

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 116, November 9, 1981\*

CONTENTS

1.	Big South Fork status: acquisition progress and O & W plans . . . . .	p. 2
2.	Columbia Dam: scum for sale; and the Normandy reality . . . . .	p. 2
3.	Wilderness proposal for the Cherokee National Forest . . . . .	p. 3
4.	Other wilderness, anti-wilderness, and public-land happenings. . . . .	p. 3
	A. Hayakawa anti-wilderness bill      B. Mining-supremacy bill      C. Individual wilderness bills      D. Sagebrush Rebellion	
5.	Congress defies Watt on land acquisition policy. . . . .	p. 4
6.	Stripmine news . . . . .	p. 4
	A. No amendments for federal Act      B. OSM reorganization      C. State primacy being pushed      D. DSM Director praises program      E. DSM appointments F. Board of Reclamation Review      G. Intimidation fails      H. Watt may overturn Bryce mining ban	
7.	State capsules . . . . .	p. 6
	A. Safe Growth Plan      B. Budget      C. Water Quality enforcement      D. Ground-water protection      E. Tim McCall      F. Trails      G. Tellico	
8.	Watt's proposal to repeal water-project planning rules would lead to even more boondoggles . . . . .	p. 7
9.	Water-resource capsules . . . . .	p. 7
	A. Tenn-Tom squeaks by      B. Barges should pay      C. TVA's small hydro      D. Small-dam regulation      E. Flood management      F. Clean Water campaign	
10.	The air-quality battle . . . . .	p. 8
	A. Congress needs to hear from us.      B. Scientific report shows a major acid rain problem      C. TVA lobbies for Clean Air Act	
11.	Synfuels: will the plant near Oak Ridge foul the air for miles? . . . . .	p. 9
12.	Oak Ridge issues . . . . .	p. 10
	A. TCWP greenbelt committee formed      B. Airport-Arboretum update	
13.	National Capsules. . . . .	p. 10
	A. Regulatory "reform" in Congress      B. Regulatory "reform" by the Administration      C. Jantzen for USFWS      D. NPS foe on Advisory Board E. National container deposit bill      F. Cutbacks in "superfund"      G. Energy tax credits?      H. Barrier Islands J. Farmland      K. Railroads	
14.	Watt: a Reagan mouthpiece? . . . . .	p. 12
15.	Trips, jobs, activities. . . . .	p. 12
16.	Publications of interest . . . . .	p. 13
17.	Calendar . . . . .	p. 13
18.	Action Summary . . . . .	p. 14

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Star in margin means "Action needed!"

## 1. BIG SOUTH FORK STATUS; ACQUISITION PROGRESS AND O & W PLANS

For the acquisition and development program in the Big South Fork National River and Recr. Area (BSFNRRRA), the Corps was asked by the Administration to draw up its plans on the assumption that the presently authorized spending ceiling of \$103 million would not be raised, and that the money left under that ceiling would be stretched out over the next 5 years. The Corps subsequently did draw up plans predicated on this assumption, but OMB has not, to date, indicated whether it approves or disapproves. In the meantime, the land acquisition program is proceeding smoothly, with about 60% of the Area now acquired, mostly in the center section.

A resource management specialist has been added to the staff of the Natl Park Service, which administers the Area.

The legislation which authorized the BSFNRRRA contains a directive to the Corps to study alternative uses for the O & W railbed and to make recommendations to the Congress. This railbed follows North Whiteoak Creek west of the BSF, a segment of the BSF itself, and Pine Creek on the east side. TCWP is on record recommending that it be used as a walking or bicycle trail. There has been considerable pressure, particularly from Jamestown, to reconstruct a railroad, which would be used for commercial purposes (mainly coal hauling) as well as for scenic tours by BSFNRRRA visitors. It now appears that this is, in fact, the recommendation the Corps will make to the Congress. The recommendation could, however, not be implemented unless the Congress approved and appropriated about \$40 million for this purpose. Comments on the plan will be heard at a public hearing in Jamestown, Monday, Dec. 7, 7 p.m. CST in the York Institute Auditorium. Our concerns are twofold: (a) that the coal-hauling capabilities of such a railroad would encourage stripmining in the Fentress County portion of the BSF watershed; and (b) that funding for the railroad reconstruction would compete with funding for completion of the BSFNRRRA itself. We hope that you will either attend the Jamestown hearing, or send brief written testimony to the Corps of Engineers (P. O. Box 1070, Nashville, TN 37202), with a copy to Sen. Howard Baker (Senate Office Bldg, Wash. DC 20510).

Another BSF-related public hearing is also scheduled. This one is on the Rugby masterplan, and will be held Sunday Dec. 6, 2 p.m. EST at the Rugby Community Library. Although Rugby is not within the BSFNRRRA, it is adjacent and will be impacted by increased visitation. Because of this, it received financial aid for the masterplan from the government.

## 2. COLUMBIA DAM: SCUM FOR SALE; AND THE NORMANDY REALITY

TVA has money for the job (\$15.8 million of previously impounded funds released by OMB), and the Corps' 404 permit in hand; but, as a result of the Chancery Court order (see NL 114 ¶5), present work is restricted to peripheral activities (e.g., road relocations). During committee action on the FY 1982 Water Project Appropriation, Sen. Sasser managed to add \$2.5 million for Columbia, but it is unlikely that the final bill will contain these funds. There are also rumors that Columbia Dam is on a list of several hundred budget items for which Pres. Reagan may "defer" funds (an action that could be overridden by either House within 45 days).

Friends of the Duck River have thought of a good way to raise money to reimburse the attorneys who are fighting Columbia, and, at the same time, to provide an unforgettable lobbying tool. They are selling samples of "Columbia Scum," which you can send to Reagan, Stockman, your Rep and Senators, etc. The water was collected from the Duck River in late summer, and is rich in the algae common to a nutrient-laden stream. Each 2½" x 5" vial bears a label "Certified to meet water quality standards -- by the state Water Quality Control Board," and sells for \$10; a six-pack costs \$25. Order from Columbia Scum, P. O. Box 3104, Nashville, TN 37219.

