

# A Capsule Look At a Newborn Giant Already Running

By GENE INGALSBE

**WHAT IS** the Environmental Protection Agency? The most frequent answer from observers in the chemical industry has been: "We shall have to wait and see."

The inference is that ERA has yet to project its "image" with regard to pesticides; that EPA will be *how it acts* and on *what basis* it acts. So far, not enough experience has been gained from working with the new agency to characterize it more specifically.

"Registration activity is just about at a standstill until we get some guidelines on whether research data required or registration procedure has changed," said one industry spokesman.

In the words of the President who created EPA on Dec. 2, 1970, one thing is "perfectly clear"—EPA has the power to act.

When the public furor over pollution of all sorts seemed to endanger the contents of the ballot box, some intense political soul searching about what to do began. Outcries against pollution weren't new. Nor had government turned a deaf ear in the past to people who wanted cleaner, air, water and landscape. In fact, government had been extremely responsive, assigning responsibility for a portion of the environment to some 80 different federal agencies. What hadn't been decided was where the buck stops. It now appears the buck stops at EPA.

What has been shaking the rafters is that EPA not only has the power to act, it also has begun to exercise that power within 60 days of its formation! Few new government agencies have been able, or demonstrated a willingness, to function so quickly.

Dozens of municipalities and industries have found themselves under legal pressure to stop polluting the air and water. The Federal Refuse Act passed in 1899 has been dusted off and fitted with teeth. Permits are to be required for dumping wastes into rivers and lakes. The Department of Army, charged with carrying out the program, already has written and published lengthy procedural instructions. A reorganization of air quality

districts is under way. Ten regional EPA offices have been formed and interim coordinators announced.

Right or wrong, the decision on DDT demonstrates how quickly EPA can act. Within a few days after a U.S. Court of Appeals "ordered the federal government" to cancel remaining uses of DDT, the EPA notice went out on the cancellation and on a 60-day review to determine whether DDT and certain uses of 2,4,5-T should be suspended.

Clearly, persons who want to change the environment now know where to go. The buck stops at EPA.

## 'Political-Mix' in Decisions

During a visit to EPA offices, concern was expressed on the part of industry on how such power might be exercised. If you mean to ask whether we are going to be "swayed by activist groups," answered an EPA spokesman, I can assure you that decisions will be based upon reasonable assessment of the facts. "But you have to expect a certain political-mix with each decision," he added.

How strong the political-mix will be remains to be seen.

Additional verbal reassurance comes from EPA administrator William D. Ruckelshaus, who has said: "The alarm has been sounded. Now we must begin to act. This places a new responsibility on all of us. All of us must begin to distinguish between those corrective environmental actions which are helpful and

those blind over-reactions which are harmful."

## Ruckelshaus Has Aggressive Record

Beyond emphasizing that EPA will carefully evaluate the benefit-risk equation to every alleged pollutant, he talks tough. There is no indication he'll use benefit-risk as a loophole to treading softly.

We've let technology run unchecked "in a 300-year war against nature," he charged. With no more frontiers and the spoils of that war upon us, a new "environmental ethic is needed," he stated.

"There is no excuse for the delay and dalliance which have brought us to our current crisis," he asserted, calling for every member of society to participate.

"I am going to insist, with the authority I have, and with all the powers of persuasion at my command, that all existing means of controlling pollution be applied, across the board, in every city and town and on every industry in this country—starting right now."

Ruckelshaus, 38, an Indiana Hoosier and a Harvard-educated lawyer, served five years as deputy attorney general for Indiana, his duties including legal assistance to health and pollution agencies. He

## REGIONAL COORDINATORS

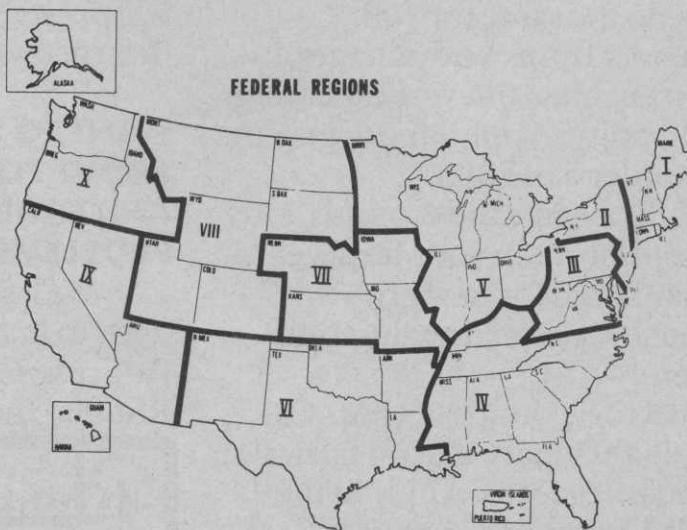
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# Environmental Protection Agency

initiated numerous state legal actions against polluters and drafted the Indiana Air Pollution Control Act.

