

THE WHITE HOUSE

WASHINGTON

March 10, 1983

MEMORANDUM FOR JAMES A. BAKER, III

FROM: Jim Cicconi 

SUBJECT: EPA Situation

I met this morning with Boyden Gray, Fred Khedouri, and Marty Smith (formerly Broyhill's aide, now in OPD) on the possibility of an environmental speech. In exploring that, we also discussed some more immediate actions that could be taken to defuse the EPA situation prior to the naming of a new administrator. We agreed on the following, in sequence:

1. Meet with a small group of career staffers from EPA: Approximately six SES staffers, well-regarded within the agency, would be invited to the WH to meet with you, Ed Meese and Craig Fuller. The purpose would be to hear their views on what the agency's biggest problems are, and what needs to be done. Secretary Hodel had such a session at DOE and it was productive in terms of staff morale. We should not hype such a meeting, though we can be certain that word will quickly pass through the agency. Such a "listening session" would also help with the Congress.

Ideally, the President would drop by unannounced (no photos) and would emphasize that (a) he is disturbed about the confusion on his environmental policies, (b) he is committed to see that all environmental laws are vigorously enforced, and (c) there should be no doubt among the staff at EPA that he expects them to carry out that commitment. The President might add a few words about his environmental policies as governor of California.

Such a meeting is, we feel, a critical step which should be scheduled as early as next Monday.

2. Send a Presidential letter to all EPA staffers: Such a letter could be sent as early as next Wednesday or Thursday. The purpose would be to address the confusion that has unfortunately arisen regarding the President's environmental policies, and to restate the

Memorandum for James A. Baker, III
March 10, 1983
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President's commitment to vigorously enforce all environmental laws. The President's letter might also allude to his environmental record in California as evidence of that commitment.

3. Meet with former EPA administrators: We should invite them in (or at least those who are not candidates for the present opening) for the purpose of hearing their views. They would meet with you, Ed Meese, and Craig Fuller.
4. Consult with congressional leaders: Though I have not yet explored this with Ken Duberstein, it would seem appropriate to arrange a private session with Hill leaders such as Stafford, Dingell, Broyhill, et al, to hear their views on agency problems and what should be done to correct them. The group should be kept to about six or seven and would meet with you, Ed Meese, Duberstein, and Fuller, perhaps over breakfast. There should, of course, be ground rules that everything is "off the record," etc. The general theme would be "consultation."

The purpose of the above steps is to productively use the period of time before a new administrator takes over. We would (a) defuse demagoguery on the Hill about the President's enforcement policies; (b) project an image of Presidential leadership by visibly taking control of the situation; and (c) show that we are genuinely interested in hearing others' views about the problem (thereby diminishing the prospect of those same people criticizing us in public). This also sets the stage for a Presidential speech on the environment during the April congressional recess.

Reagan & Bush

Reagan Bush Committee

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- ENVIRONMENT -

A healthy environment is essential for the well-being of our people - both now and for generations to come. Proper control of environmental pollution requires a vigorous governmental role.

Indeed, as Governor of California at the height of the environmental movement, Ronald Reagan was in the forefront of the Nation's efforts to restore clean air and water, and to protect the public's health.

Governor Reagan's environmental program included the creation of an Air Resources Board with greatly strengthened powers to control air pollution. He signed legislation which created local air pollution control districts, and which established programs for maintaining air quality standards in each air basin within the State. He implemented a program that outfitted automobiles with the most sophisticated smog control devices then developed, resulting in 1971 and later model automobiles emitting only about one-tenth the hydrocarbons released by pre-control era automobiles. A Nader-group study of Reagan's record conceded that "when Reagan left office, California had the toughest anti-smog laws in the country."

Reagan also succeeded in helping to reduce water pollution in California. He drafted and signed the California Water Quality Act of 1969 -- the first comprehensive revision of the State's water laws in 20 years, and the strongest water pollution control law in U.S. history. He established the Water Resources Control Board in 1970, combining the former Water Rights and Water Quality Boards.

Governor Reagan also vigorously supported the expansion of the recreational opportunities available to Californians. For example, he:

added 145,000 acres of park land to the State system, including 41 miles of ocean frontage and 275 miles of lake and river frontage. He also provided \$2.1 million for operation of the California Park Systems and \$20 million in new appropriations for capital outlays for state park preservation in his 1974-75 budget.

