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Regrets-February 1994

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SAM M. GIBBONS

11th DISTRICT, FLORIDA

Congress of the United States

HOUSE OF REPRESENTATIVES

WASHINGTON, D.C. 20515

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BARBARA TOFFLING
WASHINGTON OFFICE MANAGER

GREG WONDERS
FLORIDA OFFICE MANAGER

FAX COVER SHEET

DATE: 3 Feb. 94

TO: Beth Viola

FROM: Nell Best
Office of Congressman Sam Gibbons
(202) 225-3376

PAGES: cover sheet + 1

NOTES:

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(VICE CHAIRMAN)

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2/4/94

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BARBARA TOFFLING
WASHINGTON OFFICE MANAGER

GREG WONDERS
FLORIDA OFFICE MANAGER

TO: Beth Viola, Executive Assistant

FROM: Nell Best, Office of Congressman Sam Gibbons, (202) 225-3376

DATE: 2 February 1994

RE: Florida Power Corporation's Permit Application No. 199200046

While I realize this is very short notice, I would greatly appreciate your consideration of an appointment request. The following people would like to meet with either Ms. Kathleen McGinty or Ms. Cathy Zoi at any time before the close of business on Wednesday, 9 February.

James Biederman
Gibson, Dunn & Crutcher
Washington, D.C.

The Honorable Jim Norman
Hillsborough County Commissioner
Tampa, Florida

John Dingfelder
Assistant County Attorney
Hillsborough County, Florida

The Honorable Ed Turanchik
Chairman, Hillsborough County Commission
Tampa, Florida

Thomas Dyer
Two Rivers Ranch, Inc.
Thonotosassa, Florida

They would like to discuss Florida Power Corporation's permit application to construct a 44-mile, 500kV transmission line across Central Florida. Following a November decision by the U.S. Army Corps of Engineers District office to issue the permit authorizing construction, the Environmental Protection Agency's Region IV office notified the Corps of its decision to oppose issuance of the permit. Subsequently, EPA Headquarters decided to support the Region's challenge to the proposed permit. Monday, 31 January, Acting Assistant Secretary of the Army for Civil Works, Dr. Edward Dickey, announced his decision to advise the Corps to proceed with the final permit decision. Now, EPA has ten days to initiate veto action. Otherwise, the permit will be issued.

Congressman Gibbons would appreciate your assistance with this request.

*Date Application
issued
sent to
Admin*

*Best -
Decline.
-CB 1/31*



777 N. Capitol Street N.E., Suite 805, Washington, D.C. 20002 U.S.A. 202/408-8988

Telex: 6503304640 MCI UW Fax: 202/408-8536

January 25, 1994

Ms. Katie McGinty
Office of Environmental Policy
Old Executive Office Building
Washington, D.C. 20501

Dear Ms. McGinty:

The Annual Legislative Conference of the American Wind Energy Association will be in Washington, D.C., on February 1 and 2, 1994. We would greatly appreciate an opportunity to meet with you.

Senior executive from the top wind energy companies in the U.S. will be here to discuss policy issues with both Congressional and Administration officials. They are, of course, greatly interested in and encouraged by the Administration's Climate Change Action Plan.

As part of the conference we have scheduled a meeting with Marc Chupka at 3:00 pm, February 2, to provide an update for our members on the Climate Change Action Plan. If your schedule allows it, Randy Swisher and I, with three of our Board members, would like to meet with you at that time to provide a briefing on the role wind technology could play in achieving the Administration's energy and environment objectives.

We appreciate the leadership you have provided and look forward to further opportunities to work with you in bringing about fundamental changes in federal energy and environmental policy.

Thank you in advance for your consideration.

With best wishes,

Michael L. Marvin
Director, Governmental
and Public Affairs

*2/1 - Melissa
NO - MCG
of McGinty*

McGinty Scheduling Request

Date: 1/14/94

2/24

Urgent/Time sensitive

Blank Doniger Chupka Zoi Laughlin

Johnson Stelle Other _____

Regret Accept Not a priority

Alternates: _____

Comments:

No --
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could offer more
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Toxic Materials News
Toxic Materials Transport
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Urban Transport News

Mr. Christian Marsh
Scheduling Assistant for
Kathleen McGinty
Room 360, Old Executive Office Bldg.
Washington, DC 20501

Re: Request for Interview with Ms. McGinty

Dear Mr. Marsh:

Thank you for responding so quickly to my request to interview Ms. McGinty. As directed, herein is a formal request for the interview.

We are interested in interviewing Ms. McGinty by February 15, 1994.

Enclosed is a copy of one of our publications. The interview would be covered in this specific publication.

I look forward to hearing from you soon. Please contact me at (301) 587-6300. Thank you.

Sincerely,

Phyllis S. Robinson

Enclosure



AIR/WATER pollution report

Weekly Report on Environmental Protection

Vol. 32 No. 1

January 3, 1994

Page 1

SLANTS & TRENDS

ENVIRONMENTAL JUSTICE—This has been one of EPA Administrator Carol Browner's constant themes in her first year on the job. The issue, however, has moved from concept to harsh internal reality with the case of Dr. John Stockwell, an EPA Region 4 employee who got into trouble with superiors after writing a report that a minority neighborhood in Chattanooga, Tenn., was being harmed by toxic pollutants. The report, which region officials said reached unwarranted conclusions, first was suppressed and then released after Stockwell went public and local activists leapt to his defense and accused the agency of a cover-up. The matter is being reviewed at headquarters. An EPA source says the flap "does not reflect the new emphasis on environmental justice that the administrator is trying to instill."

SLOW JUSTICE—The Clinton administration continues to struggle to find someone to head the environment and natural resources division at the Department of Justice. Gerald Torres, a former University of Minnesota law professor, has asked that his nomination be withdrawn. Torres reportedly felt he was facing a "potentially difficult confirmation battle," in part because of an active federal probe of allegedly unethical conduct by two former associates at a defunct New York City law firm. There was no indication Torres was involved in the situation under investigation. Torres' withdrawal doesn't mean his departure from Justice. He continues as an adviser to Attorney General Janet Reno on environmental policy, among other matters. Reno now is touting Lois Schiffer, acting head of the environment division, for the nomination. Schiffer once worked in the division's special litigation section and later was general counsel of National Public Radio.

SEMI-LAISSEZ FAIRE—Companies seeking to ease the burden of environmental regulation should take note of Australia, which has set up a program allowing operation without direct supervision by its EPA. Companies obtaining a special license are able to self-monitor and expand most types of production


HIGHLIGHTS

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without government approval. To qualify for the program, a company must have a sound environmental record and institute environment-management systems, audit programs and environment improvement plans. The licenses are good for five years and can reduce normal licensing fees as much as 50 percent. Not everyone is happy about the approach. Greenpeace says the system is a "license to pollute."

THE OTHER TRADE PACT—In environmental circles, the North American Free Trade Agreement drew the bulk of the attention last year, easily overshadowing the completion of negotiations over the Uruguay Round of the General Agreement on Tariffs and Trade. Now it's time to focus on the environmental aspects of the GATT, says Senate Environment Committee Chairman Max Baucus (D-Mont.). He thinks the GATT "strikes a realistic balance—allowing neither weakening of our environmental protections nor the use of environmental laws as disguised trade barriers." Baucus says the treaty contains some "important first steps," such as allowing continued public-private partnerships to develop environmental technologies and language to encourage manufacturers to make processes less polluting. Baucus adds, however, that there "still is much work" for the Senate to do when it considers the GATT. "Implementing legislation must be written to assure protection of environmental standards, even in the face of a successful GATT challenge. We must commit to a GATT environmental work plan, which will address such issues as environmental process and production standards."

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Business & Technology

ORNL's Laser-Computer Technology Finds Very Small Pollutant Amounts

Laser-and-computer technology developed at the Department of Energy's Oak Ridge National Laboratory is able to detect very small amounts of a wide variety of substances in polluted water.

In one set of field tests, the Oak Ridge probe system detected trichloroethylene at 150 parts per billion in ground water at DOE's Gaseous Diffusion Plant in Paducah, Ky., according to Eric Wachter of ORNL's health sciences research division.

The method also can detect and quantify such pollutants as nitrates, sulfates, cyanide, hydrocarbons and some radioactive elements. "This technique can be used on virtually any ground water contaminant to break it down into a substance that is easily analyzed," Wachter said.

The system combines a high-tech probe with a computer, laser, optical fibers and power supply. An electric current passes through a metal electrode placed in the water being sampled. Contaminants touching the electrode are changed chemically by an electrochemical reaction.

Researchers can identify and find the concentration of the electrochemical byproducts by shining a light down an optical fiber to the byproducts on the metal electrode. Readings are sent to the computer, which identifies the contaminant and calculates its concentration. For more information, contact Darryl Armstrong at (615) 574-4160.

American National Standards Institute, Philadelphia, has received a \$1 million U.S. grant to develop an **electronic technical-standards network**.

GATX Corp., Chicago, has established an environment, health and safety policy committee, composed of the presidents of its five operating companies, to **oversee compliance** with environmental laws and regulations.

GE Medical Systems, Waukesha, Wis., has won a Prevention/Environment/Prosperity award from the Wisconsin Department of Natural Resources for re-

placing trichloroethane and freon with citrus- and water-based cleaners.

Hazardous Materials Control Resources Institute, Rockville, Md., is seeking papers for the **Federal Environmental Restoration III and Waste Minimization II Conference and Exhibition** April 25-29 in New Orleans. Call (301) 251-1900.

Huntsman Specialty Chemicals Corp., Salt Lake City, has completed acquisition of Monsanto's linear alkyl benzene and maleic anhydride businesses.

TCS Environmental Ltd., San Diego, has acquired exclusive rights from Sunwater Systems Inc. to utilize **low-cost natural biotechnologies for wastewater treatment** at plants in Mexico, Texas, New Mexico, Arizona and California.

Virginia Power, Richmond, has signed a letter of intent with Hughes Power Control Systems to develop a **regional system for recharging electric vehicles**. The utility and HPCS will negotiate an agreement to give Virginia Power rights to sell HPCS' inductive charging system in nine southeastern states and the District of Columbia.

Water Environment Federation, Alexandria, Va., is forming **four new committees**: instrumentation, control and automation; management information systems; professional development; and pollution prevention.

Roy F. Weston Inc., West Chester, Pa., has received a five-year, \$6 million contract from the Energy Department to continue working on the **cleanup and restoration** of the Savannah River Site.

PERSONNEL: Rhône-Poulenc Inc.'s specialty chemicals division has appointed **Larry Grizzle** business director of the water treatment chemicals business unit. ... **Dick Rymer** has been promoted to the newly created position of vice president for quality, safety and environment at Liquid Carbonic Industries Corp. **John Romane** succeeds him as director of quality. ... **Dwayne Weeda** has joined the Muskegon, Mich., office of Superior Environmental Corp. ... **Frederick Reismeyer II** of the Kansas City law firm of Spradley & Riesmeyer has been elected board chairman of the Missouri Environmental Improvement and Energy Resources Authority. ... **Hays Bell** of Eastman Kodak Co. and **James Poff** of BASF Corp. have been elected to The Conference Board's advisory council on environmental affairs.

EARNINGS REPORT

Company	Period	Revenues	Prior Yr.	Earnings	Per Share	Prior Yr.	Per Share
Integrated Resource Tech.	8-93/10-93	\$606,905	--	(\$25,399)	--	(\$72,317)	(\$0.02)

Industries View CAA Title 5 Proposal Pricy Bar to Market-Based Solutions

EPA's proposed enhanced air-emissions monitoring rule will impose major restrictions on owners and operators of major sources and discourage the use of market-based incentives, critics from industry say. Their strong opposition of the applicability and protocol sections has caused EPA to delay implementation by extending the comment period.

Before the 1990 Clean Air Act amendments, many emitters had no means of demonstrating continuous compliance with the regulatory limits. EPA was mandated by Congress to write rules to guide the performance of enhanced monitoring by owners and operators of major stationary emissions sources.

The applicability and protocol sections of the proposal specify who has to comply and what monitoring systems will be required. The sections are a roadmap for how EPA will approve such systems. Companies must decide what kind of enhanced monitoring they will perform and ensure it satisfies requirements.

The rules would apply to owners and operators of emissions units that are classified as major sources under Title 5 of the CAA and which have potential to exceed the major-source threshold by at least 30 percent a year. Such sources would be required to install monitoring protocols that show continuous or intermittent compliance with emissions limits over a given reporting period. Subject to the rule will be toxics and six major pollutants with EPA-established standards: ozone, particulates, sulfur dioxide, nitrogen oxides, lead and carbon monoxide. Title 5 will be the primary tool for implementing the program.

The Chemical Manufacturers Association and big companies such as Occidental Petroleum are concerned because they have many small and large emissions sources. They hope to wriggle out of the applicability rules for some of their plants. Both groups were instrumental in extending the debate on the enhanced monitoring rule until Jan. 31.

"Prescriptive" was the word CMA and Occidental used to define enhanced monitoring. Ernest Rosenberg, Occidental's director of external affairs, said the most critical issue is marrying enhanced monitoring with permitting. Critics say the rule would sweep companies into the permitting loop for even small modifications to processes and equipment. It also would drive up costs and impose unwarranted delays on them and the states.

