "purple mountains majesty" we hail in song are worth. (To me anyway there is no better elixer; I am quite certain that my mental and physical well-being would be much (further?!) impaired without the opportunity to take in expansive mountain vistas). Again, I also wonder what the impact of such dramatic decreases in visibility is on bird kills by airplanes, etc.

Finally, if Dr. Mahoney now wants to criticize the Clean Air Act, he would do well to remember some of his earlier statements:

"Compared to no new controls, a 10-million ton SO₂ emission reduction below 1980 levels would lead to the chemical recovery of some acidic Adirondack lakes, and would prevent further acidification in the Adirondacks and Mid-Atlantic Highlands. Other benefits of reduced stress on high elevation red spruce, reduced deposition impacts on exposed materials, reduced risk of health effects associated with acidic aerosols, and improved visibility in the East on some days would also result....Delaying the schedule for controls would delay the benefits anticipated for visibility, aquatic resources and cultural resources, and would delay reducing health risks associated with acidic aerosols, and reducing stress on high elevation red spruce." (NAS speech, pp 13-14).

Remarks of U.S. Senator Al Gore
to the
Tennessee Solid Waste Disposal Control Board
hearing on the listing of
David Witherspoon, Inc.
December 4, 1990

Distinguished Control Board Members:

I would like to join all those who have expressed concern over the Witherspoon sites and have urged the State to list the Witherspoon property on the State Superfund list. Having visited the site, and having talked to the residents of South Knoxville, I am convinced that more needs to be done to protect human health and safety in the area and to prevent further damage to the environment.

On my request, the U.S. Environmental Protection Agency inspected the Witherspoon property in June. The results of their investigation were not encouraging. Finding hundreds of drums of soil contaminated with radioactive waste and PCB's, and scrap equipment caked with a yellow material -- presumably radioactive isotopes of uranium -- EPA scientists measured radiation readings some 9000 counts per minute above normal background levels at the site.

To date, EPA's response to this situation has, in my opinion, been inadequate, and I have recently written to Administrator Reilly to urge him to take action. I have also urged the Department of Energy to cooperate in cleaning up Witherspoon and to take responsibility for the safe disposal of the hazardous materials that it generated and disposed of at the site. You can be sure that I will continue to do all in my power to see that the Federal government fulfills its responsibilities in addressing this situation.

But the State also has a vital role to play. Already successful in bringing Mr. Witherspoon to begin clean up activities, the continued active involvement of the State will be critical in ensuring that the hazardous and toxic chemicals that contaminate the property are removed as quickly as possible. I respectfully ask the Board to list Witherspoon, Inc. as a State Superfund site. Together, we can ensure that the citizens of South Knoxville will enjoy a safe and healthy environment.

Thank you very much for your consideration of my comments.

Sincerely

Albert Gore, Jr.
United States Senator

core on WITHERSPOON

To fill you in on the results of calls I've made today...

I spoke to Chris Adler in the State Superfund Office. He updated me on the current status of each of the sites. All three sites are on the state "masterlist", the stage immediately preliminary to being listed on the State Superfund list. Adler expects that the sites will become state superfund sites after they are "presented" to the State Solid Waste Control Board in October. In order to be so listed, the sites must meet 3 criteria ---

1. inactive
2. hazardous subs are present
3. anticipate that a threat to health and the environment will be presented.

Adler says these criteria are met. If the sites are not so listed, the State will no longer conduct the characterization studies it is now undertaking -- it will all be up to Witherspoon.

All three sites are also being analyzed for possible listing on the Federal Superfund Priority list. EPA has contracted with the state to conduct the studies that are required. Adler believes the sites will not receive NPL listing primarily because only very few people rely on the ground water (very few use their own wells) and because even if contaminants are running into Goose Creek and from there into Fort Loudon lake, the population potentially affected is not large enough to warrant listing.

Second call...

Spoke to Tim Wurz (State Atty Gen'l). The state has filed a lawsuit against Witherspoon and has rec'd his answer. To the injunction count, Witherspoon answered that he can not comply because there simply is no place for him to put the wastes (although the Texas firm, NSSI, claims to have the relevant permits, there has been no verification that that is true and all parties suspect that it is not). To the civil penalty count, Witherspoon answered that the original order said that he could deduct the remedial costs he incurs from the \$50,000 penalty and that he has already spent more than 50,000. (Wurz says even if this is true W may still be on the hook -- he didn't spend the \$\$ by the deadline specified in the original order (1987)).

GAMEPLAN:

It seems to me that we should stick to our guns in having DOE remove the barrels as an initial matter. To the extent that the State indicates that the contamination is not confined to the drums, we'll have to jump one hurdle at a time.

As you know, DOE's position on removal has been that they would need:

1. and agrmt that removal is not an admission of liability
2. a waiver from EPA's regs that might classify them as a commercial handler of PCB's.

As to the first point, that will have to be left in DOE's hands -- they shld draft the language and let others review. Tim Wurz reiterated the position I have heard from the state before that they would have no objection to such an agrmt.

As to the second point, I have to get back in touch with Mike Walker in EPA's Division of Enforcement. When I last spoke to him, he thought there would be no problem, but we'll have to see. He'll be back in on Mon, Aug 27.

If DOE should raise still a third problem and say that the wastes aren't adequately characterized for them to take them, I think this burden will have to be put on Witherspoon. He shld be willing to comply -- he has a lawsuit on his hands that will force him to clean up, and I'm pretty sure that having DOE take the wastes will be a least cost alternative.

At this point I think it would be a good idea if we tried to schedule the meeting for the week of Tues, Sept 4th (Mon is labor day). This is a good week 'cause Mike Walker will be back, and (maybe) I'd be able to get down there, too. If you cld start trying to arrange the mtg that would be great. The people you need to speak to are:

1. DOE -- Bob Sleeman (Oak Ridge Envt'l Restoration Division -- he's in the Federal Office Bldg in Oak Ridge, but I can't find his #!!) Bob knows me and is familiar w/ the situation.

2. EPA -- Marilyn Allen (404-347-3004). Marilyn is supposed to be finding out for me who the appropriate EPA reps are and also get for me EPA's written assessment of the site (that they conducted at our request). She is very nice, but you will have to keep on her....

-- Mike Walker (202-475-8697), Division of Enforcement. Hopefully he will have good news -- namely, that he has a draft of DOE's waiver ready to go. If EPA can't come through with the waiver, that will be a major snafu -- just the out DOE will be looking for. If

3. State -- Ken Dunting (615-741-6610) head of Land And Air --
I haven't spoken to him, but he's the boss; also talk to Dan Hawkins
(615 - 594-6466 -- state superfund

October 3, 1990

William K. Reilly
Administrator, Environmental
Protection Agency
401 M Street, SW
Washington, D.C. 20460

Dear Bill:

I am increasingly concerned that inadequate attention is being given to the matter of the David Witherspoon, Inc. property in Knoxville, Tennessee. Although I certainly appreciate the many demands on your time and resources, I feel quite strongly that more must be done in order to ensure the health and safety of the residents of South Knoxville and to prevent further damage to the environment.

At my request representatives of your Region IV office, accompanied by my staff and several representatives of the State of Tennessee, visited the site on June 29, 1990. As you know, some 232 drums of soil contaminated with radioactive wastes and polychlorinated biphenyls are located at the Witherspoon facility. It is my understanding that those who visited the site observed rust and corrosion on the lids and sides of these drums. Moreover, they report that a yellow material, presumably radioactive isotopes of uranium, is caked on scrap equipment at the site and flaked in the soil, and that gamma counter readings registered radiation levels that are some 9000 counts per minute above normal background at the site.

What measures is the Agency taking to remedy this situation? Despite the disquieting results of the initial visit, I understand that no follow up has been undertaken by your staff either to further assess the threat posed by the contaminants, or to plan remedial actions. On the basis of what evidence has the Agency decided to discontinue its investigation? Further, why has the Agency to date declined to invoke the authority entrusted to it under both the Resource Conservation and Recovery Act and the Superfund Act to bring enforcement actions against those responsible for the wastes?

I am sensitive to the fact that there are many complex issues that need to be addressed here, and that it may take quite some time before a plan of action for the Witherspoon facility can be finalized. However, this situation has festered far too long and I am convinced that it will only further deteriorate if it does not receive immediate attention. Consequently, I would appreciate hearing from

you on the questions I have posed at your earliest opportunity. In addition, it would be quite helpful to me to receive from your office a full description of the actions the Agency has taken to date and plans to take in the near future to protect the environment and to ensure the health and well-being of those living near the Witherspoon site.

I look forward to your response, and to working with you on this very pressing matter.

Sincerely,

Albert Gore, Jr.
United States Senator

Update on Oak Ridge Nuclear Contamination

Latest news is that DOE has found high levels of radioactive Cs-137 contamination in the top 2-4 inches of sediment in the White Oak Creek Embayment. Previous analyses in 1978 and 1984 indicated that the Cs-137 was buried 1-2 feet below the surface.

DOE feels that this is not an emergency situation and that a public advisory is not necessary.

DOE's response has been 2-fold: First, it is accelerating its sediment analysis activity in the area. Second, it is consulting with the Corps of Engineers to come up with a containment strategy. At this point likeliest plan is that Gadion structures will be installed. These structures (wire baskets containing rocks) will be used as a dam to: (1) prevent surges in water flow that are caused by the Melton Hill hydropower dam -- DOE thinks that the contamination that has been detected is stuff that was buried deep but that has been stirred up as a result of these surges; (2) prevent transport of sediment; (3) stop fish from migrating up-creek, becoming contaminated and heading back down stream to be caught and consumed.

This news is particularly disturbing because:

1. Although various evidence leads DOE to believe that this is old stuff that is being exposed due to erosion, it cannot be said with certainty that this is new stuff that is still flowing out of Oak Ridge.

2. Although the parts of the embayment where the very high levels of contamination have been detected are relatively deep, higher than comfortable levels have also been detected in areas of the embayment that are much more shallow and that become mud flats -- completely exposed to animals, water fowl, etc. when TVA draws the system down in mid to late October.

3. This calls DOE's whole assessment strategy into question. DOE had been operating on the assumption that upstream areas (i.e. areas adjacent to the labs) should be examined and remediated first (because the highest levels were expected nearest the source and because if down stream was remediated first, it cld become fouled again as upstream stuff is disturbed. Now it looks like downstream sites might not wait and that the previous gameplan re: downstream sites (i.e. just to keep a lid on things by stopping dredging) might not be enough.

4. The entire TVA system is a series of hydropower dams. We do not know if similar erosion has occurred throughout the system or is unique to Melton Hill.

RESPONSE -- IF ASKED or SHOULD WE MAKE A STMT ALONG THESE LINES:

This news is very disturbing but DOE is responding quickly. An emergency situation is not presented, but the need for an accelerated assessment of the entire reservoir is critical. In addition, TVA should be notified and brought in on this immediately -- any plans TVA has to draw water levels down in the near future (as normally does in the fall) must be reevaluated in light of this evidence and TVA must locate other water areas where water surges from other hydro dams may be disturbing contaminated sediment. ALSO -- THE STATE CURRENTLY TESTS DEER THAT ARE HUNTED FOR NUC CONTAMINATION BEFORE ALLOWS HUNTERS TO TAKE THEM. A SIMILAR PROGRAM FOR GEESE/DUCKS NOT IN PLACE ALTHO THERE IS ALOT OF EVIDENCE OF HOT FOWL. GEESE/DUCK SEASON STARTS NOV 23 -- SHOULD WE CALL FOR A TESTING PROGRAM IN LIGHT OF THE FACT THAT SUCH SHALLOW SEDIMENT IS HOT??

More news as I get it . . .

WITHERSPOON

The Witherspoon property is a private scrap metal junk yard in South Knoxville, Tennessee. The site is contaminated with nuclear and toxic (PCB) wastes. It's pretty clear that DOE is responsible for the nuclear stuff -- for years they sent scraps from Oak Ridge that were contaminated with uranium, thorium, etc. About 6 years ago, DOE hauled several hundred tons of the metal from the site although responsibility was never admitted.

We have been trying to get DOE to start cleaning up the rest of the mess. -- First and foremost, we want DOE to get rid of some 232 drums of soil contaminated with nuclear waste and PCB's that they left behind after taking the metal. Needless to say, DOE don't want to play. Because the wastes are "mixed" (nuclear and toxic), there is no facility in the US licensed to handle them. The safest place for them therefore is at Oak Ridge (where they can be stored along with the other 80,000 barrels of this type of junk Oak Ridge otherwise has to get rid of). Oak Ridge also will have an incinerator (the TSCA incinerator) on line in the near future that is permitted to handle mixed wastes.

People living in the area are extremely concerned about this mess -- the drums are leaking; the area is not adequately fenced off; the stuff is leaching into ground water; and stories of cancer deaths are becoming more widespread.

The bottom line is that DOE is responsible and will ultimately be proven so. We need to push them to stop hiding behind the lack of proof that they are responsible (which will take years and endless court battles) and start the clean up. STUDIES DONE BY BOTH THE STATE AND EPA INDICATE NO IMMINENT HEALTH RISK BUT THAT THE DRUMS SHOULD BE REMOVED IMMEDIATELY.

M E M O R A N D U M

DATE: July 19, 1990

TO: agj and concerned staff

FROM: leon

SUBJECT: the future of oak ridge

Trends are unfavorable for the Y-12 facility because of declining requirements for nuclear weapons production. ORNL is vigorous by comparison, but in my opinion is also potentially at risk. Even though ORNL is active in many fields, it is dominant in none. When there is plenty of money to go around, diversity is a strength; when there is little money, eventually funds go only to the strongest contenders in each area.

The future of Oak Ridge will largely be determined by the degree to which it can make the transition from its past, as an integral part of the weapons program, to the future, which by and large will have to do with the civilian economy and civilian science and technology. Oak Ridge has assets that can help it make this transition, but success will depend on a degree of pro-active behavior not characteristic of the management there (because [current management is] tightly reined in by DoE), and by close support from the congressional delegation, over a period of years, with far more collaboration than in the past.

I also believe that in certain respects, everyone concerned with the future of Oak Ridge has to learn to think bigger. Y-12 and ORNL do not think of each other as part of one another's prospects; with one notable exception, they are not active in building Tennessee's stake in their operations, and again with a notable exception, they have not visualized themselves as a regional asset for the southeast, and therefore have not conceived strategies designed to increase their leverage through the Congress.

AVLIS (atomic vapor laser isotope separation)

AVLIS is the big crapshoot for Oak Ridge's future. It means jobs and money in the local economy on a scale that dwarfs everything else one might contemplate. But even though Oak Ridge has participated in the development of AVLIS, it is in competition with a number of places to become the actual location of such a facility: e.g. Portsmouth, Ohio; Paducah, Kentucky.

DOE will narrow the list of contenders to just three sites by December, 1990. Final selection would occur in early 1993. However, in the event that Ms. Lloyd's bill to create a US-owned uranium processing corporation is passed, the choice of sites would probably be made by the new corporation, and not by DoE.

Oak Ridge has some significant advantages in terms of infrastructure to support an AVLIS plant. Surprisingly, however, electricity is substantially cheaper at Portsmouth than at Oak Ridge, and electricity is a major operating cost. Participants in my discussion were unable to account for the difference (a one-third advantage to Portsmouth), and promised an explanation later.

Somewhere in the future, the enormous task of decontaminating the K-25 plant must be engaged. The price tag is a billion dollars, plus. Conceivably, this could be turned to account in the competition for AVLIS. Certain structures and facilities needed for the decontamination process are also useful for AVLIS. Commonality might save costs.

Oak Ridge as a community remains supportive of nuclear energy, and that is certainly going to be a factor in the selection of a site. But this could change if DoE does not do a better job at dealing with infractions at Y-12 and environmental concerns, per Watts Bar.

The question of whether AVLIS will be constructed at any site (as opposed to which particular site) is very much alive. The answer to that issue depends upon whether the US intends to remain in the uranium enrichment business, or is prepared to let that slip to foreign suppliers and to the newly formed private consortium of US users and European producers of reactor grade uranium: Urenco, which intends to build a plant of its own in Louisiana based on its own technology at a cost of 750 million dollars, to be operational in 1996.

This is of course bound up in the future of legislation introduced by Mrs. Lloyd, HR 2480 (Uranium Enrichment Reorganization Act), which would establish a government corporation for uranium enrichment.

MATERIALS RESEARCH

Next to AVLIS -- and, fortunately, not tied to it -- the next major concept for Oak Ridge's future has to do with its emergence as a regional and national center in materials research, and in manufacturing science. This is clearly what the laboratory has in mind as one of several projects to

anchor its future in fields of interest to the civilian sector.

CENTER FOR ADVANCED MATERIALS

ORNL already is a presence in materials research, but it has the potential to become a center of this activity for the southeastern region of the United States, and one of several such centers in the nation as a whole. ORNL is proposing to begin construction in 1993 of a Center for Advanced Materials. This is essentially a meeting place for materials scientists from the southeastern region, and as such, is supported by the Southeastern Universities Research Association (SURA) and by Oak Ridge Associated Universities (ORAU). Lists of participating organizations are attached.

If this Center is built, Oak Ridge will be well on its way towards establishing itself as a focal point in the growth plans of dozens of universities throughout the region. The possibilities for coalition support in Congress are obvious. Again, construction of the Center should also be regarded as a foothold toward construction of two other projected institutions: a Composite Materials Laboratory and a Center for Advanced Microstructural Analysis.

As an indication of the potential economic contribution to the region, you should note that ORNL has already developed a reinforced ceramic material for advanced tool bits, and on the strength of that technology three firms have opened up facilities in the city of Oak Ridge, one of which is a German firm intending to manufacture tool bits.

ADVANCED NEUTRON SOURCE

The hub of ORNL's future position in materials science is an Advanced Neutron Source. The ANS would also be of vital importance in securing ORNL programs in physics, chemistry and biology. But it is first and foremost an instrument for the study of materials. At a cost of about half a billion dollars, the ANS is a major investment, and there is so far no formal DoE commitment to its construction. Plans are to obtain DoE support for expenditures of 35 million dollars a year for two years on design work. Dr. Trivelpiece will be making a critical presentation to Adm. Watkins later this month. If Watkins agrees, then the design funding would appear in the Administration's budget requests for 1992.

