

Dr. Robert E. Brown MS 62355

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BWIPO UPCOMING EVENTS
JANUARY 17, 1985

<u>Event</u>	<u>Location</u>	<u>Date</u>	<u>Contact</u>	<u>Code</u>
<u>HQ Meetings</u>				
NRC briefing on licensing	HQ	Jan. 28	Kovacs	O
EA Hearing training	HQ	Feb. 1	Olson	R
Systems Eng. Mgmt. Plan Meeting	HQ	TBD	Petrie	R
<u>Coordinating Group Meetings</u>				
RCG/Mission Plan Coordination	HQ	Jan. 28-30	Nicoll	R
QA Coordination Group Meeting	Las Vegas	Jan. 29/30/31	Bracken	R
Performance Assessment Coordination Group meeting	Rockville	Jan. 29/30	Dahlem	R
Performance Assessment National Review Group	Rockville	Jan. 31	Dahlem	R
ISCG meeting	HQ	Jan. 31	Tinsley	R
Materials Steering Committee Mtg.	HQ	Feb. 5	LaMont	R
Licensing Coordination Group Meeting	HQ	TBD	Mecca/ Kovacs	R
Waste Package Coordination Group	HQ	March 19-20	LaMont	R
<u>State/Indian/Public Interaction</u>				
Nuclear Waste Board/Advisory Group Meeting	Olympia	Jan. 18	Tinsley	O
EA Interaction Meetings:				
Briefing	Richland	Jan. 15	Olson	O
Briefing	Olympia	Jan. 17	Olson	O
Briefing	Seattle	Jan. 18	Olson	O
Briefing	Richland (For Indian Tribes)	Jan. 23	Olson	O
Hearing	Richland	March 5	Olson	O
Hearing	Olympia	March 7	Olson	O
Hearing	Portland	March 12 (tentative)	Olson	O
DOE/State/Tribe meeting	La Jolla CA	Jan. 29-30	Olson	O
Nuclear Waste Board/Advisory Group	Olympia	Feb. 15	Tinsley	O

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Codes
O = Over

R = Restricted

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Attn: Robert E. Boring MS 62355

from: Bob Cook

Environmental Protection: Politics and Reality

The Honorable
William D. Ruckelshaus
Administrator, Environmental Protection Agency

FRIDAY OCTOBER 26

SOME OF THE strangest bedfellows in all politics are found together on environmental issues — people with patches on their sleeves and shoulders who shoot ducks joined with people who grow pot and live on bean sprouts. And, with few exceptions, the environmental battles played out in the national political arena have been nonpartisan in nature, consistent with this broad and eclectic public support.

When you examine the characteristics of actual environmental dilemmas, you can see why this nonpartisanship is not only a fact but is ultimately sensible. Typically, environmental problems are a long time developing, are enormously complex technically, require for their solution substantial advances in science and engineering, are expensive to solve, and call for the creation of novel institutional mechanisms to control them.

These characteristics suggest that a society set on solving such problems should make the long-term commitments of resources and attention appropriate to a process that is expected to take a considerable length of time. That length of time will be governed less by the goadings of politicians than by the slow and painstaking discovery of facts and techniques and by much-maligned but indispensable grinding of public institutions.

By and large, the American public has accepted this view of things, incidentally, supported by the real accomplishments of the past 14 years. We knew that correcting gross air and water pollution, from cars and industrial sources and sewer systems, was going to require massive investment and considerable time; we were confident that it could be done, and by and large it has been done. Beyond question, although pollution remains a problem, it is manifestly under competent social control. The evidence is, literally, all around us.

Partisan Bashing

That being the case, we may ask why the environment has emerged more recently as a partisan issue, and what are the implications of that change. First of all, I think



William D. Ruckelshaus

the environmental problems of the present are both more frightening and more difficult to understand than those of the past. This situation arises from the insidious and apparently universal presence of toxic chemicals in our environment, chemicals that have been associated with dreaded diseases. These substances appear to act in such a way that it is impossible to *guarantee* that they will not cause harm, even at vanishingly low levels of concentration. Thus, although most people are probably in less danger than they were a dozen years ago, it has become much harder to convince them of that fact.