He served two years in the Indiana House of Representatives, becoming the first legislator in Indiana political history to become majority leader in his first term.

Ruckelshaus was defeated in his bid for the U.S. Senate in 1968, but the following year was appointed assistant attorney general of the U.S. Civil Division. In this capacity, he was in charge of a division which oversaw 200 lawyers and who carried a caseload in excess of 19,000 cases at the time he was named EPA administrator last November.

## Johnson's Career Is Fisheries Research

Perhaps of more direct interest to the pesticide industry is the man who is the acting commissioner of the Pesticide Office, Dr. Raymond E. Johnson.

A half-dozen pesticide industry officials queried about their impression of Johnson rate him "as a responsible administrator." None expressed an unfavorable opinion.

Johnson earned a doctorate in fisheries work from the University of Michigan in 1942. After six years as supervisor of fisheries research

for the Minnesota Department of Conservation, he entered federal service in the Bureau of Sport Fisheries and Wildlife, U.S. Department of Interior, where he served until his EPA appointment. Since 1965, he had been assistant director for research in the fisheries and wildlife bureau. In 1968, he received the Interior Department's Distinguished Service Award "in recognition of eminent service in the conservation of natural resources."

## EPA Born a Giant

EPA has made a fast start as a new agency primarily because it was not formed from the ground up, man by man. Instead, it is a collection of functioning agencies and departments. For example, the entire pesticides registration division from USDA moved to EPA.

These operating groups brought their budgets with them, giving EPA a \$1.4 billion budget this fiscal year. When fully staffed, EPA is estimated to have 6,000 employees. At formation, a building couldn't be found big enough to house the entire family.

Here is a capsule of what major administrations went to EPA and from whence they came:

From the Department of Interior—The Federal Water Quality Administration, functions provided by the Federal Water Pollution Control Act, and the Water Pollution Control Advisory Board functions relating to studies on the effects of in-

secticides, herbicides, fungicides, and pesticides upon fish and wildlife resources administered by the Gulf Breeze Biological Laboratory of the Bureau of Commercial Fisheries at Gulf Breeze, Fla.

From the Department of Health, Education and Welfare—Then National Air Pollution Control Administration, including the Air Quality Advisory Board, the Environmental Control Administration's bureaus of Solid Waste Management, Water Hygiene, and Radiological Health, functions of establishing tolerances for pesticide chemicals under the Federal Food, Drug, and Cosmetic Act.

From the Atomic Energy Commission—Functions administered through its Division of Radiation Protection Standards.

All functions of the Federal Radiation Council.

From the Department of Agriculture—Functions under the Federal Insecticide, Fungicide and Rodenticide Act; functions under section 408 (1) of the Federal Food, Drug, and Cosmetic Act; and functions administered through the Environmental Quality Branch of the Plant Protection Division of the Agricultural Research Service.

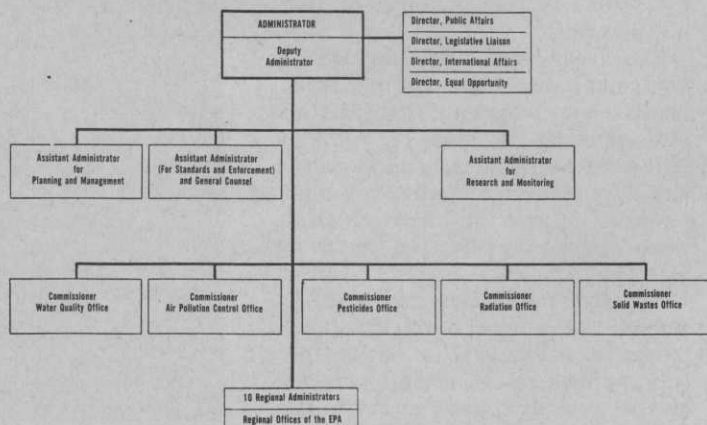
Table 1 gives a skeleton organization chart for EPA and Table 2 outlines the 10 regional territories, coordinators and addresses.

## Functions of the Pesticide Office

EPA's Pesticide Office is charged with these responsibilities:

"The office shall be responsible for the pesticides activities of the Agency, including establishment of tolerance levels for pesticides residues which occur in or on food and the registration of pesticides uses for protection of human safety; monitoring of pesticides residue levels in foods and portions of the environment; review of pesticide formulations for efficacy and hazard; regulation of sale or use patterns when necessary; checking for compliance with label provisions, research on effects on human health, non-target fish and wildlife and their environments; and establishment of guidelines and standards for analytical methods of residue detection."

## ORGANIZATION CHART



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