We hope that the people who think Columbia Dam will create a beautiful recreation lake and provide a bountiful water supply will hear about the reality of Normandy Reservoir, higher up on the Duck River, and that they will learn from it. The Tullahoma papers are full of letters and editorials complaining about (a) a much worsened water supply, and (b) a recreationally unusable lake. Before Tullahoma had Normandy Reservoir, people drank the pure and sweet water of Short Spring, which even, at low flow, supplied over 3 times the need of the area.

Now, as one letter-to-the-editor puts it, the lake supplies the residents "with a foul smelling liquid that tastes something between bad medicine and outhouse drainage." The water plant received about 20 complaints per day, even though activated charcoal was added to deal with problems from algal growth. (It is ironic that the straw that tilted the benefit-cost ratio in favor of the Duck River dams was an agreement by municipalities of the area to pay a surcharge on water used, to help pay for construction of the dams.) And as for recreation, the lake in October was already more than 20 ft below winter pool so that the five TVA-built boat ramps were completely unusable.

### 3. A WILDERNESS PROPOSAL FOR THE CHEROKEE NATIONAL FOREST

A draft Wilderness Bill was released October 15 by the Cherokee Forest Wilderness Coalition, of which TCWP is a member. The draft is a mutually agreed upon compromise between the Coalition and the Tennessee Conservation League (TCL). It concerns itself only with the Cherokee Division of the Cherokee National Forest, i.e., the national forest located in Tennessee south of the Smokies. Within that part of the Cherokee NF, four areas were agreed upon by the Coalition and TCL, as follows:

Area	Acreage	1977 RARE-II (USFS) recommendation	1975 Eastern Wilderness Act designation
Bald River Gorge	3,887	Wilderness	--
Citico Creek	18,240	Further planning	Wilderness Study
Big Frog Mountain	8,620	Further planning	Wilderness Study
Little Frog Mountain	4,800	Further planning	--
35,547			

The 1975 Eastern Wilderness Act protected only 8,069 acres, 1.3% of the total Cherokee N.F. acreage. The acreage in the above compromise draft bill represents less than 12% of the Cherokee south of the Smokies. The 4 areas have been managed as wilderness for the past 5 or 6 years, are virtually roadless, and (due to the rugged terrain) have only low timber potential. Trail construction, hunting, and fishing would be permitted.

WHAT YOU CAN DO: Write to Representatives John Duncan and Marilyn Bouquard (House Office Bldg., Wash. DC 20515) and to Senators Baker and Sasser (Senate Office Bldg., Wash. DC 20510) and urge them to introduce or co-sponsor the compromise bill drafted by the Cherokee Forest Wilderness Coalition, a bill that has the support of Tennessee's entire conservation community. Remind them that we presently have virtually no wilderness in our national forest, and that this bill would designate only a very modest amount. The areas named possess high value for wilderness preservation and recreational use, and need to have secure protection.

### 4. OTHER WILDERNESS, ANTI-WILDERNESS, AND PUBLIC-LAND HAPPENINGS

A. The Hayakawa anti-wilderness bill, S.842, would, in all likelihood, prevent any more National Forest lands (including those in our Cherokee N.F.) from being designated wilderness (see NL 112 ¶12 for details). The Senate Energy subcommittee completed hearings on this bill in mid-June, but, to date, the bill is still awaiting mark-up and may never emerge as such. The timber and mining industries, which strongly supported S.842, may, however, come up with an only slightly less harmful "compromise." Remind your Senators (Senate Office Bldg. Wash. DC 20510) to oppose any blanket anti-wilderness legislation: each area must be considered on its merits.

B. The Santini mining-supremacy bill, HR.3364 (see NL 113 ¶12) recently was the subject of hearings before Rep. Santini's own Interior Subcommittee on Mines. This bill declares mining as the "dominant use" of federal lands, and would allow the Secretary of the Interior to authorize mineral leasing in any area that is presently restricted with regard to this activity. Also, whereas the Wilderness Act presently allows new mining claims to be filed until the end of 1983, the Santini bill would extend this deadline until the end of 1993. Remind your Congressman (House Office Bldg., Washington, DC 20515) that industry already has access to tens of millions of acres of federal lands, and should explore these instead of trying to destroy what little wilderness we have.

- C. Individual wilderness bills for two states are on their way through the Congress. The House passed a California bill which would designate 3.5 million acres as wilderness: 2.1 million in national forests, and 1.4 million in Yosemite, King's Canyon, and Sequoia national parks. Sen. Cranston is sponsoring a companion bill in the Senate. -- The House Interior subcommittee recently held hearings on bills that would create about 50,000 acres of wilderness in Florida national forests. During the summer, hearings were held on wilderness bills for the state of Washington.
- D. The Sagebrush Rebellion (the Great Terrain Robbery) recently received a setback. A U.S. District Court Judge dismissed a suit in which the state of Nevada claimed that the USA held public lands only temporarily for ultimate disposal to the state. The Judge's ruling will adversely affect claims by other "sagebrush" proponents.

## 5. CONGRESS DEFIES WATT ON LAND ACQUISITION POLICY

In recently completed action on Dept. of Interior and related appropriations, both Houses included considerably more money for the Land and Water Conservation Fund (LWCF) than the token amount requested by the Administration (and which was earmarked mainly for the handling of court settlements). The following table summarizes the FY 1982 story on the LWCF:

Requested by Pres. Carter	\$520 million
Requested by Pres. Reagan	\$ 45 million
Voted by House, late July	\$155 million (\$155 federal; 0 state grants)
Voted by Senate, last October	\$202 million (\$95 federal; \$100 state grants)
Needed to eliminate backlog	\$3,000 million

As we go to press, it appears that a conference committee has settled on the House version. We will therefore get  $3\frac{1}{2}$  times the amount asked for by Mr. Watt, but still only about  $\frac{1}{3}$  of the sum recommended by Pres. Carter. Furthermore, the states are getting a really raw deal.

The LWCF is a very small part (less than 3%) of a much larger bill, which exceeds the ceiling requested by Pres. Reagan and might thus elicit a veto. Other sums in the House version of this bill that may be of interest to TCWP members are: \$20 million for the Youth Conservation Corps, \$10 million for urban parks, \$204 for the DOE Energy Conservation Program; the Senate version contains, respectively, 0, 0, and 130 million for these items, and we are not yet informed on how these differences were resolved in conference.