Trivelpiece wondered how and whether the quest for funding the ANS might relate to the superconducting supercollider. He noted that Sen. Sasser has been critical of the supercollider, but wondered whether Sasser might at the end of the day horsetrade his agreement to the supercollider in return for funding the ANS. The idea has some charm because

it could fit into a general program for the development of scientific capabilities in the southeastern states, whereby a solid and mutually supportive constituency evolves in Congress. ORNL would also benefit from the SCC because it hopes to have an important role in the design and fabrication of measuring instruments for the collider.

I also believe that ORNL's activities in materials research require advanced computer capabilities for modeling. advances in the understanding of materials at the level of quantum mechanics opens the way for a departure from empiricism in this field (trial and error) to what is called ab initio modeling. For this purpose very advanced computers are required.

At this point in the narrative it would be logical to expand on the question of computation at ORNL, which would lead in several directions including uses in support of the lab's environmental work and an educational initiative of the sort you are advocating. However, I prefer to round out a description of Oak Ridge's assets and potential in the field of materials, for which purpose it is necessary to discuss the Y-12 facility and its partial conversion into a center for manufacturing sciences.

Y-12 FACILITY

Y-12 could be a major beneficiary of the Advanced Manufacturing Initiative, if the latter reaches mature levels of funding, but not necessarily. Those interested in this program at Y-12 are not off to a solid start, essentially inhibited by lack of vision and obedience to restrictive guidance from local DOE management: specifically, a Mr. Joe Lagrone, who directs the DoE/ORO office.

ADVANCED MANUFACTURING INITIATIVE

The Advanced Manufacturing Initiative turns out to have two major thrusts. One of them involves the transfer of existing technologies for advanced manufacturing to industry. Y-12 has that heritage. Y-12 officials also have a reasonably detailed program for how to proceed with a Manufacturing Technology Program. It seems clear to me that Y-12 could emerge as a regional center, there being easily a score of institutions throughout the southeast that have expressed the desire to become involved. Y-12 officials however, have not been nearly as vigorous as they should have been in building this nascent support into a coalition. In fact, I do not think they have done as much as they might have to line up support within the state of Tenn., although there is a member of the governor's staff -- Carl Johnston -- who is engaged in the matter. Y-12 is also doing some spade work

with various educational institutions in the southeast, but this program is at an early stage. List of schools is attached.

Y-12 also has a complete plant, fully equipped with the necessary machinery, shut down some time ago for lack of weapons-related work. And yet, that facility is not available for use as a teaching factory because of ongoing negotiations with those who control security at the installation. In essence, the whole show is being held up because of quibbling as to the location of a new security fence, some catwalks and partitions. Y-12 officials tell me they think they can settle this problem in a month or two. I suggested one week, and if they fail, you should come down on them very hard.

The other component of the Advanced Manufacturing Initiative is a High Productivity and Precision Machining Program, organized by the National Center for Manufacturing Sciences. This is an elaborate and seemingly very well constructed program for work to improve the state of the art in machine tool design and operation. The work is to be carried out by a nation-wide consortium of institutions and businesses. NOT ONE TENN. FIRM OR INSTITUTION IS A MEMBER OF THIS CONSORTIUM. When confronted with this, Y-12 officials at first maintained that no DoE labs were involved. In fact, however, Lawrence Livermore is a member of the consortium. When confronted with this, Y-12 officials laid the blame at the feet of Mr. Lagrone, who they said has a much more conservative approach to the interpretation of their mandate than some of his counterparts elsewhere in the country.

What is at stake here is the creation at Y-12 and nearby of facilities not only to transfer existing technology in machining and manufacturing science, but to participate in the search for improved technologies to be used in new generations of machine tools. Such a capability would be a logical partner for ORNL's potential role as a regional and national center in the field of materials research in metals and ceramics. Interestingly, ORNL and Y-12 officials were too insular to visualize their activities in conjunction with each other until led to do so. Nor had they, with the exception of the materials science division, hit upon the potential region-wide interest in their future.

MANTECH

I also believe that Oak Ridge should be--but so far as I know, is not--playing a role in MANTECH: a process designed to induct better manufacturing technologies from the civilian sector into the defense industrial base. Changes you have secured in the report language on MANTECH can help create a mandate for two-way cooperation between the DoD and

the DoE on advanced machining practices. This institutional bridge has been absent until now, and without it MANTECH and the Advanced Manufacturing Initiative would exist in isolation despite a common denominator through defense funding.

There is an excellent OTA staff paper called US Manufacturing: Problems and Opportunities in Defense and Commercial Industries (May 1990) that illuminates the need for cross-fertilization both ways from defense to civilian sectors and back again. The study (originally requested by Senator Bingaman) also indicates that the Department of Commerce and various civilian research arms of the government should be playing more active rolls in this process.

Finally, but not as a footnote, I should add that the University of Tenn. at Knoxville does not -- but could and should -- have a degree granting program in manufacturing science. Such a program would help consolidate a powerful triangular relationship between the university, Y-12 and ORNL, with major implications for the future economic development of the so-called technology corridor.

ENVIRONMENTAL SCIENCES

Another major vector for ORNL's development is in the environmental sciences, where they have already gained a good foothold especially in relation to the carbon cycle, and, related to that, analysis of energy strategies. ORNL also has strong capabilities in the field of research on environmental remediation, since its own locale provides a built-in testing range. One area ORNL has its eye on is the modeling and analysis of areas contaminated by more than one chemical: one of the knottiest problems to which SERP's environmental section addresses itself.

In principle, ORNL should be an important beneficiary of the SERP, but will not unless it becomes much more aggressive in pursuing those of its interests that have been opened up. The lab had analysed so [as?] much of the SERP language as was available to it, and identified areas that worried it. Rick and I have incorporated changes on one key point and are working on another that may have to come as a friendly amendment.

ORNL's examination of SERP was interesting because the lab presented itself as one of the eager users of intelligence data to be declassified through the SERP procedures, and also as an institution in need of access to excess supercomputer time elsewhere, rather than as a supplier of such time to others. I think we had visualized the labs as part of a cycle by which information was moved out of defense channels

and transferred to civilian science and technology. The labs see themselves with a foot in both camps. They not only want to donate, they want to receive.

COMPUTATIONAL REQUIREMENTS

It turns out that ORNL's global research efforts could in and of themselves justify a major computational facility. At my request, they have provided a detailed, informal breakdown of their requirements. How this would fit with the advanced computational needs of other parts of ORNL, or whether the sum of these needs would exceed any reasonable prospect for investment in the lab's computer facilities, is an important question.

In general, ORNL foresees a number of different programs in computing, which it calls "Grand Challenges", as overlapping justifications for a more advanced capability. "Grand Challenges" involves such disparate efforts as climate modeling, fusion power, fission reactions, solids and materials science, contaminant transport (spread of contaminants through soil) chemistry and industrial control systems. I have the impression, however, that there is a weakness in visualizing the function of such a facility in these compartmentalized terms for each of the intended functions. It needs to be presented as a common resource for ORNL as a whole.

COMPUTER-BASED EDUCATIONAL INITIATIVE

As for the concept of Oak Ridge as the seat of a major educational initiative based on a massively parallel super-computer, Dr. Trivelpiece clearly believes that this idea has merit, and he points with pride to an in-being program of computational instruction for high school students in the region, called SACAM (Saturday Academy of Computing and Mathematics). But I think that Trivelpiece does not see himself in a position to become the primary champion of your proposal to the detriment of all his other priorities (very much my intuition here, rather than anything he said). For example, he will use his next chance to see Watkins in order to present a focused case for the advanced neutron source. It would not be smart to fracture that by talking about a super-computer project, and there are only so many times he can visit the Secretary to raise new points.

He says that after his meeting with you in Washington, he has had discussions with Joe Wyatt, and with Jim Decker, the Asst Sec of Energy Research at DoE. In Trivelpiece's view, a delegation could be assembled to visit Watkins, comprised of Wyatt, himself, the present governor and former governor Lamar. The latter's participation is essential because of his position within the University of Tenn., but Trivelpiece

has been unable to figure out [how] to handle the politics of it where you are concerned.

After some discussion, the following recommendation emerged: that you should call Watkins not later than the end of August, to raise this issue, and to propose that a delegation could be brought up from Tenn. to discuss the state's readiness to participate. I like this arrangement because it allows you to function as your own best spokesman for this concept, and as impresario for the participation of others. However, in light of all the foregoing, it seems to me that your personal meeting with Watkins needs to address the future of Oak Ridge across the board.

BIOLOGICAL SCIENCES

In fact, the number two priority in ORNL's view of the future, just below the advanced neutron source, is the creation of a Center for Biological Sciences. The core of this enterprise would be a modernization of ORNL's existing "Mouse House." The mouse house is described as the world's foremost mouse-breeding center for genetics research. If you can overcome the giggle-factor, maus-haus is already the largest collection on earth of mammalian genes both living and frozen. Insofar as mouse genes seem to be workable surrogates for other genetic forms, research on mouse genes can be a powerful tool for the life sciences.

At any rate, maus-haus is located in a WWII era building inside the classified Y-12 compound. The facility is old and inconveniently located. ORNL wants 48 million dollars to construct a new facility completely modernized, outside the security area. They are concerned that there is competition for this niche at Hanford, as a sop for loss of other nuclear-related activities there.

With a new maus-haus as the core, ORNL's biology division dreams of creating several related facilities (see prospectus, attached) which would collectively comprise the Center for Biological Sciences. I am unable to say whether this whole concept, as distinguished from Maus-Haus, has high priority on Trivelpiece's agenda. Nor can I say whether it would find its place as part of Tennessee's development as a center for health research, or as a center for development in the southwestern [southeastern?] region as a whole. ORNL says they would.

REGIONALISM

Sen. Domenici has suggested that you and he join to establish a caucus for the national labs. I think that is an excellent idea. The labs are in for difficult times, and there will be suggestions that they should be abandoned with

resources shifted to the outside scientific community. I believe that the labs rather should become hubs for the scientific communities in their regions: for example Los Alamos in the west; Brookhaven in the northeast; Argonne for the mid-west; and Oak Ridge for the southeast.

Regional organization would help solidify support in congress. It would also tend to help evade an all out dog eat dog scramble for new missions among the labs, since some duplication would be admissable. It is certainly compatible with national interlocking of lab agendas at some level. At any rate, I recommend you respond at once to Domenici with a call for a meeting to discuss the idea.

July 11, 1990

Admiral James Watkins
Secretary of Energy
1000 Independence Avenue, S.W.
Forrestal Building, Room 7A257
Washington, D.C. 20585

Dear Mr. Secretary:

In a follow-up to our June 14, 1990 meeting with the briefing team led by Mr. Leo Duffy, my staff recently met with Mr. Pat Whitfield and Ms. Joyce Brady of the Department. Again, thank you for your prompt response to my inquiries. Mr. Whitfield has a list of questions that were prepared by my staff, and it is my understanding that the Department will respond fully to those questions in writing.

Our briefings have satisfied me that the Department is aware of the need for a responsible and vigorous program to gauge and to address the health and safety problems that have been identified at the Oak Ridge Reservation. However, I am increasingly concerned that very close attention be paid to the matter of dredging. While I am mindful of the many time constraints and pressures the Department is operating under, I feel strongly that action must immediately be taken on this issue.

It is essential that the Department ensure that it can provide positive evidence that it has clear lines of communication and is coordinating its efforts with all parties that are charged with the responsibility to regulate and monitor dredging in the Watts Bar watershed. Is the Department fully satisfied, for example, that the Corps of Engineers is informed of the results of the health and safety study conducted for the Department by the Martin Marietta corporation and that the Corps is monitoring dredging in accord with the findings of the study? Is the Department coordinating with the Tennessee Department of Health and Environment and the Tennessee Valley Authority which have local jurisdiction over dredging? Is the Department satisfied that the Corps, TDHE, and TVA are effectively working together? Is the Department satisfied that the public is adequately apprised of the situation, and that those who hold the more than one hundred permits that have been issued are aware that dredging, at least in the deep water, may create an imminent health hazard?

In light of the seriousness of this situation, I propose that appropriate representatives from your staff, the Corps, TDHE, and TVA

AMENDMENT #1 TO TITLE VII - OZONE DEPLETING CHEMICALS

An amendment to modify Federal procurement practices to ensure that chemicals known to harm human health or the environment are not used as substitutes for chemicals that destroy the ozone layer.

####

On page 561, line 3 insert the following, and renumber succeeding paragraphs accordingly:

Sec. 523 FEDERAL PROCUREMENT

(a) APPLICATION OF SECTION. -- A procuring agency shall comply with the requirements set forth in this section and any regulations issued under this section, with respect to any purchase or acquisition of a procurement item where the purchase price of the item exceeds \$10,000 or where the quantity of such items or of functionally equivalent items purchased or acquired in the course of the preceding fiscal year was \$10,000 or more.

(b) Within 12 months of enactment of this Act, the Administrator of the General Services Administration (GSA) shall develop a strategic plan for the substitution of substances listed pursuant to section 504 of this title.

(c) No later than 36 months after enactment of this Act, each procuring agency of the federal government shall conform its procurement regulations and specifications to the strategic plan promulgated by the Administrator of the GSA, or if the Administrator of the GSA has not met the requirements of subsection (b), the requirements set forth in this section.

(d) Notwithstanding the requirements of subsection (c) of this section, the Secretary of Defense shall, no later than 36 months after the enactment of this Act, separately conform the procurement regulations and specifications of the Department of Defense to the requirements set forth in this title.

(e) REQUIREMENTS FOR STRATEGIC PLAN.

(i) General.--The strategic plan shall provide for federal government-private sector cooperation in research, development, and deployment of non-ozone depleting chemical and technological alternatives to the ozone depleting substances listed in section 504. The plan shall provide greater regulatory certainty regarding alternatives to ozone-depleting substances by hastening the identification, development and deployment

of alternative technologies with maximal environmental benefit. To ensure maximal environmental benefit, the strategic plan shall seek to maximize the use of alternative materials, process modifications, product redesign and substitution in order to minimize the use of substances, including energy, which contribute to stratospheric ozone depletion, the creation of lower level ozone smog, global warming, or which have been identified by an agency as a probable or known human carcinogen, or a known animal carcinogen.

- (ii) Specific.-The strategic plan shall identify alternatives to categorical uses of substances listed in section 504 which meet the general criteria of subsection (e)(i) above. The categorical uses shall be: air conditioning and refrigeration, solvents, rigid and flexible foam, fire extinguishers and other miscellaneous uses. The plan shall also include a list of persons and firms known to manufacture, sell, or utilize such alternatives.

(f) PROCUREMENT PROGRAM.-Within 36 months after enactment of this Act, each procuring agency, including the Department of Defense, shall have in place an affirmative procurement program which will assure that future purchases of items known to use or be manufactured with substances listed in section 504 will conform to the goals of this section. Each affirmative procurement program shall, at a minimum, contain-

- (i) A preference program for alternatives which maximize environmental benefit to be obtained from the replacement of chemicals listed in section 504;
- (ii) An agency promotion program to promote the preference program adopted under subsection (i);
- (iii) Annual review and monitoring of the effectiveness of an agency's affirmative procurement program.

(g) SPECIFICATIONS.-All federal agencies, including the Department of Defense, that have the responsibility for drafting or reviewing specifications for procurement items procured by federal agencies shall no later than 36 months after enactment of this Act-

- (i) Eliminate from such specifications any exclusion of alternatives that maximize environmental benefit as defined in this section;

- (ii) Eliminate any requirement that items be manufactured using substances listed in section 504;
- (iii) Revise specification to require the use of alternatives that maximize environmental benefit as defined in this section without jeopardizing performance of the specified item.

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- (i) Eliminate from such specifications any exclusion of alternatives that maximize environmental benefit as defined in this section;

- (ii) Eliminate any requirement that items be manufactured using substances listed in section 504;
- (iii) Revise specification to require the use of alternatives that maximize environmental benefit as defined in this section without jeopardizing performance of the specified item.

PART 4 TO TITLE VII - OZONE DEPLETING CHEMICALS

An amendment to strike provisions in the Clean Air Act preempting states' efforts to control ozone depleting chemicals:

On page 557 line 10, strike "except as otherwise provided in subsection (c)".

On page 557, strike lines 11 through 25.

On page 558, strike lines 1 through 6.

PART #3 TO TITLE VII - OZONE DEPLETING CHEMICALS

An amendment to prohibit export of CFC equipment and technology and investment in facilities capable of producing CFC's in any nation not in compliance with the Montreal Protocol.

####

On page 544, line 6, strike "Within one year after enactment of this section" and insert "Effective immediately upon enactment of this Act"

→ Amendments to Clean Air { *Consumer choice not a sure
way to protect environment.
Safe alternatives to ozone depleters
& no expert to develop
dead zone*

→ 3 parts of Energy Bill { *ozone
energy diagnostic centers
green carrot*

→ Russian aid bill { *joint ventures to develop earth technologies*

→ *in approp. for work have UNCED office*
Resolution to establish official Senate Observer Group.

Clean Air:

- * Authored amendments to the Clean Air Act Amendments of 1990 (S. 1630) to protect the ozone layer from ozone-destroying chemicals
- * Introduced provision to the Clean Air Act requiring more stringent pollution controls to protect community safety and health
- * Eliminated provision in the Clean Air Act Amendment (S. 1630) that would have allowed polluting industries to buy up land surrounding the emissions source rather than controlling the pollution (S. Amdt 1425)

Ozone Layer:

-
- * Author of a resolution calling for the acceleration of the phaseout of ozone destroying chemicals more rapidly than called for under the Clean Air Act amendments of 1991; resolution passed 96-0 in March, 1992
 - * Author of the Upper Ozone Chemicals Act of 1989 (S. 872), legislation designed to protect the ozone layer through a phaseout of ozone-eating chemicals; the Consumer Ozone Protection Act of 1989 (S. 870), calling for a ban on non-essential consumer products containing these chemicals, the labelling of the remaining essential products allowed to contain ozone-depleters, and requirements for recycling these chemicals to prevent their release into the atmosphere; and the Ozone Layer Conservation Act of 1989 (S. 871), which establishes an excise tax on ozone-depleting chemicals, provisions of which are now part of the 1990 Omnibus Budget Reconciliation Act (PL 101-964)

Global Climate Change:

- * Chaired the first Congressional hearings (1981-1982) on the greenhouse effect, leading to restoration of research funds
- * Author of legislation (S. 201) that would require reductions in the amount of greenhouse gases emitted by the U.S.
- * Brought national attention to the phenomena of coral bleaching, thought to be one of the first biological signs of global warming, through committee hearings.
- * Cosponsored resolution (S. Res. 53) urging Bush administration to set targets for carbon emission limits in preparation for the United Nations climate change negotiations in 1992.