"Industry will be sitting on its toes for two years waiting for approval of a permit modification. The irony is having to wait even if everyone ... knows there's no change in emission controls," said Rosenberg. Ted Cromwell, CMA's associate director of air/water programs, advocated merging enhanced monitoring with Title 5, but only after protocols have been approved.

The rules also shift the burden of proposing acceptable protocols from EPA to owners and operators. Companies can either propose already established methods or identify a slew of methodologies and justify their final selections. "If you can certify continuous compliance, then you shouldn't have to evaluate any other method. EPA didn't do this because it was time-consuming and costly. EPA has shifted the burden of the top-down process onto industry," said Cromwell. Rosenberg

agreed: "The potential cost of installing these protocols could be overwhelming."

The 30 percent threshold also could pose major setbacks for large sources. Enhanced monitoring would apply to each unit's emissions if the entire plant exceeds emissions limits. A separate protocol must be developed and used for each of these units, except at multiple fugitive emissions points at a source. Some companies have as many as 30,000 smaller units within a plant.

The rules also would penalize companies for making reductions and discourage emissions averaging, Cromwell said. In some cases, the rules allow potential emissions from several emissions units or points at a single source to be combined to determine whether they are subject to enhanced monitoring.

This combined treatment of emissions units applies to all units that participate in an emissions averaging, aggregation, apportion or trading program within the source. But such emissions units generally would require separate monitoring in order to provide enough data to determine continuous compliance.

Only units capable of large emissions should go through enhanced monitoring, Rosenberg said. "The cost of this rule is not warranted for small units. There's just no bang for the buck."

States expect more work from the enhanced program. They also would like the applicability portions to be streamlined. If every company chooses a different protocol, a state would have to review all of them, Rosenberg said. A state representative agreed:

Enhanced Air Monitoring

(Continued)

Monitoring (Cont.)

"States want to keep work requirements as low as possible. If [EPA] can reduce applicability there will be fewer people impacted and a lower workload." Rosenberg accused EPA of trying to lighten its enforcement load, not control emissions. "EPA tried to craft a rule in which violating the rule without getting caught would be impossible. That is much more oppressive than a law intended to find serious violation. [EPA should] get out ... and look at the real cheaters."

EPA's Rich Biondi, deputy director of the stationary source compliance division, acknowledged that enhanced monitoring was not designed to cut emissions but to keep a close eye on controls. "But the program has other benefits." Rosenberg's response: "It's one thing to ... accept economic pain to clean up the environment. It's another to impose economic pain even if a company is ready and able to comply with emission control requirements."

The proposed enhanced monitoring program is discussed in the *Federal Register* (Oct. 22, 1993, p. 54648; Dec. 15, 1993, p. 65573). An *Enhanced Monitoring Reference Document* offering established and potential approaches for acceptable protocols is available from EPA. Call (703) 308-8676. A 52-page copy of the proposed rule is available from BPI's DocuDial Service as Doc. #0906.

Administration Asks Supreme Court To Back EPA's RCRA Interpretation

The Clinton administration is asking the Supreme Court to declare that when an environmental law is ambiguous, the EPA administrator's interpretation of it should be presumed to be legally valid.

This is the line of reasoning the U.S. Solicitor General's Office will use Jan. 19 when the high court hears oral arguments in *City of Chicago v. Environmental Defense Fund Inc.* (No. 92-1639).

The case is being closely watched by cities, environmental advocacy groups and the combustion industry because the justices are expected to decide whether ash resulting from the incineration of municipal solid waste must be treated as hazardous under Section 3001 (i) of the Resource Conservation and Recovery Act (RCRA). If the solicitor's reasoning is adopted by the court, it could give the EPA administrator, and many other agency chiefs, increased authority to interpret congressional mandates.

Chicago is appealing a 1992 decision by the 7th U.S. Circuit Court of Appeals, which held that such ash is hazardous under RCRA standards. The court took this position despite a guidance memorandum by former EPA Administrator William Reilly stating that

the ash does not have to be treated as hazardous. The 1992 ruling mirrored an earlier 7th Circuit decision issued before Reilly's memo attempted to clarify the situation. The ruling also conflicts with an opposite finding by the 2nd U.S. Circuit Court of Appeals.

Chicago argues that Congress wrote Section 3001 (i), the so-called household-waste exclusion, to promote waste-to-energy (WTE) incineration. The Environmental Defense Fund (EDF) contends the exclusion does not apply to the ash, which is routinely landfilled in Michigan.

The toxicity of ash produced at a Chicago WTE plant is "routinely high enough to qualify as a hazardous waste," EDF says in court documents. Between 1981 and 1987, 32 out of 35 ash samples exhibited sufficiently high concentrations of lead, cadmium or both to be classified as hazardous under established EPA testing procedures, according to EDF.

EPA 'Grappled with that Issue'

Chicago and EDF cite the "plain language" of Section 3001 (i). The solicitor general, however, is telling the court in an amicus brief that the statute "does not speak directly to the issue presented here. Indeed, EPA, which is charged with administering RCRA, has grappled with that issue since the statute's enactment and has repeatedly urged Congress to clarify the matter. At the same time, [almost] all of the courts that have addressed the issue ... have acknowledged that the statute is ambiguous.

"In these cases, the Court should give deference to 'a reasonable interpretation made by the administrator of an agency,'" the brief said, adding that such deference should be given even though EPA over the years has taken conflicting positions on the ash question. "Administrator Reilly formally articulated EPA's interpretation in his 1992 directive to the regional administrators, and that directive remains in force.

"The directive sets out an interpretation that is consistent with the text and legislative history of Section 3001 (i), that reconciles the statute and the agency's regulatory scheme and that takes into account important policy and technical considerations that are within EPA's special expertise," the brief said. "Deference is no less appropriate merely because the administrator's construction is not the only reasonable interpretation, it has evolved over time, and it could be revised again in light of further technological or policy considerations."

Available from BPI's DocuDial Service are Chicago's *certiorari* petition and two briefs (77 pp.) Doc. #0887; EDF's briefs (50 pp.) as #0888; the administration's brief (20 pp.) as #0889; and 10 amicus briefs supporting Chicago (168 pp.) as #0890.

EBI Predicts Revenue Growth in 1994 For 'E' Consulting, Engineering Firms

After four years of downturn or stagnation, the environmental engineering/consulting (E/C) business should rebound in 1994 with a 7 percent-8 percent revenue growth that should continue into 1998, according to Environmental Business International.

San Diego-based EBI, in a study of 200 E/C companies, said their total revenues for 1992 were \$14.2 billion. This was 6 percent higher than 1991 but well below the double-digit growth rates of the 1980s, including 20 percent in 1989. EBI estimated E/C revenue growth at less than 6 percent in 1993.

business planning will have to be almost on a quarterly cycle."

Noble sees waste minimization and strategic environmental management services as areas for future growth. "These services are relatively small today but promise to grow fastest in the long term as the rising cost of raw resources and waste disposal and the growing value of environmental quality drive demand for strategic environmental management services."

Copies of Report 0710, *Environmental Engineering and Consulting: Analysis of Markets and Competition*, are available from EBI for \$1,900 each. Call (619) 295-7685.

Top 10 Environmental E/C Firms in 1992 Gross revenues—environmental projects (in millions)

Company	Amount
CH ₂ M Hill Cos. Ltd., Denver	\$480
International Technology, Torrance, Calif.	\$465
ICF Kaiser Engineers Inc., Fairfax, Va.	\$420
AWT/Metcalf & Eddy, Somerville, N.J.	\$345
Roy F. Weston Inc., West Chester, Pa.	\$330
Camp Dresser & McKee, Cambridge, Mass.	\$270
Dames & Moore, Los Angeles.	\$220
The ERM Group, Exton, Pa.	\$220
Montgomery-Watson Inc., Pasadena, Calif.	\$206
Ebasco Services Inc., New York.	\$200
Science Applications Int'l, San Diego	\$200

Source: Environmental Business International

The E/C industry captured about 10.6 percent of the \$134 billion U.S. market for environmental services and equipment in 1992. The hazardous waste sector was responsible for 47 percent of the E/C revenues. Water and wastewater represented 22 percent. Air-related work lagged at 9 percent, but it is expected to grow with EPA's continuing implementation of the 1990 Clean Air Act Amendments.

"The environmental E/C industry continues to be highly fragmented," EBI said. "Gross revenues for the top 10 companies [in 1992] amounted to \$3.2 billion, representing 22.2 percent of the total market. The 26 firms with annual gross revenues of more than \$100 million represent 39 percent of the market. The top 50 firms account for 50.8 percent of the market, and the top 100 firms, 61 percent."

Dan Noble, EBI's vice president of research, says the recession was not entirely to blame for the slowdown in revenue growth. "It has merely coincided with and accelerated the inevitable pressures of industry maturation. [Future] success will not be had by seat-of-the-pants management. There will have to be a high degree of integration between strategic understanding and tactical implementation. In effect,

USGS Water-Quality Survey Shows Incomplete Picture of U.S. Streams

The U.S. Geological Survey is billing its latest water-quality report as the most-detailed state-by-state analysis ever, but the agency acknowledges there are large data gaps about biological and toxicological pollution.

On one hand, USGS' seventh national water summary says that in terms of traditional indicators—dissolved oxygen, bacteria, nutrients and sediment—the "water quality of the nation's streams ... is holding its own or even improving slightly but still falls below desirable levels in many places."

On the other hand, the agency reports that "data on biological and toxicological aspects of stream water quality are fragmentary and leave unanswered many questions about water-quality changes. For example, detectable concentrations of organic compounds such as atrazine, alachlor, cyanazine and simazine persisted throughout 1991 in many streams of the Upper Mississippi basin, but it is not known whether concentrations are increasing or decreasing, and there are few data on any biological impacts."

Although there are gaps in the big picture, snapshots taken by the nation's 1,400 stream monitoring stations show a partial picture of pesticides and herbicides in some waterways. The findings include:

(Continued)

A/WPR UPDATE

EPA has announced regulatory actions in the *Federal Register*. Details were covered by A/WPR when the agency provided prepublication information. The new actions include:

—**Regulation of Fuels and Fuel Additives: Renewable Oxygenate Requirement for Reformulated Gasoline**; notice of proposed rulemaking. *FR*, Dec. 27, 1993, p. 68343; *A/WPR*, Dec. 20, 1993, p. 393.

Water Quality (Cont.)

- A 1989-91 study found atrazine, alachlor, cyanazine and simazine year-round in many Midwestern streams. "During the first runoff of 1989, atrazine exceeded applicable EPA drinking-water criteria at more than half of the streams sampled."
- A synopsis of a U.S. Fish and Wildlife Service data base on pesticides and toxic trace elements in finfish tissues showed that since the 1970s concentrations of arsenic, cadmium, lead, chlordane, dieldrin, DDT-related compounds and total PCBs have declined significantly, while concentrations of mercury and toxaphene remained nearly constant.
- In California, higher irrigation return flows and runoff from dairies and feedlots have increased nitrate concentrations in the San Joaquin River. Decreased nitrates in the Napa and Russian rivers were attributed to better wastewater treatment.
- In New Jersey, "chloride concentrations in rivers throughout the state have increased because of road salting and other population-related causes."

Copies of *National Water Summary 1990-91—Hydrologic Events and Stream Water Quality* (WSP 2400) are available for \$43 each from USGS Branch of Distribution, Denver Federal Center, Box 25286, Denver, CO 80225. Make checks payable to "U.S. Department of the Interior—USGS."

Legislation Would Lead to Regulation Of Groups Certifying 'E' Consultants

Citing concerns raised by pollution-liability insurers, Rep. Bill Richardson (D-N.M.) is asking Congress to require EPA to set minimum standards for the certification of environmental consultants.

"I was shocked to learn that an individual can so easily receive certification to perform environmental assessments crucial to the protection of public health and safety," said Richardson, who hopes his H.R. 3572 will receive attention when Congress returns for its 1994 session.

To support his proposal, Richardson quotes David Rosenberg, executive vice president of Environmental Compliance Services Inc., one of the few U.S. companies underwriting pollution liability insurance: "Without minimum standards, property owners and businesses have no assurances that the consultant with which they have contracted is qualified. Right now, there are even consultants whose only qualifications stem from mail-order certification programs."

Under the bill, EPA would establish an Environmental Certification Board that would have a year to recommend minimum standards for use by EPA in

writing regulations covering environmental training and certification organizations. The bill also would authorize EPA to approve organizations wishing to train and certify environmental assessors.

Alyeska to Pay Undisclosed Amount To Settle Whistleblowers' 'Spy' Suit

Alyeska Pipeline Service Co. is paying an undisclosed amount to settle a damage suit brought by a couple targeted for corporate spying after accusing the company of environmental violations in connection with the Trans-Alaska Pipeline.

"It's a victory for whistleblowers," Charles Hamel said after he and his wife, Kathleen, agreed to the settlement of their suit in U.S. District Court in Washington, D.C. Neither the Hamels nor Alyeska would reveal the settlement amount, but published reports place it as high as \$5 million.

Alyeska hired Wackenhut Corp., the Florida-based security firm, to investigate Charles Hamel in 1990 after he received internal company documents from employees of Alyeska.