*75 yrs ago
Teddy Roosevelt
set up Nat Conserv
in 1908 (June 8)
Nat Conserv in Comm'n*

As President, Ronald Reagan would seek to improve the quality of environmental regulation by establishing a policy based on balance and common sense. In particular, he would:

- * conduct a thorough review of all environmental standards, using the latest, objective scientific evidence to guide decisions on modification or elimination of individual rules. He would carefully balance environmental protection objectives with urgent energy and job needs.
- * replace procedural standards with more flexible performance criteria allowing individual firms to meet those criteria in the most cost-efficient manner possible.



REAGAN for PRESIDENT

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ENVIRONMENT

The keys to a sound environmental policy are "balance" and "common sense." Heightened concern for the environment is probably one of the most positive outgrowths of the 1960s. During that decade, we were shocked into the realization that we were harming the environment, in many cases irreparably. As Governor of California during the last half of the decade and the first half of the 1970s, I am proud to have helped increase public awareness of environmental problems and to have initiated many environmental protection measures which resulted in cleaner air, purer water, and the preservation of natural resources.

However, the federal government has lost its sense of balance in this area. While we should not blindly seek growth at a terrible cost to the environment, neither should we so excessively pursue "environmentalism" that we endanger the economic growth and expand job opportunities which are essential to the future of our people.

To achieve a sound environmental policy, we should re-examine every regulatory requirement with a commitment to simplify and streamline the process. Moreover, we should return to the states the primary responsibility for environmental regulation in order to increase responsiveness to local conditions. In these ways, we can most effectively strike the delicate balance between protecting the environment and promoting economic growth.

1/31/80

Serving as your President has given me a first-hand opportunity to travel throughout the country. I can proudly report that America has many of the world's mightiest rivers, most bountiful plains, and abundant energy and mineral resources. God blessed this nation with a clean and healthy environment.

We have developed these resources through a political and economic system which rewards initiative, efficiency and productivity. This has resulted in the growth of the United States into the most prosperous nation on earth.

This prosperity occurred in tandem with a recognition of our responsibility to future generations. Our natural resources and the quality of our environment are an important part of the legacy we will hand on to our children, and which they will hand on to theirs.

We all have a right to be proud of the actions we have taken as a Nation to protect the quality of the environment for ourselves and for our children. Air quality in the United States today, especially in the cities, is much better than it was ten years ago. Streams, rivers, and lakes all across the country are becoming cleaner. We recently enacted legislation which stringently regulates the manufacture, storage, transportation and disposal of hazardous waste and created a fund to clean up abandoned chemical dump sites. Expenditure by businesses and government to comply with environmental laws were almost \$50 billion, or \$219 per man, woman and child in the U.S. last year.

We have also been wise stewards of our natural resources. Our national park system has grown to 74 million acres, and almost 7,000 miles of river are included in our national wild and scenic river system. This record cannot be matched by any other nation.

As ranchers, Nancy and I have spent a good part of our lives outdoors. We believe environmental protection and natural resource management are important functions of government. Consequently, when I was elected, I committed my Administration to forceful management and improvement of existing environmental programs. State and local governments have become full partners with the federal government in the search for lasting, effective solutions to environmental problems. These institutions can respond to local situations better than the federal government. We also undertook several new initiatives to ensure that our natural resources remain productive, our environment remains clean and healthy, and government stewardship is improved.

Let me outline some of the improvements and initiatives undertaken in the past two years:

- o When my Administration came into office the national parks were in shambles. These facilities, which are enjoyed by 290 million visitors annually, had deteriorated. Health and safety hazards were rampant. In order to make our existing parks more valuable and useful, we created the Park Restoration and Improvement Program. This five year, \$1 billion dollar effort will protect our Nation's natural resource base and improve the physical facilities in the national parks.
- o My Administration worked with Congress to prohibit most new federal funds, including Federal flood insurance, from subsidizing development in the ecologically sensitive Barrier Islands.
- o My Administration expanded the National Wild and Scenic River System by adding some 245 river miles in Colorado, Wyoming, Arizona, and Michigan. We also made major additions to the National Trails System and the National Registry of National Landmarks.
- o Responding to a potential health risk to our Nations children, my Administration issued regulations that dramatically reduce the amount of lead which can be added to gasoline.
- o My Administration took positive actions to protect school children from a suspected cancer-causing asbestos. In May 1982, EPA required that all elementary and secondary schools, public and private, should test for and inform its school population if friable (crumbling) asbestos-containing building materials were found in the school building.
- o Through an innovative program which allows business greater flexibility to meet air quality standards, we have been able to achieve greater reduction in pollution at lower costs. We are applying common sense to an environmental problem.
- o My Administration established the basic national requirements to safely handle and manage hazardous waste. These requirements had never been established prior to this Administration, even though Congress had mandated them to be established by 1978. These requirements will ensure that the federal and state governments will cooperatively control hazardous waste from its generation to its disposal to ensure that public health and the environment are adequately protected. In addition, we are rapidly implementing the \$1.6 billion program to cleanup abandoned hazardous waste dumps. Action has already begun at over 100.

