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**Press Conference - Washington, D.C. - Senator Edmund S. Muskie
Outlines Proposed Legislation for Environmental Protection**

Edmund S. Muskie

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FOR RELEASE AT
11:00 A.M., January 23, 1970

STATEMENT BY SENATOR EDMUND S. MUSKIE
CHAIRMAN OF THE SENATE SUBCOMMITTEE ON AIR AND WATER POLLUTION
TO A PRESS CONFERENCE IN ROOM 4200, NEW SENATE OFFICE BUILDING
AT 11:00 A.M. ON JANUARY 23, 1970

As Chairman of the Subcommittee on Air and Water Pollution, I am encouraged by the sense of urgency which the President has expressed regarding the quality of our environment. A sense of urgency will help, but we must also act.

Through legislation initiated by this Subcommittee since 1963, we have made significant progress, but we must do much more

I look forward to reviewing the President's Environmental Message and his Budget to learn the extent of his commitment. Expressions of concern and urgency will not restore the quality of the environment; action and money will. I hope the President will join us in this effort.

I am proposing today a program of legislation and financial commitments for 1970. It would establish a stronger role for government, because we have learned that we cannot afford to depend on private initiative. It would require spending nearly \$2 billion in Fiscal 1971 and \$3.5 billion in Fiscal 1972 because we cannot afford to spend less. The environment will not wait for our priorities to reorder themselves.

I. WATER QUALITY

The Water Quality program has lagged far behind the goals set by Congress.

Although the Water Quality Act was passed in 1965 and standards were submitted by the July, 1967 deadline, only fourteen States had approved water quality standards for all interstate waters as of three months ago.

Enforcement, through private conferences with the polluters, and on a hit-or-miss basis, has been contrary to the Congress' intent of public involvement, uniform procedures related to standards developments, and court action where necessary.

Millions have been spent on research and planning, but little improvement has been made in the quality of our waters.

\$3.4 billion was promised in assistance for the construction of municipal facilities over a 4-year period. \$1.2 billion has been appropriated, and it is rumored that \$600 million of that amount will not be distributed.

We must require stricter standards, faster timetables, tougher enforcement, and greater public participation. And we must spend much more money. Therefore, I will recommend amendments to the Federal Water Pollution Control Act to provide for:

1. Authorization of \$2.5 billion per year in Federal construction grants for the next five years, the Federal share for \$25 billion worth of facilities;
2. Incentives to encourage river basin development and financing of treatment systems for all sources of waste within the basin;
3. the extension of the water quality standards program to all navigable waters;
4. a minimum requirement that all new industrial facilities which use the navigable waters of the United States incorporate the best available pollution control technology as a condition of such use;
5. a requirement that enforceable effluent standards and compliance schedules be specifically included in any water quality standards implementation plans;
6. tightened-up Federal enforcement procedures on a uniform, effective basis;
7. greater public participation in standards development and extension of public participation to enforcement by permitting class suits against alleged violators of standards; and
8. a requirement that Federal water quality criteria for all pollutants be published and revised as appropriate as a sound basis for effective standards development.

II. AIR QUALITY

We must double the pace of the standards-setting process, attack every source of pollution, and eliminate unnecessary delays in enforcement.

A. The Federal presence must extend wherever the public health and welfare is at stake. Therefore, I will recommend amendments to the Air Quality Act to:

1. require the immediate designation of all anticipated air quality control regions;
2. extend Federal enforcement authority to intrastate violations of air quality standards;
3. permit class suits to enforce standards;
4. spell out court authority to issue cease and desist or specific performance orders and to assess penalties for violations of the emission standards or compliance schedules;
5. insure that emission standards and compliance schedules are specifically included in any air quality standards submitted to the Secretary for approval;
6. encourage each state to establish a statewide air pollution control program so that no source of pollution escapes emission controls and compliance schedules, with authority for Federal action in the absence of an approved state program;
7. require that all new industries subject to the provisions of this Act be required to install the best available pollution control technology at the time of construction;
8. provide for a substantial increase in the manpower available to the National Air Pollution Control Administration for the development and implementation of air quality standards and enforcement.

B. We must broaden and tighten our control of all moving sources. Therefore, I have introduced the Air Quality Improvement Act of 1969 (S. 3229) to provide for:

1. accelerated research efforts to develop emission-free motor vehicles;
2. new procedures for the certification of vehicles for compliance with low emission vehicle standards;
3. national emission standards for all other moving sources of air pollution, including craft;
4. compliance with national emission standards for a period beyond the initial sale of a motor vehicle, vessel or aircraft.

III. RESOURCE RECOVERY - MANAGING OUR SOLID WASTES

A. We cannot afford to put aside the critical problems of solid waste disposal until we think we can "afford" to deal with them. Our present practices of burning, burying, and dumping solid wastes are incompatible with environmental quality protection and enhancement. We can no longer tolerate the unnecessary waste of vital natural resources which are used but not consumed.

We must have a national policy which stresses both environmental quality and the conservation of scarce resources. Therefore, I have introduced the Resource Recovery Act (S. 2005). It provides for:

1. a six-fold increase in our financial commitment to the solution of this problem at a level of \$800 million over a five-year period;
2. the development of new methods to reduce, re-use and recycle wastes;
3. the testing and demonstration of these new methods;
4. grants for the construction of local and regional resource recovery and solid waste disposal facilities; and
5. the recommendation of standards for solid waste disposal and collection systems.

B. A national materials inventory must accompany this change in the direction of our efforts. I support the amendment to the Resource Recovery Act providing for this inventory offered by Senator J. Caleb Boggs, ranking minority member of the Subcommittee on Air and Water Pollution.