Alleged investigatory tactics included sifting through the Hamels' trash; staking out their home; obtaining their credit reports; setting up a bogus environmental group in an effort to win their trust; and having a female agent attempt to seduce Charles Hamel, a former oil broker.

Alyeska, which acknowledged no wrongdoing in the settlement, has said it hired Wackenhut to retrieve stolen documents but terminated the operation after learning of the surveillance and other activities. In 1991, the House Interior Committee released Alyeska documents saying the operation was ended after eight months when company lawyers warned that Alyeska could face mail and wire fraud, theft and other charges (*A/WPR*, Nov. 11, 1991, p. 360).

Responding to Hamel's charges, EPA reviewed operations at Alyeska's facilities at Valdez, Alaska, but said it found no evidence that tankers had been illegally dumping contaminated ballast water (*A/WPR*, Jan. 20, 1992, p. 21).

DocuDial Service

Copies of some documents mentioned in *A/WPR* may be purchased through Business Publishers' DocuDial Service with a touch-tone phone by entering your subscription account number and the document's four-digit code when requested. The service costs \$10 per call for any number of documents, plus \$1 per page per document ordered. For more information or help in placing an order, call (800) 685-4785.

Around the States

New Jersey Utility Offering Incentives To Jumpstart Natural Gas Stations

Public Service Electric & Gas Co. is proposing an incentive plan to promote the use of compressed natural gas in New Jersey. If accepted by regulators, the plan could lead to clusters of natural gas refueling stations throughout the state.

Outlined before the Board of Regulatory Commissioners, PSE&G's plan would offer special rates for natural gas sold as a motor fuel; remove purchasing and reselling barriers for retailers; assist gasoline retailers and fleet operators in establishing refueling stations; and give a \$1,000 rebate for the purchase of a natural gas car, van or truck.

Richard Comerford, general manager of the utility's gas unit, said the proposal would jumpstart a market for clean-burning natural gas vehicles and create the support infrastructure. The Natural Gas Vehicle Coalition supported PSE&G's plan. The New Jersey Department of Environmental Protection and Energy did not take a formal position but said it favored promoting the use of alternative fuels.

The plan had its critics, however. The New Jersey Propane Gas Association condemned the effort because it would cut into its members' business. Propane is more expensive than natural gas, but it is used by 3.5 million motor vehicles worldwide. Bruce Oliver, of the Public Advocate's division of rate counsel, said the bulk of incentive and rebate costs would be shouldered by customers.

Bruce Underwald, manager of New Jersey fleet operations for Bell Atlantic, said he was pleased with the performance of Bell's 25 CNG cars and vans, but he added it is "financially restrictive to build new refueling stations."

* * *

CONNECTICUT—Gov. Lowell Weicker and his top aides have been served with subpoenas for materials associated with a \$150 million state contract to conduct auto emissions tests. The state attorney general's investigation involves Weicker's choosing Arizona-based Envirotest Systems Corp. over Connecticut-based Environmental Systems Products for a 7½-year emissions testing contract. Louis Goldberg, who was recently fired by Weicker as motor vehicles commissioner, set the investigation in motion when he publicly challenged Weicker's contract-award decision.

MISSOURI—The Department of Natural Resources is proposing that service stations sell slow-evaporating gasoline, which could boost gasoline prices by 1 to 2 cents per gallon. St. Louis and the counties of St. Louis, St. Charles, Jefferson and Franklin would be affected. A hearing on the regulation is set for Feb. 24 in Jefferson City before the Air Conservation Commission. Mandated changes in solvent and paint formulations also are on the agenda, said DNR Director David Shorr. Meanwhile, Gov. Mel Carnahan is considering having service stations sell reformulated gasoline, which could add another 4 to 7 cents to the cost of each gallon.

PENNSYLVANIA—The state's 25-county enhanced vehicle inspection and maintenance plan is the first to be approved by U.S. EPA. A new test developed by PennDot will use treadmills and electronic equipment to check for carbon monoxide, hydrocarbons and nitrogen oxides. It is expected to be three times more effective than the current emissions test. EPA estimates that 30 percent of the cars initially tested will fail and could face up to \$450 in repairs. Affected cities include Pittsburgh, Philadelphia, Allentown, Wilkes-Barre, Johnstown, Lancaster and Harrisburg.

RHODE ISLAND—Mobil Oil Corp. plans to spend \$40 million to clean up contaminated land in the Riverside section of East Providence. Some of the property is saturated with petroleum products, and a major underground leak is migrating toward the Runnins River. Contaminated ground water has already been channeled toward the Runnins in a trench that was dug for a storm drain, according to the *Providence Journal*. A report prepared for Mobil by Roux Associates says more than 97,000 gallons of aviation fuel seeped into the ground during a spill in 1941, and other leaks from storage tanks and pipelines were recorded in the 1950s and 1970s. No word was available on when cleanup would be finished. Mobil plans to give the state an assessment and work plan this month.

WISCONSIN—The state and federal governments have agreed on methods to streamline the wetlands permitting process. EPA, the Wisconsin DOT, Federal Highway Administration, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service signed an agreement on guidelines for a banking system to control the loss of wetlands. The plan identifies the type of highway projects eligible for wetlands banking, outlines conditions under which the banking system may be used and defines the ratios at which wetlands replacement must take place. Wisconsin is constructing five banking sites ranging from 40 to 70 acres and plans to acquire another 1,000 acres for bank development.

Conference Calendar

Jan. 13-14—*The Clean Air Act: Title III*; workshop sponsored by Air & Waste Management Association; San Francisco. Also being held Feb. 24-25 in Baton Rouge, La.; March 17-18, Houston; April 7-8, Charlotte, N.C.; April 28-29, Newark, N.J.; and May 19-20, Chicago. Call Pam McCalla, (412) 232-3444, ext. 3142.

Jan. 24—*Environmental Audits*; seminar presented by Environmental Resource Center; Baton Rouge, La. Also being presented Jan. 31, Charlotte, N.C.; Feb. 7, Philadelphia; Feb. 18, Pittsburgh; Feb. 28, Atlanta; March 7, Chicago; May 9, Raleigh, N.C.; May 23, Cincinnati; July 29, Raleigh; Aug. 15, Atlanta; Aug. 25, New Orleans; Oct. 31, Philadelphia; Dec. 9, Charlotte; and Dec. 15, Orlando, Fla. Call (800) 537-2372.

Jan. 24-26—*Environmental Laws & Regulations Compliance Course*; presented by Government Institutes Inc.; Sheraton World Resorts, Orlando, Fla. Also being presented Feb. 23-25 in San Antonio and March 21-23 in Jackson Hole, Wyo. Call (301) 921-2345.

Jan. 24-26—*Environmental Regulation Course*; presented by Executive Enterprises Inc.; San Francisco. Also being presented Feb. 2-4 in New Orleans; Feb. 7-9 in Iselin, N.J., and Cincinnati; Feb. 14-16 in Baltimore; March 1-3 in Chicago; March 7-9 in St. Louis; March 9-11 in Washington, D.C., and Atlanta; March 14-16 in San Antonio and Seattle; March 21-23 in Albuquerque, N.M.; Call (800) 831-8333.

Feb. 1-4—*Re-inventing the Regulatory Process*; Association of Metropolitan Sewerage Agencies' winter technical conference; San Diego. Call (202) 833-2672.

Feb. 10-11—*Global Climates: Past, Present & Future*; annual Brown Symposium at Southwestern University, Georgetown, Texas. Call (512) 863-1902.

Feb. 14—*How to Comply with the Clean Air Act*; seminar presented by Environmental Resource Center; Pittsburgh. Also being presented Feb. 24, Arlington, Va.; March 15, Raleigh, N.C.; March 17, Nashville, Tenn.; April 19, Cleveland; May 12, Raleigh; May 20, Dallas; June 6, Richmond, Va.; July 14, Baton Rouge, La.; July 21, Charlotte, N.C.; July 25, Raleigh; Aug. 5, Milwaukee; Aug. 9, Detroit; Aug. 19, Atlanta; and Sept. 15, Pittsburgh. Call (800) 537-2372.

Feb. 16-17—*Managing Nonpoint Source Pollution in the Urban/Community Environment*; workshop sponsored by Terrene Institute; Adam's Mark Hotel, Philadelphia. Call (202) 833-8317.

Feb. 16-18—*Viewing the Horizon*; annual technical meeting of the West Coast section of the Air & Waste

Management Association; San Diego Princess Resort. Call (909) 396-2744.

Feb. 17—*The New EPA Combustion Strategy*; seminar sponsored by Waste-Tech Services Inc. and ECOVA Corp.; Denver. Call (800) 462-4679.

Feb. 17-18—*Registered Environmental Manager, Certified Environmental Auditor Workshops*; sponsored by National Registry of Environmental Professionals; Marriott Courtyard Hotel, Las Vegas. Also being presented March 17-18, Atlanta; April 21-22, Washington, D.C.; May 19-20, Honolulu; June 16-17, Woburn, Mass.; July 14-15, Des Plaines, Ill.; Aug. 18-19, Denver; Sept. 15-16, Tukwila, Wash.; Oct. 13-14, Phoenix; and Dec. 15-16, San Diego. Call (708) 724-6631.

Feb. 17-19—*Environmental Law*; course presented by American Law Institute-American Bar Association; Hyatt Regency Washington on Capitol Hill, Washington. Call (800) 253-6397.

Feb. 27-March 2—*Water Reuse Symposium*; conference and exposition sponsored by American Water Works Association and Water Environment Federation; Dallas; call (703) 684-2400. **END**

AIR/WATER pollution report

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Jay J. Vroom
President

2/14/94 DETIA

February 2, 1994

Ms. Kathleen McGinty
Deputy Assistant to the President
and Director
Office of Environmental Policy
360 Old Executive Office Building
Washington, D.C. 20500

Dear Ms. McGinty:

On behalf of the NACA Board of Directors, I am inviting you to join us at our next Board meeting dinner on Monday, February 14, 1994 in Ft. Myers, Florida.

The Board would appreciate hearing about Administration policy and plans affecting our industry in the environmental arena. Your informal talk won't have to go over ten minutes and will be followed by an exchange of questions and answers.

The meeting will take place at the Sanibel Harbour Resort & Spa in Ft. Myers and the reception starts at 6:30 p.m.

Please call me or Walli Klores on NACA staff at (202)872-3849 to let us know if you will be able to join us. We look forward to hearing from you. Thank you!

Sincerely,

Jay J. Vroom

JJV:whk

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FROM: Neil Yoskin, Esquire

No. of Pages: 3
(including cover page)

Transmission Date: January 24, 1994

Comments: Attached please find a program schedule for your information.

2/4 NO

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About This Program

This program is designed for defense trial attorneys, corporate counsel, corporate risk managers, municipal lawyers, insurance professionals, and others who find themselves involved in various aspects of environmental, hazardous waste and toxic tort litigation and compliance.

The program will provide an understanding of the unique characteristics of such cases, including a survey and update of the relevant statutes and case law, summaries of recent developments, discussion of the special nature of environmental liabilities, epidemiological studies, and environmental audits. The EPA Administrator, Carol Browner, and the Director of the Office of Environmental Policy in the White House, Kathleen McGinty, have been invited to help set forth the environmental initiatives announced by the Clinton Administration. Representatives of the Office of Enforcement of the EPA and the Department of Justice will provide a blueprint of the environmental climate, putting all attendees in a better position to counsel clients. The corporate sentencing guidelines will be reviewed by one of the commissioners charged with the responsibility for drafting them.

Faculty

Timothy W. Bouch, *Young, Clement, Rivers & Tisdale*, Charleston, SC. Member: South Carolina Defense Trial Attorneys Association; South Carolina, Charleston County and American Bar Associations.

Robert J. Brennan, *Porzio, Bromberg & Newman*, Morristown, NJ. Member: Trial Attorneys of New Jersey; International Association of Defense Counsel; Federation of Insurance and Corporate Counsel; New Jersey State, New York State and American Bar Associations.

Lisa Murtha Bromberg, *Porzio, Bromberg & Newman*, Morristown, NJ. Member: Defense Research Institute (Chairwoman, Environmental Law Committee); Environmental Law Institute; New Jersey State, New York State and American Bar Associations.

Carol Browner, Administrator, *Environmental Protection Agency*, Washington, D.C.

Patricia A. Burke, *Rider, Bennett, Egan & Arundel*, Minneapolis, MN. Member: Minnesota State and American Bar Associations.

James M. Campbell, *Campbell & Associates*, Boston, MA. Member: Defense Research Institute; Massachusetts Defense Lawyers Association (President); Association for the Advancement of Automotive Medicine; Society of Automotive Engineers; Association of Defense Trial Attorneys; International Association of Defense Counsel; The Florida Bar; Massachusetts, New Hampshire, Maine State and American Bar Associations.

Well S. Cartuscicello, Section Chief, Environmental Crimes Section, *Environmental and Natural Resources Division, U.S. Department of Justice*, Washington, D.C.

John D. Cole, Executive Vice President, *Zurich-American Insurance Company*, Baltimore, MD. Member: Defense Research Institute; Maryland State and American Bar Associations.

Steven Herman, Assistant Administrator Enforcement, Office of Enforcement, *Environmental Protection Agency*, Washington, D.C.