Energy Policy:

- * Cosponsor of the National Energy Plan (S. 324) that provides incentives for conservation and efficiency in all sectors of the economy, as well as increased funding of alternative fuels and renewable energy

Antarctic Protection:

- 
- * Author of Public Law 101-620, a resolution calling for the protection of Antarctica from mining and development and declaring the area a global ecological commons
 - * Wrote the Antarctic Protection Act of 1990 (S. 2571), designed to clean up the pollution currently in Antarctic and provide for full application of U.S. environmental laws to U.S. citizens there

Recycling:

- * Author of two bills to encourage recycling: the National Recyclable Commodities Financing Act of 1989 (S. 1885), which provides tax incentives for remanufacturing equipment, and the National Recyclable Commodities Act of 1989 (S. 1884), to promote the use of materials derived from municipal refuse

International Environmental Work:

- * President of Global Legislators Organized for a Balanced Environment (GLOBE-International), an organization of leaders from around the world that has discussed and negotiated historic resolutions for the preservation of the global environment.
- * Author of resolution calling for the creation of a special Nobel prize for an international scientist recognized for efforts to protect the global environment (Title XII, S. 201)
- * Introduced additional provisions in the World Environmental Policy Act of 1991 (S. 201) including creation of a Council on World Environmental Policy, designation of 1992 as "Year of the Global Environment", establishment of a biodiversity conservation data network, implementation of a replanting and conservation program for the world's forests, and funding for international family planning efforts.

Other Environmental Activities:

- 
- * Sponsor of resolution (S. 159) declaring April 22 1990 as Earth Day
 - * Cosponsor of the Municipal and Industrial Water Conservation Act of 1990 (S. 1422) to encourage the efficient use of limited water resources

* letter still be in mail today
 + need to get signatures in Thurs.

UAT:5

ENERGY LA'S BY OFFICE (April 15, 1992)

SENATOR	STAFF	OFFICE	PHONE
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ADAMS	ANDREW DEVORE	SH-513	4-2621
AKAKA	PATRICK MCGAREY	SH-109	4-6361
BAUCUS	MARK SMITH	SH-706	4-2651
BENTSEN	PHILLIP DIEHL	SH-703	4-5922
BIDEN	JIM GUTHRIE <i>Genevieve - new</i>	SR-221	4-5042
BINGAMAN	TAMAR OSTERMAN <i>written</i>	SH-524	4-5521
BOND	CLAIRE HEFFERNAN	SR-293	4-5721
BOREN	JOE HARRIS	SR-453	4-4721
BRADLEY	GENE PETERS	SH-731	4-3224
BREAUX	PAT DAVIS WATERS	SH-516	4-4623
BROWN	JULIE MCKENNA	SH-902	4-5941
BRYAN	TIM HAYE	SR-364	4-6244
BUMPERS	PAULA CASEY	SD-229	4-4843
BURDICK	BRUCE MCKAY	SD-458	4-2551
BURNS	TOM FULTON	SD-183	4-2644
BYRD	JONATHAN WOOD	SH-311	4-3954
CHAFEE	AMY DUNATHAN	SD-410	4-2921
COATS	ZIAD OJAKLI	SR-411	4-5623
COCHRAN	FORREST THIGPEN	SR-326	4-5054
COHEN	WENDY RICE	SH-322	4-2523
CONRAD	LIZ MAGILL	SH-724	4-2043
CRAIG	NILS JOHNSON	SH-708	4-2752
CRANSTON	CLAIRE THORNE	SH-112	4-3553
D'AMATO	MIKE PETRALIA	SH-520	4-6542
DANFORTH	MARC SOLOMON	SR-249	4-6154
DASCHLE	WHIT FOSBURGH	SH-317	4-2321
DECONCINI	DAVID STEELE	SH-328	4-4521
DIXON	MARTY DURBIN	SH-331	4-2854
DODD	SUZANNE DAY	SR-444	4-2823
DOLE	GREG SCHNACKE	SH-141	4-6521
DOMENICI	ALEX FLINT	SD-434	4-3083
DURENBERGER	JEFF COTTER	SR-154	4-3244
EXON	PHIL KARSTING	SH-330	4-4224
FORD	JIM FLEMING	SR-173A	4-4343
FOWLER	TRACY THORNTON	SR-204	4-3643
GARN	BOB WEIDNER	SD-505	4-5444
GLENN	SUSAN CARNAHAN	SH-503	4-3353
GORE	KATY MCGINTY	SR-393	4-4944
GORTON	BRUCE EVANS	SH-730	4-3441
GRAHAM	JOHN GIGLIO	SD-241	4-3041
GRAMM	MIKE SOLOM	SR-370	4-2934
GRASSLEY	KEN CUNNINGHAM	SH-135	4-3744
HARKIN	SANDY THOMAS	SH-316	4-3254
HATCH	MILLARD WYATT	SR-135	4-5251
HATFIELD	DAVID ROBERTSON	SH-711	4-3753
HEFLIN	ELIZABETH GARDNER	SH-728	4-4124

Office of Sen. James Jeffords

call Kate
 Ken Ballant
 43339

call Steve
 Shindberg
 expert
 can't

call
 Tom Kaarsberg
 call
 Jimmy
 Powell
 can't

HELMS	STEVE PHILLIPS	SD-403	4-6342
HOLLINGS	LILA HELMS	SR-125	4-6121
✓ INOUE	MARK FORMAN	SH-722	4-3934
✓ JEFFORDS	<u>JOHN ZIRSCHKY</u>	SD-530	4-5141
	BILL KENNEY	SD-530	4-5141
JOHNSTON	BEN COOPER	SD-364	4-5360
KASSEBAUM	ED BOLEN	SR-302	4-4774
KASTEN	ALEX ECHOLS	SH-110	4-5323
✓ KENNEDY	MIMI BRODY	SR-320	4-4543
✓ KERREY	GRAHAM CHISHOLM	SH-302	4-6551
✓ KERRY	~~SALLY YOZELL~~ Kate English	SR-421	4-2742
KOHL	STEVE ETKA	SH-702	4-5653
✓ LAUTENBERG	RIC ERDHEIM	SH-717	4-4744
LEAHY	TIM BRIGLIN	SR-433	4-4242
LEVIN	CHRIS MILLER	SR-459	4-6221
✓ LIEBERMAN	~~MICHAEL HENDERSON~~ Barbara Giras	SH-502	4-1225
LOTT	CHIP PICKERING	SR-487	4-6253
LUGAR	JEFF BURNAM	SH-306	4-4814
MACK	BRIAN RILEY	SH-517	4-5274
MCCAIN	JOHN RAIDT	SR-111	4-2235
MCCONNELL	BRIAN RIENDEAU	SR-120	4-2541
✓ METZENBAUM	KEN RYNNE	SH-608	4-2315
✓ MIKULSKI	GREG LODER	SH-320	4-4654
✓ MITCHELL	STEVE HART	SR-408	4-5344
✓ MOYNIHAN	ROY KIENITZ	SR-464	4-4451
MURKOWSKI	ALAN STEINBECK	SH-709	4-6665
NICKLES	MCLANE LAYTON	SH-713	4-5754
NUNN	CC CARMEN	SD-303	4-3521
PACKWOOD	PENNY WORREST	SR-259	4-5244
✓ PELL	~~LARRY MASSEN~~ Steve Blarney	SR-335	4-4642
PRESSLER	LINDA BENNING	SH-133	4-5842
PRYOR	VINCE ANCELL	SR-267	4-2353
REID	JERRY REYNOLDSON	SH-324	4-3542
RIEGLE	MAURY LANE	SD-105	4-4822
ROBB	RICK KAHLENBERG	SR-493	4-4024
ROCKEFELLER	PAUL JOFFE	SH-724	4-6472
ROTH	PAUL KERKHOVEN	SH-104	4-2441
RUDMAN	LESLIE KANE	SH-530	4-3324
SANFORD	ALAN THORNBURG	SH-716	4-3154
SARBANES	DONALD TOBIN	SD-332	4-4524
SASSER	MONIQUE VAN LANDINGHAM	SH-432	4-3344
SEYMOUR	RICHARD RUSSELL	SH-720	4-3841
SHELBY	SIMEON SPENCER	SH-313	4-5744
SIMON	MARY NAYLOR	SD-462	4-2152
SIMPSON	WARREN SCHAEFFER	SD-261	4-3424
	KAREN FIELD (NUCLEAR)	SH-508	4-6176
SMITH	JEFF MERRIFIELD	SD-332	4-2841
SPECTER	SUSAN BECKER	SH-303	4-4254
STEVENS	ANDREW LUNDQUIST	SH-522	4-3004
SYMMS	TOM LECLAIR	SH-509	4-6142
THURMOND	TODD ATWATER	SR-217	4-5972
WALLOP	MICHEAL HOON	SR-237	4-6441

Office of Sen. James Jeffords

✓ WARNER
WELLSTONE
WIRTH
WOFFORD

ANN LOOMIS
KARL GAWELL
RUSS SHAY
RICH FIESTA

SR-225 4-2023
SH-123 4-5641
SR-380 4-5852
SR-277 4-6324

To: Al
From: Katie

put in Memo
file.

Nichols Home Shield Company: Operation and Environmental Performance

Conversation with Jack Williams:

This facility is a tightly integrated operation that buys mixed (aluminum) scrap on the open market and produces rolled sheet stock for building products. In addition to landfill savings, the plant saves significant energy compared with primary aluminum smelting and milling.

The process sends most scrap to shredders (where particulate emissions are controlled 95% by a cyclone baghouse filters) to bins for chemical separation. The delacquering stage involves pyrolysis (removing hydrocarbons from metals without combustion) in an oxygen-free thermal reaction. About 40% of the removed hydrocarbons are thereupon used as a fuel supplement for process heat. Again, baghouse filters are used to control particulates. Some scrap avoids the shredding/delacquering process.

The metal is transferred to 2 240,000 lb. melters, where the aluminum is melted down for rolling into product. The metal temperature is about 1,450 degrees from the melters, cooling to about 1,000 degrees from the casters. Much of the waste heat is recovered in heat exchanger equipment, increasing thermal efficiency. For example, heat capture from the melters allows the 4 burners to "cycle" (sequentially operating only 2 burners at a time) which saves about \$1.5 million per year in energy costs.

Environmental performance is excellent at the plant. No hazardous wastes are handled (incidental heavy metals in the scrap remain in the product, depending on the desired metal chemistry). Closed loop cooling is utilized with a cooling tower, which emits only steam to the atmosphere. Some non-hazardous water soluble oils are diluted and disposed. No exemptions, variances, or other permit irregularities have occurred. The plant exceeds all existing standards and is already in compliance with proposed standards under the Clean Air Act Amendments of 1990. The plant spends approximately 10% of capital budget on environmental equipment.

To: Al, Peter, Marla, Roy, Manny, Moe, and Jack, etc.
From: Katie
Re: Windstar Foundation

I have looked into the official mission and activities of Windstar. My bottom line is that Windstar would most definitely be perceived as a "touchy-feely" organization (association with John Denver; their official mission is "to support individuals and organizations that are concerned with the spiritual dimension of human existence"). However, it seems to me that the initiatives that it has undertaken are more main-stream (and very worthwhile):

- o Primary focus is environmental education. Currently working on an initiative in partnership with NASA to have kids ground-truth satellite images. Students proficient in math and science are also brought to their facility in Aspen to learn about the environment in a science-intensive and hands-on manner by learning about the causes of soil erosion, deforestation, etc.

- o Windstar is not an advocacy organization. It does produce white papers on issues related to global change (water, coupled models, food). I have not seen these papers, but I understand that they are purely scientific and factual in content -- they are derived from seminars they sponsor involving earth and social scientists.

- o Every year, Windstar gives an award to an individual who has worked to "improve the human condition." Past recipients are for the most part pretty solid folks -- Jacques Cousteau, David Brower, Wangari Maathai, Akio Matsumura, and Lester Brown (can't win 'em all...). This year -- during the conference that will be on-going while you would be there -- Phil Lane will receive the award. He is a Native American who is committed to eradicating alcohol and drug abuse on Indian reservations. As part of the effort, he has organized a group of 46 "Earth Ambassadors" -- teenagers who participate in an intensive training session and then go back to their communities to contribute to this effort.

Note -- I am still trying to come up w/ an alternative. Will call you tonight w/ final.

To: AL

From: Katie

Re: Visit to McGaw, Inc. / Orange County.

I am not thrilled about this site. But - I was prioritizing effort to get you both to Orange County & to Evergreen Oil Refiners. - This is the best they could come up with...

Downside of this - - dealing with the incineration of medical waste.

Bright side - - Fact of the matter is that there is not a lot that can be done w/ hazardous medical waste besides Landfilling or incineration. Nature of the waste means that it can not be recycled.

This company is making the best of this situation. It is in the forefront of providing a technology that eliminates some of the worst problems involved in medical waste disposal. By taking the initiative, this company has produced a product that is now in demand in Europe and Asia.

General Description: McGaw produces plastic medical IV bags that do not use POLYVINYL CHLORIDE (PVC) ☒ DIETHYL-HEXYL PHTHALATE (DEHP).

Benefit -- incineration of PVC bags produces

hydrochloric acid (HCl) -- a toxic air pollutant and a cause of acid rain.

-- With landfill disposal, DEHP may leach into soil. DEHP has been identified as a "probable human carcinogen". (There is also some evidence that DEHP bleeds into the medical solution being administered & directly poses a health threat).

MESSAGE :

→ Being environmentally progressive is pro-business & fosters important new economic opportunities & solutions to even our most difficult problems.

→ George Bush would undermine this effort. Note that McGraw's success has been spurred by Clean Air Act requirements for reduced HCl emissions.

→ While McGraw is trying to find solutions to pressing environmental & human health threats, Bush is undermining the Clean Air Act. This penalizes good actors like McGraw. This imperils our children.

→ Company owners will say George Bush is wrong on the environment/economy choice he poses.

AVOID: This isn't pleasant stuff. And - even

if it's a cleaner burn -- it's still a burn (& that means CO₂ & other toxics 'cause reality is that hospitals probably don't have very good pollution control equipment so incinerator emissions are nasty). So -- ~~don't~~
 AVOID SAYING "INCINERATION"

* just use the facility as an environment/economy message backdrop.

More Message:

* emphasize the positive -- McGraw is preventing dangerous toxic & carcinogenic chemicals from getting into our air, water & soil. AND is making lots of money in the process.

* This is the approach Clinton/Gore will pursue -- prevent pollution; stop it at its source

* Clinton/Gore will bring the expertise of federal agencies to the service of businesses to produce environmentally sound technologies.

* George Bush doesn't understand that pollution prevention pays. -- He's working full time to cut special deals for older, inefficient & polluting industries.

Repeat:
 - Avoid "Incineration"
 - Emphasize "Pollution Prevention"
 "Economic Opportunity"
 "Sound regulations can & do
 spur innovation"

TALKING POINTS FOR MCCA
(Orange County /Politics)

o Bush and Quayle keep telling us we've got to choose between jobs and the environment. They're trying to make us believe it's one or the other. Well they're trying to sell us a bill of goods. It's a false choice and they're dead wrong.

o The fact is, if we don't get serious about cleaning up our environment, we're going to lose jobs and our competition in other countries is going to get them. That's what this company shows us. We can protect the environment and create jobs.

o We've got to recognize the largest new market for world business is in the technologies and services and products that will help us protect the environment. We've got to recognize that the businesses that move to reduce pollution are moving to increase profits.

o Bush and Quayle are too busy protecting the old polluting ways of the past to recognize they're over. We've can't afford four more years of their limited vision. We can't afford four more years of they polluter-protection policies. It's time for change.

o The people of the Central Valley want change. The people of Orange County want change. That's what I'm hearing.

2

o Now, I was told this was a pretty Republican area, that Democrats didn't have much chance here. Well, you could've fooled me. Here in Orange County they're pulling the welcome mat out from under George Bush and Dan Quayle and showing them the door.

o The people of California, the people of the Central Valley and even here in Orange County know it's time for Bush and Quayle to go. That's what they were telling me in Stockton and Fresno and Bakersfield. And that's what they're telling Bush and Quayle here in Orange County. Bush and Quayle have worn out their welcome. Like a friend who stays just a little too long. You still like 'em, but you want the living room back.

o It's time for a change. And that call for change is coming from the most unlikely places. Bush and Quayle are probably getting a headache from the drumbeat. The Orange County Register is telling 'em to "give up the quest for a second term and stand down." Clear across the country, in Connecticut, probably the most conservative newspaper in the state, the Waterbury Republican American, is telling Bush he can "best serve his country...by declining the nomination." The New Britain Herald is saying America "is in a dire economic crisis and George Bush has proven he cannot handle it." For Bush and Quayle, it's gotta be a whopper of a headache. But then, the rest of us have been suffering for years.

3
o We can't afford four more years of Bush and Quayle.

O Bill Clinton and I aren't taking anything for granted. We're going full-speed all the way through November. We're not going to tell the American people to take two aspirin and call us in the morning. We're offering real change, a plan to get this economy moving again, and a commitment to put people first for a change.....

"I do not believe in a fate that falls on men however they act; but I do believe in a fate that falls on them unless they act."