## 6. STRIPMINE NEWS

- A. Sen. Warner decides not to amend federal Stripmine Act -- yet  
Virginia's Sen. Warner, who chairs the Mineral Resources Subcommittee of the Senate Energy Committee, and is considered to be a friend of the coal industry, held hearings in Richlands, Va, early in September. TCWP, one of 7 citizens' groups that testified, was represented by Jenny Freeman. There were also lots of coal-industry representatives, and federal and state government officials (no one from Tennessee, though). Sen. Warner announced at the beginning of the hearing that he will hold off on any legislative changes until he sees whether the planned reorganization of OSM, and the Watt-Harris-instigated changes in federal regulations, will bring enough "relief" to coal operators. To that end, he is planning to hold another round of hearings next fall.
- B. Reorganization of the federal Office of Surface Mining (OSM)  
Continues, despite protests by Congress and concerned citizens (see NL 113 ¶1, NL 114 ¶4E). Sen. Sasser, acting on a complaint from TCWP, communicated to Sec. Watt his opposition to closing the OSM Region-II Office in Knoxville and moving technical personnel to Pittsburgh. As of Oct. 1, he had not had a response from Watt. OSM announced that it will establish State Liaison Offices as the individual States attain primacy. Although Tennessee has not yet done so, a director has already been named: he is Bruce Boyens and will be located in Knoxville.
- C. State primacy seems to be a near-certainty  
Steven Griles, Deputy Director of OSM, visited Knoxville in August and made it quite clear that OSM is intending to grant Tennessee (and other states) primacy in enforcing the federal

stripmine law. Griles, a Watt appointee, says many of the federal regs are too "inflexible." SOCM members, who asked to meet Griles, cited evidence from SOCM's recent "Study of Tennessee Strip Mine Enforcement" that the state has not been effective in regulating stripmining. Griles however, cut them short saying that this was past history and that he was satisfied the state was now on the right track.

D. DSM Director "selling" state program to citizens' groups

Austin P. Gaines, Asst. Commissioner of the Tenn. Department of Conservation responsible for the Division of Surface Mining (DSM), asked for a meeting with environmental-group representatives. Jenny Freeman, TCWP's executive director, and Doris Gove met with him on Oct. 28. He cited the following improvements that have taken or will take place in DSM: (a) 40 people will have been added to the staff by the spring of 1982 (but none of these are field inspectors); (b) all inspectors will have to earn a Certificate of Competency (none are expected to fail); (c) "wild-cattin' is not out of control" (there are great discrepancies between DSM and OSM data in that regard); (d) 94 bonds were forfeited in the past 6 months; (e) permit applications for water quality and surface mining are now made simultaneously to the same office (some of us feel that the past system of two agencies overseeing the operation gave better safeguards against environmental damage); (f) DSM will ensure that every deep mine and coal tippie in the state has a proper water-quality permit; (g) a toll-free anonymous Hot Line will soon go into effect to facilitate citizen complaints. The final draft application for state primacy will be mailed out soon, and we shall have over 2 months in which to comment. Jenny expressed our appreciation at being invited to a meeting and stated that we would maintain a healthy skepticism until we saw concrete (in-the-field) improvements over the previous state record.

E. Changes in the state's Division of Surface Mining (DSM)

Arthur Hope was recently appointed as DSM Director, and Larry Stephens became Director of Enforcement within DSM. During their previous long employment by DSM, neither of these men distinguished himself by his environmental or social concerns in the regulation of stripmining. The DSM offices in Nashville, Norris, and Knoxville have been consolidated at a new address in Knoxville: Dempster Bldg, 305 W. Springdale Ave, Knoxville 37919, Ph. 615, 546-4783.

F. The state's Board of Reclamation Review was enlarged from 5 to 7 as a result of a law passed by this year's General Assembly (NL 112 16B). One of the new members must be a representative of Tennessee's environmental community. The Tennessee Environmental Council submitted, for the governor's consideration, a list of 5 possible persons, 3 of whom have been very active in TCWP and know much about stripmining: Tom Johnson (our former exec. director), Bob Peelle (former head of our stripmine committee), and Don Todd (vice pres.). None was chosen. However, the appointee, Bill Mitchum, a former TSRA president from Middle Tennessee, has good conservation credentials.

G. Intimidation by stripminers fails

Need citizens have any fears in overseeing regulatory efforts? Water quality tests by a West Virginia group, the Mountain Stream Monitors (MSM), resulted in the group's requests to GSM and EPA that the DLM Coal Co operations and their water-quality permit be investigated. DLM thereupon sued MSM and its coordinator for \$200,000, claiming that the organization's newsletter and its complaints to government agencies had damaged DLM's commercial interests. Recently, the W. Va. Supreme Court of Appeals dismissed the suit, stating that the citizens' activities were protected by the 1st Amendment as the right to petition the government for redress of grievances. This is a very important court decision for groups (like us) whose main impact is through their newsletters and communications with government officials. As one attorney put it: "rich companies cannot successfully bully small conservation organizations into keeping quiet on important national issues such as surface mining."

H. Watt is seeking to overturn ban on mining near national park

Former Interior Secretary Andrus, acting on a petition brought by several environmental groups, ruled that portions of the Alton coalfield south of, and visible from, Bryce Canyon National Park were "unsuitable for surface mining" under Sec. 522 of the federal stripmine law. It

was the first time Sec. 522 was used to protect parkland experience. A large coal company then sued Andrus, and, as a consequence, environmental groups counter-sued, saying his ruling didn't go far enough. On the pretext that noone liked the Andrus decision, Interior Secretary Watt announced on Sept. 21 that he is seeking authority for the USDI to review the ruling. If this authority is granted, a new decision is expected in about 7 months, and it doesn't take much imagination to predict the direction in which this would go. A coal company executive says that Bryce Canyon National Park visitors would enjoy watching stripmining operations through binoculars. At last they've found a proper use for our national parks!