Public fear acts as fuel for a certain type of partisan discourse; few politicians can resist the temptation to act as saviors of the

Partisan assaults that attack the trustworthiness of EPA also damage our society's ability to deal with pollution.

people, especially at the expense of the opposition party or, almost as good, a bunch of bureaucrats. We have developed as a result a minor tradition in which members of Congress vie at being cleaner-than-thou by proposing stringent deadlines for the achievement of environmental goals and by building specific directives and prohibitions into the body of environmental law.

That preexisting propensity was, of course, encouraged by the turmoil at EPA during the early years of this administration. These early problems have been corrected, but EPA remains a convenient target for partisan bashing.

In the recent debates over the reauthorization of the Superfund law, for example, a number of people in Congress tried to make the case that if a reauthorized bill did not pass before the presidential election then the pressure would be off, and this administration, if returned to office, would

not support it in 1985, when it was due to expire. The odd thing about this proposition is that the Superfund law had, in fact, no important political enemies. The President supports it; his opponent supports it; the environmentalists support it; Congress overwhelmingly supports it; and even the industry it taxes admits its necessity. One can argue about how large the Superfund should be and what it should include, but direct opposition to it, given public attitudes about hazardous waste dumps, would be the political equivalent of hang gliding in a hurricane.

Flogging the EPA

This sort of bogeyman politics is understandable in an election year, and everyone will discount it at the usual rate. But I believe that it represents a more general and ultimately dangerous attitude that does not need elections to flourish. That is the presumption that the EPA must be constantly flogged into doing its job, a presumption that has been embodied in environmental law since the inception of modern environmentalism in the late sixties.

How this presumption is sustained is something of a puzzle. There are about 12 thousand people at EPA. They are not getting rich, nor are they in it for the luxurious accommodations. They can't spend the entire day having lunch with polluters. What do agency critics imagine they do with their time?

The simple answer is that we are advancing environmental protection at pretty close to the maximum rate it can be advanced given current resources and the fact that environmental progress is locked into the pace of developing science, technology, and institutional development. But the politicians who make our national environmental policy, and never have to turn their pronouncements into action, are not so restricted. They can demand an instant end to longstanding problems. They can pick the scientific evidence that supports their position and ignore the rest, which we can't do. Above all, they can promise more than EPA can reasonably deliver.

When such promises are embodied in law and become the formal goals of the EPA, failure is foreordained. This failure then becomes an excuse for bashing the Agency again and establishing even more restrictions and directives. The result of this cycle is the conviction grows in the public mind that the Agency cannot or will not do its job. The credibility of the Agency is therefore lost, and then it *really* cannot do its job.

Inspiring Trust

One of the most important things EPA does is to establish "safety" as an operational concept. Safety is not, as sometimes thought, an absolute removal of risk. Rather it is a social construct, an agree-

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Copy of a talk given by W. Ruckelshaus in San Francisco

Ruckelshaus

ment, a way of directing social resources and attention toward reasonable levels of protection. If we could not establish safety in terms of acceptable levels of exposure for the hundreds of pollutants we control, environmental protection would be utterly paralyzed.

But since safety is a social agreement, it cannot be equivocably demonstrated by any calculations. It is ultimately a matter of trust. If you believe me as administrator of EPA when I tell you that you can drink the water, then you can do so and get on with your life. If you don't believe me, then you are open to fears of sickness, and of conspiracy, and are vulnerable to anyone selling a fantasy of absolute purity in a risk-free world. We have all seen in recent years communities terribly harmed by the inability of some governmental agencies to inspire trust on matters of safety.

This is why the establishment and maintenance of credibility must be the overriding goal of EPA, and this is why partisan assaults that attack the trustworthiness of EPA also damage the ability of our society to deal with the complex problems of environmental pollution. I do not mean to imply by this that EPA should be above criticism or that debates on the direction and goals of environmental policy are in any way to be deplored. What I do object to are the claims that there are hidden items on our agenda that are higher than our commitment to health and environmental protection. Such partisan flailing about at agencies like EPA is a dangerous game, for while policies, approaches, and resources may vary with administrations, credibility, once destroyed, is not easily recovered.