G.K. Chesterton



R. David Threshie, publisher
K.E. Grubbs Jr., editorial
and commentary director
N. Christian Anderson, editor
and vice president

R.C. Holles, co-publisher 1935-1970
C.H. Holles, co-publisher 1935-1979
Harry Holles, co-publisher 1975-1979

EDITORIALS

Stand down, Mr. Bush

Ask yourself what would be the most edifying event, the most supreme act of grace and selflessness, that could take place in this most volatile of political seasons.

A hint: In this epoch that has been dubbed the triumph of self-government, in which it is finally dawning on our civilization that the most progressive history is written, not by men who grasped for power and fought to keep it, but rather by those who relinquished and distributed power, the leader most charged with broadcasting such fundamentally moral statements throughout the world is ineluctably the American president.

You know it, even if you are a loyal Republican activist pledged to support your party's nominee, to be irreducibly true: George Herbert Walker Bush can render his presidency most successful only by giving it up, voluntarily, before his party's convention opens in Houston a fortnight from now. What would commence would be a genuine convention, not a scripted one, that would generate both great theater and the kind of popular responsiveness that alone can overcome the Clinton-Gore insurgency. It would, conceivably, center the party's soul where it ought to be — as the champion of those principles that have made our nation a beacon to the rest of the world.

And what are those principles? Individual liberty, minimal government, reliable property rights, fidelity to eternal verities beyond lip-service to "family values," free trade, guarantees that government confiscate as little of a person's honestly-earned wealth as possible. Moreover: a transcendent conviction that those principles together, whose source lies beyond political government, furnish hope and vision sufficient for all humankind.

To be sure, Bill Clinton and Al Gore have not mastered a convincing understanding of those principles. The supposed centrism, or even "conservatism," that the Democrats' ticket tout transparently masks a commitment to the failed policies of bigger and more intrusive government. Indeed, the selection of Mr. Gore itself betokens a disturbing acquiescence in the trend to globalize anti-democratic, command economics. His vaunted "environmentalism," his irresponsible performance at the Rio summit in which he aligned himself with America's economic competitors, placed him squarely in the camp that, giving up socialism unwillingly, seeks environmental hysteria as the brass ring to power. By embracing the sanctimonious Al Gore, Bill Clinton has endorsed the very principles that the West has defeated.

Nor does the prospect of a Clinton administration bending to the will of the Democratic congressional leadership inspire any hope in Mr. Bush's opponents. That leadership is in bad odor with the American people just now; it is shot through with corruption. Whence will come the executive check, the will to investigate, if Mr. Clinton — already caving in to Rep. Gephardt's protectionist

pandering — has taken residence in the White House?

But Mr. Bush himself has shown too much of a willingness to work in tandem with congressional Democrats, their joint economic program — capped by the infamous tax increases of 1990 — having delivered the economic doldrums that have corresponded with his presidency. Just last week the president cooperated with his Capitol Hill enemies by giving up the centerpiece of his recovery program, the capital gains tax cut. No surprise, really: In his inaugural address back in January, 1989, Mr. Bush gestured broadly to the congressional leaders, the disgraced Jim Wright prominent among them, and pledged his cooperation.

That, surely, was not the way of Ronald Reagan, to whom Mr. Bush owes his 1988 victory. Mr. Reagan, an astute compromiser more than he needed to be, at least projected that he stood for a set of principles. He chose his battles smartly and repeatedly battled Congress on their behalf, each time building political capital. Mr. Reagan's successor, ever the "pragmatist," ever waiting to prove he was better at the fine art of governance, has by cooperating squandered his presidency.

In every sense, even in his favored arena of foreign policy, Mr. Bush has failed every bit as much as that last notable failure, Jimmy Carter. Indeed, in his aimlessness he resembles the last president who chose to blame the people's "malaise" for his troubles. Mr. Bush's variation was to break his "No new taxes" pledge, as profound a breach of faith with the electorate as has occurred in America's recent political memory. A new generation of Republican leaders, contesting for the right to lead their party in Houston, will likely have learned that lesson.

Not that whomever the convention settles on will pick up, automatically, our endorsement. Historically, as a matter of policy, this newspaper does not endorse any candidate. A fair question, then, would be. Why this apparent disendorsement of President Bush?

To answer that, we would remind you that whenever a political figure willingly gives up power — whether it be the abominable President Jaruzelski of Poland or the heroic President Havel of Czechoslovakia — we are inclined, for the reason adumbrated at the beginning of this editorial, to applaud. Consider for a moment Mr. Havel's self-declaration, included in his most recent memoir: "I prefer to resign before I sign something bad."

Mr. Havel's prose is always golden, but that was especially so. This country's political leaders, most obviously President Bush, have long since lost the ability to iterate such simple ideals. Mr. Bush's golden moment, an opportunity to square and cube Mr. Havel's wonderful reminder for all the universe to witness, has arrived. He should give up the quest for a second term, and stand down.

HOW 'BOUT LET
LOW SPEED C

10 MILES AN HOUR
AND SHE'S A
BLONDE



THE OLYMPICS

The 800-wc

By Alan W. Bock

I hate to admit it, especially to myself. But when you find yourself watching — and, what's more, enjoying — women's volleyball and matches of Greco-Roman wrestling, there's a little point to denying your addiction. I hadn't thought the Olympics would get to me this year, and the coverage seems to have at least as many silly clichés per second as in the past. If I hear "all the years of training and sacrifice come down to this one moment" one more time, I may throw something.

But I can't help myself. I haven't been seduced into the Triple Cast, but I've been watching much more than is probably good for me. And I actually enjoy the chauvinistic, cliché-ridden shallow sentimentality with which it's presented, in part because I like to scream and curse at the TV set.

There, it's out now.

One of the things that draws me to the Olympics is consideration of just how much single-minded dedication it takes to get there. I'm both awed and appalled to contemplate these prepubescent little girl gymnasts — babies! — working out unpleasing hours a day, postponing or bypassing normal childhood, sometimes separated from their families, facing pressures most mature adults never face in a lifetime. Then consider those who do it for an obscure, no money sport like kayaking or trapshooting.

I love the Dream Team, and I don't care who knows it. It's not that I gave a good guess whether a college-level team might have been beaten in international "amateur" competition. I just like seeing players of this caliber work together and enjoy themselves. Think of the games as exhibitions rather than competitions, an opportunity for the rest of the world to get a glimpse at how it looks when players reach this level. Why shouldn't they strut a bit? I even wish the Lakers or Clippers had gotten Sir

Chandina speeds

AM-CT--Bush-Editorials,500<

Two Connecticut Newspapers Want Bush Out<

By The Associated Press=<

Two Connecticut newspapers, saying President Bush's economic policies seem to be failing, are urging him not to run for re-election for the good of the nation and give his party a chance to select another candidate.<

"The nation appears rudderless and the president provides no direction or vision to inspire the country to look to the future with confidence," the Waterbury Republican-American said in a Sunday editorial.<

The president "has no discernible vision or plan, no guiding principles" and should give the GOP a chance to nominate someone else with fresh ideas for salvaging the country's economy, the Republican-American said.<

"Four more years of the present unhappy course might be preferable to going to hell in a hand basket with President Clinton and the Democratic Congress, but it would still be a dissatisfying option. George Bush can best serve his country and save the Union by declining the nomination," the newspaper said.<

The paper said Bush cannot consider his years in the White House a success because the economy has sputtered after soaring under Ronald Reagan. It said "the oft-predicted recovery is not in sight anywhere outside the White House."<

The paper said Democratic nominee Bill Clinton's inexperience national politics and the probability he might not be able to play hardball with the Democratic Congress make him a less appealing alternative.<

"The outlook for the country with an undivided Democratic Congress is uncontrolled spending, skyrocketing deficits, confiscatory tax increases, the economy sinking like a rock, more burdensome regulations, more unemployment, more inflation, more public service jobs, more welfare," the paper said.<

The editorial in the Republican-American comes a day after The Herald spaper in New Britain also called on Bush to step aside and give someone a chance. The paper said Bush has "clearly run out of ideas."<

"The nation is in a dire economic crisis and George Bush has proven that he cannot handle it," The Herald said. "Scratch an economic indicator and all you find are dire results and pessimistic predictions. For that reason, he should step aside.<

"The motivation here is not political. Rather, it is recognition of an economic crisis so profound that it is mandatory for someone with vision, the ability to inspire, the capacity to build coalition and consensus and the determination to resolve to step forward.<

The Herald said Bush has failed to acknowledge the economy is sinking and needs help. It said all he has done was to give "feel good speeches that things weren't as bad as they looked, and would ultimately get better." his "feel-good speeches"<

"Either he didn't recognize the seriousness of the situation or, crippled by a lack of creative vision in dealing with it, resorted to platitudes," The Herald said.<

"Besides the fact that Mr. Bush and his administration have responded with woeful ineptitude to the economic crisis, there is another impression being drawn," The Herald said. "Mr. Bush appears out energy and tired of the whole mess.<

AM-NE--Quayle-Editorial,210<

Omaha World-Herald says Quayle Not Right for Vice President<

whf0neczkmcmm1<

OMAHA, Neb. (AP) The Omaha World-Herald, which endorsed the 1988 Bush-Quayle ticket, said in an editorial that Vice President Dan Quayle's laps of the tongue and lack of leadership make him the wrong person for the Republican ticket this year.<

The editorial in Sunday editions said Quayle is often treated unfairly. His "misstatements have been blown out of proportion. His good qualities and his accomplishments have been underreported," the newspaper said.<

But Quayle knows he won't get fair treatment from the media and still misspeaks. "That, by itself, is reason for Republican leaders to look for another running mate, weighing the appeal of Bush-Quayle against that of Bush-Powell, Bush-Baker or Bush-Cheney. Or even Bush-Kemp," the editorial said.<

Quayle also has not distinguished himself as a leader, the newspaper said. "His main political base, furthermore, consists of people who consider Bush hopelessly far to the left."<

The newspaper said it does not suggest that President Bush can't win without replacing Quayle.<

"We have defended him (Quayle) from time to time," said Frank Partsch, editor of the World-Herald's editorial pages. "We have not at anytime said we were pleased to have him on ticket."<

The World-Herald has endorsed Republican presidential tickets, including the Bush-Quayle ticket in 1988 and Ronald Reagan and Bush in 1980 and 1984.<

-- 08-02-92 --

To: Al
 From: Katie
 Re: Evergreen Visit.

Three Themes to emphasize here:

(1) Jobs and the environment. Note that emphasis is "jobs" -- NOT new technologies. ~~This~~ You need to make the point that environmental protection offers opportunity FOR THE AVERAGE JOE -- NOT just for high-tech needs.

This facility is perfect for that message. The kinds of jobs that have been created here -- trucking, oil refining, are BLUE COLLAR.

(2) Protecting the environment means protecting our health & the health of our kids. Studies show that kids are dangerously at risk from lead. Admin's response is to get every effort to protect kids from increased exposure:

→ recall Reilly's effort to prohibit incineration of lead acid batteries -- OMB / Competitiveness Council held this up.

→ See materials for history re! failure to act to get lead out of used oil.

→ Reilly testified against Bracus!

RCRA bill that would have required removal of lead.

(⇒) Bush is our HYPOCRITICAL PRESIDENT. Again bowing to his big oil company buddies -- will do anything -- even jeopardize the health of our children (& the future of this country) to please his friends.

* Note that point here is that lead must be gotten out of oil. DO NOT get dragged into whether used oil should be listed as a "hazardous waste" under RCRA. -- that is a much more complicated issue w/ some potential for perverse side-effects that could ~~dis~~ discourage even genuine recycling efforts.

I asked enviros & industry group (Rich Fortuna) to prepare background & suggested talking points. They have done so & material is very good. You should base your remarks on their stuff.

* Note in background chronology that Haz Waste Treatment Council suits v. EPA include EVERGREEN (EVERGREEN is a member of the HWTC).

1.

To: Al
From: Katie
Re: Water Issues -- Central Valley

Sorry for the format -- I'm trying to do this at my sister's (while Alma is sizing me up in my gown...)

As you know, we've taken down the substantive events from the CVP visit. However, this is the top issue in this area & you need to be prepared to respond. Moreover, I believe there is some opportunity for you to be proactive here & command some high ground. How?-- For all of the potential landmines here, one thing is clear -- the Administration has done nothing to facilitate resolution of this issue. (see below). I would propose that you take the initiative here & make a commitment that -- within the first 100 days of a Clinton / Gore Administration, a White House Conference will be called & sustained until reasonable & equitable solutions are found. Key is to emphasize engagement / involvement -- NOT to profess expertise.

I have attached an EESC report that will tell you the specifics of the legislative proposals that are being discussed. I would add the following by way of update:

(1) Senate voted ~~this week~~ to send the bills to Conference. Hold up now is that Republicans can't decide who they want. Seymour, of course, has been in the forefront, but others of more seniority are pushing to be at the table.

→ Note... This is Bush approach. -- Has Not facilitated dialogue.
Has only threatened veto of legislation. 2.

(2) ~~Failure~~ Failure to find a compromise bill on either House or Senate side led Cong. Dooley to ask Tom Graft, top Lawyer (EDF) for enviros and Stuart Somach, top lawyer (CVP Water Users Association) to hammer out a compromise. This effort failed when Governor Wilson urged farmers not to participate -- saying that the only solution is to transfer the CVP to the state. Farmers walked. Latest is that Wilson has backed down somewhat and discussions have resumed.

YOU SHOULD NOT ENDORSE ANY OF THE LEGISLATIVE PROPOSALS ON THE TABLE.
(EEESC paper just for your background).

Your message here is to endorse the process that led to these bills. -- Sincere efforts to resolve this problem are welcome & to be congratulated.

You need to take a hard line here -- but a hard line of insisting on sincere dialogue and compromise. Not a hard enviro line. Bradley & Miller are pariah here. To argue for the status quo is also unacceptable, however. Key is to say that change is inevitable (indeed, Federal legislation may (altho this not likely) pass this year). The goal has to be to ensure that the right balance is struck. That takes earnest engagement by all parties.

Congressman Dooley delivered a speech July 20th

that strikes the right balance: Some themes:

(1) Central Valley is the most productive agricultural region in the world. Invaluable contribution to the health / vitality of the nation.

(2) But -- 6-year drought -- intense competition for water. Political forces now irretrievably set in motion -- change is coming.

(3) Political solutions will be inategrate

(4) Californians must be engaged in this process. [Note that all agree that California should be the decision maker re: water rights & distribution. This is a question of growth & development in the State & is properly the province of the State. Dispute arises over money. Wilson is looking to have the CVP simply handed over to the State. Admin seems to back this idea. (Admin has not been engaged in this at all, but generally seen to promote whatever Wilson wants). ** If asked specifically about this, you should say that you believe the State should be the primary decision-maker re: water allocation & administration w/in its boundaries. HOWEVER -- that doesn't necessarily mean that you believe immediate transfer of CVP to the State is the right answer. *** You should tell farmers that, one thing they should weigh in this is whether they would benefit from such a transfer. -- CVP water is significantly subsidized by the Fed gov't. Clearly the State can not afford those subsidies.]

"require sacrifice from agriculture -- But
not OF agriculture"

4

(5) There must be a dialogue between ^{urban interests,} growers & environmentalists; continued polarization unacceptable. Change is coming. Obligation to ensure it is sound.

(6) Elements of a "good" CVP bill:

- addresses environmental problems created by CVP BUT does not devastate farm economy.

- establish clear environmental goals & ensure these will be met. [Note: this means some guaranteed water for fish & water fowl. BUT it means less than the probably 1.5 mill Acre feet set aside & probably means undertaking other non-water fixes such as: installing fish screens; replacing spawning gravel; improving riparian habitats, etc.]

- provide certainty to farmers

- ** allow urban users to buy water from CVP service area. [Note that Bureau of Reclamation construes legis. to prohibit transfer of CVP water out of CVP service area. Bradley bill would break that wall down. You should support this concept. But with the qualifier that protections against destabilization of rural areas should be put in place.]

(7) Ag industry will gain by participating. -- Otherwise they will see these decisions made by the courts (*especially as the Endangered Species Act becomes a hammer) & Washington.

Overall message - Bush Admin. is Not doing the ag. industry a favor by pretending there is no problem & trying to cling to the status quo. Change is happening. It can happen through the Courts, the Congress or by the active engagement of Californians. Only the latter will yield a beneficial solution. Clinton-Gore Administration is committed to facilitate & see that dialogue through.

Points to remember:

→ You do not endorse any specific legislative proposal. -- You will study what results from Conference & see if strikes a reasonable balance.

** → Part of the reason you are here is to listen & learn in order to better identify elements of a reasonable solution.

→ if you talk about transfers of water rights, must talk about VOLUNTARY transfers that would not destabilize rural communities.

→ State should have lead role in deciding water allocation.

→ BUT not clear what that means re: management/ownership of CVP.

→ Realities forcing change:

→ Endangered Species Act & Courts

→ Urban growth

→ persistent drought.

ENVIRONMENTAL AND ENERGY STUDY CONFERENCE

SPECIAL REPORT

May 6, 1992

plus Bush
clean

Western water package clears Senate

A summary and comparison with House-passed bill

by Leslie Ann Duncan

An ongoing debate about how to overhaul operations of a massive federal water project in California's Central Valley continues to shape congressional action on a huge package of water projects and policy changes proposed for the Bureau of Reclamation, which delivers water to farms and municipalities in 17 Western states.

The House passed its version of the bill (HR 429, H. Rpt. 102-114) last June without addressing controversial proposals to alter management of the Central Valley Project, a sprawling water storage and delivery system that controls 20 percent of California's water supply.

The project's massive diversion of water from Sierra-fed streams has been blamed for declining stocks of native salmon and destruction of wetlands vital to migratory waterfowl along the Pacific flyway. At the same time, farm groups have steadfastly opposed environmentalist-backed legislation that would set aside substantially more CVP water, most of which now goes to irrigation, to enhance fish and wildlife habitat.

The issue caused months of delay in the Senate, which approved its own omnibus water bill (S. Rpt. 102-267) April 10, hours before Congress adjourned for spring recess.

While not steering clear of the CVP debate altogether, the Senate avoided a floor fight over the issue and endorsed an amendment offered by Sen. John Seymour (R-Calif.) that would require structural and operational changes in dams and other parts of the water project to improve fish habitat.