- o Toxaphene, a previously popular insecticide and herbicide, has been under reivev by EPA for potential adverse health effects since 1977. This last year, a final decision was made by EPA to cancel the registration of toxaphene, except for some minor restricted uses which currently have no available substitutes.
- o My Administration has published water pollution regulations for 19 industries that will reduce discharges of toxic pollutants by those industries by 96 percent.
- o I signed into law an Administration-supported bill on nuclear waste disposal. This legislation includes strong environmental safeguards that will finally enable us to safely dispose of the waste of our nation's nuclear reactors.
- o In July of 1981, I wrote to the International Whaling Commission strongly supporting an indefinite moratorium on commercial whaling. A number of whale species have been over-harvested, and the United States has placed eight species, including the sperm whale, on our list of endangered species. Because a handful of nations oppose the ban and plan to continue harvesting from the ever-diminishing whale population, my Administration is actively considering restricting their fishing rights in U.S. waters and embargoing the import of all their fish products.
- o In order to answer the pressing questions about the causes and effects of acid rain, I increased the acid rain research budget. Federal expenditures on that effort have grown by 112 percent to \$27 million.

Our environmental programs are the strongest in the world. Our nation has made a commitment to protect the health of its citizens and be wise stewards of our natural resources. Yet, environmental problem-solving needs to occur in a spirit of cooperation.

Private businesses and public interest groups, federal, state and local governments, and private citizens of all philosophical persuasions, must all recognize that our common future is bound up inextricably with our management of the environment. Only by working together in a cooperative spirit that transcends personal differences will we achieve our environmental goals efficiently and manage our abundant natural resources wisely.

6

LIST

Gerry Yamada, Office of General Counsel

Dick Wilson, Air Program

Rebecca Hanmer, Water

William Hedeman, Hazardous Wastes

Ed Johnson, Pesticides

Henry Longest, Construction Grants

alt: Pres'l letter to Hernandez w/ request
that he circulate copies to all EPA
employees.

"Dear John:" but aimed more to staff.

MS

THE WHITE HOUSE

WASHINGTON

DECEMBER 21, 1982

MEMORANDUM FOR EDWIN L. HARPER

FROM: MARTIN L. SMITH *M. Smith*
SUBJECT: Strategic Planning On The Environment

In previous memos and matrices I have outlined a number of positive initiatives which the Administration should pursue to help restore public trust in our stewardship of natural resources and dedication to environmental protection. I am presently working on the specific initiatives of interest to you. Simultaneously we need to establish our legislative priorities and position on at least eight separate environmental statutes that will be considered by the new Congress. Even if the Administration chooses not to submit specific legislation, it would be in our best interest to develop strategies to minimize damage. The following statutes are going to be considered in the new Congress.

- o Resource Conservation and Recovery Act
- o Clean Air Act
- o Clean Water Act
- o Safe Drinking Water
- o Superfund
- o Ocean Dumping
- o Federal Insecticide, Fungicide and Rodenticide Act
- o Toxic Substance Control Act

I urge that we develop our priorities and positions early. It is essential that the White House staff work with members of Congress who have leadership positions in the reauthorization of these environmental laws. From my previous incarnation, I know that Administration policy which is developed without input from Congress is not well received by the Congress. Members of the White House staff and the Cabinet Council on Natural Resources and the Environment should pay curtesy visits to the ranking Congressional members with legislative jurisdiction for these environmental statutes. The CCNRE or other body should organize working groups and coordinate the development of cogent Administration positions on each of these statutes.

Possible Environmental Initiatives

Increasing Cost

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I

II

III

1) Postive comments
in speeches

Publicize our program
to rebuild the
national parks-CCC
jobs program for youth

Develop a new program
to prevent soil
erosion - exercise
international
leadership

2) Enviromental
speech

Introduce a Floodplan
Bill similar to the
Coastal Barrier Bill

Lime lakes to mitigate
acidification

3) White House
meeting with
environment
leaders

4) Declare a Day of
the Eagle, Whale
etc.