John Gerald Gleeson, *Howard & Howard Attorneys*, Bloomfield Hills, MI. Member: Defense Research Institute; Michigan State, Delaware State and American Bar Associations.

With Superfund reauthorization looming on the horizon, several segments will review what can be expected and how best to position potentially responsible parties. Insurance coverage, wetlands and natural resource damage issues are also covered. A panel of insurance company executives will tell trial lawyers what they want from outside counsel in the representation of environmental cases and explain how they structure and staff their defense cases.

A representative of Amoco will describe a unique and innovative partnership it forged with the EPA for permitting, and will provide important insight into managing the regulatory process to the advantage of all.

Each member of this outstanding faculty is committed to providing practical suggestions for dealing with real-life problems. In addition to gaining up-to-date information from recognized experts, attendees will have ample opportunity to meet, discuss common interests and socialize with professional colleagues from all parts of the nation.

Sheldon Hurwitz, *Hurwitz & Fine*, Buffalo, NY. Member: Defense Research Institute (Past Chairman, Environmental Law Committee); Western New York Defense Trial Lawyers Association; International Association of Defense Counsel; New York State Trial Lawyers Association; New York State and American Bar Associations.

Marian C. Hwang, *Miles & Stockbridge*, Baltimore, MD. Member: The Bar Association of Baltimore City; Maryland State and American Bar Associations.

Kenneth S. Kamlet, *Semmes, Bowen & Semmes*, Baltimore, MD. Member: District of Columbia and American Bar Associations.

Kathleen McGinty, Director of the *Office of Environmental Policy in the White House*, Washington, D.C.

Irene Nagel, Commissioner, *United States Sentencing Commission*, Washington, D.C.

J. Stephen Shi, *Petree, Stockton*, Winston-Salem, NC. Member: North Carolina and American Bar Associations; State Bar of Georgia.

Ronald E. Schmitt, Director, Environmental Performance Management, *Amoco Corporation*, Chicago, IL. He is a member of the pollution prevention task forces of the Chemical Manufacturers Association and the American Petroleum Institute.

Robert E. Scott, Jr., *Semmes, Bowen & Semmes*, Baltimore, MD. Member: Defense Research Institute (Board of Directors); Maryland Association of Defense Trial Counsel (former President); International Association of Defense Counsel; District of Columbia, Maryland State, American and Federal Bar Associations.

Thomas M. Trezise, Assistant Vice President, *United States Fidelity & Guaranty Company*, Baltimore, MD. Member: Defense Research Institute; Maryland State and American Bar Associations.

Neil Yoskin, *Picco, Mack, Herbert, Kennedy, Jaffe & Yoskin*, Trenton, NJ. Member: New Jersey State and American Bar Associations.

Program Schedule

Wednesday, March 9

6:00 p.m. Early Registration and Reception

Thursday, March 10

7:30 a.m. Registration and Continental Breakfast

8:30 a.m. Introduction and Welcome

—Lisa Murtha Bromberg, Esquire
Porzio, Bromberg & Newman, P.C.
Morristown, New Jersey

—Robert E. Scott, Jr.
Semmes, Bowen & Semmes
Baltimore, Maryland

8:45 a.m. Keynote Address—Review of EPA Position on Issues of Civil and Criminal Enforcement, Negotiated Rulemaking, Role of White House Office of Environmental Policy, and Expected Emphasis of Clinton Administration

—Carol Browner, Administrator (invited)
Environmental Protection Agency
Washington, DC

9:30 a.m. Enforcement Initiatives in the Clinton Administration and the Reorganization of Enforcement Responsibilities

—Steven Herman
Assistant Administrator Enforcement
Office of Enforcement, EPA
Washington, DC

10:15 a.m. Break

10:30 a.m. Panel Discussion with Representatives from Insurance Companies on Environmental Strategies and What They Want From Outside Counsel

—John D. Cole, Executive Vice President
Zurich-American Insurance Company

—Thomas Trezise, Vice President
United States Fidelity & Guaranty Company

—Robert E. Scott, Jr.
Semmes, Bowen & Semmes

11:15 a.m. Land Use and Development Issues Under the Wetland Regulations - What Is the Value of Property and What Can Be Done With It?

—Neil Yoskin
Picco, Mack, Herbert, Kennedy, Jaffe & Yoskin
Trenton, New Jersey

12:00 noon Lunch (on your own)

1:30 p.m. Trends in Environmental Criminal Enforcement under the Clinton Administration

—Neil S. Cartuscio, Section Chief
Environmental Crimes Section
Environmental and Natural Resources Division
U.S. Department of Justice
Washington, DC

2:30 p.m. Review of Corporate Sentencing Guidelines

—Ilene Nagel, Commissioner
U.S. Sentencing Commission
Washington, DC

3:15 p.m. Break

3:30 p.m. How to Maximize a Corporation's Relationship with the EPA - Can a Mutually Beneficial Pact be Created? Review of Pilot Program with EPA

—Ronald E. Schmitt
Amoco Corporation
Chicago, Illinois

4:15 p.m. Nuts and Bolts Approach to the Defendant of Natural Resource Damage Claims, Including a Discussion of Elements of Proof, Litigation Strategies and Enforcement Initiatives

—Kenneth S. Kamlet
Semmes, Bowen & Semmes
Baltimore, Maryland

5:30 p.m. Reception

Friday, March 11

7:30 a.m. Meeting of the DRI Environmental Law Committee

8:15 a.m. Continental Breakfast

8:45 a.m. Environmental Initiatives of the Clinton Administration

—Kathleen McGinty (invited)
Director of the Office of Environmental Policy
in the White House

9:30 a.m. Superfund Reauthorization from the Point of View of the Private Bar - What Do We Want and How Do We Get It?

—Steven Shi
Petree, Stockton
Winston-Salem, North Carolina

10:15 a.m. Break

10:30 a.m. Expert Testimony After *Daubert*

—John Gerald Gleeson
Howard & Howard Attorneys
Bloomfield Hills, Michigan

11:15 a.m. Sources of Proof in Toxic Tort Cases and How Best to Present Them

—Patricia Burke
Rider, Bennett, Egan & Arundel
Minneapolis, Minnesota

12:00 noon Lunch (on your own)

1:30 p.m. From De Micromis to "De Maximus": Where Do We Go from Here? Defense Tactics in Superfund Litigation and EPA's Recent Policy Guidance on De Micromis Settlements

—Marian C. Hwang
Miles & Stockbridge
Baltimore, Maryland

2:15 p.m. Trying the Cost Allocation Case

—Timothy Bouch
Young, Clement
Charleston, SC

3:00 p.m. Break

3:15 p.m. Insurance Coverage Roundup

—Robert J. Brennan
Porzio, Bromberg & Newman, P.C.
Morristown, New Jersey

—Sheldon Hurwitz
Hurwitz & Fine, P.C.
Buffalo, New York

4:15 p.m. Review of Defense Strategies for Component Suppliers in Toxic Tort Cases - The Bulk Supplier Doctrine

—James M. Campbell
Campbell & Associates
Boston, Massachusetts

5:00 p.m. Adjourn

Ms. Kathy McHenry


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Günter Rexrodt

Federal Minister of Economics

*Monday, February 14, 1994
6:30 p.m.*

*Ballroom
Washington Vista Hotel
1400 M Street, NW
Washington, D.C.*

Günter Rexrodt has been Minister of Economics since January 21, 1993. Following the completion of his Doctorate at the Free University of Berlin in 1968, Dr. Rexrodt spent the following 20 years in Berlin. He was first with the Berlin Chamber of Industry and Commerce, eventually becoming a member of its Executive Board and Director-General for Industrial Affairs. In 1979, he joined the offices of the Berlin Senator for Economics and Transportation, becoming State Secretary in 1982. In 1985 he was named Senator for Finance of Land (State) Berlin. From 1989 to 1991, Dr. Rexrodt was affiliated with Citibank and served as Chairman of the Board of Citibank AG. He then served as a member of the Board of the Treuhandanstalt until his appointment as Minister of Economics. The Minister is a member of the Free Democratic Party (FDP).

This lecture series is made possible thanks to the generous support of Mars, Incorporated, to which the Institute expresses its deep gratitude.

RSVP to AICGS at 202.332.9312

International Petroleum Industry Environmental Conservation Association
(IPIECA)

2/10

Bernard Tramier, Chairman of IPIECA, requests the pleasure of

Mr & Mrs McGinty

*Paris
FYI*

to join him at the ceremony to mark
the 20th Anniversary of IPIECA
to be held on the 10th February 1994, at 5.00 pm,
at the Elf Aquitaine Head Office, in Paris,
in the presence of Elizabeth Dowdeswell, Executive Director of UNEP
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President

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2/14 Florida

February 2, 1994

Ms. Kathleen McGinty
Deputy Assistant to the President
and Director
Office of Environmental Policy
360 Old Executive Office Building
Washington, D.C. 20500

Dear Ms. McGinty:

On behalf of the NACA Board of Directors, I am inviting you to join us at our next Board meeting dinner on Monday, February 14, 1994 in Ft. Myers, Florida.

The Board would appreciate hearing about Administration policy and plans affecting our industry in the environmental arena. Your informal talk won't have to go over ten minutes and will be followed by an exchange of questions and answers.

The meeting will take place at the Sanibel Harbour Resort & Spa in Ft. Myers and the reception starts at 6:30 p.m.

Please call me or Walli Klores on NACA staff at (202)872-3849 to let us know if you will be able to join us. We look forward to hearing from you. Thank you!

Sincerely,

Jay J. Vroom

JJV:whk

*2/8 - Diane Troutman
(no - due to conflict)*

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ENVIRONMENT & HEALTH

January 12, 1994

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

Dear Ms. McGinty:

The American Forest & Paper Association (AF&PA) is hosting its second annual Industry Environmental Forum, Tuesday, February 8, 1994 here in Washington, D.C. at the Mayflower Hotel. The purpose of this letter is to ask you to speak at this year's forum which is entitled, "*The Environmental Outlook for the Paper and Forest Products Industry.*"

Our goal is to provide our member companies with a timely snapshot of the environmental issues and policy initiatives likely to arise over the next 12 months. We will bring together representatives from the Congress, other members of the Clinton Administration, public interest groups, and the media to present their perspectives on what they believe to be the critical environmental matters challenging decision-makers this year. We would very much appreciate having you share your views with our members.

The forum is scheduled to begin at 8:30 a.m. with a continental breakfast and last until 12:30 p.m. Each panel will be approximately one hour long; we would like for each speaker to make a 10-minute presentation.

Former Pennsylvania Congressman Don Ritter has agreed to serve as our moderator this year. He currently serves as chairman of the National Environmental Policy Institute.

1/27
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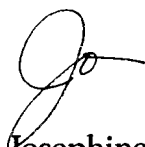
The Honorable
Kathleen McGinty
January 12, 1994
Page 2

The forum will highlight the 1994 legislative agenda for Clean Water Act, Superfund and RCRA; EPA initiatives for the 1990s, emphasizing industry-government "partnerships"; Clinton Administration environmental reforms; and the critical nexus between public policy and the media.

The public perception and understanding of our industry's efforts and accomplishments to ensure a safe environment are important to us. Our success as an industry depends on the public's trust in our products and in our environmental stewardship.

We genuinely hope that your schedule will permit you to join us as a speaker on February 8. We believe the forum represents a tremendous opportunity for our members to meet and hear from others who have a role in the key issues affecting our industry. If you have questions or need additional information, please contact Amy Schaffer of my staff at 202-463-2485. We will contact you in the next day or so to confirm your participation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jo', with a stylized flourish extending from the end.

Josephine S. Cooper
Vice President
Environment & Regulatory Affairs

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TELECOPY COVER SHEET

FAX NUMBER: (202) 463-2423

To: Kathleen McGinty Company: Office on Environmental Policy

Telecopy Number: 456-2710

From: Josephine Cooper

Number of Pages: 3 Date: 1/25/94 Time: 10:15 a.m. EST

Message

ATTENTION: VIOLA

per. Rene Carter -- 778-1064 (phone)

If you have any problem with the transmission of this fax, please call Kathryn Friedrichs (202) 463-2435. Thank You!

**1111 19th Street, N.W., Eighth Floor, Washington, D.C. 20036
Phone: 202-463-2700 Fax: 202-463-2423**

**AMERICAN
FOREST &
PAPER
ASSOCIATION**

2/8 panel

1111 19TH STREET NW, SUITE 300, WASHINGTON, DC 20036
PHONE: (202) 463 2700 DEPARTMENT FAX: (202) 463-2423

ENVIRONMENT & HEALTH

January 25, 1994

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

Dear Ms. McGinty:

The American Forest & Paper Association (AF&PA) is hosting its second annual Industry Environmental Forum, Tuesday, February 8, 1994 here in Washington, D.C. at the Mayflower Hotel. The purpose of this letter is to ask you to speak at this year's forum which is entitled, "*The Environmental Outlook for the Paper and Forest Products Industry.*"

Our goal is to provide our member companies with a timely snapshot of the environmental issues and policy initiatives likely to arise over the next 12 months. We will bring together representatives from the Congress, other members of the Clinton Administration, public interest groups, and the media to present their perspectives on what they believe to be the critical environmental matters challenging decision-makers this year. We would very much appreciate having you share your views with our members.