The Seymour amendment does not call for a major redistribution of CVP water to fish and wildlife, as some in Congress have advocated, but it would allow some additional water to go to national wildlife refuges in the Central Valley.

The measure is supported by California agricultural interests and House members who represent the valley.

BOB WISE, JOHN McCAIN, *Co-Chairmen*; JAN MEYERS, CHRISTOPHER J. DODD, *Co-Vice Chairs*
U.S. CONGRESS H2-515 FORD HOUSE OFFICE BUILDING WASHINGTON, D.C. 20515 (202) 226-3300
LINDA CARTWRIGHT, *Director*; STEVE GORMAN, *Editor*

Side-stepping another area of controversy, the Senate stripped the bill of two House-backed provisions that would tighten the availability of federal irrigation subsidies to large farms in the West and would limit the use of federally subsidized irrigation water to grow surplus crops.

The proposed subsidy restrictions are anathema to the farming community and were considered by many to be the chief reason a Western water package died in the 101st Congress.

Most of the other parts of HR 429 are no longer controversial, though some issues have been divisive in the past.

Among other items, the bill would authorize \$922 million for completion of the huge Bonneville unit of the Central Utah Project, one of the last giant federal water projects under construction.

HR 429 also contains a title ordering the bureau to protect the Grand Canyon from environmental damage caused by fluctuating water releases from Glen Canyon Dam.

Central Valley: Senate Energy Committee Chairman J. Bennett Johnston (D-La.) and water subcommittee Chairman Bill Bradley (D-N.J.) have pressed to make more water available for the Central Valley's dwindling fish and wildlife. But they were unable to muster enough votes for their extensive CVP overhaul proposal in the final Energy Committee markup of the omnibus water bill March 19.

The Johnston-Bradley proposal to put fish and wildlife preservation on an equal footing with agriculture in allocating CVP water was strongly fought by California farmers, who feared such changes would put them out of business by reducing or taking away the irrigation water on which they depend.

Instead, the committee added, and the Senate approved, the more modest Central Valley proposal taken from Seymour's CVP bill (S 2016).

But Johnston and Bradley made no bones about their intention to seek more far-reaching Central Valley language in conference with the House.

They have a strong ally in House Interior Committee Chairman George Miller (D-Calif.), who also has been pushing for sweeping changes in CVP operations.

Miller's committee approved a fish and wildlife restoration bill for the Central Valley late in the 101st Congress, as did the Merchant Marine Committee, but the bill was not taken up by the full House.

However, Miller, Johnston and Bradley are in an awkward parliamentary spot because the House version of HR 429 contains no language on CVP operations whatsoever.

Unless the legislation is amended further on the House or Senate floor, any proposals that go much beyond the Seymour amendment would likely fall "outside the scope" of conference negotiations to reconcile differences between the House and Senate bills, aides said.

Changes by a House-Senate conference committee that are added outside the scope of the conference are subject to a point of order, or parliamentary objection, on the House floor.

Outlook: Sometime this week, Miller is expected to drop a new CVP bill in the hopper. The bill will be similar to the proposal Johnston and Bradley circulated but never offered at the Senate committee markup, according to aides.

Miller has scheduled a May 14 hearing on his bill and on the House version of Seymour's bill (HR 3876), sponsored by California Reps. Calvin M. Dooley (D), Richard H. Lehman (D), Wally Herger (R), Gary A. Condit (D) and John T. Doolittle (R), whose districts encompass the Central Valley. Also on the agenda is a bill by Rep. Tom Campbell (R-Calif.) that would authorize the federal government to transfer ownership of the Central Valley Project to the state (HR 4687), as proposed by Gov. Pete Wilson (R-Calif.).

Miller is actively seeking co-sponsors for his CVP measure, with the aim of signing on a majority of the Interior Committee, aides say. As of Monday, the Interior Committee chairman had not decided how to proceed after the May 14 hearing, a Miller aide said.

According to the aide, Miller could try to solve his scope-of-the-conference problem by seeking permission from the Rules Committee to bring the water bill back to the House floor for a vote on an amendment that would incorporate his CVP measure, then send the entire package back to the Senate.

This approach would allow Miller to go to the conference with a vote demonstrating House support for a broad CVP overhaul, the aide said.

If the House does endorse Miller's CVP proposal, the expectation is that the Senate would then request a conference, which would probably occur in June, with Miller, Johnston and Bradley in a better position to advance their Central Valley agenda.

The following is a summary of the massive 38-title bill passed by the Senate, and a comparison with the House bill.

Central Utah Project

The principal big-ticket item in the bill is a provision to authorize \$922 million for completion of the biggest component of the massive Central Utah Project, the so-called Bonneville unit. The project, two-thirds of it already constructed, is designed to supply water for municipal distribution, irrigation and industrial use to the growing Salt Lake City region.

Further work on the \$2 billion Bonneville unit cannot proceed without the bill because the previous authorization for federal spending on the CUP has been exhausted.

The Senate approved some amendments to the House-passed version of the CUP provisions, but the changes were mostly technical in nature.

The Bonneville unit captures water from Colorado River tributaries and diverts it west across the Wasatch Mountains into the Great Basin through a huge network of aqueducts, tunnels and natural streams. Construction began in 1966, and the first municipal and industrial water deliveries began 20 years later.

For years, the project was criticized as environmentally damaging and too costly. Since 1966, the estimated price tag for the project has risen astronomically due to construction problems and high overhead expenses.

A report four years ago by the Interior Department's inspector general found that the Bureau of Reclamation improperly calculated project cost ceilings, failed to disclose hundreds of millions of dollars in cost overruns to Congress, and took actions that cost more than \$400 million in lost interest earnings. The House committee report says the bureau has consistently delayed implementation of measures to reduce or offset damage to fish, wildlife and recreation opportunities during the course of construction.

Potential opposition to raising the project's spending ceiling was largely overcome in 1990 by an agreement on extensive changes to the project reached by environmentalists, water and power interests, state officials, the Utah congressional delegation, the Bush administration, Indian tribes and others. The CUP section of the omnibus water bill embodies that compromise.

Key provisions would increase local cost-sharing requirements, turn over remaining construction of the CUP to the local water district and set tough water conservation requirements.

The bill also contains provisions aimed at mitigating environmental disruptions caused by the water project, including measures to protect fish and wildlife, regulate stream flows, acquire wetlands and improve range lands.

Furthermore, the bill would provide for a water rights settlement with the Ute Indians of the Uintah and Ouray Reservation. (For more details on the CUP provisions, see June 19 *House Floor Brief*, "Reclamation Projects Authorization and Adjustment Act of 1991.")

Other major provisions

Grand Canyon: Both versions of the legislation include provisions aimed at reducing wide fluctuations in the release of water from Glen Canyon Dam, which is located on the Colorado River upstream from the Grand Canyon. The fluctuations are believed to be hurting native fish populations, eroding beaches along the canyon floor and disrupting whitewater boating. The federally run dam provides water and power to large parts of the Southwest.

The legislation would require the Interior Department to even the flow of water through the dam while preparing environmental impact studies on the effects of the dam on the Grand Canyon. The ongoing studies, funded by electricity consumers, will lead to a decision on how the dam should be operated over the long term.

The Interior Department already has taken some steps to ease the dam's impact on the canyon, but Sen. John McCain (R-Ariz.) says congressional action is necessary to spare the department from lawsuits and to ensure that protection of the canyon is required by law, not left to the discretion of individual administrations.

The Senate adopted a series of amendments that would update the provision to reflect the actions already taken by the Interior Department. Another amendment adopted by the Senate is designed to reduce costs that ratepayers may face as a result of dam operation changes.

Water policy review: The Senate adopted an amendment proposed by Sen. Mark O. Hatfield (R-Ore.) to establish a commission to study current Western water policy.

Hatfield introduced the measure as a freestanding bill (S 1228) last June, citing a growing demand for water throughout the nation and "a desperate need for a coordinated and comprehensive water policy." (For more on S 1228, see Sept. 16 *Weekly Bulletin*, p. B7.)

Central Valley Project: Seymour's bill, as adopted by the Senate, includes provisions to improve fish passages around dams, control water temperatures to make Central Valley streams more hospitable to salmon, and increase water flows at certain times to assist ocean-bound fish in their downstream migration from spawning grounds.

The measure also would firm up the allocation of an additional 240,000 acre feet of CVP water to wildlife refuges in the Central Valley, increasing refuge deliveries over time to 526,000 acre feet a year. However, the bill sets no deadline for reaching that total.

By comparison, the Johnston-Bradley proposal calls for achieving the same increase for refuge water in 10 years, and would set aside an additional amount of at least 1.5 million acre feet for fish and wildlife enhancement generally. This does not include 200,000 acre of water their bill would require for increased flows on the Trinity River. (For more on the Johnston-Bradley proposal, see March 9 *Weekly Bulletin*, B17.)

South Dakota projects: Like the House-passed bill, the Senate package would authorize \$100 million for design and construction of a Mid-Dakota rural water system in South Dakota. Both versions also would authorize a demonstration program to study the potential for selenium contamination of drainage water from the proposed Lake Andes-Wagner/Marty II irrigation project in South Dakota and methods for curtailing water pollution that might result.

Common ground

As passed by the Senate, HR 429 also contains provisions to authorize 12 smaller Western water projects and related proposals contained in the House version of the bill, sometimes with minor amendments. Specifically, these provisions would:

- authorize additional recreation facilities and funding for the completion of the Buffalo Bill Dam and reservoir in Wyoming.
- authorize the Interior Department to construct, operate and maintain a plant to treat water discharged from the Leadville Mine Drainage Tunnel near Leadville, Colo.
- authorize the Interior Department to construct and test the Lake Meredith Salinity Control Project in New Mexico and Texas.

FOE FAX

A facsimile transmittal from FRIENDS OF THE EARTH.

To: KATIE McGINTY, SEN GORE'S OFFICE

From: LIZ COOK, FRIENDS OF THE EARTH

Pages: 6

Date: 8/6/92

218 D Street, S.E. • Washington, D.C. 20003 • Phone: 202/544-2600 Fax: 202/543-4710

*Please free of
"memos"*

TO: Katie McGinty
FR: Liz Cook, Friends of the Earth
RE: Trane and Chillers/Residential AC
DA: August 6, 1992

Attached are a few items that I mentioned showing the debate over the toxicity of HCFC-123 and that some companies are promoting totally ozone-safe alternatives to CFC-11 and HCFC-123 in chillers. Please note that HFC-134a has a fairly long lifetime and therefore a significant global warming potential. Apparently, the natural gas alternative needs improvement in the area of energy efficiency.

EPA has the view that HCFC-123 in chillers is a good option because it is energy efficient and it has a relatively low ODP (.02). The agency has tried to take an objective look at the toxicity issue. It seems that Trane's competitors are putting out negative advertising about HCFC-123's toxicity. It's a tricky issue, but if necessary, it is safe to provide some modest praise to the company based on the following things I found out. I stress, however, that FoE does not like to promote the use of HCFCs. New data on the short-term impact of HCFCs stresses that they are potent ozone-depleters.

* HCFC-123 is the only real alternative at this time for retrofitting big chillers. If the equipment is retired, then the other alternatives, such as HFC-134a, are an option.

* Most other companies, except Carrier, have set a 1993 phaseout date for new equipment. Some, however, are switching to HCFC-22 which has a higher ODP (.05).

* Trane recognizes the toxicity issue of HCFC-123 and is promoting careful handling practices which include emissions control and recovery.

* The company is also aggressively searching for alternatives to HCFC-22 in residential A/C applications. It has provided brochures for service people on HCFC-22 recycling.

Please call me at home tonight if you have any questions (301) 891-3068.

30 JULY '92

P. A-5

10:12 AM

Nova Scotia Sells Its Electric Utility To the Public, Raising \$716.4 Million

By SUZANNE MCGEE

Staff Reporter of THE WALL STREET JOURNAL

The government of Nova Scotia has more than doubled to \$51 million Canadian dollars (US\$716.4 million) its proceeds from the sale to the public of the province's electric utility, thanks to the dearth of high-yielding investments.

The provincial government originally planned to sell off just 57% of the utility, raising about C\$400 million. Interest from investors encouraged the issue's underwriters to boost the size of the offering to 85 million shares, or 76% of the utility, at the time the initial prospectus was filed with underwriters. But the issue still was heavily oversubscribed, and the province de-

cided to sell its entire interest in the utility.

The increase in the size of the issue makes the offering the largest equity issue ever in Canada, and the largest privatization of a government-owned corporation.

Retail and institutional investors, attracted by Nova Scotia Power Inc.'s hefty 7.5% dividend yield, queued up to buy the shares, underwriters reported.

People close to the underwriting group noted that interest rates have fallen sharply this year, while a number of companies have elected to redeem preferred share issues outstanding. That has led to pent-up demand for high yield securities by investors seeking income rather than capital appreciation.

A C\$200 million issue of preferred shares by Great-West Lifeco Inc., an insurance concern based in Winnipeg, Manitoba, is one of the few public preferred share issues to be announced in recent months. Those shares also will have a 7.5% yield.

Underwriters marketing the Nova Scotia Power issue played up the combination of the issue's high yield and low payout ratio. The utility will pay out about 67% of its profit to shareholders in the form of dividends. That compares with payout ratios of as much as 84% for other utilities, such as Alberta-based TransAlta Utilities Corp., which underwriters contend allows room for dividends to grow over the next few years. Underwriters were led by R.B.C. Dominion Securities Inc.

Institutional investors picked up about C\$350 million of the Nova Scotia Power issue, with retail investors in the province of Nova Scotia, including the utility's employees, acquiring another C\$250 million of shares. The remainder of the issue was acquired by retail investors outside the province, underwriters said.

Nova Scotia residents were able to subscribe for shares of the utility under an

Johnson Controls Prohibits Exposure to HCFC-123

By a WALL STREET JOURNAL Staff Reporter

MILWAUKEE- Johnson Controls Inc. said that due to what it termed unresolved health concerns, it was prohibiting employees from working on air conditioning equipment that contains the chlorofluorocarbon replacement compound HCFC-123.

A Johnson Controls spokesman said the company was concerned that some industry and academic research indicated that workers may be exposed to from one part per million to 1,000 parts per million of HCFC-123 when working on cooling equipment containing the compound. Research by a group of refrigerant and equipment manufacturers last year found that benign tumors formed in some laboratory animals after long-term exposure to HCFC-123 at levels of 10 parts per million.

The Environmental Protection Agency has backed the use of HCFC-123, which has less ozone-depleting material, as an initial replacement for CFCs.

Tony Vogelsburg, Du Pont Co.'s environmental manager for fluorochemicals, said Johnson Controls appeared to confuse short- and long-term exposure health concerns. He said that research backed by Du Pont and other HCFC-123 makers and users concluded that workers wouldn't suffer adverse health effects from exposure for less than one minute to the compound at concentrations of up to 2,500 parts per million.

installment receipt plan. Under terms of the plan, they were allowed to pay only a C\$6 downpayment on each share, with the balance of C\$4 due one year from closing. Owners of the installment receipts will receive the same benefits, including full dividend payments, as investors elsewhere who paid the full C\$10 a share price immediately.

Nova Scotia Power, based in Halifax, is a monopoly utility providing electrical power to the province through coal-fired, oil-fired and nuclear generating stations.

CMS Energy Corp. Ratings on Debt Cut by Moody's

By BRADLEY A. STERTZ

Staff Reporter of THE WALL STREET JOURNAL

Uncertainty over CMS Energy Corp.'s ability to make peace with Michigan utility regulators led Moody's Investors Service Inc. to downgrade to speculative levels some of the long-term debt of the company's main utility.

The credit rating concern also said placed the debt under review for possible further downgrades.

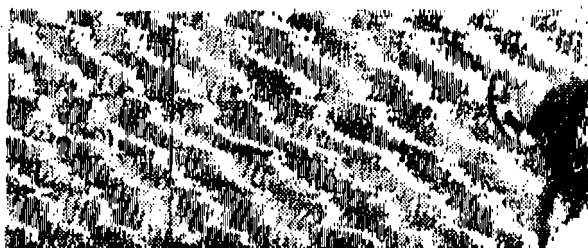
At issue is whether CMS Energy can restructure to the state's satisfaction the dealings between its Consumers Power Co. unit and the Midland Cogeneration Venture. CMS, based in Dearborn, owns 49% of the steam-producing and electricity-producing venture, which operates out of a failed Consumers Power Co. nuclear plant. The regulators have argued that Consumers Power is improperly subsidizing the Midland venture by paying too much for the power it gets from the affiliate.

CMS filed a plan to resolve the matter earlier this month. But since the outcome isn't clear, Moody's ratings change affected \$1.8 billion of Consumers Power debt. Preferred stock and unsecured pollution control revenue notes slipped to Ba-1, junk-bond status, from Baa-3. Mortgage bonds dropped to one notch above speculative grade at Baa-3, from Baa-2.

Moody's also lowered ratings on \$1.1 billion of debt issued by Midland Funding Corp. Senior secured lease bonds backing the cogeneration venture dropped to Ba-2 from Ba-1, while subordinated lease bonds fell to single-B-1 from Ba-3.