## 7. STATE CAPSULES

- A. The Safe Growth Plan and alternatives. Earlier this year, Gov. Alexander issued this Plan by which he hopes to address various environmental problems in the state without major new legislation or additional funding. A brief assessment of the plan was presented in our NL 110 #3. During the summer, the governor announced appointment of a ten-member Safe Growth Action Team to oversee the implementation of the Plan. The team consists of the Commissioners of Conservation, Public Health, and Transportation, the Director of the Tenn. Wildlife Resources Agency, and 6 private individuals, 3 of whom (including the chairman) are businessmen, one a banker, one a judge, and one a retired NPS superintendent. The Tennessee Environmental Council has examined the Plan with a view to how it can be improved; and this year's Intergroup Conference (Dec. 4-6, see Calendar) will develop an environmental alternative and devise actions to have this seriously considered. We hope some of you can attend this conference (see Calendar). TCWP's Jenny Freeman will lead the session on stripmining.
- B. The Department of Conservation's Capital Budget for FY 1982 will be \$1,700,000. This sum, appropriated by the General Assembly earlier this year, includes \$250,000 for trails, picnic shelters etc. in the Fort Loudon State Historical Area on Tellico Island. Equal, or roughly equal, amounts go to construction at Big Hill Pond Environmental Education Area, land and construction in the South Cumberland Recr. Area, and rehabilitation at Reelfoot Lake State Resort Park. Only three river projects are on the list: \$40,000 for the Hatchie, and \$20,000 each for access sites on the Hiwassee and the Collins.
- C. Liason on water-quality enforcement. TCWP executive director, Jenny Freeman, recently met with Dr. Michael Bruner Assistant Commissioner of Public Health, who had expressed a desire to establish better relations with environmental and other citizens' groups. Subjects for discussion at their meeting were groundwater protection strategies (see #D, below), and enforcement of state programs. It appears that the bottleneck to the enforcement of regulations is not in the field but in subsequent legal follow-up: the Department has an inadequate number of attorneys.
- D. A task force on Tennessee ground-water protection strategy has just completed its recommendations concerning regulation of subsurface wastewater injection. The 9-member task force, acting in response to a request from the State Water Quality Control Board, established criteria for case-by-case evaluation of proposed subsurface wastewater injection wells. These criteria would prohibit injection (a) of hazardous wastes; (b) into or above class A, B, or C aquifers, (c) in places where public water systems would be endangered, and (d) through aquifers of uncemented sand. This fine report will be the subject of hearings on Dec. 2 in Nashville, and deserves our support. If you wish to testify orally or in writing, contact Jenny Freeman, 3411 Kingston Pike, Knoxville 37919.
- E. Tim McCall, formerly Assistant Commissioner of Conservation, left his state job at the end of September to become Land Management Forester with a large timber company (Huber) based in Maryville. This company also owns coal in Tennessee and neighboring states.
- F. Trails. Some landowners have refused to permit trails on their land because they are worried about liability for accidents to trail users. A law protecting landowners against liability claims has now been upheld by the Ohio Supreme Court. Hopefully this will result in lessening the opposition to certain trail routings.

G. Industry has not come to Tellico Reservoir, contrary to projections that formed the main justification for the infamous Tellico Dam. Now TVA is transferring government funds to a local development group for the purpose of luring industry to the reservoir.

# 8. WATT'S PROPOSAL TO REPEAL WATER-PROJECT PLANNING RULES WOULD LEAD TO EVEN MORE BOONDOGGLES

It has taken about a decade of hearings and public input to formulate and improve the rules for planning and evaluation of federal water projects (dams, waterways, etc.) which are incorporated in the Water Resource Council's (WRC's) "Principles and Standards." Had the present rules been in place and adhered to, boondoggles like Tenn-Tom and Columbia Dam might not have been approved. All this progress could now be undone. Two months ago, Sec. Watt, in his capacity as WRC chairman, proposed a repeal of the "Principles and Standards," possibly because, in his capacity as Sec. of the Interior, he wants to get 7 new Bureau of Reclamation dams started in the West next year. To replace the Principles & Standards, WRC -- without a public participation process -- would come up with informal (i.e., nonbinding), flexible "planning guidelines." Any project analysis carried out under such guidelines would not be reviewable by the courts -- the public could bring no litigation. Further, the amount of flexibility would be such that WRC could, at the request of the relevant Secretary, provide waivers for otherwise unjustifiable projects.

The reason given for scrapping the current rules, which apply only to federal agencies (not to the public) is that they are a "burden on agencies." If true, why make life easier for that part of the government that has such a penchant for spending billions? It should be noted that the annual cost of the present planning and evaluation process is only 1% of the annual cost of water project development.

Only Pres. Reagan, personally, can actually repeal the WRC "Principles and Standards." Whether or not he does so will be a test of how closely he associates himself with Sec. Watt's policies. TCWP has written objecting to the proposed repeal. We hope that individual members too will write to prevent this incredible setback in our progress against boondoggles. Address your letter to James Watt, Chmn, Water Resources Council, 2120 L Street NW, Suite 800, Wash. DC 20037. Be sure to send a copy to Pres. Reagan, The White House, Wash. DC 20500.

# 9. WATER-RESOURCE CAPSULES

A. The Stennis Ditch (alias Tennessee Tombigbee) squeaks by. By just a 2-vote margin (46:48), the Senate failed to accept an amendment that would have deleted Tenn-Tom funds for FY 82. Sen. Baker apparently did much lobbying for Tenn-Tom, and Sen. Judd wrote a "Dear colleague" letter on behalf of it. As you may recall (NL 114 16A), the House vote against a similar amendment was also very close (207:208), with all 8 of Tennessee's Reps voting to throw money away on this \$3 billion boondoggle at a time when vital programs are being cut. You can help to bring this matter before the public by writing a letter-to-the-editor. The total Water Development and Energy Appropriation voted by the Senate on Nov. 4 was over \$12 billion.