South Bay Ground Water Pollution

We have found that actual risk from toxic substances varies radically with location; toxic problems are preponderately local problems. Retaining credibility thus requires very close coordination with the affected communities.

There is no better example of this than what is now taking place in the South Bay-Santa Clara Valley area. As you know, concern in the South Bay centers around leaking underground storage tanks, a problem we have found to be of national scope. It is a novel problem here because it does not involve waste products of the sort we have typically controlled as pollutants. Instead, the tanks in question contain virgin chemicals, most often the solvents used in building computers; some of these substances have been associated with cancer in animals.

This is cause for concern because about half of the 1.4 million people in the Valley drink at least some ground water. To date, 13 public water supply wells have been contaminated with solvents. The Mountain View area has been particularly hard-hit, with 46 wells shut down.

Vigorous Response

The state, the local communities, and the computer industry have responded vigorously to this challenge. The industry has already spent around \$70 million to drill monitoring wells, contain contaminant plumes, clean up ground water, and replace leaking tanks with others representing the newest and most secure technology. The California Regional Water Quality Board has mounted a major effort during the past three years aimed at detecting contamination. About 90 sites have been found in Santa Clara County, 16 of which have cleanup operations under way. The county

and many of the municipalities in the area have passed a Hazardous Materials Management Ordinance to regulate the storage and handling of these substances to avoid compounding the problem in the future.

These are remarkable achievements. The task for the federal agency is to figure out how to develop a credible response without interfering with what is already going on. I believe that a credible federal response is possible for the South Bay and that it must have three components: it must demonstrate action where warranted under our available authority; it must be part of a coordinated long-term areawide plan; and it must involve the public to an extraordinary degree.

Immediate Action

The action has already started with the proposal of 19 leakage sites on the Superfund National Priorities list, more than in any other county in the nation. This makes these sites eligible for funding of long-term cleanup activities. It also enables us to require responsible parties to pay for that cleanup. EPA Region 9 will receive additional resources so that planning for such action can proceed immediately. Of course, we are fully committed to take emergency action on any site in the Valley that poses an immediate threat to human health. For example, when we have found contaminated wells, they have been closed and an alternate drinking-water supply provided.

I have no illusions that we will be able to avoid emotions and tensions during this process. People are exquisitely sensitive about ground water.

I want to leave you with one final thought, and it's a hopeful one. We didn't know five years ago that leaking underground storage tanks in Silicon Valley were an environmental problem. But between

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COMMONWEALTH CLUB NOVEMBER 1984 BALLOT PROPOSITION RESULTS

	YES	%	NO	%		YES	%	NO	%
Proposition 25 "Clean Water Bond Law of 1984"	814	65	441	35	Proposition 34 "Property Taxation. Historic Structure"	570	46	669	54
Proposition 26 "State School Building Lease-Purchase Bond Law of 1984"	461	37	787	63	Proposition 35 <i>Removed from Ballot by the California Supreme Court</i>	—	—	—	—
Proposition 27 "Hazardous Substance-Cleanup Bond Act"	483	39	765	61	Proposition 36 "Taxation. Initiative Constitutional Amendment"	531	43	716	57
Proposition 28 "California Safe Drinking Water Bond Law of 1984"	513	41	737	59	Proposition 37 "State Lottery. Initiative Constitutional Amendment and Statute"	567	45	682	55
Proposition 29 "Veterans Bond Act of 1984"	619	49.6	631	50.4	Proposition 38 "Voting Materials in English Only. Initiative Statute"	1,131	90	129	10
Proposition 30 "Senior Center Bond Act of 1984"	289	24	958	76	Proposition 39 "Reapportionment. Initiative Constitutional Amendment and Statute"	1,003	80	250	20
Proposition 31 "Property Taxation. Fire Protection Systems Exclusion"	498	40	745	60	Proposition 40 "Campaign Contribution Limitations. Elective State Offices. Initiative Statute"	668	54	568	46
Proposition 32 "Supreme Court. Transfer of Causes and Review of Decisions"	691	56	550	44	Proposition 41 "Public Aid and Medical Assistance Programs. Initiative Statute"	572	46	672	54
Proposition 33 "Property Tax Postponement. Disabled Person"	768	61	481	39					