The forum is scheduled to begin at 8:30 a.m. with a continental breakfast and last until 12:30 p.m. Each panel will be approximately one hour long; we would like for each speaker to make a 10-minute presentation.

Former Pennsylvania Congressman Don Ritter has agreed to serve as our moderator this year. He currently serves as chairman of the National Environmental Policy Institute.

The Honorable
Kathleen McGinty
January 12, 1994
Page 2

The forum will highlight the 1994 legislative agenda for Clean Water Act, Superfund and RCRA; EPA initiatives for the 1990s, emphasizing industry-government "partnerships"; Clinton Administration environmental reforms; and the critical nexus between public policy and the media.

The public perception and understanding of our industry's efforts and accomplishments to ensure a safe environment are important to us. Our success as an industry depends on the public's trust in our products and in our environmental stewardship.

We genuinely hope that your schedule will permit you to join us as a speaker on February 8. We believe the forum represents a tremendous opportunity for our members to meet and hear from others who have a role in the key issues affecting our industry. If you have questions or need additional information, please contact Amy Schaffer of my staff at 202-463-2485. We will contact you in the next day or so to confirm your participation.

Sincerely,



Josephine S. Cooper
Vice President
Environment & Regulatory Affairs

MEMORANDUM
OF CALL

Previous editions usable

TO:

Beth

YOU WERE CALLED BY-

YOU WERE VISITED BY-

Captain Paré

OF (Organization):

PLEASE PHONE

FTS

AUTOVON

804 764-2272

WILL CALL AGAIN

IS WAITING TO SEE YOU

RETURNED YOUR CALL

WISHES AN APPOINTMENT

MESSAGE

re: invite to speak at
Env. Quality
Symposium for
air combat command

Air Combat
Command

RECEIVED BY

NE

DATE

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TIME

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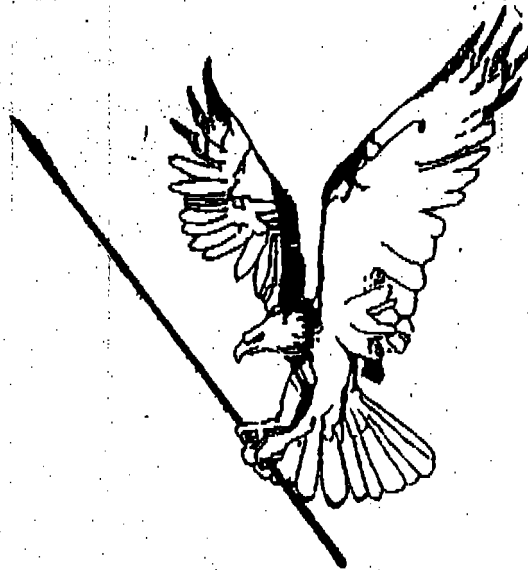
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☆ U.S.G.P.O. : 1993 342-198/80011

HEADQUARTERS AIR COMBAT COMMAND
Office of the Staff Judge Advocate
Environmental Law Directorate

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* "J A V E L I N" *
* JAV's *
* ENVIRONMENTAL LAW INFORMATION NETWORK *

Take The Initiative * Carpe Diem

RAPID RELAY MESSAGE TO:

Ms. Beth Gentile Viola

ASAP - Please

(202) 456-2710

FYI-No Action Required _____ Heads Up-Information Coming Your Way
Review/Comment and/or Proposed Action xxx Approval/Guidance

* SUBJECT Request for Ms. McGinty to speak *
* * * * *
* MESSAGE I had spoken with Christian Marsh at the beginning of January *
* reference the attached invitation. He informed me that he would be *
* leaving and that no speaking engagements would be handled until his *
* replacement had come on board. Due to the short suspense of this item, I *
* would appreciate it if you could call me at (804) 764-3532 to discuss *
* this invitation. The numbers have risen to 600 attendees and we would *
* like Ms. McGinty to speak on 15 Feb 1994 at 1300. Thanking you in advance *
* for your assistance. *

SENDER: DEBORAH L. DOYLE
DATE 26/1/93 TIME 0940

DSN/FAX 574-7650
COM/FAX (804) 764-7650
COM (804) 764-~~7650~~ 3532

3 TOTAL PAGES

2/14-18



Air Combat Command
Office of the Vice Commander
Langley Air Force Base, Virginia 23665-2788

24 January 1994

Honorable Katie McGinty
Advisor on Environmental Policy to
the Vice President and President
Washington DC 20500-0001

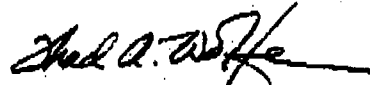
Dear Ms McGinty,

As America moves toward the 21st century, we at Air Combat Command (ACC) recognize the importance of environmental issues and are striving to be a federal leader in environmental quality management. We are rapidly moving forward in the areas of environmental compliance, pollution prevention, and restoration.

In our effort to achieve national environmental leadership, ACC is hosting our second annual Environmental Symposium in St Louis, Missouri, the week of 14-18 February 1994. This symposium will present an opportunity for 500 of our environmental team members to attend classes and hear speakers on the full range of environmental issues. Environmental experts from across ACC along with environmental leaders from other federal agencies will conduct the classes and present speeches to the group.

We welcome your insight on the administration's commitment to address our nation's environmental challenges, and invite you to be our featured speaker on the 15th of February 1994. I sincerely hope you will accept our invitation to speak. My point of contact is Colonel Richard T. Bryan, (804) 764-2801, FAX (804) 764-5363.

Respectfully yours,



THAD A. WOLFE
Lieutenant General
Vice Commander



February 16, 1994

Dear Soltech Registrant:

You are invited to attend a brief meeting during SOLTECH 94 on Sunday, February 27 on the Centre for the Analysis and Dissemination of Demonstrated Energy Technologies Program (CADET).

CADET has recently established a Renewable Energy annex which will complement the Energy Efficiency annex which was created in 1988. There are currently ten International Energy Agency members participating in this renewable energy program aimed at providing members with current information on renewable energy demonstration projects. The dissemination of information on these projects is intended to stimulate increased use of those technologies in the IEA participating countries and interested non-member countries. It is the U.S. intention to design our operations in a way that can best address U.S. industry's goal of increasing the export of their products and services.

U.S. participation in the CADET program is administered by DOE's Office of Technical Assistance. I will be serving as the U.S. Team leader for the Renewable Energy Annex, and as such will be responsible for collecting and distributing information on U.S. renewable energy developments for publication in one or more of the following CADET products:

- **Newsletter** - this quarterly publication features international articles on specific technical topics, news items, publications reviews, and future meeting notices. National Team members contribute to U.S. articles appearing in the newsletter.
- **Brochures** - Key demonstrated renewable energy technologies projects are summarized in colorful CADET brochures. U.S. National Team members recommend and provide supporting information for the preparation of the U.S. brochures.
- **Register** - The CADET Register is a computerized database providing information on international demonstrated energy technologies projects. U.S. National Team members are a primary source of database information. All U.S. records are maintained by the U.S. National Team support staff.

- **Analysis Reports** - CADET carries out technical and economic analyses on demonstrated end-use renewable energy technologies and publishes its findings in Analysis Reports.

We are holding this meeting to let industry members know the benefits of the CADET program. We would like to design our National Team to address your needs and to ensure that your interests are represented.

Please join us on February 27 from 5 pm to 6 pm in the Players room at the hotel. I look forward to working with you.

Sincerely,



Griffin Thompson
National Team Leader
U.S. CADET

Solar Energy Research and Education Foundation

122 C Street, N.W., 4th Floor, Washington, D.C. 20001-2109

(202) 408-0663

Fax: (202) 383-2670

Global Guardianship Foundation Meeting at SOLTECH '94

Sunday, February 27

Patrons B Room

4:00 - 6:00 pm

The Global Guardianship Foundation (GGF) is a concept for a new non-profit institution being established by the Solar Energy Research and Education Foundation. The mission of GGF is to promote renewable energy as a development tool by funding renewable energy use at development projects in archeological and biological "hot spots" (e.g., Mayan ruins in Belize). We have chosen to focus on these hot spots because they are highly recognized by conservationists and they are often the center (economically, culturally, etc.) of a larger region. A successful project at a hot spot can plant a seed for the growth of renewable energy in the entire region.

GGF will raise money primarily from private sector donors, such as private and utility foundations, who are interested in protecting environmentally imperiled areas and promoting sustainable development around the world. Grants and loans will be made available from GGF to hot spot project developers who can demonstrate that the location is indeed of high value archaeologically or biologically and that the project has a link to the potential use of renewable energy in the development of a larger community.

The purpose of this meeting is to gather input on the GGF concept from individuals and companies that are active in international markets and are interested in how this new organization can further their objectives. We also expect to gather names of individuals to serve on the Acting Board of Directors, as well as information on projects for eventual funding.

For more information contact Rick Sellers, Deputy Director, Operations of SEREF, at 202-383-2600, or Jeff Ross, Program Manager at US/ECRE, at 202-383-2559 / fax: 202-383-2555.



STATE OFFICE: 1776 Peachtree Street NW, Suite 400 South, Atlanta, Georgia 30309 • 404-876-2900 • Fax: 404-872-9229
COASTAL OFFICE: 711 Sandtown Road, Savannah, Georgia 31410 • 912-897-6462 • Fax: 912-897-6470

2/25-27

FAX COVER LETTER

To: Beth Viola
From: Lisa Patrick
Fax #: 202-456-2710
Date: 1/19/94

2 pages, including this cover sheet.
If there are questions or problems, please call 404/876-2900.

Message:



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6-page fax

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Treasurer
Florida Ellis, Atlanta*

January 19, 1994

To: Ms. Beth Viola
White House Office on Environmental Policy

From: Lisa Patrick

Here is some information about The Georgia Conservancy's annual conference, including a new copy of the original letter we sent in early October.

We would very much like for Ms. McGinty to speak at this event, preferably on the evening of Friday, February 25, or the morning of Sunday February 27.

I'm finalizing our last brochure about the conference this week, and would be most appreciative of anything you can do to let us know about possible schedules. Thank you. My number is 404/876-2900.

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Science Advisor

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Carolyn Boyd Hatcher

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FACT SHEET

The Georgia Conservancy Annual Conference

- WHEN:** February 25-27, 1994.
Program begins Friday evening, February 25, and continues through noon on Sunday, February 27.
- WHERE:** Callaway Gardens, a 14,000-acre nature preserve and resort in Pine Mountain, Georgia, located approximately one hour southwest of Atlanta's Hartsfield International Airport.
- WHAT:** An annual weekend conference for Georgia Conservancy members and guests, widely regarded as the premier environmental education event in the Southeast. The conference typically attracts 500 adults from Georgia and the region, as well as 100 children in grades 1-8 who participate in a concurrent environmental education conference for youth. The conference features plenary sessions, panel discussions, workshops, field trips, exhibits and social opportunities, including a Saturday evening banquet and program for all ages.
- WHO:** Recent speakers include former Senator Al Gore, United Nations Environment Programme Director Noel Brown, Environmental Defense Fund Director Fred Krupp, energy researcher Amory Lovins, futurist Hazel Henderson, Governor Zell Miller, Earth Day founder Gaylord Nelson, and United Earth Chairman Claes Nobel. Program features national and international leaders, as well as regional, state and local environmental experts.

For more information, call The Georgia Conservancy state office, 404/876-2900.



STATE OFFICE: 1776 Peachtree Street NW, Suite 400 South, Atlanta, Georgia 30309 • 404-876-2900 • Fax: 404-872-9229
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- Arnold Tenenbaum Jr., Savannah
- Michael Terry, Savannah

James Ruedell, Ph.D., Wakefield
 SCIENCE ADVISOR

**PRESIDENT AND CHIEF
 EXECUTIVE OFFICER**
 Carolyn Boyd Hatcher

* Past and Present Committee Members
 * Publications: recycled paper

October 5, 1993

Ms. Kathleen McGinty
Director
White House Office on Environmental Policy
Old Executive Office Building
Washington, D.C. 20500

Dear Ms. McGinty:

Georgia, the largest state east of the Mississippi River, harbors a tremendous diversity of species and nearly a third of the nation's East Coast wetlands. It is also one of the fastest growing states, attracting many innovative businesses and new residents. Fortunately, Georgia has one of the most respected environmental organizations in the nation, The Georgia Conservancy, which is a strong voice for balancing the growing demands of social and economic progress with environmental concerns.

Each year, The Georgia Conservancy hosts a conference which is known as the premier environmental event in the Southeast. It typically attracts 600 conferees, including 100 children, who have their own environmental education program. The conference provides global, national and local information, and stimulates provocative discussion leading to effective environmental citizenry.

The Georgia Conservancy would be honored if you would be a speaker at our 27th annual conference February 25-27, 1994. The conference will take place at Callaway Gardens, a beautiful family retreat and nature preserve located an hour south of Atlanta's airport.

We plan to continue our tradition of studying global and national issues while presenting ways to effect positive environmental changes at the local and personal level. Some of the speakers at our past three conferences have included Senator Al Gore, UNEP Director Noel Brown,

October 5, 1993

Page Two

EDF Director Fred Krupp, energy researcher Amory Lovins, futurist Hazel Henderson, Governor Zell Miller, Earth Day founder Gaylord Nelson, and United Earth Chairman Claes Nobel. Your associate, Jack Gibbons, was also spoke at one of our recent conferences. We seek preeminent leaders in the areas that are crucial to environmental quality.