B. Let's stop giving the navigation industry a free ride! Our tax dollars pay for the construction of waterways (channels, locks, dams) and of ports, which are then used, totally free of charge, by barge shippers. Even after these projects are built, we go on paying for dredging out waterways and ports, while the shippers never pay a cent in users' fees. The projects with the most doubtful economic justification tend to be the ones with the most serious environmental consequences. If the users would have to pay, the boondoggles would not be built. Bills have been introduced (and are actually backed by the Administration) which, if passed, would accomplish this. Write to your Rep (House Off. Bldg, Wash DC 20515) and both senators (Senate Off. Bldg., Wash. DC 20510) and ask them to support user fees for barges and ships and full cost recovery, as covered by port bills S809/HR 2959 and Waterway bills S 810/HR 2962.

C. TVA's small-hydro studies continue (see NL 108 13 for an earlier account). TVA is studying 10 existing small dams for the feasibility of hydroelectric power generation. The following table puts this in perspective.

Total capacity, all 10 small dams	50 million kwh annually
Norris Dam can produce	442 million kwh annually
All 49 TVA hydrodams produce	22,000 million kwh annually
TVA's 12 coal-fired plants produce	82,500 million kwh annually
TVA's 3 nuclear reactor supplied	16,500 million kwh annually

Thus, the 10 small dams would add 0.04% to TVA's capacity. Fitting, or re-fitting them with generating equipment would be the responsibility of the owners. The electricity generated would be bought by TVA for its system.

- D. All regulations for small hydropower projects would be wiped out by an Administration-backed bill, S 1299, which exempts projects up to 15 megawatts from requiring FERC permits. The Federal Energy Regulatory Commission has been deluged with applications because of recent legislation offering financial incentives to small-hydro generators. Recent Senate hearings revealed strong sentiment for streamlining the regulations administratively, rather than eliminating them legislatively, and S 1299 may die.
- E. Non-structural alternatives for flood hazard management have long been advocated by those of us who have been concerned about the environmental damage and economic costs of dams, channelization, etc. Therefore it was good news to find TVA and the Corps listed among the agencies funding and/or sponsoring a recent two-day conference designed to inform local community leaders on the subject, and to encourage them to develop community-based plans to reduce flood damages.
- F. The National Clean Water Campaign is working for groundwater protection, the problems of non-point pollution (e.g. from stripmining or agriculture), and other water-protection issues. The Clean Water Action Project recently issued a draft policy statement on these issues. For info on the statement and on the coalition, write Natl. Clean Water Campaign, 1341 G Street NW, Suite 200, Wash. DC 20005.

## 10. THE AIR-QUALITY BATTLE

### A. Speak up for clean air!

The American public overwhelmingly supports clean air, yet Senators and Reps complain of an "overwhelming silence" from people other than those representing business and industry. A recent Arthur D. Little poll finds that only one-fourth of the public believe the industry argument that air quality standards are now unreasonably high and too costly to achieve; and two-thirds either place environmental protection above economic growth, or feel that we can have both. "Speak now, or forever hold your breath!" says the National Clean Air Coalition.

Here are some facts that may help you in countering arguments: (a) Pollution-control requirements, far from having thrown "thousands" out of work, are creating jobs. According to an EPA study, by 1987 there will be a net increase in 524,000 jobs nationwide as a result of pollution controls. (b) It is not auto emission regulation that has crippled the American automobile industry, but factors such as interest rates, foreign competition, and inflexibility. Write to your two Senators (Senate Office Bldg., Wash. DC 20510) and to your Representative (House Off. Bldg., DC 20515) to tell them that you want a Clean Air Act that protects the health of all people, effectively controls acid rain (see ¶B, below), keeps the PSD and visibility programs intact, and retains strong auto emission standards. A short letter or even postcard will do, but don't delay!

The status of the reauthorization bill is presently confused, and committees of both Houses are working to determine priorities for changes in the law, and to get consensus on various issues. Health Subcommittee Chairman Waxman wants to include acid-rain control in the reauthorization of the Act; and to make sure auto emission standards are not relaxed. The Reagan administration recently floated its fourth trial clean-air balloon, which in some ways is an improvement over earlier versions (e.g., it preserves federal responsibility for setting standards), but in other ways is still a disaster (e.g., it drastically relaxes emission requirements for cars; cripples PSD; and, far from dealing with acid rain, actually eliminates



requirements for power plants to reduce SO<sub>2</sub> emissions).

B. Scientific report on acid rain should make Administration position untenable

Acid rain is a problem that transcends state and even national boundaries. It is inherently unjust that one region should be allowed to hurt another. The damages are not also ecological but also economic: forestry, fishing, agriculture, and tourism are affected. Lost forest productivity alone could cost the nation \$1.75 billion annually. Sens. Mitchell (D. Maine) and Moynihan (D., N.Y.) have introduced S.1706 and S.1709, respectively, which would put an immediate cap on existing SO<sub>2</sub> and NO<sub>x</sub> levels, and mandate a 10,000,000-ton reduction of sulfur emissions over the next 10 years. The House companion bill is HR 4829 (Moffett). These bills deserve your support: write your Senators and Rep. (Sen. Office, Bldg., Wash. DC 20510; House Off. Bldg., DC 20515)

The Reagan administration has taken the position that we do not know enough about acid rain to regulate it. However, an expert panel of the National Research Council challenges this in no uncertain terms: "Although claims have been made that the direct evidence linking power-plant emissions to the production of acid rain is inconclusive, we find the circumstantial evidence for their role overwhelming." According to the NRC report, the utility and coal industries are responsible for 88% of SO<sub>2</sub> emissions and a huge portion of NO<sub>x</sub> emissions. SO<sub>2</sub> emissions should be cut by at least 50%, and NO<sub>x</sub> emissions must also be sharply cut. The report also highlights the relation of coal burning to the release of toxic metals into the environment. Acidification of lakes leads to leaching of metals from bottom sediments, and this, in turn, produces toxic concentrations of aluminum, manganese, zinc, lead, cadmium, etc. in the water. Acidity also exacerbates toxic effects of direct emissions of other metals, e.g., mercury. (See SCIENCE vol. 214, p. 38, Oct. 2, 1981). We hope you will bring this information to the attention of your elected representatives when you write about the Clean Air Act (¶A, above). We also recommend for your reading "Downwind: The Acid Rain Story" which may be obtained from Information Directorate, Environment Canada, Ottawa, Ontario K1A 0H3.