The ratings move surprised CMS officials. Michael G. Morris, executive vice president and chief operating officer of Consumers Power Co., said, "We didn't think anything like this was in the wind. We think the downgrade is unwarranted." In late New York Stock Exchange trading yesterday, CMS common shares were

543-5304



Station. The end product was a "lost decade." The issue, of course, is whether this

ready, this has enabled the country to diversify its exports. In 1991, some 70% of co-

ditions that annual investment flows between \$5 billion to \$10 billion are required to fi-

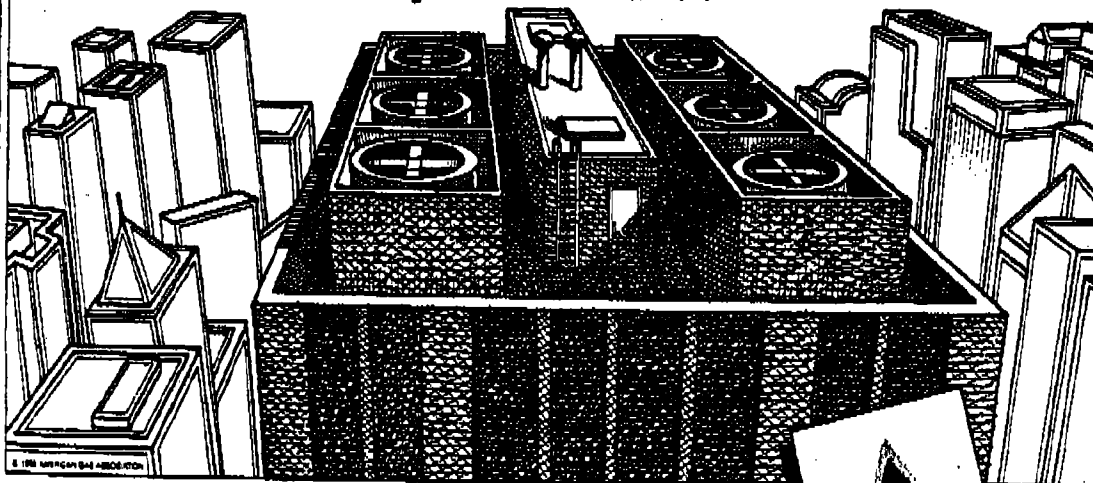
of the Center for Free Enterprise Studies in Mexico City.

It's time we cleared the air about air conditioning.

The good news is that the use of chlorofluorocarbons (CFCs)—the refrigerants that have been affecting our ozone layer—has been banned. The not-so-good news is that we have to wait for the year 2000 for the ban to take effect. Fortunately, a lot of people aren't waiting. They realize the damage

that's already been done. They realize that the ozone layer in our upper

atmosphere that protects us from ultraviolet radiation is increasingly being damaged by CFCs. And they realize that it's got to stop...now! So more and more people with air conditioned offices, hotels, hospitals, supermarkets and other commercial buildings are switching from electrical cooling systems to new natural gas absorption cooling systems that use salt and water instead of polluting CFCs. They're benefiting from reduced air conditioning costs, and we're all benefiting from a safer environment.



Use Natural Gas. We'll all breathe easier.



THE PRESIDENT SAYS 1995. OUR PRESIDENT SAYS NOW.

Scientists know it, and so do we: the ozone layer that protects the earth from harmful radiation is being damaged. And CFCs, widely used as refrigerants in commercial air conditioning, are the main culprit. *CFCs must be banned.*

Jump on the bandwagon. Recently, President Bush responded to alarming new



evidence of damage to the ozone when he approved a timetable that will ban production of

CFCs in 1995. *But the fact is, we can start phasing out CFCs right now.*

At SnyderGeneral Corporation, we manufacture McQuay centrifugal chillers and other air conditioning and filtration products. And we are part of an industry that for

years has used CFCs to help cool America's buildings.

On Monday, June 22, our President, Richard W. Snyder, announced

that SnyderGeneral will immediately stop marketing centrifugal chillers that use CFCs. We will honor pre-existing commitments, but as of now we consider ourselves out of the business of selling CFC-based air conditioners to the industrialized world. *We challenge our industry to follow our lead.*

Why wait? There is simply no good reason we should not all be selling CFC-free products. Every major air conditioning manufacturer has alternative refrigerants available



today. Our choice is HFC-134a, which has an ozone depletion factor of zero. Or, as Du Pont calls it, *SUVA® Cold-MP®*.

But the point is, why sell another CFC chiller, when there are already 80,000 of them installed in the U.S. alone, and they will all need to be re-refined or replaced? It is clearly irresponsible to sell a customer a product that requires CFCs, when the refrigerant will soon be banned.

Keep the message whole. Our message is simple. Let's do business, without doing further damage to the ozone. And as for our competitors, we urge them to clean up their own house, without waiting for the White House.



SnyderGeneral

McQuay

SUVA Cold-MP is Du Pont's registered trademark for HFC-134a, a non-CFC refrigerant. SnyderGeneral Corporation, 3311 Montgomery Avenue, Dallas, Texas 75244. 214-750-4500. © 1992 SnyderGeneral Corporation.

The administrative ceiling is intended to limit the amount of money used for such expenses as personnel, travel, rent and supplies which are necessary to the operation of the Superfund program. EPA this year requested \$274-million, up from last year's \$233-million, to hire more employees for federal facility cleanup efforts. One source explains that the Senate's proposed decrease is at odds with the growing workforce and more Superfund sites entering the cleanup stage. The low ceiling would prevent EPA from additional hiring, even spurring a reduction in force. "If the Senate wants more sites cleaned up and sites off the national priorities list, cutting the administrative ceiling won't achieve that goal," this source says.

Another Superfund office source explains that the cuts focus on those who "do the work," and therefore will carry impacts on virtually every dimension of Superfund. Following are some of the effects reportedly outlined by the Superfund office in a recent briefing paper: 1. There would be no new employees to oversee federal facilities as outlined in the President's budget; 2. The "Superfund pipeline" will be significantly disrupted, with delayed cleanup decisions; 3. Contractor activities at sites will be drastically reduced; 4. Emergency removals would cease for an estimated 150 sites not on the NPL; 5. Enforcement would be restricted to ongoing activities; and 6. No new settlements or cleanup cost recovery actions would be undertaken, with more than \$1-billion of cleanup work and cost recovery lost.

Reilly has been "expressing the seriousness of concern to the Appropriations Committee so they will get a sense early on that this may look small, but it is an enormously important cut," says one agency source who hopes the number will be restored in conference committee. EPA sources say they have been in negotiations with the Committee, which realizes it has gone too far. "The impact is so draconian, we don't expect it to stand," says one EPA source.

The low number was intended to "send a signal" to EPA about concern with expenses not related directly to Superfund, including other programs dipping into Superfund's pot, says a Senate source. "There are things going on that we are not happy about," this source adds. In particular, the Committee was responding to a *Washington Post* article which cited contractor abuse. One source argues that Congress is "funding a huge bureaucracy" and getting few cleanups in return. The source says that the Committee plans to take EPA's concerns into account, and the number that comes out of conference will likely be higher.

But EPA is concerned that in the spirit of compromise, the House and Senate will merely "split the difference," yielding a \$220-million ceiling. That figure "still would be awful," says one waste office source, who explains it could virtually halt travel needed to manage sites. That could result in more contract abuse, since the agency would not be on hand to supervise. Another agency source says that the program "at a minimum" would need the House number to stay intact. The agency hopes that the conference will yield a more acceptable number.

→ EPA, INDUSTRY STUDIES SHOW MAJOR CFC REPLACEMENT POSES LITTLE RISK

New evidence suggests that a primary substitute for ozone-depleting chlorofluorocarbons is safe, despite preliminary data showing the chemical may cause benign tumors in rats, according to EPA and industry studies. EPA and industry representatives say new data which examined very low levels of the chemical emitted in normal operation of chilling equipment support the agency's original contention that the substitute -- hydrochlorofluorocarbon-123 -- can effectively and safely replace CFC-11, the most widely used large scale air conditioning equipment refrigerant.

EPA had pegged HCFC-123 as a valuable substitute for CFC-11 based on an "interim" assessment of the chemical's toxicity in November, 1990. However, in June HCFC-123 manufacturers informed EPA that preliminary industry toxicity studies revealed an increase in benign tumors in male rats who inhaled large amounts of the chemical (*Inside EPA*, Aug. 23, p3). That data prompted chemical manufacturers to revise their recommended exposure levels for HCFC-123 from 100 parts per million (ppm) as an eight-hour time weighted average (TWA), to 10 ppm/eight hour TWA exposure. At that time, EPA and industry sources feared that the preliminary toxicity studies would threaten the acceptance of the substitute, even though the agency was not considering changing its original evaluation of the chemical.

Two separate soon-to-be-released studies, which collected data from areas where maintenance personnel would work on large industrial chillers, indicate "real world" HCFC-123 exposure levels are far below the revised industry exposure recommendation of 10 ppm. Though EPA sources could not give specific data numbers from their joint refrigerant industry-agency study, one source says that under normal operating conditions, HCFC-123 levels measured "in the 1 ppm [per eight hour TWA] range." Industry sources say their monitoring shows maximum exposure levels in the .35-.4 ppm/eight hour TWA, with one source adding that most installations show levels "well below that."

Both studies are prompting EPA and industry sources to reassert support for the agency's initial

evaluation that HCFC-123 poses little risk to human health, and is the "best" substitute for CFC-11. "The test data is underscoring [EPA's] contention that even given the new [toxicity] data, planned use of HCFC-123 should continue," one industry sources says. An EPA source who calls the results preliminary, says "it looks like there is very little risk" associated with using the chemical, given the "almost undetectable exposure levels" of the HCFC-123 in actual chiller installments.

In first scientific consensus on key issue

EXPERTS: SUPERFUND SITES MAY HOST CHEMICALS THAT COULD PREVENT FULL CLEANUP

Superfund sites are highly likely to be contaminated with certain chemicals that make complete groundwater cleanup impossible using current technologies, according to a draft report by a panel of EPA-convened experts. The conclusion marks the first time experts have agreed that the problem may be extremely pervasive, with significant policy implications for Superfund cleanups that have yet to be fully worked out. Because of the high likelihood that such contamination will be present at sites, the experts strongly underscore the need to look for it when assessing sites.

In the August draft, *Summary of workshop on dense nonaqueous phase liquids (DNAPLs)*, the experts conclude: "The potential for extensive contamination of groundwater by DNAPL chemicals is high, but reliable quantitative information concerning the extent of contamination is not currently available." DNAPLs are a form of oily or dense contamination that is heavier than water and that sinks lower than the water table at sites; it is extremely difficult to clean up, or even to locate. EPA held a meeting April 17-18, 1991 at which experts in the field and EPA scientists laid out state-of-the-science information on the problem. That information is contained in the draft document, which sources say will undergo wording changes but not major changes in format or organization.

"The question now is how do you determine if DNAPLs are present at a site," given the presumption that they are, says an EPA participant in a Sept. 5-6 meeting to discuss the draft report. EPA's assistant administrator for Solid Waste & Emergency Response, Don Clay, in a memo on groundwater cleanup at Superfund sites also emphasizes the importance of the problem and acknowledges that complete cleanups may be impossible because of it (*see related story*). The draft document by the experts notes that in the past site investigations have ignored the possibility that DNAPLs could be present.

"Failure to directly observe DNAPL at a site does not mean it does not exist," the draft report says. At known DNAPL sites, monitors often detect only such DNAPL chemicals that are slightly dissolved in the groundwater, but it is highly likely DNAPLs are present if chemical use at the site was extensive, the report says. The report warns that conventional drilling technologies used at sites could cause the chemicals to move vertically, thereby extending groundwater contamination. It also says that DNAPLs at some levels of aquifers may "persist for decades or centuries before completely dissolving into groundwater," at which point it could be pumped out of the ground and treated.

"There are thousands of DNAPL contamination sites in North America," the report says, noting that such chemicals are associated with wood treatment operations, manufactured gas plants (coal, tar), dry cleaners, textile mills, and numerous other industries. In assessing a site, it is important to evaluate the potential for DNAPL to exist at the site, often using indirect rather than direct methods. "The importance of this identification cannot be overemphasized," the experts say. But the document notes that the group could not reach a consensus on "how to structure a site investigation to address the DNAPL problem or what specific procedures should be used." However, two experts, John Cherry and Stan Feenstra of the University of Waterloo, Ontario, Canada, offered an 11-point approach to identifying DNAPLs that sources say will play an important role in resolving the issue.

On the critical issue of containing contamination versus restoring groundwater, the experts note that there is "considerable scientific and political controversy concerning ultimate attainable cleanup levels at a DNAPL site." No proven technologies exist that can restore such sites, the report says. One EPA source notes that even containment technologies are not yet proven. Currently, no adequate method exists for locating DNAPLs underground; if the DNAPL area cannot be delineated, "containment may be impossible," the report says.

The draft report is expected to be completed in final form within several weeks, according to sources.

EPA REGION VI ADMINISTRATOR ANNOUNCES RESIGNATION PLANS. Robert E. Layton, who has served as regional administrator since Dec. 1986 announced in August that he would resign his post at the end of this year. Regional sources say they expect a replacement to be chosen by the end of October. Texas Water Commission chairman Buck Wynne III is rumored to be a candidate for the post. Neither Wynne nor Layton could be reached for comment.

United States Senate

WASHINGTON, DC 20510-4202

EASTERBROOK STUFF

o "The distinction between a bicycle accident and the end of civilization has seldom been so blurred....."

Easterbrook refuses to recognize -- sharing this skill at avoidance with George Bush -- the global ecological crisis facing every nation and facing people around the globe. It's real. This ain't no bicycle accident and the signals are clear: CO2 levels, dying children, dead dolphins, etc etc.

o "When it came time for Northern governments to offer the South new funds for addressing the low-profile issues that really matter, the rich countries (even the Scandinavians) said, "Sorry, we've made this huge commitment to greenhouse controls, no money left over."

Not true. In fact, the opposite is true. The United States oddly enough is the only country specifically to contribute money to implement the Climate Convention. We announced a 25 million contribution to fund emission studies in developing countries. Other countries that have announced financial contributions have earmarked them to fund Agenda 21 -- not the climate convention. Japan committed to an increase in its environment-related aid from \$3.1 billion over the last 3 years to more than \$7 billion over the next 5 years. The European Community pledged to provide \$4 billion as an 'initial commitment' of support for Agenda 21.

o "This swirl of overstatement managed to convince everyone, including the White House, that global warming was the principal issue to be addressed at Rio -- "

Curious. If the White House was convinced of that, you would think that we would have brought our climate change experts to Rio. We didn't -- in fact, Bob Reinstein, the Administration's lead negotiator on the Climate Convention, was not even a member of our delegation there.

The agenda for Rio was far more complicated than just the climate convention; far more complicated than even just the climate convention and the biodiversity treaty. But, the quick, simple story easiest to grasp focused on these agreements.

What everyone did understand -- but what Easterbrook apparently does not -- is that the climate change negotiations were carried out on a separate track from the UNCED negotiations. Issues concerning the climate convention were prominent in the UNCED talks because of political and diplomatic bungling on the part of the Administration -- not because the UNCED agenda was otherwise insufficiently

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comprehensive. The climate agreement attracted attention for precisely the same reason a plane crash attracts attention: had the agreement been negotiated and signed without a hitch, no story, safe landing; but, block agreement with U.S. intransigence, anger the world community, piss off U.S. enviros, Democrats, school children and it's a story -- a first-rate plane crash.

o NASA Arctic ozone announcement

The NASA announcement in February was the product of six years of aircraft flights into the Antarctic and Arctic stratosphere using a broad complement of instruments -- it was not hastily or sloppily done as the article suggests. In addition, the research that was the product of that 6 year campaign had been thoroughly done and peer reviewed.

The substance of the announcement was that the highest levels of chlorine monoxide ever measured -- 1.5 parts per billion by volume -- had been detected over populated parts of the globe. This is well over 100 times the natural level of this chemical and it means that up to 2% of the ozone layer a day will be destroyed. In fact, local depletions of up to 20% did occur. The best science available indicates that that translates into about a 15% increase in some types of skin cancer. Easterbrook may think that's nothing to worry about. My guess is that concerned parents and those who have suffered cancer might have a different opinion.

Easterbrook also suggests that high chlorine levels were just the result of eruption of Mount Pinatubo. Once again, he hasn't done his homework. While it is true that volcanoes that erupt through salt beds can inject chlorine into the stratosphere, the 1991 eruption of Mt. Pinatubo was not this type of event. This was confirmed by aircraft that were deployed immediately after the eruption to monitor the emissions and by instruments carried on board the aircraft that contributed to the Arctic campaign.

o Tripping the switch

One powerful lesson that we need to take from the dramatic depletion of the ozone layer that we have brought on is that nature does not respond gracefully or gradually to our repeated insults. Rather, there are dangerous thresholds that we can reach and beyond which we have very limited ability to contain the damage we cause. To use the scientific jargon, natural systems behave "non-linearly". Because we hesitated to take action on CFCs when we first learned of their destructive potential, the system was tripped and we have now so severely depleted the ozone layer that the ozone hole -- and all of the life-threatening radiation that it exposes us to -- will be with us well into the next century. Should we continue to pump greenhouse gases into the atmosphere and simply assume that it is o.k.? In the

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stark light of what we have done to the ozone layer, that course of action would not only be crazy -- it would be irresponsible and immoral.

o criticism of Roger Revelle

Other scientists (Keeling/Walter Monk) are going to write independently about this.

o "Gore, and environmentalists generally, find it especially painful to acknowledge that there has been significant ecological progress on most fronts in the United States in recent decades.....At any rate, end of the world environmental issues have been in short supply recently..."

There's nothing painful at all about recognizing the achievements we've made. But that's like bragging about last year's crop -- doesn't speak to what you're going to be able to grow this year, especially, if you forgot to plant. There is a new set of environmental problems that must be confronted that are strategic and global in nature -- well beyond the ability of one nation or even one region of the globe to address and demanding the cooperation of many nations. It is on this new agenda that the U.S. has failed to show vision, leadership, or courage.

o "Lately Gore and the distinguished biologist Paul Ehrlich have ventured into dangerous territory by suggesting that journalists quietly self-censor environmental evidence that is not alarming....."

Fire up the debate but set it on a level playing field -- acknowledge that the skeptics are being paid by the coal industry or others with a direct interest in blocking action; recognize the credentials of the skeptics -- peer reviewed? experience? record? -- and the strength of their science. We think differently of the doctor who says cigarettes don't cause lung cancer when we find out the doctor's being paid by the tobacco industry. We have not silenced the skeptics -- to the contrary -- we have given them a microphone in the science roundtables. However, we made 'em speak when their peers were there to respond to their comments. The result? Lindzen was forced to abandon his hypothesis about global cooling while Idso was left explaining his connections to the coal and oil industries.

o Clean Air Act

Easterbrook may not think that it is a problem that some interest groups are given special opportunities to craft the regulations that affect them. I disagree. The loopholes that were carved by the Quayle committee at the behest of polluting industries clear the way for industries to expose surrounding communities to

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thousands of additional tons of toxic chemicals every year. But even if that were not the case and if the loophole were trivial, the essential point remains -- corporate citizens should not be given special opportunity to influencing the law-making process that ordinary citizens don't enjoy.