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1981 and now we have recognized the problem, largely characterized it, set up social mechanisms for correcting it, gotten four levels of government, industry, and community activists to work together on it, and begun to expend public and private resources to reduce harm to health. No more decades of neglect. No long court battles while the problem goes unsolved. The way ahead holds difficulties, of course, but on the evidence to date we should take heart and go forward with confidence that we can cope with our own complexities. In a sense, what has been done here may yet prove as remarkable as any electronic miracle ever fashioned in Silicon Valley. ■

Answers to Written Questions from the Floor:

Q. How many toxic waste dumps have been cleaned up?

A. There have been 6 sites completely cleaned up. There are about 800 sites on or proposed for the Superfund national priority list. We started this list in 1983, but a good percentage of the sites will not come off the list for 20 to 30 years because they involve a constant pumping and monitoring of ground water to ensure no ongoing contamination. Some sites will never come off the list. We have taken action at 400 sites to alleviate an immediate health hazard. The figure 6 only pertains to resolving the long-term, chronic problems of contaminated ground water.

Q. What is the EPA doing about health risks of pollution in Louisiana?

A. There has been a lag in the state and federal enforcement program in that part of the country. We are being assisted by citizens' groups, which will accelerate the process by which existing permit violations will be brought into line. We have instituted a very aggressive enforcement program. We are trying to get a more comprehensive look at the problem in order to better address it.

Q. How are we handling nuclear waste?

A. There are two kinds of nuclear waste, high-level and low-level. There are low-level waste disposal sites in Washington, South Carolina, and Nevada. Most wastes are being stored at the sites where they were produced because there aren't adequate facilities to take care of them. The EPA is working with the states to get them to work out agreements between themselves regarding disposal or storage of low-level waste. The process of finding proper ultimate disposal of high-level waste will stretch through the end of this and the beginning of the next decade. The Department of Energy is working on finding three states that will be the repositories of high-level waste.

A MESSAGE FROM THE PRESIDENT



AS MANY OF you know, the Monadnock Building in which the Club's offices are located is being completely renovated. That is the reason for the forbidding barricade outside Club offices. We are trying to operate as usual despite the partial demolition and reconstruction of 10 floors down and around our heads. Enormous confusion and inconvenience, but hopefully no health or physical safety risks, will be our lot for the next year or so.

Legal steps are being taken to assure our continued right under our lease for "quiet enjoyment of the premises," somewhat ironic as we try to function with a labyrinthine entrance, staccato jackhammering, and falling plaster dust. While we have not been able to enjoy these activities, we shall pursue further legal steps for damages to protect your rights.

As already pledged, your officers and staff continue to seek alternatives for a permanent Club home, which will protect us from another serious disruption of Club operations. We are continuing to schedule in our offices interesting, informative Study Section speakers. These meetings are scheduled at noon and in the late afternoon.

Meanwhile, all of us on the inside say to all of you on the outside that we are alive and well amid the dust and din. Above all, we are fighting for the legal rights of each of you, our almost 15,000 members.

Shirley Temple Black

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SHIRLEY TEMPLE BLACK
1984 Commonwealth Club President

JOURNEY TO THE LANDS OF EASTERN EUROPE

Begin your 20-day Journey to Eastern Europe, departing April 19, 1985, in the divided city of Berlin, alive with history and art, and continue on to Dresden and Prague. Traveling halfway between the Occident and the Orient in the region of great Baroque cities and castles and extraordinary natural splendor, continue with us to the elegant city of Vienna and enjoy the beauty of the Danube on your river trip to Budapest. Continuing across the rich Transylvanian plateau, explore medieval Romanian towns on the way to lovely Bucharest, then on to Belgrade and the fascinating old walled city of Dubrovnik.

For reservations and itinerary please contact:

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San Francisco, CA 94118
Telephone: (415) 346-4400

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