C. TVA lobbies for the Clean Air Act

On July 24, TVA Chairman Dean wrote as follows to Sen. Stafford, chairman of the Senate Environment Committee: "TVA's experience shows that the goals of the Clean Air Act are basically sound and are attainable at reasonable cost... The Clean Air Act provides a necessary mechanism to ensure that the nation's air resources are not squandered by one demand competing with another at the expense of the overall economy or to the detriment of public health and welfare." The letter also strongly supports the federal role in clean air regulation.

11. SYNFUELS: WILL THE PLANT NEAR OAK RIDGE FOUL THE AIR FOR MILES?

In spite of major problems and irregularities, the Tenn. Public Health Dept's Division of Air Pollution Control issued a construction permit to Tennessee Synfuels Associates (TSA) to build its coal-to-liquid gasoline plant near Oak Ridge. At a June hearing on TSA's permit application, it became obvious that the plant could be a major air-pollution source for particulates, SO<sub>x</sub>, NO<sub>x</sub>, CO, volatile organics, H<sub>2</sub>S (rotten-egg smell), and possibly ammonia. The plant is subject to a full PSD (Prevention of Significant Deterioration) review and is located within the review area of the Great Smoky Mountains National Park, a Class-I PSD area. The National Park Service has expressed its strong concern about the impact of yet another large SO<sub>2</sub> source on park vegetation, especially on sensitive and rare plants, which are already badly stressed by other air pollution reaching the Smokies. There is also the question of why a single industry should be allowed to consume most of the allowable PSD increment, thus inhibiting other kinds of industrial growth in the area. None of the citizens' comments submitted for the June hearing favored the project.

That the state has now issued the permit without further review, and despite all these possible problems, comes as a shock, but is not really surprising in view of the Alexander administration's a priori support for the venture. TSA must now submit an Environmental Impact Statement for DOE approval, and DOE is apparently helping TSA in the preparation of this EIS.

Other documents required are an NPDES (pollutant discharge) permit, a Hazardous Waste permit, a 404(?) permit from the Corps, and others. There is thus still much opportunity for citizen impact. We invite all those who are interested to contact Frances Pleasonton, 111 Pleasant Road, Oak Ridge, 483-4287.

## 12. OAK RIDGE ISSUES

### A. TCWP's newly formed greenbelt committee urges participation in Nov. 16 Council meeting

The Oak Ridge City-owned greenbelt is a unique resource which has been threatened on a number of occasions (e.g. the City's large powerline proposal of the early 1960's, a developer's road-crossing proposal in 1976, tree-poaching episodes, and attempts by citizens to buy pieces of greenbelt). On several of these occasions, TCWP has played an active role in averting the threats. TCWP also developed the North Ridge Trail to help citizens appreciate their Greenbelt. At its September meeting, the TCWP Board decided to set up a permanent greenbelt committee to deal not only with the "brushfires," but also with long-range issues of greenbelt protection and enhancement. The committee was charged with studying how the greenbelts were created, how they are now classified, what ordinances protect them (and to what extent), how Oak Ridge compares with some other cities, what can be learned from past threats, whether, and if so where, new greenbelt parcels are needed, and how citizen appreciation of the greenbelts can be stimulated and strengthened. The recent well-organized effort of some citizens to get the City to pay about 1/2 the cost of purchasing a 24-acre tract for greenbelt in the west end (where there is no City-owned greenbelt) also acted as a stimulus for the formation of our committee, which took place at a meeting on October 13. Chairpersons are Lily Rose Claiborne (483-3250) and Joanne Marshall (483-0098). We hope you will call them if you can serve on the committee.

On Sept. 24, the Planning Commission voted 8:2 in favor of a request by A. P. Cappiello for 0.46 acres of City greenbelt on the eastern end of the ridge behind the Garden Apts. TCWP had sent a letter to the Planning Commission opposing the Cappiello request because selling pieces of greenbelt to adjacent landowners sets a bad precedent. Further study of this particular proposal, however, revealed that Mr. Cappiello would, in exchange for the 0.46 acres, give the City the 6.2 acres of ridgetop just to the west. These 6.2 acres contain a well-loved trail. For this reason, TCWP will take a positive position when City Council considers the Planning Committee recommendation on Nov. 16. At the same time, we shall, however, make clear that special reasons are involved, and that, in principle, we oppose the selling or trading of greenbelt land. We hope that several of you will come to this City Council meeting to demonstrate citizen interest in greenbelt issues. For particulars, call Lily Rose or Joanne (numbers above).

### B. Airport-Arboretum update

The following is copied from the U.T. Arboretum Society News Bulletin Vol. 4, No. 2. "EPA has recommended that an Environmental Impact Statement (EIS) be prepared before considering Chestnut Ridge as the site for an airport, because the Environmental Assessment did not objectively examine alternatives. The Federal Aviation Administration (FAA) has ruled that an EIS is necessary and that the FAA does not have funds to prepare an EIS, and does not want to prepare an EIS unless funds are available to build an airport. At the present time, funds are not available. The City Council of Oak Ridge is continuing to pressure U.T. for this land in defiance of the EPA recommendation and the FAA ruling."

## 13. NATIONAL CAPSULES

### A. Regulatory "reform" in Congress threatens environmental regulations. A Senate bill, S.1080, which has already passed through committee, would require that the cost involved in imposing any federal regulations be justified by the dollar value of expected benefits (but, what is the dollar value of health, beauty, awe?). The relaxing of existing standards would require no such assessment. OMB would be empowered to veto any regulation that did not meet benefit cost standards; moreover, OMB would be able to do so without holding hearings or explaining the basis of its decisions. The House companion bill of S.1080, HR.746, does not include a

benefit/cost provision but has other problems (e.g., no public review for deregulation).  
Please contact your Senators (Senate Office Bldg, Wash. DC 20510) to amend S.1080 so as to  
remove sole reliance on economic considerations.