IV. NOISE POLLUTION

More than any other pollutant, noise impairs man's mental well-being as much as his physical health. For many living in our cities there is always a jackhammer clattering, a plane taking off, or a truck passing to disturb sleep, conversation or work. Continued exposure to high noise levels can cause hearing loss, but the current levels of noise may also contribute to other physical disorders, as well as frustration, fatigue and irritability.

Therefore, the Air Quality Improvement Act of 1969 (S. 3229) provides for:

1. an Office of Noise Pollution Abatement and Control in the Department of Health, Education, and Welfare; and,
2. a study by this office of the health and welfare effects of noise pollution and recommendations for needed legislation.

V. EXECUTIVE REORGANIZATION (ENVIRONMENTAL CONTROL ADMINISTRATION)

The Executive Branch must be reorganized to respond effectively to environmental crises.

The agency which sets and enforces environmental quality standards must have only one goal: the protection of this and future generations against changes in the natural environment which adversely affect the quality of life. Our problems have not been solved and will not be solved by assigning the control of pollution to those responsible for the support or promotion of pollution-causing activities.

A new or refurbished Cabinet department would be a superficial response. It would perpetuate the conflict between the development and the protection of our resources which has plagued us in the past.

I have proposed the creation of an independent, watchdog agency to manage the Nation's environmental protection programs, and I will introduce the appropriate legislation at an early date.

The Environmental Control Administration would include:

1. the National Air Pollution Control Administration, the Bureau of Radiological Health, the Bureau of Solid Waste Management, and the Bureau of Water Hygiene from the Department of Health, Education and Welfare;
2. all functions performed by the Environmental Science Services Administration, from the Department of Commerce;
3. the Federal Water Pollution Control Administration and the Water Resources Division of the Geological Survey from the Department of the Interior;
4. the Pesticide Control Board and the water and sewer facilities assistance program of the Farmers Home Administration from the Department of Agriculture;
5. the water and sewer grant program authorized by section 701 of the Housing Act of 1954 from the Department of Housing and Urban Development; and
6. the Office of Noise Abatement from the Department of Transportation.

VI. MARINE RESOURCES PROTECTION

We must apply our conservation ethic to the sea as well as to the land. A haphazard policy of laissez-faire ocean resource development will only lead to the forfeit of the sea as we have forfeited so much of our land. We must not repeat our mistakes.

I have introduced the Marine Resources Preservation Act (S. 2393) as a first step in planning the future of the Outer Continental Shelf, our territorial sea, our beaches, and our marshlands. This bill:

1. authorizes the Secretary of the Interior to recommend the creation of marine preserves;
2. provides for agreements between the Secretary of the Interior and State and local governments to regulate the use of these marine preserves; and
3. prohibits the development or removal of any minerals, including gas or oil from these marine preserves.

VII. THE CONTINUING CRISIS AT SANTA BARBARA

For over a year the Union Oil Company has shown an inability to cope with the Santa Barbara oil leak. The disaster continues. There is no reason to perpetuate the notion that the investment of the oil companies should take precedence over the protection of the rights of the citizens of Santa Barbara.

Therefore, I will propose legislation to:

1. -- authorize the compensated acquisition by the Federal Government, less costs and damages, of all oil leases in the Santa Barbara Channel;
2. authorize the Federal Government to perform such tasks as may be necessary to abate oil leakage in the Santa Barbara Channel;
3. provide for the removal of drilling platforms as soon as the government is satisfied that the threat of leakage has ended; and
4. provide that the Channel's remaining oil reserve be set aside as a national reserve to be tapped only in time of national emergency or by an Act of Congress.

VIII. TECHNOLOGY ASSESSMENT AND ENVIRONMENTAL RESEARCH

We have emphasized the need to control pollution. We have emphasized the need to reduce our production of wastes. But we have not sufficiently examined our technology as a basic threat to the environment.

We must begin to question the implications of new technology. Pollution must be stopped before it starts. We cannot afford to transform our technological whims into environmental risks in return for convenience or national prestige. Indiscriminate use and disposal of styrofoam, aluminum cans, and throw-away bottles, are as incompatible with environmental quality as the SST.

We must establish a systematic method of assuring that the environmental effects of new technologies will be understood. We must deal with them before they desecrate the environment in which we and our children must live. Therefore I will:

- continue hearings in the Subcommittee on Air and Water Pollution on the environmental effects of such new technologies as the supersonic transport, persistent packaging, the underground uses of nuclear energy, and supertankers in the Northwest Passage; and
- seek early action on S. J. Res. 89, a resolution I have introduced providing increased support for ecological research in the International Biological Program.

IX. ELECTRIC POWER AND ENVIRONMENTAL QUALITY

Haphazard use of our natural resources for electric power generation is unacceptable. An inadequate and unreliable supply of electric energy is intolerable. Blackouts and dirty air -- both the products of inadequate planning -- have made public outrage the hallmark of our national electric power policy. This road leads to a dead-end for all of us.

We have placed extraordinary demands on both our available supply of environmental resources on the one hand and on the available supply of electric energy on the other. The relationship between these demands illustrates our need for effective national policies on industrial site selection and land use planning.

We cannot continue to treat the destruction of our environment as a cost of the utility business which the public must bear. We cannot continue to foul our air and heat our streams in the name of electric power. And we must not continue to exclude the public from site selection decisions.

I have introduced the Intergovernmental Power Coordination and Environmental Protection Act (S. 2752) and will hold hearings on this bill beginning February 3. This bill:

1. provides for effective public participation early in the site-selection process; and
2. requires each proposed facility to meet environmental standards and adequacy and reliability standards in order to be licensed for construction or operation.