On the specific point that Easterbrook makes -- namely, that industries will not increase emissions because they will face fines if they do so -- he is simply wrong. The whole point of the loophole that Quayle carved is to make it so that it will not be considered a violation of a permit if an industry decides unilaterally to increase its emissions beyond permit limits. No violation -- no penalty.

o To Easterbrook's point that Rio was about elevating abstract environmental concerns above real human concerns:

To the contrary. The Earth Summit was about people. The struggle to confront these new global environmental threats is about people -- about improving the quality of the life for millions of people around the world, about removing environmental hazards that threaten life, about preserving a healthy, safe environment to sustain life for this generation and the seventh generation beyond. There's nothing obscure or abstract about trying to stop the desert from spreading so people won't starve, or preserving the rainforest so that new medicines might be found to cure now incurable diseases; or, to give women in the developing world more skills, and more education so they can protect their children.

Rio was about realizing in a very powerful way that the path to improving the human condition closely tracks the path to preserving and protecting the environment. We have learned an important lesson from the experience of the states of Eastern Europe and the former Soviet Union: Where there is tyranny and oppression of human needs and concerns there also is severe environmental degradation. In fact, freedom and empowerment of the individual are essential to saving the earth's environment, and the achievement of Rio is that the link between improving people's lives and preserving the natural resources that sustain all life was solidly forged. What will be involved in achieving "sustainable development" -- the goal that the documents agreed to in Rio aspire to -- is not yet known in all of its details and will vary in accord with the needs and resources of a given area. What is clear, however, and what was a recurrent theme throughout the Earth Summit, is that achieving real and lasting progress in EITHER improving people's lives OR in protecting the environment, means we must move aggressively forward on both.

o "...the [competitiveness] council is a pipsqueak organization and Reilly just persuaded Bush to go to Rio over the combined objections of numerous leading Administration figures..."

Bush invited Reilly to the table then pulled the chair out from under him -- over and over again.

United States Senate

WASHINGTON, DC 20510-4202

o "If environmentalists keep proclaiming that nature is ending when daily the sun continues to rise, they may find the public's 'oh, shut up' point can be reached on environmentalism, too."

Except the chorus is growing, not fading; and the interest among young people -- school children even -- ensures that the volume will continue to go up. The sun continues to rise -- over beaches with dead fish, over the disappearing Aral Sea, over the spreading deserts and shrinking rainforest, over the nearly 40,000 children who die, etc etc.

##

ful - memos

October 3, 1992

Memo

To: Chris Dorval, Dan Sakura, Brett Hulsey

From: Brooks Yeager

Re: Suggested text of OCS hit for use by Gov. Clinton in Florida

Background: As detailed in the attached memo, the Bush Administration, by successfully opposing OCS drilling bans and lease buy-back proposals in the final version of Congress's comprehensive energy bill, has reneged on its 2-year old promise to Floridians to protect their coast from oil development. This is an extremely timely, hot button issue for Florida, and Governor Clinton can use it to further question Bush's reliability as well as his environmental credentials.

Media potential: Florida's media are generally pretty tuned-up on this issue. The Miami Herald and the Gainesville Sun have already run articles quoting Senator Graham criticizing Bush for turning his back on the state.

What to say:

"Let me give you one more example of George Bush's flip-flops -- one that's close to home here in Florida. Your state is graced with some of the most beautiful coasts in the world, and with the incredible resources of the Florida Keys, their coral reefs, and Florida Bay. Your economy depends, in part, on protecting those resources.

Two years ago, George Bush told you he, too, wanted to protect those resources -- and he promised to stop oil drilling off the Florida Keys, and said he'd have his Interior Department start a process to buy back the oil companies' leases so that drilling those sensitive areas would no longer be a threat.

But, just days ago, when your representatives in Congress tried to put almost identical protective language in Congress's big energy bill, George Bush's operatives went to work and got that language stripped out -- they even threatened to veto the bill if Congress had the gall to try and make George keep his promise.

George Bush isn't the environmental president. He's the 'promise them anything' president!"

October 2, 1992

Memo

To: Chris Dorval, Brett Hulsey

From: Brooks Yeager

Re: Florida OCS hit possibilities

During the final deliberations on the comprehensive energy bill (HR 776), OMB and other administration representatives weighed in heavily against language in the House bill that would have put in place a 5 year drilling ban for waters south of Naples and a 10-year leasing moratorium for the entire Gulf Coast of Florida.

This is a hot button issue for Floridians and should be considered as a possibility for attack as a dramatic Bush flip-flop on protecting Florida's coasts.

In June, 1990 (6/26/90), Bush announced a 10-year drilling ban for the Fla. Keys and Everglades Coast. At the same time, he instructed the Department of Interior to start a process to buy back the 73 leases just north of the Keys.

No action on the buy back has been taken by Interior.

This summer, Fla. Rep. Porter Goss, (R-Sarasota), amended the House Energy Bill to include the 10-year drilling ban, a buy-back of the 73 keys leases, and the 10-year leasing moratorium. The bill would have codified the President's promises, as well as adding new protections near the Florida panhandle. All these protections were removed from the final version of the bill, with White House assistance. DOE Secretary Watkins apparently vowed that any buy-back language would cause a veto of the whole bill.

This is a clear setback for the Florida delegation, which is united, for the most part, on the desirability of the protections. Sen. Graham has already gotten heavy press bashing Bush for breaking his promise. I am gathering the agency letters that will spell out the Administration's position. I hope Governor Clinton can use this golden opportunity to go after Bush's credibility on an issue that is definitely high-profile throughout the state.

10/3/92

TO: BC, AG

FR: BRETT HULSEY

RE: COASTAL OIL DRILLING TALKING POINTS

FM -
LET'S TALK ON
THIS.
Brett

Bush Breaks Promise to Save Florida coasts

In 1990, President Bush promised not to lease the New England, south Florida and west coasts for oil leasing. The president promised that the leases already sold would be bought back and canceled.

There was a provision in House energy bill that would have done just that. It was supported by Senator Bob Graham(D-FL), the states, the oil companies, and the environmentalists.

OMB officials sent a letter to Senator Wallop(R-WY) on September 30 that killed this provision. The administration claimed that the provision was a taking and broke the budget act of 1990.

Everyone, including the oil companies, are outraged at this and it has been getting some state press.

TALKING POINTS

-- This is another broken promise from the "Read My Lips" environmental president.

-- A Clinton/Gore administration will find a way to stop drilling in sensitive areas like the Florida Keys, North Carolina, and Alaska coasts.

-- The economies of these coastal areas are too critical to risk an Exxon Valdez spill in the Florida Keys or other critical areas. You've suffered enough.

-- Interior Secretary Lujan told the Tampa Tribune that if you elected a Republican Congress, they would be able to drill anywhere. Is this the kind of government you want?

Political issues: Although the White House rejected legislative protections for the Florida panhandle as well as for the Keys, it is better to focus attention on the Keys, and the President's broken promise to protect them from drilling. Three reasons for this: 1) the Keys, and the coral reef extending of the Keys, are a prime and well-known state and national resource. There is no question that drilling there would cause irrevocable damage; 2) Bush never pledged to protect the waters of the Eastern Gulf near the panhandle, and so is arguably not flip-flopping here as he is in the Keys; and 3) the drilling proposed for the panhandle is primarily natural gas. Criticizing Bush here might raise a perceived contradiction with the Governor's general support of natural gas. In contrast, criticizing Bush on the Keys hits him hard on flip-flopping, commits the Governor to protecting a sensitive area that the vast majority of Floridians want protected, and does not raise potentially sensitive issues about drilling in the main Gulf of Mexico OCS areas.

Day - do you have a problem
if the mind go there, on this case?

Chris Dorval

FAX to

Katie

October 2, 1992

Memo

To: Chris Dorval, Brett Hulsey

From: Brooks Yeager

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Graham and other Democrats unveil a stinging analysis of Bush's environmental record

Graham chastises president

Gainesville Sun
By PAUL KIRBY 10-2-92
States News Service

WASHINGTON — Florida Sen. Bob Graham and about a dozen other Democrats in Congress attacked President Bush's environmental record Thursday, saying he has failed to deliver on his promises.

"Bush speeches collide with Bush substance," Graham said.

The senator criticized Bush for opposing energy legislation this week that would have restricted oil drilling off the coast of Florida, noting that the president endorsed a moratorium on oil and gas leasing in June 1990.

At a news conference, the Democratic lawmakers released a 21-page analysis of Bush's environmental record in 13 areas, including oceans and coasts, wetlands, clean air, global warming, ozone depletion, wildlife and endangered species, parks, toxic waste and solid waste and recycling.

The Democrats cited an Internal Environmental Protection Agency report that said the White House has held up 16 new regulations mandated by Congress.

"During both his 1988 presidential campaign and his term as president, George Bush has frequently portrayed himself as ... 'the environmental president,'" the analysis begins.

"George Bush's environmental record as president, however, is replete with many promises made to the American people that he, Vice President Quayle, and his top political appointees have failed to keep."

But Republicans sharply disputed the Democrats' charges at their own news conference, saying the president has an environmental record about which he can be proud.

To the wolves

Gainesville Sun
10-2-92
Edward J. Derwinski, secretary of veterans affairs, proposed an interesting pilot program last year: That two underutilized veterans hospitals in the rural South be allowed to take in some non-veterans who might otherwise have to travel long distances to obtain health care.

The idea was to make the most of scarce medical resources and perhaps make it easier to justify the continued operation of two facilities that might otherwise have to be closed.

But when the veterans lobby found out about the plan, it went ballistic. Veterans hospitals are for veterans and nobody else, they protested. Eventually, the lobby got Congress to prohibit the pilot program.

Last week, the veterans lobby got its pound of flesh as well — as the Bush administration eased Derwinski out of his job and demoted him to the rank of "adviser" in the Bush campaign.

"Anybody who has talked to any of those veterans groups knows we're dead meat as long as Ed Derwinski is in there," a Bush official told The New York Times recently. "While his policies may have been right in the fiscal sense, they were clearly wrong in a political sense."

Now, Bush is eagerly awaiting probable endorsements from the major veterans groups. Call it another profile in courage from the Bush White House.

10-year ban on oil drilling killed

Gainesville Sun
10-2-92
A proposed 10-year ban on oil and gas drilling off the Florida coast has been removed from a far-reaching energy bill, prompting a threatened filibuster when the measure reaches the Senate floor.

Meanwhile, Congress approved another continuation of the one-year drilling moratorium as part of an Interior Department appropriations bill.

The 10-year drilling ban, adopted by the House but not the Senate, was stripped out of the energy bill in a House-Senate conference around midnight Wednesday. Sen. Bob Graham, D-Fla., has indicated he will filibuster the bill — holding the Senate floor and not permitting any action — in an attempt to kill the measure.

In addition to the one-year drilling moratorium, the Interior appropriations bill included \$7.5 million for the Everglades National Park expansion.

PRES. BUSH OCS POLICY STMTNT.

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE

Tuesday, June 26, 1990

STATEMENT BY THE PRESIDENT

I have often stated my belief that development of oil and gas on the outer continental shelf (OCS) should occur in an environmentally sound manner.

I have received the report of the interagency OCS Task Force on Leasing and Development off the coasts of Florida and California, and have accepted its recommendation that further steps to protect the environment are needed.

Today, I am announcing my support for a moratorium on oil and gas leasing and development in Sale Area 116, Part II, off the coast of Florida, Sale Area 91 off the coast of northern California, Sale Area 119 off the coast of central California, and the vast majority of Sale Area 95 off the coast of southern California, until after the year 2000.

The combined effect of these decisions is that the coast of southwest Florida and more than 99 percent of the California coast will be off limits to oil and gas leasing and development until after the year 2000.

Only those areas which are in close proximity to existing oil and gas development in Federal and state waters, comprising less than 14 of the tracts off the California coast, may be available before then. These areas, concentrated in the Santa Maria Basin and the Santa Barbara Channel, will not be available for leasing in any event until 1996 -- and then only if the further studies for which I am calling in response to the report of the National Academy of Sciences satisfactorily address concerns related to these tracts.

I am also approving a proposal that would establish a National Marine Sanctuary in California's Monterey Bay and provide for a permanent ban on oil and gas development in the sanctuary, and I am asking the Secretary of the Interior to begin a process that may lead to the buyback and cancellation of existing leases in Sale Area 116, Part II, off southwest Florida.

In addition, I am directing the Secretary of the Interior to delay leasing and development in several other areas where questions have been raised about the resource potential and the environmental implications of development. For Sale Area 132 off the coasts of Washington and Oregon, I am accepting the recommendation of the Secretary that further leasing and development activity be deferred until a series of environmental studies are completed, and directing that no

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99% of Calif
leasing
2000

DO I begin
process
that may
lead to
buyback
of 78 leases
in So. Fla.

After 2000
Morat.
116, Pt 2
91-NorCal
119-CentCal
95-SouthCal
(most)

Southern Calif
87 tracts
Environ. studies
no leasing
until 1996
Monterey Bay
Mar. Sanct.
no oil &
gas

Wash-Oregon
Environ
studies
no leasing
until after
2000

-2-

such activity take place until after the year 2000. I am also cancelling Lease Sale 96, in the Georges Bank area of the North Atlantic, and directing that no leasing and development activity take place in this area until after the year 2000. This will allow time for additional studies to determine the resource potential of the area and address the environmental and scientific concerns which have been raised.

Finally, I am today directing the Secretary to take several steps to improve the OCS program and respond to several of the concerns expressed by the Task Force. My goal is to create a much more carefully targeted OCS program -- one that is responsive to local concerns, to environmental concerns, and to the need to develop prudently our nation's domestic energy resources. Although I have today taken these strong steps to protect our environment, I continue to believe that there are significant offshore areas where we can and must go forward with resource development.

While I believe that a leaner OCS program will ultimately be more effective, Americans must recognize that the OCS program is a vital source of fuel for our growing economy. My desire is to achieve a balance between the need to provide energy for the American people and the need to protect unique and sensitive coastal and marine environments.

* * * *

Georges Bank
L.S. #96
Cancelled
NO Leasing
order
post-2000
Sec of DOI
improve
OCS prog
as rec. by
Task Force

FLORIDA'S COASTAL AND MARINE RESOURCES

Florida, nearly surrounded by the Atlantic Ocean and Gulf of Mexico, is one of the nation's most unique and important coastal and marine resources. The state's 11,000 miles of tidal coastlines - with seven of the top ten beaches in the U.S. - attracts 40 million visitors a year and supports the lion's share of Florida's tourism and recreational activities, contributing \$29 billion to Florida's economy in 1991. Florida's ownership of 6.7 million acres of offshore land and 3 million acres of estuarine open water and wetlands make it the largest "ocean-owning" state in the contiguous United States. More than 75 percent of Florida's 13 million residents live in coastal counties, and over 80 percent of the state's population growth during this decade has been concentrated in coastal areas. Recreational and commercial fishing generates more than \$7 billion annually. Ninety percent of the saltwater species caught recreationally and commercially in Florida depend on the estuaries during some phase of their life cycle. Over 99.6 million tons of cargo were shipped through Florida's twelve major seaports in 1990, with an estimated value of \$23.4 billion. Florida supports the nation's largest coral reef and sea turtle populations.

However, lack of dedicated efforts to address the problems of coastal pollution, habitat destruction and especially over-fishing threaten many of the activities and economies so dependent on Florida's coastal and ocean resources. For example, dolphins, sharks, sea turtles and other non-target species are at risk due to drift gill nets, purse seines and other high-tech fishing methods. What is needed is a proactive federal program that recognizes the limits and needs of the natural resource first and the private interest second. Not the other way around. This will ensure a productive marine environment and stable yield and economic return in the long run.

WETLANDS

Less than one half of the nation's original wetlands remain. Florida has lost about 50 percent of its 20 million acres of original wetlands to drainage and filling for agricultural and urban uses. At the present rate, three million acres of wetlands and forest lands will be converted to other uses in the next thirty years.

Under the Bush Administration's proposed new definition of wetlands 30,000-35,000 acres of the Apalachicola River floodplain, one of Florida's most important riverine systems, extensive areas of the Everglades and other rivers and wetlands of the state would not be classified as wetlands.

Wetlands are among Florida's most important natural resources. We can't afford to lose much more.

KISSIMMEE RIVER RESTORATION

The Kissimmee River was once a 103 mile long serpentine river meandering from Lake Kissimmee to Lake Okeechobee, providing the lake with clean and properly distributed fresh water. The headwaters of the Kissimmee River north to near Orlando included a large chain of lakes.

In the 1960's the Corps of Engineers channelized the Kissimmee River for flood control purposes converting it into a 56 mile long canal, 200 feet wide and up to 30 feet deep. Ten's of thousands of acres of river marsh were directly lost, and well over 100,000 acres of wetlands were lost to secondary drainage. Efforts to restore the river began shortly after completion of the canal in 1971.

Restoration of the Kissimmee River is an integral and foremost component of the Save Our Everglades Program begun by Governor Bob Graham in 1983. The state and federal governments have spent millions of dollars to get the restoration effort underway. The restoration plan involves backfilling 29 miles of the channel to restore 56 miles of the historic river channel. This would recreate nearly 30,000 acres of wetlands and 56 square miles of the flood plain, including habitat for 300 species of birds and animals, which also include three endangered species - the Everglades kite, bald eagle and woodstork.

In order to restore the river, Congressional authorization is needed to enable the Corps of Engineers' assistance. On March 5, 1992 Nancy Dorn, Assistant Secretary of the Army for Public Works met with Governor Chiles on behalf of the Administration and officially endorsed Congressional authorization and the Corps' participation. However, it is our understanding that Administration opposition or neglect is partially responsible for Republican opposition to the Water Restoration Act in the Senate Environment and Public Works Committee.