- B. Regulatory "reform" by the Administration targets vital environmental measures. Vice President George Bush's Regulatory Review Task Force has come up with an additional list of 30 regulations for "review." (In an earlier list, the "review" resulted in relaxing or altogether dropping, 12 out of the 12 regs on which the Administration has taken any action.) Included in the new list are: (a) Sec. 404 of the Water Pollution Control Act which requires dredge and fill permits (this is the only statute preventing further destruction of the nation's valuable wetlands); (b) Endangered Species Act regs that prohibit federal agencies from taking actions that would adversely affect the habitat of threatened or endangered species; (c) Fish & Wildlife Coordination Act regs that require mitigation for habitats destroyed by dams and other water projects; etc., etc. Among these (and other) valuable regs, the one under most concerted attack is the 404 permit procedure. [If you want to help in a national effort to protect wetlands legislation, send your address and phone Nos. to Liz Kaplan, FOE 530-7th St. SE, Wash. DC 20003.]
- C. Robert A. Jantzen will direct the U.S. Fish & Wildlife Service if, as expected, his nomination is confirmed by the Senate. The Service, which administers the 89,000,000-acre National Wildlife Refuge System, has been without a director since Mr. Greenwalt was summarily fired 9 months ago; and Jantzen's nomination came only after Pres. Reagan's original choice, veterinarian-turned-investment counselor, Norman Roberts, met with much opposition (NL 114 ¶11C, NL 115 ¶6). Jantzen, formerly Director of the Arizona Game and Fish Dept., will be presiding over an emasculated endangered-species program: 40% of its budget has been cut, and Asst. Interior Sec. Arnet announced two months ago that work on plants and non-mammalian animal species would be de-emphasized.
- D. National Park foe appointed to National Park System Advisory Board. Sec. Watt appointed Charles S. Cushman, founder and executive director of the National Park Inholders Association, a group fiercely opposed to federal land acquisition related to the national park system. Incidental intelligence: some time ago, Mr. Cushman, a Californian organized a Tennessee chapter to oppose the Obed Wild & Scenic River.
- E. A national container deposit bill (S.709) is gaining some momentum in the Senate under the leadership of Sens. Hatfield, Packwood, Stafford, and Cranston, and may clear committee this year. A House companion bill, HR 2498, was introduced by Rep. Jeffords. All the arguments we have listed in the past for a state law apply 50 times more<sup>so</sup> for a national one: less litter, less waste for landfills, tremendous energy savings (the equivalent of 29 million barrels of oil per year), conservation of resources (bauxite and iron ore), consumer savings (55% of the price of a bottle or can of beer pays for the container), and creation of jobs. Send a postcard to your Senators (Sen. Office Bldg., Wash, DC 20510) and your Rep. (House Off. Bldg., DC 20515); write a letter-to-the-editor.
- F. Cutbacks in "superfund" funding will have a disproportionately adverse impact on Tennessee, according to Rep. Al Gore, Jr. Our state ranks first in the Southeast, and ninth in the nation, in the production of chemical wastes. Of 35 hazardous waste dumps already officially recognized in Tennessee, half have yet to be investigated. Superfund, which is largely supported by a fee on raw materials purchased by chemical companies, was to be used for the identification and cleanup of hazardous dumps.
- G. Energy conservation tax credits: will they survive? They were targeted for extinction by Pres. Reagan in his nationwide September 24 speech announcing budget revisions. However, momentum opposing repeal of the credits is growing. A House resolution had 252 signatures as of 10/30 (including that of Rep. Marilyn Bouquard, who deserves our thanks); and, in the Senate, 57 members had signed a similar letter. The resolution will probably be attached as a rider to the Treasury-Postal Appropriations bill. These Congressional actions may forestall a formal repeal proposal from the White House.

- H. Barrier Islands. For years, federal subsidies have encouraged development and human encroachment on these islands, which are so valuable as wildlife habitats (NL 113 ¶14A). A bill that would discontinue these subsidies (HR.3252/S.1018) is awaiting additional hearings. In the meantime, however, the Congress has gone partway by accepting a provision in the 1982 budget which eliminates federal flood insurance for new construction on undeveloped barrier islands.
- J. Farmland is endangered. Every day, the USA loses 25 square miles of agricultural lands to development and/or erosion; every day, it gains 5,000 people who must be fed.
- K. Good signs on the railroad front. The Governor of Florida and the Florida DOT have ordered a study of the feasibility of developing a 1,000-mile network of high-speed rail transportation to link major Florida cities. The system, which might take 20 years to complete, would use the median strip of existing interstate highways for the tracks. (Contributed by Alex Duris).

#### 14. WATT: A REAGAN MOUTHPIECE?

Though group after group has called for Watt's removal, Mr. Reagan has personally endorsed his Interior Secretary. "He has my full support," said the President recently, "because I think that we have been victimized by some individuals that I refer to as environmental extremists." A recent letter-to-the-editor makes this prediction: "When OSM has been dismantled, when California's shoreline has been leased ... after the damage has been done ..., Mr. Reagan will accept Mr. Watt's resignation and turn to us and say, 'I am listening to your concerns and addressing your wishes' ... nothing will have changed ... Mr. Reagan's policies will remain. And the President will come out shining."

Will he, though? An AP-NBC poll of Oct. 26 finds that 61% think Reagan is doing a poor or fair job in dealing with environmental issues, while only 30% give him an approval rating. When asked to rule on Watt's performance, however, 80% didn't know enough to give him a rating. Have we been talking only to each other?

The Sierra Club's Recall-Watt petition with 1,100,000 signatures was delivered to Congress in mid-October. A pro-development group, which has been circulating a Retain Watt petition under the banner "The Two Million Friends of Jim Watt," later scaled down its target to 250,000 and has not yet released any news on how its drive is going. The Democratic National Committee has created a Natural Resources Protection Fund to help elect candidates that will oppose Watt's policy of exploitation."

In the meantime, the cartoonists are having a great time. In a recent Doonesbury strip, someone, is trying to talk to Watt on the phone, saying to his secretary "It concerns exploitation of our Wildlife Refuges." "I'm sorry sir," she responds, "The Secretary isn't available to speak to environmental extremists." "But I'm a moderate!" exclaims the caller. "Oh, that's different. What oil company are you with, sir?" -- Mike Peters in the Dayton Daily News, has Watt singing the following song to the Woody Guthrie tune: "This land is your land, this land is my land, from the off-shore oil rigs to the stripmined mountains, from the redwood saw mills to the toxic land fills ... this land is owned by industry."

