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EXHIBIT 2

STATEMENT BY SENATOR BOGGS

Mr. President, I am honored to cosponsor the six pollution control bills introduced today by the distinguished senior Senator from Kentucky (Mr. COOPER). Each of these bills will add significantly to the strong foundation for environmental enhancement that has been established by recent legislation.

As I said at the time President Nixon sent his environmental message to the Congress earlier this month: "President Nixon has prepared a package of proposals that we will be considering for many months to come before many of them are written into the laws of our land. But they are proposals that, when enacted, will bring to our Nation years, and even decades, of progress toward environmental enhancement and thus a better life for every American."

These bills must receive prompt consideration as current Federal programs that assist communities building municipal sewage treatment facilities expire June 30. Continuation of this program is essential to any effort to win the battle against water pollution.

The various proposals advocated by President Nixon and introduced by Senator COOPER include a bill authorizing expenditures of \$2 billion a year in Federal funds for waste treatment facilities. This would be matched by State and local contributions. Spending at this level would double the existing program.

According to some of the calculations presented to our subcommittee last year, \$2 billion a year of Federal spending over 3 years should eliminate the existing backlog of needed municipal treatment plants, and cover projected growth during those 3 years. In other words, this bill should carry us half the distance toward clean water.

The other half must be reached through reductions in industrial pollution. New enforcement procedures and other provisions introduced today by Senator COOPER should encourage industry to achieve clean water standards in the near future.

In closing, Mr. President, I wish to commend Senator COOPER for his sponsorship of these significant bills. Senator COOPER's leadership has been an inspiration to each of us on the Committee on Public Works, encouraging us to achieve much of the progress toward pollution control that we have been able to attain.

The PRESIDING OFFICER (Mr. BYRD of Virginia). Is there further morning business?

Mr. HANSEN. Mr. President, I ask unanimous consent that the bill just introduced by the Senator from Kentucky (Mr. COOPER), to create an Environmental Financing Authority, be referred jointly to the Committee on Public Works and the Committee on Banking, Housing, and Urban Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HANSEN. Mr. President, I ask unanimous consent that the bill just introduced by the distinguished Senator from Kentucky (Mr. COOPER), to control the generation and transmission of noise detrimental to the human environment, be referred jointly to the Committee on Commerce and the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. MONDALE (for himself, Mr. BIBLE, Mr. BURDICK, Mr.

CANNON, Mr. CHURCH, Mr. CRANSTON, Mr. GRAVEL, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HUGHES, Mr. HUMPHREY, Mr. INOUE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. METCALF, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PERCY, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SPARKMAN, Mr. TUNNEY, Mr. WILLIAMS, and Mr. YOUNG):

S. 1017. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes. Referred to the Committee on Public Works.

Mr. MONDALE. Mr. President, the Water Quality Improvement Act, signed into law on April 3, 1970, cleared the way for the enactment of a comprehensive program to improve the deteriorating condition of our waterways. Its passage marked the culmination of a long struggle to strengthen the Federal Water Pollution Control Act.

I was especially pleased by this action because of the enactment of the clean lakes research provision originally introduced by Senator BURDICK and me in 1966. It enables the Federal Government to undertake basic research or to make grants for studies into the cause and prevention of lake pollution.

The Environmental Protection Agency supplemental appropriation, in December, began the funding of this program with \$2 million for the last half of this fiscal year. It is my hope that the administration will utilize these minimal funds carefully to stimulate this vital research, and that more adequate funding will be sought and provided in the 1972 appropriations process.

This is an important first step in what I hope will be a concerted campaign to restore the thousands of lakes which are jeopardized by pollution.

But we need to move immediately beyond research and study and begin implementing programs to restore and preserve these lakes.

Many of the Nation's fresh water lakes are deteriorating. Some of these lakes are in such desperate condition that they cannot wait for the processes set up by the recently passed research provision.

It is to this problem that I am addressing my new legislation.

The bill I am introducing today goes beyond the research program approved by the last Congress. It is in line with the conclusion reached by the 1967 House Committee on Government Operation's report "To Save America's Small Lakes" which stated:

A twin-pronged approach to the problem of accelerated eutrophication would seem desirable—an expanded program of basic research to add to the limited knowledge about the eutrophication processes and their effective and economical control, plus immediate action in the form of demonstration projects utilizing present knowledge and skills.

The new clean lakes bill would establish a coordinated program of increased

waste treatment and lake cleansing utilizing the latest technology. It is aimed at rehabilitating the lakes which are in particularly poor condition.

I am concerned about the hundreds of lakes which already have been fouled by man's carelessness; lakes which have been used as a convenient dumping area for municipal, industrial and agricultural wastes, and lakes which have deteriorated because of runoff from careless shoreline development projects.

Municipal sewage is increasing, filled with phosphorous materials from detergents or human wastes. In many instances, it is dumped untreated into nearby lakes. A recent report by the University of Minnesota Limnological Laboratory indicated that it may take up to 35 years for an urban lake to return to natural equilibrium after the influx of sewage is ended.