ENDANGERED SPECIES

Florida has nearly 600 endangered and threatened plant and animal species. These include the Florida panther, with about 30 left; the manatee, with about 1200 left; the American crocodile, with a few left; the bald eagle, woodstork, red cockaded woodpecker and scrub jay to name a few. These species are a major part of Florida's bio-diversity and attractiveness as a subtropical paradise. The black bear in Florida and hundreds of other species nationally should be listed under the Endangered Species Act.

Amendments proposed to the Endangered Species Act would require economic impact analysis and compensation for economic loss for listing a species, and other weakening language. The Bush Administration's attitude toward the spotted owl and timbering would suggest that he might support some of these amendments which could be very detrimental to endangered and threatened species of the United States.

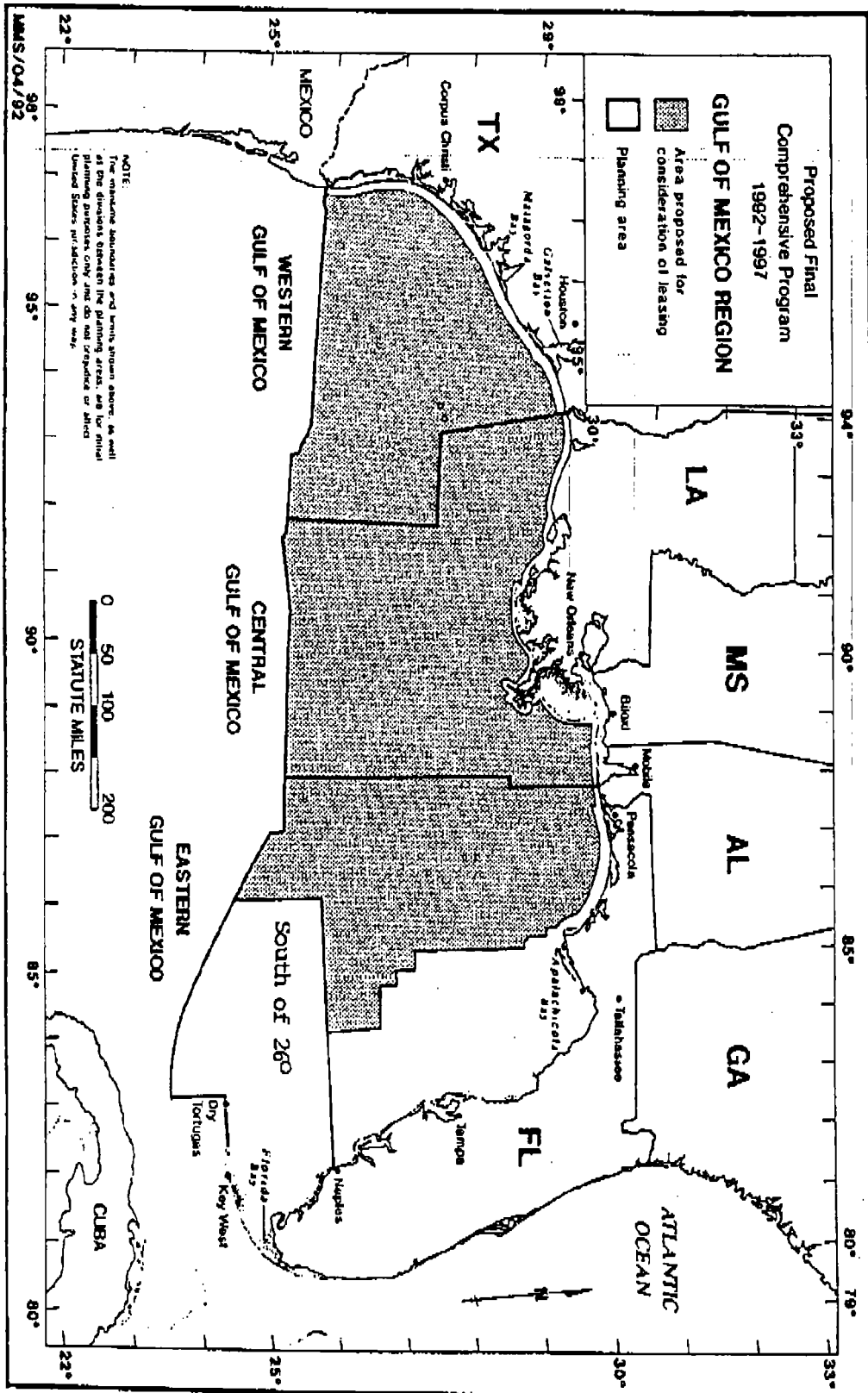
PRESERVING ENVIRONMENTALLY SENSITIVE LANDS

We have found in Florida that the only sure way to protect the environment is to purchase it. This has been a federal reality since the establishment of the National Park System. For the past several years, the federal government has been passing on many responsibilities to the states. One of these areas has been the protection of environmentally sensitive lands.

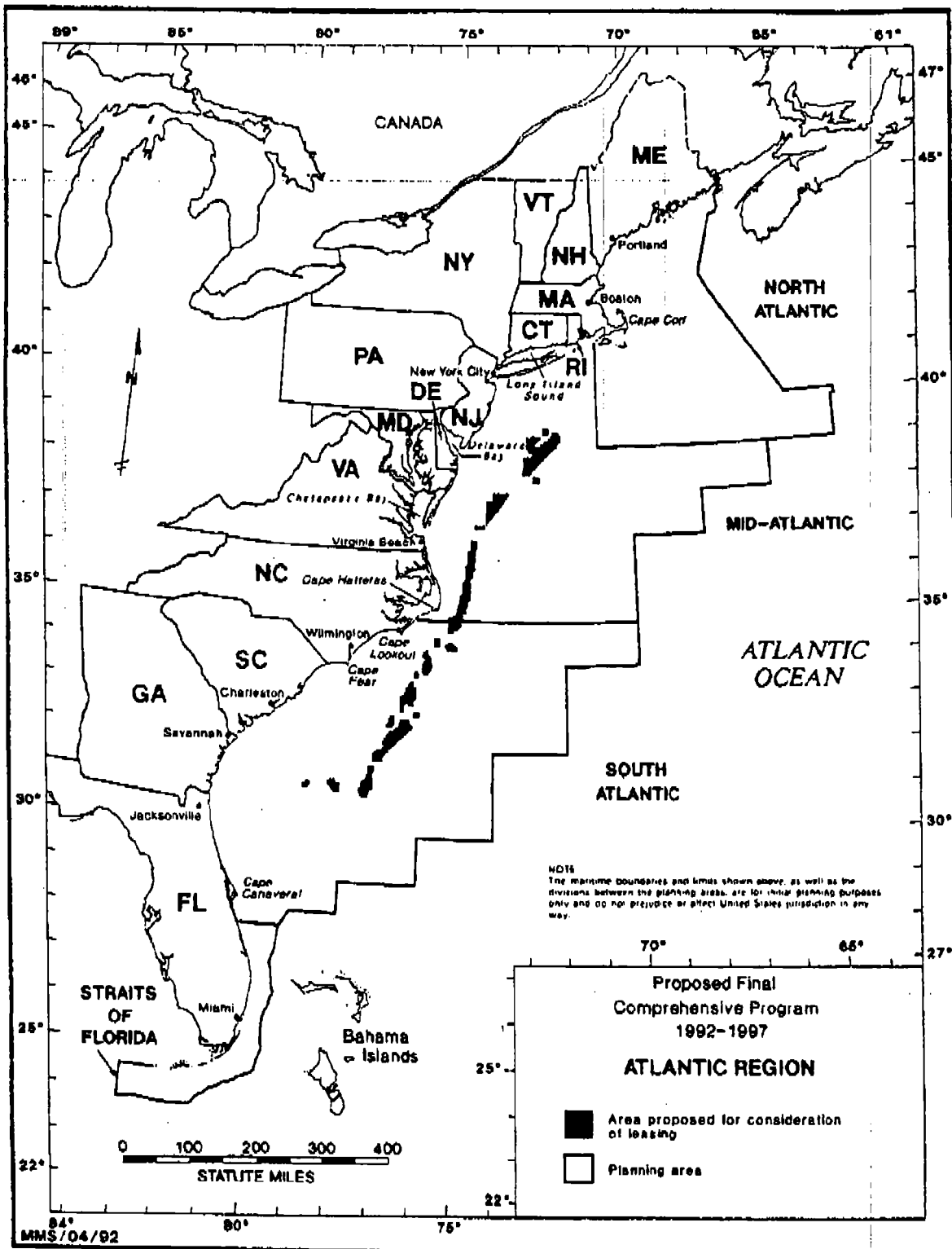
Florida is a national leader in efforts to protect environmentally sensitive lands through acquisition, preservation, and other efforts. Florida's Preservation 2000 land acquisition program and the Conservation and Recreation Land Acquisition (CARL) and Save Our Rivers programs provide almost \$400 million annually to environmental land acquisition. Florida has spent over \$1 billion to conserve lands over the past twenty years and acquired over 700,000 acres of land. Florida has the largest land acquisition program in the nation, and rivals the federal efforts.

As Florida and other states have pumped up land acquisition, the federal government has deflated its efforts. The Land and Water Conservation Fund (USDI) and Congressional appropriations for federal holdings continue to dwindle.

IX

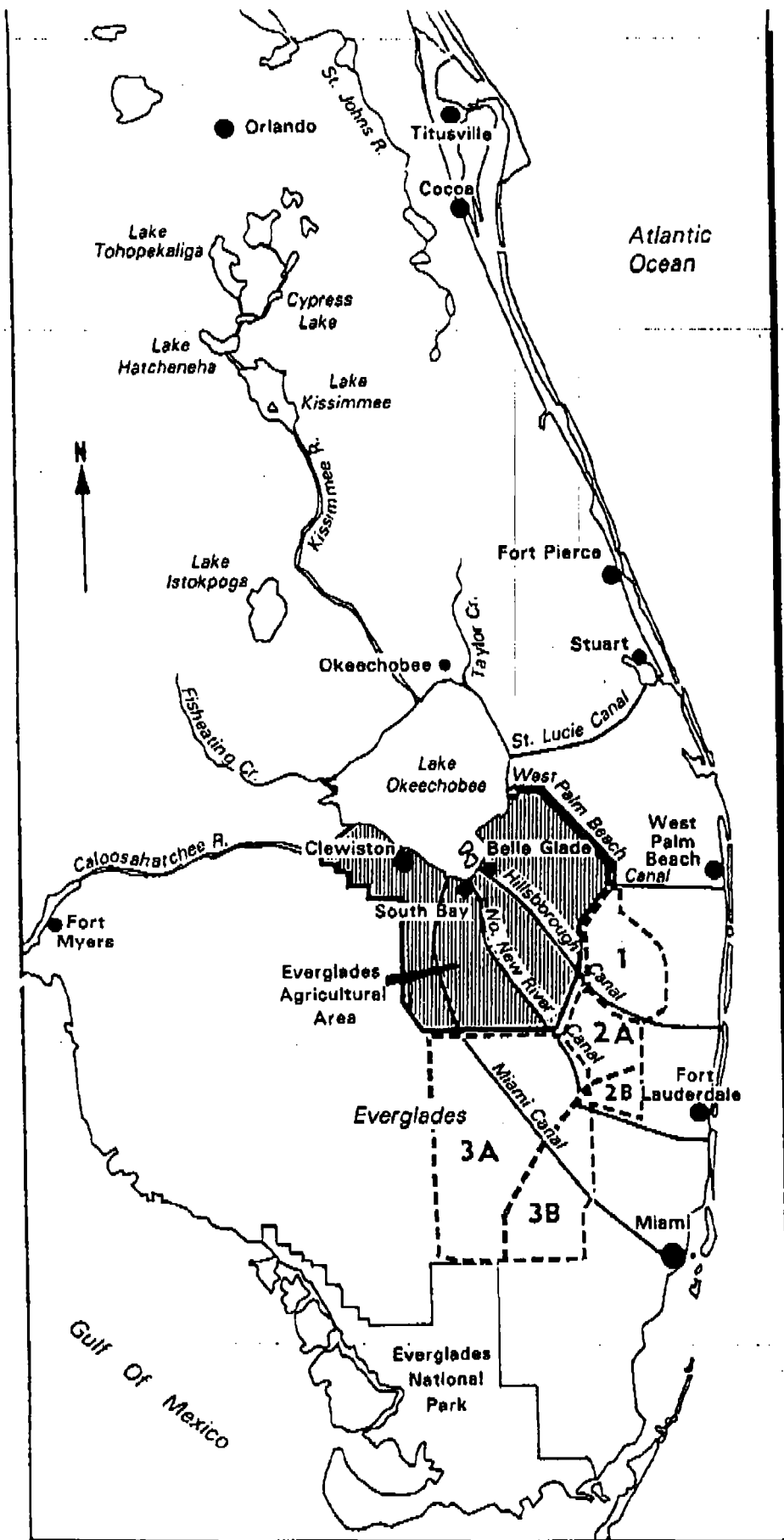


Map 2. Gulf of Mexico Region



Map 1. Atlantic Region

X



Map of lower Florida peninsula showing the Everglades, the Everglades National Park, and, within dotted lines, the water conservation areas, together with principal waterways.

The Miami Herald

OUTER CONTINENTAL SHELF EXPLORATION

BOTTOM LINE:

- o You have not voted for any "bans" on oil and gas drilling.
- o In your remarks at Santa Barbara, you stated: "I think that a ban on offshore oil drilling ought to be extended to all of the coastal waterways of the United States." This was simply a misstatement. A "moratorium" -- yes; a "ban" -- no.
- o You have supported "moratoria" on drilling. However, you have only gone further than Bush on this front in calling for a moratorium on the entire coast of Florida -- rather than just the around the Keyes and the Everglades as he has done and in calling for a "permanent" moratorium on the Keyes rather than one that will only be in place until the year 2000 as Bush has called for.
- o You have not supported moratoria on drilling off the coasts of Louisiana or Texas (i.e. the Western Gulf of Mexico). This is where the action is -- and this is where Bush et. al would like to have people believe you have supported a moratorium.
- o Clinton/Gore position -- moratorium except for the Western Gulf.
- o Where does moratorium now apply? Nearly entire coast of California; Pacific Northwest; Bristol Bay, Alaska; Georges Banks off Mass.
- o Why in these areas? All coastal areas ecologically sensitive to some degree because of reef/shelf activity -- rich ecosystems; critical barrier functions. However, current moratoria are more significantly a product of the squeaky wheel gettin' the grease (or in this case -- not gettin' the grease....(i.e. -- those states that have protested most loudly have gotten the protection)).)
- o Further extensions possible: Miller got language in House energy bill that extends moratorium to all coastal waters except most of Alaska (there is currently a moratorium in Bristol Bay) and the Western Gulf (again -- doesn't even try to touch Texas or Louisiana). This is currently being duked out in conference.

MORE DETAILED BACKGROUND:

A. The Bush record. I'm assuming here that you have seen the flip/flop document that Little Rock ginned up (am faxing again just in case).

B. The Bush Declaration:

Soon after taking office in February of 1989, Bush announced that three of the most controversial of the OCS lease sales proposed by Interior under Reagan would be delayed until a Cabinet-level task force could evaluate the environmental consequences of drilling in those areas. The Florida Keys was one of these parcels; other two were in California (one in Southern California; other in Northern California). The task force concluded that the leases should be delayed until extensive environmental testing could be done on the areas.

On June 26, 1990, Bush followed the task force recommendation and declared a moratorium on oil and gas leasing and development off most of California and the area south of the 26 degrees north latitude line in Florida, which comprises the Keys and the area leading into the Everglades. Although there is no oil and gas production within these areas, 73 active leases are held there by 10 companies. The Bush proposal advocated cancellation of existing leases and the initiation of discussions with the state of Florida for its participation in a joint buyback of the leases.

C. Your Record:

- o You voted for a Graham amendment to the energy bill that would have included the Florida coastline above the 26 latitude line (i.e. -- not just the Keyes, but the Panhandle, too) in the moratorium on leasing oil and gas rights. The amendment specified that -- for the areas outside the Keyes -- the moratorium should be in place until a comprehensive set of environmental and other studies are completed or until the year 2002.

- o You never supported an outright ban for this area. (Note here, however, that, because there is currently no drilling activity in the area, the moratorium amounts to a ban during the period the moratorium will be kept in effect. This is because, as I understand it, the effect of a moratorium is to prevent any NEW drilling activity. It does NOT interfere with drilling that is already going on pursuant to an outstanding lease, NOR does it prevent the renewal of that lease when it expires if drilling is still on-going at the time of expiration (to the best of my knowledge, an active lease is AUTOMATICALLY renewed). There is not -- and never has been to my knoweledge -- drilling in the Keyes. I am not absolutely certain of the situation in the rest of the Panhandle. However, I believe that -- while there are leases outstanding there -- there has not been drilling or exploratory activity.)

- o With respect to the Keyes and the Everglades areas, the Graham amendment provided for a permanent moratorium on drilling. Bush supports a moratorium until the year 2000 here.

o Your view is consistent with that of both Senators from Florida, Graham and Mack. Therefore another justification for your stance is that this is to a large extent a state's rights issue and you have supported the right of these states to make that determination.

o You have also supported amendments proposed by Graham and Mack to the general OCS Lands Act Amendments of 1978 to facilitate the buyback of currently outstanding leases. The amendment would have allow the federal government to pay through cash, credits for future leases, or forgiveness of rents or royalties. Current law requires the government to pay only cash for them. While this does make it easier to cancel leases (and thereby stop drilling), it in no way mandates that such cancellation occur -- that would require an independent decision that a moratorium should be in place in a given area. (Further revisions of the OCS act included in the Graham/Mack initiative include making environmental studies available on OCS lands before the sale of leases, not after -- thereby reducing the need for the federal government to buyback leases after problems are discovered that would justify a moratorium).

o Note that in 1988, you voted to against an amendment by Nickles to an appropriations bill that would have provided that the purchase of a LEASE is the purchase of a RIGHT TO DRILL. Reason you opposed (and Nickles lost) is because this would strip fed and state governments of opportunity to determine whether drilling in the area would be consistent with the coastal zone management plan that is in place in a given area. This is NOT an opposition to drilling itself.