#### 15. TRIPS, JOBS, ACTIVITIES

- The American Rivers Conservation Council offers boat trips on the Suwannee (Nov. 28-29) and in the Everglades (Jan. 9-12). Proceeds from the trip go to ARCC, so you can have fun and do a good deed at the same time. (ARCC, 323 Pennsylvania Ave, SE, Wash. DC 20003, Ph. 202, 547-6900)
- The Student Conservation Assoc. is accepting applications for its 1982 spring and summer programs for volunteer conservation work in national parks, national forests, and elsewhere. Applicants may be high-school- or college-aged (P.O. Box 550, Charlestown, N.H. 03603)

- Ecology Workshop Tours are offered by the Audubon Center in Greenwich (613 Riversville Rd., Greenwich, Conn. 06830): Puerto Rico in February, Dutch Guiana in March. Each tour is led by Audubon naturalists
- Support the League of Conservation Voters (LCV), the political arm of the environmental movement! Now, more than ever, it is essential to have an organization that not only identifies the most environmentally-effective candidates but also does the grass-roots work of finding new supporters, getting them to volunteer for candidates, getting out the vote. Write your check to the "LCV Campaign Fund" and send it to LCV, 317 Penn. Ave SE Wash DC 20003. You can get half your donation back as a tax credit
- The Progressive Speakers' Bureau offers speakers on (among other things) environmental issues such as clean air, hazardous wastes, recycling, etc. You may write for more info (P.O. Box 120574, Nashville, TN 37212)

#### 16. PUBLICATIONS OF INTEREST

- The 3-volume Master Plan for the Big South Fork National River and Recr. Area is available on request from ORNAS-G, Nashville District, Corps of Engineers, P. O. Box 1070, Nashville, TN 37202
- "Trends in the Quality of the Nation's Air" is a 13-page EPA publication from pre-Gorsuch days (Oct. 1980). Write Office of Public Awareness (A-107), EPA, Wash. DC 20460
- The Bureau of Land Management (BLM) is offering informative free maps showing existing and proposed wilderness areas managed by BLM, Forest Service, Park Service, Fish & Wildlife Service. Each map covers one state. Write: The Director, BLM (18th and C Streets, NW, Wash. DC 20240) and ask for their "wilderness study area maps" for specific state(s) *(western states only)*
- The Southern Appalachian Highlands Conservancy (SAHC), as a fundraising project for its efforts to protect the Highlands of the Roane, is publicizing several pictorial books, including one on Tennessee (photographs Edward Schell, text Wilma Dykeman, cost \$27.50) and one on the Appalachian Mountains (cost \$29.50). Orders must go through SAHC whom you should contact for more info or a catalog (P.O. Box 3356, Kingsport, TN 37664).
- The Natl. Park Service has developed a computer-based inventory of all of its trails, including info on type of surface, when open, annual volume of use, etc. Contact Lennon Hooper, NPS (P.O. Box 25287, Denver, CO 80225)
- An article on nuclear waste management that makes extensive mention of Oak Ridge appeared in the Oct. 19 New Yorker
- "The Market for Rural Land: Trends, Issues, Policies," by Healy and Short, has been published by the Conservation Foundation (1717 Mass. Ave, NW, Wash. DC 20036. \$12.50, 310 pp.) The motivation of those who buy and sell rural land and the economic forces that affect them are of interest to those concerned with protecting the beauty and productivity of America.

#### 17. CALENDAR

- Dec. 4-6 Intergroup Conference (see ¶7A), Appalachian Center for Crafts, Smithville, TN. If you want lodging and/or meals there, you must sign up by Nov. 24 (Contact: Polly Wiley, TEC, P.O. Box 1422, Nashville, TN 37202, Ph. 615, 251-1110)
- Dec. 6 Hearing on Rugby Masterplan (see ¶1), 2 p.m. EST, Rugby Community Library
- Dec. 2 Hearings on Tennessee ground-water protection strategy (see ¶7D) (For details, contact Jenny Freeman, Knoxville 524-5673; or TEC, Nashville, 251-1110)
- Dec. 7 Corps hearing on O & W railbed plan for Big South Fork Natl River and Rec Area (see ¶1), 7 p.m. CST, York Institute Auditorium, north of Jameston, TN
- Nov. 16 Oak Ridge City Council hearing on trading of greenbelt land (see ¶12A), 7 p.m. Municipal Bldg. (Contact Joanne Marshall 483-0098, or Lily Rose Claiborne 483-3250)

*over*

18. ACTION SUMMARY

¶ No.	Issue	Contact	"Message" or Action
1	Big S. Fork	Corps	"Use O & W railbed for trail, not for coal-hauling railroad!"
2	Columbia Dam	Reagan, Stockman, etc.	Send Columbia Scum
3	Cherokee Wilderness	Reps. Duncan, Bouquard U.S. Senators	"Introduce or sponsor coalition bill!"
4A	Anti-wilderness bills	U.S. Senators	"Oppose blanket legislation!"
4B	Mining Supremacy bill	U.S. Rep	"Oppose mining in parks and wilderness!"
7D	Groundwater protection	Jenny Freeman	Send testimony for hearing
8	Water-project rules	Watt, Reagan	"Do not repeal the Principles and Standards!"
9B	Navigation user fees	U.S. Rep and Sens	"Support user fee for barges, ships!"
10A	Clean Air	U.S. Rep and Sens	"Support strong Act!"
10B	Acid Rain	U.S. Rep and Sens	"Support S1706/HR4829!" (Cite the NRC study)
11	Synfuel plant	Frances Pleasanton	Offer to work on issue
12A	Oak Ridge greenbelt	Lily Rose Claiborne, Joanne Marshall	Join committee; go to Nov. 16 Council mtg.
13A	Regulatory "reform"	U.S. Senators	"Amend S. 1080!"
13E	Container deposit bill	U.S. Rep and Sens	"Support S. 709/HR 2498!"

Please take action!