Your work to ensure that the United States plays a vital role in contributing to the world's economic prosperity and environmental health is critical to the future of the global community. It is heartening to realize that our nation has a growing number of leaders who clearly understand how environmental protection and economic development are linked, at global and local levels.

At this stage in our planning, we hope you could be available to speak either on Friday evening, February 25, or on Saturday morning, February 26, but we will be happy to accommodate your schedule. We would be most pleased if your schedule would permit you to enjoy the entire weekend with us.

Enclosed is some information about The Georgia Conservancy and the annual conference. Ms. McGinty, you have vital information to share with conservationists in the Southeast, and they are eager to hear from you. Our first conference brochure will be released on November and we'd certainly like to include you in that publication. I hope you will be able to accept our invitation and promise that your time with our members would be very worthwhile.

Sincerely,

Carolyn Boyd Hatcher
President and CEO

enclosure

THE GEORGIA CONSERVANCY

- What:** Established in 1967, The Georgia Conservancy is a nonprofit organization of people dedicated to the responsible stewardship of Georgia's vital natural resources. We strive to balance the demands of social and economic progress with our commitment to protect the environment.
- How:** Through education and advocacy programs. We research and monitor issues; disseminate information; convene business, government and community interests; seek reasoned positions on environmental problems; and foster solutions by building consensus.
- Achievements:**
- ◆ Secured protection for special natural areas, including Cumberland Island National Seashore, Sapelo Island National Estuarine Research Reserve, Grays Reef National Marine Sanctuary, Okefenokee Swamp National Wilderness Area, Chattahoochee River National Recreation Area, and Panola Mountain Conservation Park.
 - ◆ Achieved protective statutes for coastal salt marshes, sand dunes, freshwater wetlands, Skidaway Island State Park, Chattahoochee National Forest, and more.
 - ◆ Strengthened standards for water quality, air quality, and for hazardous and solid waste management.
 - ◆ Participated in development of state growth management policies, the Georgia Environmental Policy Act, Conservation Use Act, and Preservation 2000.
- Priorities:**
- ◆ Water quality and supply
 - ◆ Natural area protection
 - ◆ Sustainable growth management
- Programs:**
- ◆ Adventure trips to natural areas and historic sites
 - ◆ *Earthforum* programs on environmental issues
 - ◆ Annual conference featuring national experts, topical workshops and youth conference
 - ◆ Instructional workshops for teachers (more than 4,000 teachers reached to date)
 - ◆ Preparation and distribution of environmental education curriculum and materials
 - ◆ Right whale protection and recovery fund
 - ◆ Chapter activities
 - ◆ Legislative briefings
- Publications:**
- ◆ Newsletters: *Panorama*, *Viewfinder* and *Metro River Update*
 - ◆ *A Guide to the Georgia Coast* (200 pages, \$10.95)
 - ◆ *A Guide to the North Georgia Mountains* (320 pages, \$18.95)
 - ◆ Teacher guides *Earth Trek*, *An Environmental Learning Manual for Educators* (75 pages, \$6.00) and *Magic from the Woods* (52 pages, \$5.00)
 - ◆ Videotapes *Stream of Conscience* (15 minutes, \$15.00), *Wetlands, Georgia's Vanishing Treasure* (29 minutes, \$14.95), and *The Solid Waste Solution* (14 minutes, \$19.95)
- Financial Support:** Approximately 29% from individuals, 22% from foundation grants, 23% from programs and publications, and 26% from corporate contributions
1993 annual budget: \$839,000
Membership categories: Individual \$30; Family/Dual \$45; Student/Other \$15; Sustaining \$80; Donor \$125; Bronze Cambium \$250; Silver Cambium \$500; Gold Cambium \$1,000
- Key Officers:** Edward C. Harris, Chairman of the Board
Carolyn Boyd Hatcher, President and Chief Executive Officer
- For Information:** Lisa P. Patrick, 404/876 2900

1994 Annual Conference Preliminary Schedule

Friday, February 25

5:30 p.m.	Reception for new members, first-time conferees and speakers
6:30	Supper reception
8:00	Keynote speaker: Carol Browner*
9:00	Program introducing sustainable futures with Robert Fri, director, Resources for the Future.

Saturday, February 26

9:00 a.m.	Plenary program with Henry Richmond, director National Growth Management Leadership Program Topic: Steps to take for sustainable growth
10:30	Panel program focusing on Georgia's water, natural areas and sustainable growth, moderated by WXIA EarthWatch reporter Marc Pickard.
1:30 p.m. - 5:30 p.m.	Three time periods devoted to field trips and workshops (approximately 20) relating to water, natural areas and environmentally-sustainable growth.
7:30 p.m.	Banquet and family program, featuring Michael Robinson, director, National Zoo, and Entertainment

Sunday, February 27

9:00 a.m.	Plenary program with Danny Martin, director, International Coordinating Committee for Religion and the Earth
10:00	Plenary program with Kathleen McGinty, director, White House Office on Environmental Policy* or Larry Potter, Memphis Environmental Court Judge, or Patrick Noonan, director, the Conservation Fund*
11:00	Annual Georgia Conservancy Membership Meeting and grand finale with Keepers of the Earth Discovery Quest, the youth conference.

* Participation to be confirmed

McGinty Scheduling Request

Date: 1/14/94

Urgent/Time sensitive _____

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Johnson ___ Stelle ___ Other _____

Regret ___ Accept ___ Not a priority ___

Alternates: _____

Comments:

Looks like a good & relevant
relevant topics.
-cu

NO (They have
not been kind to us...)
-CE 1/20

2/8

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1111 19TH STREET NW, SUITE 800, WASHINGTON, DC 20036
PHONE: (202) 463-2700 DEPARTMENT FAX: (202) 463-2423

ENVIRONMENT & HEALTH

TELECOPY COVER SHEET

Christian

TO: *Kathleen Mc Party*

FROM: *J. Cooper*

DATE: *1/12/94*

NUMBER OF PAGES (INCLUDING COVER SHEET) 3

**IF YOU EXPERIENCE ANY PROBLEMS WITH THE TRANSMISSION
OF THIS FAX, PLEASE CALL 202-463-2583.**

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PHONE: (202) 463-2700 DEPARTMENT FAX: (202) 463-2423

ENVIRONMENT & HEALTH

January 12, 1994

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

Dear Ms. McGinty:

The American Forest & Paper Association (AF&PA) is hosting its second annual Industry Environmental Forum, Tuesday, February 8, 1994 here in Washington, D.C. at the Mayflower Hotel. The purpose of this letter is to ask you to speak at this year's forum which is entitled, "*The Environmental Outlook for the Paper and Forest Products Industry.*"

Our goal is to provide our member companies with a timely snapshot of the environmental issues and policy initiatives likely to arise over the next 12 months. We will bring together representatives from the Congress, other members of the Clinton Administration, public interest groups, and the media to present their perspectives on what they believe to be the critical environmental matters challenging decision-makers this year. We would very much appreciate having you share your views with our members.

The forum is scheduled to begin at 8:30 a.m. with a continental breakfast and last until 12:30 p.m. Each panel will be approximately one hour long; we would like for each speaker to make a 10-minute presentation.

Former Pennsylvania Congressman Don Ritter has agreed to serve as our moderator this year. He currently serves as chairman of the National Environmental Policy Institute.

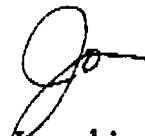
The Honorable
Kathleen McGinty
January 12, 1994
Page 2

The forum will highlight the 1994 legislative agenda for Clean Water Act, Superfund and RCRA; EPA initiatives for the 1990s, emphasizing industry-government "partnerships"; Clinton Administration environmental reforms; and the critical nexus between public policy and the media.

The public perception and understanding of our industry's efforts and accomplishments to ensure a safe environment are important to us. Our success as an industry depends on the public's trust in our products and in our environmental stewardship.

We genuinely hope that your schedule will permit you to join us as a speaker on February 8. We believe the forum represents a tremendous opportunity for our members to meet and hear from others who have a role in the key issues affecting our industry. If you have questions or need additional information, please contact Amy Schaffer of my staff at 202-463-2485. We will contact you in the next day or so to confirm your participation.

Sincerely,



Josephine S. Cooper
Vice President
Environment & Regulatory Affairs



February 25, 1994

Governor Tony Earl*
Quarles & Brady
Chairman

Ned Helme
Executive Director

Board of Directors

Richard Abdo
Wisconsin Electric Power
Company

Governor Cecil Andrus
Idaho

B.B. Blevins
California Energy Commission

Governor Hugh Carey
W.R. Grace

Governor Mario Cuomo
New York

Dr. Anthony Cortese
Second Nature

William Davis
Niagara Mohawk Power Corporation

Dr. Mark Levine
Lawrence Berkeley Laboratory

Jim Maddy*
League of Conservation Voters

Governor Ben Nelson
Nebraska

Senator Gaylord Nelson
The Wilderness Society

John Palmisano
AER*X

Governor Roy Romer
Colorado

Governor Mike Sullivan*
Wyoming

Governor Tommy Thompson
Wisconsin

Victoria J. Tschinkel*
Landers & Parsons

Governor John Waihee
Hawaii

**Executive committee member*

444 North Capitol Street
Suite 602
Washington, DC 20001
202/624-7709
202/508-3829 Fax

Ms. Katie McGinty
Deputy Assistant to the President
Director, Office of Environmental Policy
The White House
Washington, DC

2/94

Att: Beth Viola
By Fax: 456-2710

Dear Ms. McGinty:

I am writing on behalf of Governor Tony Earl, Chairman of the Center for Clean Air Policy, to request a meeting with you when he is in Washington this coming Monday afternoon, February 28th.

Governor Earl would be accompanied by our Executive Director, Ned Helme, and would like to discuss the issue of Joint Implementation. From what I understand, Ned has spoken with you recently about our work in this area (in conjunction with our project in the Czech Republic) and that you were interested in learning more about it.

I hope that your schedule will allow a meeting for Governor Earl and Mr. Helme on Monday. At this point, I'm trying to pin down their schedule for the afternoon, but it's still pretty open and we'd certainly be willing to work around your schedule as much as possible.

Please call me at (202)624-5475 to let me know if and when you may be available -- or if you have any questions.

Thanks.

Sincerely,

Christine Denuel

Christine Denuel
Executive Assistant to the Director

McGinty Scheduling Request

Date: 2/23

Urgent/Time sensitive

Blank Doniger Chupka Zoi Laughlin

Johnson Stelle Other _____

Regret Accept Not a priority

Alternates: _____

Comments:

BV
Brian - should KM
consider 2

No
I doubt it. Car talk or
DOE may want it.

BDM

BDM INTERNATIONAL, INC.
1501 BDM WAY
McLEAN, VA 22102-3204
DIRECT DIAL: (703) 848-5115
MAIN NUMBER: (703) 848-5000
FAX: (703) 848-6457

Todd A. Stottlemyer

Vice President
Government and Public Affairs
and Corporate Attorney



BDM INTERNATIONAL, INC.
1501 BDM WAY
McLEAN, VIRGINIA 22102-3204
(703) 848-5000

DIRECT DIAL NUMBER:

(703) 848-5115

BDM/MCL-TAS-11367-94

February 15, 1994

The Honorable Kathleen McGinty
Deputy Assistant to the President
and Director Office on Environmental Policy
Old Executive Office Building
17th Street and Pennsylvania Avenue, NW
Room 360
Washington, DC 20500

A handwritten signature in black ink, appearing to be 'K. McGinty', is written over the recipient's address. The signature is somewhat stylized and overlaps the text.

Dear Ms. McGinty:

By way of introduction, BDM International, Inc. is a 6,000 employee information technology company headquartered in McLean, Virginia. As a diversified, international company with over 60 locations worldwide, we provide information technology services and other advanced technological support to public and private sector clients, including a substantial amount of work in the environmental and energy areas.

Early in 1993, BDM entered into a strategic alliance with Electrosorce, Inc. of Austin, Texas, to facilitate the manufacture of advanced batteries to meet the requirements of electric vehicles mandated by the Clean Air Act Amendments and the Intermodal Surface Transportation Efficiency Act. In June of 1993, BDM and Electrosorce jointly formed a new company, Horizon Battery Technologies, Inc. (HBTI), to produce a high performance lead acid battery known as the Horizon Battery. Deemed to be the "near and mid-term electric vehicle battery" by the Electric Power Research Institute, the Horizon Battery, unlike other batteries, will be available and affordable in time to meet the 1998 air quality mandate for zero emission vehicles.

The ground breaking for HBTI's manufacturing facility in San Marcos, Texas, took place in October of 1993, and low rate production has already commenced. We are now in the process of installing additional modular, computerized production facilities and systems at the 80,000 square foot San Marcos facility. This plant is designed to be a one-eighth scale manufacturing facility, and upon completion, it will enable Limited Rate Initial Production (LRIP) of the batteries. It is also important to point out that the San Marcos facility is a new and environmentally responsible "green plant," a closed-cycle manufacturing facility that eliminates harmful emissions into the air or the water. In addition, the batteries themselves are totally recyclable.