5) Accelerate Acid
Rain research

Public Opinion On The Environment

Everett Carll Ladd, the consulting editor for the Opinion Roundup section of Public Opinion (an American Enterprise Institute publication), confirmed in private discussions the need for a positive statement by the President on the environment. Dr. Ladd indicated that the Administration is close to losing the trust of the American people on this issue. The President need not embark on any new regulatory program to have a positive affect on public perception. As a preliminary initiative, the President should affirm that he and his Administration are dedicated to the protection of public health and the wise stewardship of the nation's natural resources.

Survey data confirm that the environment is a salient issue to the American people. A clean and safe environment is like apple pie -- it is universally appreciated and cherished. The survey data also clearly indicate that the American public has little, if any, understanding of the complexity of specific environmental laws or regulations with the exception of those required to control automobile exhausts.

An environmental statement by the President staged at Camp David or at his California ranch could convey to the American people the President's commitment and love for the environment. This action needs to occur before the public loses faith in the Administration's stewardship of environmental resources. Once public trust is lost, it will be difficult to regain.

Office of Policy Development
December 8, 1982

THE WHITE HOUSE

WASHINGTON

October 8, 1982

MEMORANDUM FOR EDWIN MEESE III

FROM: MARTIN L. SMITH

THROUGH: DANNY J. BOGGS

SUBJECT: Establishing EPA's Legislative and Regulatory
Priorities

As you are already aware, the major environmental organizations (Sierra Club, National Wildlife Federation, the National Audubon Society, etc.) have been critical of the Administration's handling of environmental issues. These organizations have portrayed this Administration as hostile to the mission of the EPA. They cite the antagonism between the political appointees and the career staff at EPA and the significant decrease in the number of enforcement actions as clear examples of this Administration's disregard for environmental affairs.

Whether the charges by the environmentalists are based on fact or fiction is almost immaterial. Environmentalists have assembled a political machine and created a media perception that may cause serious damage to the entire Administration and Republicans in the House and Senate. The October 4, 1982, issue of Fortune magazine described the strength of the environmental lobby in an article appropriately titled: "Washington in the Grip of the Green Giant." The article is attached.

In 1981 and 1982, environmentalists controlled the legislative agenda on RCRA, FIFRA, Endangered Species, Clean Air, Acid Rain, and Hazardous Air Pollution. The Administration underestimated the strength of environmentalists with the public, the press and Congress.

In establishing EPA's legislative and regulatory priorities, the Administration might be better served if it placed pragmatism above ideology. The Administration needs to publicly state that it is committed to the protection of public health and welfare from harmful pollution, while it strives to minimize those

regulations which do not provide environmental benefit. We need to work more closely with the Governors and their state environmental agencies, academics, the regulated community, and environmentalists. Congressional staff should be consulted early and an effort made to be bipartisan.

A short and carefully crafted agenda is more likely to succeed than broad, comprehensive changes. Where allowed by law, the EPA should make changes administratively to avoid protracted and controversial legislative action. The regulated community will judge this Administration by the results it delivers.

Attachment



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503
December 13, 1982

MEMORANDUM FOR JIM CICCONI

FROM: FRED KHEDOURI *FK*

SUBJECT: Current Acid Rain Program

- The existing program dates back to a Carter CEQ initiative in December 1977 that called for a major study to outline a National Atmospheric Deposition Program.
- The CEQ study eventually led to inclusion of a major commitment to acid rain research in Carter's 1979 environmental message.
- EPA chaired a ten agency task force set up in August 1979 to coordinate Federal research on acid rain.
- The Energy Security Act of 1980 gave statutory authorization to an Acid Rain Task Force that was similar in composition to the informal coordinating committee.
- The statutory authorization called for a ten year, \$5 million per year research effort.
- Actual funding and current plans would lead to the following:

Federal Acid Rain Research (all agencies)

<u>FY80</u>	<u>FY81</u>	<u>FY82</u>	<u>FY83</u>	<u>FY84</u>
\$9.5	\$11.0	\$18.0	\$22.0	\$27.0

- As part of last year's Clean Air strategy, we injected a rather large increase into the system.
- I allowed the full FY1984 request of the Task Force.

Conclusions:

- We have a very good record next to the Carter Administration; they were severely constrained by influential coal state Senators (Byrd, Randolph) who kept a lid on the enthusiasts at CEQ.
- Further large increases in research funding would not have to be very large in order to allow us to claim a "doubling" or "tripling" of the program.
- We can link a Randolph-type policy solution to an acceleration of the research program