The Honorable Kathleen McGinty
BDM/MCL-TAS-11367-94
February 15, 1994
Page 2 of 2

I would like to request an opportunity for Bob Kline, President of HBTI, and other representatives from the Company to meet with you to discuss in greater detail this exciting new battery program. I anticipate this meeting lasting no more than one hour, and I will call your office to inquire of your availability for a meeting in the near future.

As background, I am enclosing an HBTI information packet for your review. If you have any questions, please call me at (703) 848-5115.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd A. Stottlemyer', with a long horizontal flourish extending to the right.

Todd A. Stottlemyer
Vice President
Government and Public Affairs

TAS/pra
Enclosure: as stated



C. Robert Kline, Jr., Ph.D.

President, CEO

**2809 Interstate 35 South
San Marcos, Texas 78666**

Phone: (512) 353-8644

Direct: (703) 848-5136

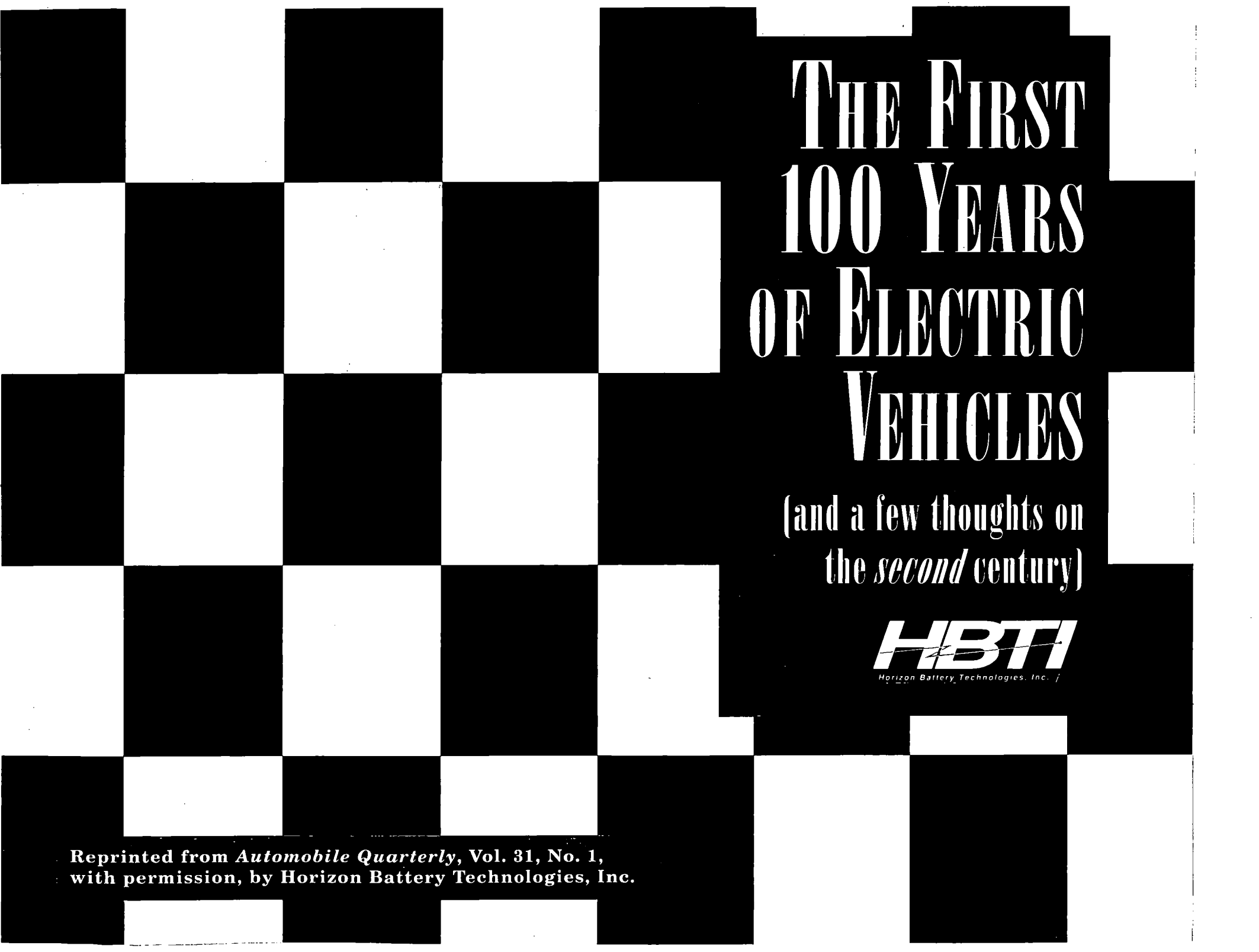
Fax: (512) 353-8323

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THE FIRST 100 YEARS OF ELECTRIC VEHICLES

(and a few thoughts on
the *second* century)

HBTI
Horizon Battery Technologies, Inc.

Reprinted from *Automobile Quarterly*, Vol. 31, No. 1,
with permission, by Horizon Battery Technologies, Inc.



Country by Country Roundup of EV Developments:

World Market Projections:

Horizon® Battery Technologies, Inc.: "By year 2001, the global electric vehicle (EV) power system market will reach \$2.6 billion. By 2005, the market will more than double the 2001 market." — C. Robert Kline, president, Horizon Battery Technologies, Inc.

- 1995 — 120,000 EV batteries, total capacity, 2,400,000 kWh
- 2005 — 1,658,134 EV batteries, total capacity, 33,162,685 kWh

Economist magazine: "The world's electric vehicle production will top 100,000 units annually by the year 2000."

Autofacts, Inc.: The company's market study projects "EV sales of 96,000 units in 1998, 199,000 in 2000, and about 1.4 million in 2005.

United States:

California: Beginning in 1998, 2% of all the vehicles sold in California must be zero emission vehicles (ZEVs) — electric vehicles, in essence. That's about 40,000 vehicles at the current sales rate. The ZEV quota rises to 5% in 2001 — about 100,000 vehicles — and to 10% — about 200,000 vehicles per year — in 2003.

Other states: New England and Mid Atlantic states plan to follow California. Connecticut, Delaware, Maine, Maryland, Massachusetts,

New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia may adopt the California plan. Ultimately, more than one-third of the new car market in the United States could be affected.

By 2001, the 5% ZEV requirement could create a new vehicle market of 850,000 privately owned units per year. Federal, state, and local government agencies will also buy fleets of EVs to promote clean air.

By year 2000, the U.S. could decrease its oil consumption by one million barrels per day if it replaced 22% of the gasoline-powered car population with EVs, according to Richard Morer of the U.S. Department of Energy's Office of Transportation Technologies.

The 1992 Energy Policy Act will stimulate the sale of EVs and other alternative fuel vehicles because it provides a 10% income tax credit for the purchase of these vehicles.

Caribbean:

Jamaica: Serve-Well plans to build up to 10,000 EVs annually to sell throughout the Caribbean.

Europe:

Currently, there are about 25,000 EVs in operation on the roads of Western Europe. Most of these are deployed in the UK — where many electric milk and department store delivery vehicles have been electrically powered for years. There are also significant numbers of EVs in Austria, Denmark, France, Germany, Italy, and Switzerland. Almost all European auto makers have EV programs, and several EVs — such as the Fiat Panda Elettra, Renault Clio, and Peugeot 205 — are currently on the market. Amsterdam, Athens, Glasgow, and Vienna are among the European cities considering a ban on all vehicles except EVs and

public transport. Because of the high cost of gasoline and diesel fuel, EVs often enjoy a significant operating cost advantage. PSA Peugeot Citroën S.A. sees an annual European market for 200,000 EVs by year 2000.

Denmark: Strong government programs encourage deployment of EVs, while other government incentives encourage EV development, resulting in vehicles such as the CityCom A/S and City-El. The CityCom organization has already sold 6,000 of these "electric personal vehicles" in Europe. About 1,000 EVs operate in Denmark today, supported by free EV charging in some public car parks.

Finland: The Elcat Cityvan is in use by Finnish postal authorities. The Cityvan is also employed in similar applications in Sweden and Norway.

France: Government has established a \$100-million initiative program designed to get thousands of EVs on the road by 1995. One cornerstone of this plan was the establishment of an Evaluation and Applied EV Research Centre at LaRocheville to "evaluate, advise, research, assist, and review" EVs, components, and batteries. The government has also decreed that an EV support infrastructure must be established in at least 10 cities by 1995. The Ministry of the Environment, Ministry of Industry, Electricité de France, Renault, and PSA Peugeot Citroën have signed a framework agreement to establish recharging facilities, a battery rental system, and provide vehicle maintenance services to support this program. Renault plans to have fleets of its Zoom two-seater stationed strategically at curbside in cities throughout France. The idea is that the energy-efficient Zooms would be ready and waiting. People could hop in and pay by inserting a credit card. The mayor of Paris has announced that free EV parking places — with built-in recharging facilities — will be built throughout the city. The Paris City Council currently operates more than 100 electrically powered garbage trucks, and has recently begun to purchase other EVs for its fleet.

Germany: The German government made EVs exempt from vehicle excise taxes for 5 years, beginning in 1992. Authorities in Munich and Frankfurt are developing plans to promote EVs, with California-style legislation being considered. The federal government has provided funds for EV R&D, resulting in the construction and testing of more than 300 prototypes by German auto manufacturers.

Great Britain: This island nation has a long history of electric delivery vehicle usage. The government currently provides tax incentives for EV purchasers. EV developers include McLaren Cars— internationally famous builder of Formula 1, Indianapolis, and Can Am racing cars. A new British consortium called "Zero" is developing an electric racing car and plans to launch a racing series for zero emissions vehicles which will support all of the Formula One Grand Prix races in 1994. Members of the Zero consortium include Lola Cars, the specialized company which manufactures most of today's Indianapolis racing cars.

Italy: Fiat projects that by year 2000, between 200,000 and 250,000 EVs will be sold into the Italian market each year. Fiat currently offers three EVs for sale. The company first introduced the Panda Elettra in 1990. Tecnotour, in cooperation with the Municipal Energy Company of Milano, has developed credit card-operated charging stations which are available to fleet and private EV operators.

Sweden: The government has established a program to put 10,000 EVs on the road by year 2000. A local manufacturer, Clean Air Transport, plans to build 30,000 of its LA301 EVs annually in Europe and/or the U.S.

Switzerland: The government plans extensive EV deployment. ESORO AG, a consortium, has developed the Esoro E3001 ultralight 2-seater for urban markets. Nicolas Hayek, the businessman who developed the enormously successful Swatch watch, has launched a new company called SMC, teamed with Volkswagen AG, and plans to build about 100,000 small

— probably electric — cars by about 1995. In Geneva, a number of free charging facilities have been provided in public car parks. Several mountain resort towns now exclude internal combustion engine-powered vehicles. Zermatt, one of the most popular of the Swiss mountain resorts, for example, is currently home to about 400 EVs.

Asia:

Japan: The government is reportedly spending billions of yen on EV development and the Ministry of International Trade and Industry (MITI) cites the national goal of having 200,000 EVs in service by year 2000 — with half being Japanese-built products — and on-going production of 100,000 units yearly thereafter. Phase I (1990-1994) calls for EV purchases by national and local government agencies; Phase II (1994-1997) calls for EV purchases by utility and delivery companies; Phase III (1998-2000) calls for massive EV purchases by private users; Phase IV (2000-onward) calls for head-to-head competition with internal combustion vehicles. Tax breaks back the EV plan. Municipal governments in Tokyo and Osaka are currently buying EVs, and in Osaka, an EV leasing program has been established. Daihatsu, the largest manufacturer of EVs in Japan, now builds about 1,000 electric vehicles annually.

Korea: Government officials call the development of EVs "a key to future competitiveness in global markets." No specific information is available.

Taiwan: Reported to have formalized plans to put more than 50,000 EVs on the road by 1998.

Note: Many additional countries are reported to have developed plans for EV deployment, but have not yet released details. As these plans are released, HBTI will update this list.

For additional information, contact: Ray Foster (703) 734-3300.

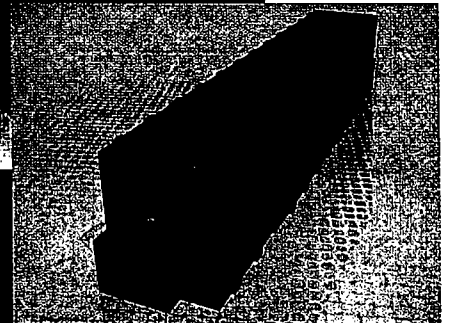
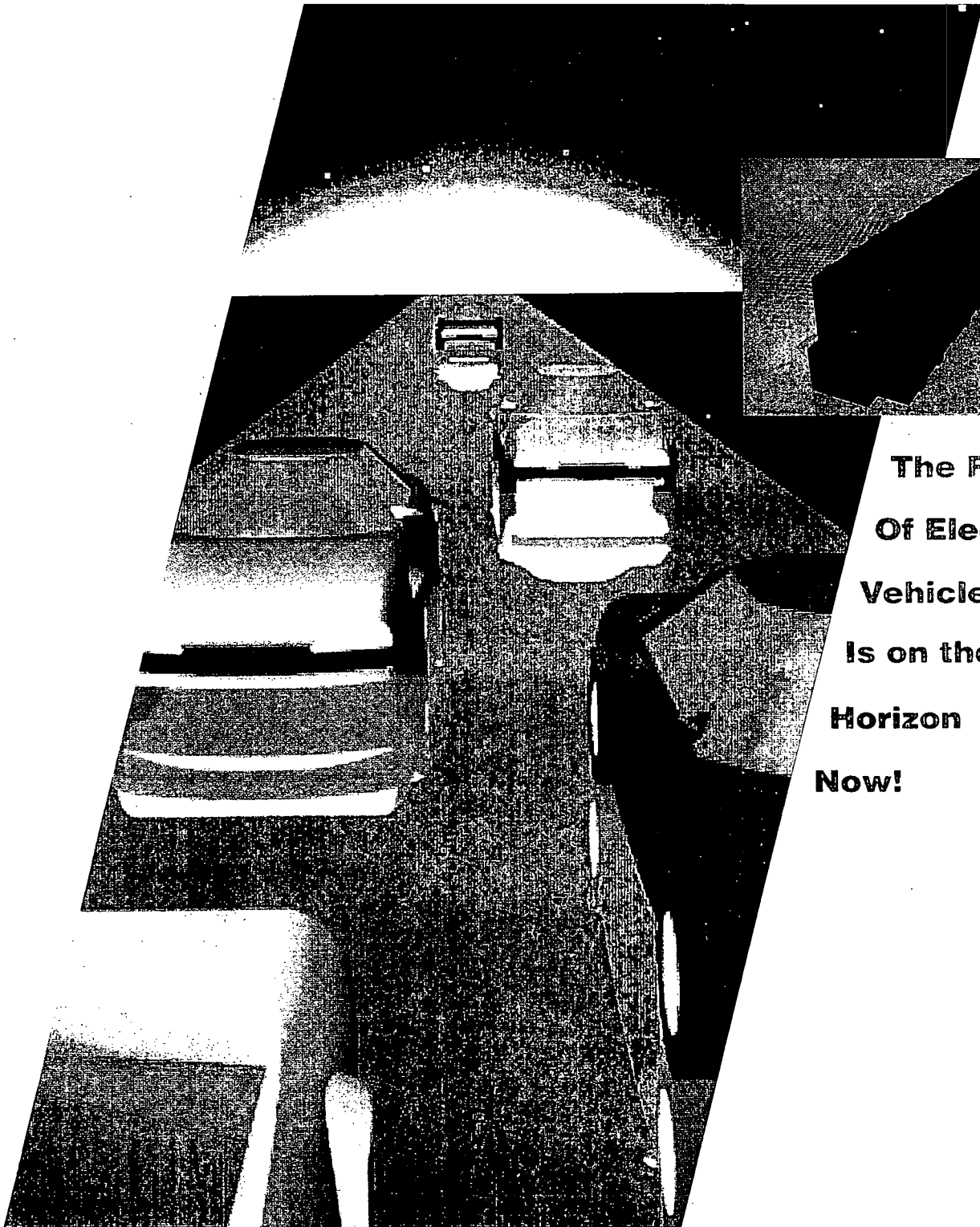
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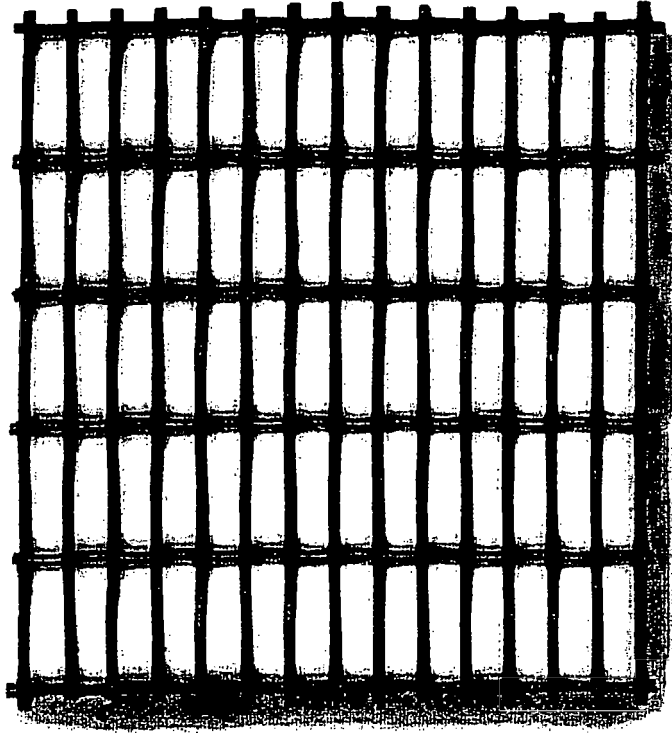
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American Muslim Council

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*Proceeds go to the Humanitarian Aid Project
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GOVERNORS' ETHANOL COALITION

2/28

KM - any interest?

February 9, 1994

Robert

STATE REPRESENTATIVES

Arkansas
 Morris Jenkins
 (501) 682-7315

Colorado
 Steve Horn
 (303) 239-4100
 Harold Smedley
 (303) 740-4328

Hawaii
 Mufi Hannemann
 (808) 586-2355

Illinois
 Al Grosboll
 (217) 524-1395
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 (402) 471-2867
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 (402) 471-2941

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 Anita Lockwood
 (505) 827-5950

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 (701) 224-2200

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 Fred L. Dailey
 (614) 466-2732
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 David M. O'Hara
 (605) 773-5032

Texas
 John Pouland
 (512) 463-3446

Wisconsin
 Jeffery Knight
 (608) 267-7693

Kathleen McGinty
 Office of Environmental Policy
 360 Old Executive Office Building
 17th & Pennsylvania Avenue NW
 Washington, DC 20501

Dear Kathleen:

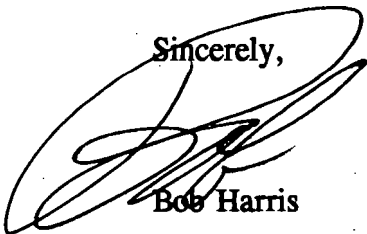
Governor Nelson asked us to invite you to attend the next meeting of the Governors' Ethanol Coalition to be held in Washington, D.C. on Monday, February 28th. You are also invited to be our guest for lunch on Monday and to attend the coalition's reception Monday evening, and a congressional reception on Tuesday night at the Capitol.

The coalition's meeting will focus on the U.S. Environmental Protection Agency's proposed renewable oxygenate rule. The proposed rule requires that 30% of the oxygenates used in the reformulated gasoline program be derived from ethanol, ETBE or renewable methanol. When the rule becomes final, it will create a demand for an additional 630 million gallons of renewable alcohol-based fuels. A proposed agenda is included for your information.

The coalition's meeting will be held at the Washington Marriott Hotel, 1221 22nd Street. Monday night's reception will also be held at the Marriott. Tuesday night's reception, which is being held in conjunction with the National Association of State Energy Officials, will be held in room 2172 of the Rayburn House Office Building. The reception begins at 6:00 p.m.

We look forward to seeing you in Washington. Please drop us a note, fax or call Linda Patterson at (402) 471-3530 if you plan to attend the meeting and the receptions.

Sincerely,



Bob Harris

T. Sneller

Todd Sneller

2/27
 No thanks
 LW

P.O. Box 95085, Lincoln, NE 68509-5085, Phone (402) 471-2867, FAX (402) 471-3064

(Proposed)

Agenda
Governors' Ethanol Coalition
Washington Marriott Hotel
1221 22nd Street, N.W.
Washington, D.C.
February 27 & 28, 1994

* * *

Sunday, February 27, 1994
Governors' Ethanol Coalition
Business Meeting
Logan Salon
2:00 - 6:00 p.m.

* * *

Monday, February 28, 1994
Governors' Ethanol Coalition
Public Meeting
Suite 3016-3017
9:00 - 5:00 p.m.

The Benefits of EPA's Proposed *Renewable Oxygenate Rule*

- 9:00 - 9:15 a.m. **Welcome and Opening Remarks**
- 9:15 - 9:30 a.m. **Overview of Proposed Renewable Oxygenate Rule,**
Hon. Mary Nichols, Assistant Administrator for Air and Radiation,
U.S. Environmental Protection Agency
- 9:30 - 10:15 a.m. ***The Carbohydrate Economy***
David Morris, Institute for Local Self-Reliance
- 10:30 - 11:30 a.m. **Consumer Perspective**
Edward Rothschild, Director, Citizen Action
Scott Sklar, National Wood Energy Association
Ken Bossong, Sun Day Campaign
- 11:30 - 12:30 a.m. **Environmental Community Perspective**
Carol Werner, Environmental and Energy Study Institute
Marika Tatsutami, Natural Resources Defense Council
Alden Meyer, Union of Concerned Scientists

12:30 - 1:30 p.m. Lunch

Address by Hon. Michael Espy, Secretary U.S. Department of Agriculture (invited)

1:30 - 3:00 p.m. **How Any State Can Produce Transportation Fuels in the 90s**
Norm Hinman, National Renewable Energy Laboratory
Vince Shamal, Quadrex
Mark Carver, ARKENOL
Harry Lane, Director, Regional Biomass Energy Programs
Up-Date on State Biomass Activities: NASEO and other state representatives

3:00 - 4:00 p.m. **Policy & Legislative Perspective**
Tim Galvin, Legislative Assistant, Senator Bob Kerrey
Bill Holmberg, Director, American Biofuels Association
Doug Durante, President, Clean Fuels Development Coalition
Eric Vaughn, Director, Renewable Fuels Association

4:00 - 5:00 p.m. **Industry Perspective**
Tom Geiger, Cargill
Larry Russo, New Energy
Jerry Jacoby, Minnesota Corn Processors
Bill Piel, ARCO

5:00 - 5:45 p.m. **Agricultural Perspective**
Keith Heard, National Corn Growers
Robert Nooter, American Farm Bureau Federation
Roger Conway, USDA, Office of Energy

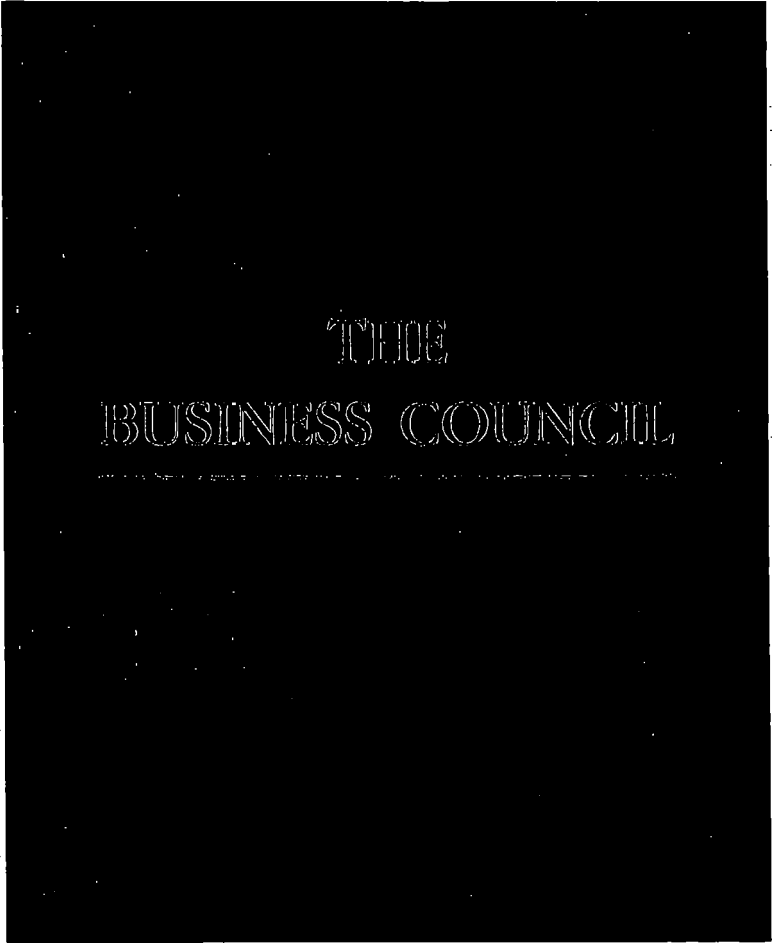
6:00 - 8:00 p.m. **Reception**
Washington Marriott Hotel

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PHILIP E. CASSIDY
Executive Director

December 17, 1993



The Honorable Kathleen McGinty
Director
Office of Environmental Policy
The White House
Washington, DC 20500

Dear Ms. McGinty,

It is my pleasure to extend to you a cordial invitation to join The Business Council members for a reception and dinner on Wednesday evening, February 23, 1994 in the Ballroom of the Park Hyatt-Washington at 24th and M Streets, N.W., Washington, D.C.

We expect about 100 members to be in attendance and I am sure you will find many friends and acquaintances among them. I have enclosed for your information, the latest membership and organizational brochure. The evening will begin with an informal reception at 7 o'clock, followed by dinner at about 8:00 p.m.

I trust you will be able to join us for what should be an exciting occasion. Your early response to Phil Cassidy of The Business Council would be appreciated. I look forward to seeing you.

Sincerely,



Robert E. Allen

Enclosure