Industries find it expedient to locate adjacent to lakes where they can pump their chemical-filled discharges.

Lakes also suffer from agricultural runoffs. Overflows contaminated with pesticide, herbicide, and fertilizer residues wash into the lakes. Construction projects on lake shore areas cause increased runoff of soil and vegetation. Siltation adds to the load.

Unlike moving rivers, lakes have very slow flushing systems to purge themselves of these burdens.

The unrelieved surge of nutrients into these lakes causes the waters to be enriched past their capacity. The problem becomes one of eutrophication—the aging of lakes.

The element added to the lakes by sewage and runoffs act as fertilizers of aquatic growth causing a veritable population explosion of algae. These plants have a self-generating cycle and create an increasing demand on the oxygen in the water, thus killing desirable bacteria which work naturally to cleanse the water.

Meanwhile, lakebeds fill with sludge and debris, and the marine life chokes and dies.

A recent survey by the University of Minnesota indicated that the State's once-sparkling lakes are gradually taking on a new color—green. The study identifies sewage seeping from inadequate disposal systems of lakeshore homes as the main source of pollution. In the West, one of the world's clearest bodies of water, Lake Tahoe, which lies over 600,000 feet high in the mountains, may turn green within 15 years.

This is largely a result of population increase and the boom in water recreation. The population on the shore of Minnesota's recreational lakes is doubling every 20 years. The population on the shores of Lake Minnetonka, outside the Twin Cities, increased by 50,000 in 10 years, and will reach 200,000 by 1980. In 1 year, more than 100,000 pounds of nitrogen entered that lake from seven sewage plants. The University of Minnesota study showed that municipal sewage is dumped directly into the water of 34 major recreational lakes studied.

Runoff of fertilizers from farmland and nutrients from cattle feedlots reduce the quality of many lakes.

The problems are not endemic to the 11,500 lakes in Minnesota which are in excess of 10 acres. Many of the more than 100,000 fresh water community lakes in the Nation are being victimized by the same problems.

Our lakes have too often been forgotten in the rush to improve our environment. Since lakes are so essential to our way of life and represent such an irreplaceable resource, it is obvious that they cannot be neglected.

Yet, unless restorative measures are taken soon, many of our priceless lakes will be irretrievably lost.

The bill I am introducing today recognizes the desperate plight of these lakes and provides for a plan to reclaim these waterways.

There are four major points covered in this new Clean Lakes Act.

First, the bill authorizes an increase in the Federal grant now available under section 8(b) of the Water Pollution Control Act for treatment works which are located near or adjacent to a lake and which discharge treated wastes into the lake or tributary waters. The increase would be to a maximum of 65 percent of the costs, if the State pays at least 20 percent of the costs. To be eligible for this increase, enforceable water quality standards must be established and the works be consistent with the plan for the implementation, maintenance, and enforcement included in the standards. These works must discharge only treated water, and industries hooking up to the municipal system must provide pretreatment of their wastes. The bill authorizes an annual appropriation of \$150 million for fiscal years 1972, 1973, 1974, and 1975 for the purpose of funding these increased grants.

Second, the bill directs the administrator to provide technical and financial assistance to the States and municipalities in carrying out a comprehensive program of pollution control. This would include the use of harmless chemicals to destroy unwanted supplies of algae that accelerate the aging process of lakes, the dredging of lake bottoms to remove decaying sludge and other noxious pollutants, the recovery of overgrowth of algae and trash from the surface, and the improvement of lake shores. The bill authorizes up to 80-percent Federal grants for this program from a total appropriation of \$900 million over a 4-year period beginning in fiscal year 1972.

Third, the bill authorizes the use of experienced Federal water resource agencies such as the Bureau of Reclamation and the Corps of Engineers, to help carry out this program under agreements with the States.

Fourth, the bill provides measures to enforce water quality standards for lakes subject to this program. These measures include penalties and injunctive relief.

I believe we must take these steps if we are to save these troubled waters.

There are several techniques which can be employed to clean the lakes.

Obviously, we can move to upgrade the waste treatment facilities to cut back the

flow of nutrients into their waters. This kind of preventive procedures can sometimes result in rapid improvement, as happily occurred, for example, on Lake Washington in Seattle.

There are other direct measures to be used to rid the lakes of pollution.

Chemicals are being developed which attack algae forms, but do not harm the fish life of the lake. Copper sulfate has been used in the past to control algal bloom for a short period of time. Experiments are also being conducted with alum, which sinks surface sediments, and with lime, which attacks the acidity in some "bog lakes." Research efforts at the Cincinnati Water Research Laboratory resulted in the discovery of a virus which is parasitic, specifically to blue-green algae.

Dredging and surface screening operations have proven successful in clearing lakes of sludge, weeds, and other undesirable contents.

A special treatment developed for the Snake Lake in Wisconsin was less costly than dredging or screening. This consisted of literally flushing the lake's waters into a nearby earth area. There the foul water was strained through a natural filter of sand to seep back into the lake bed. The project, administered by the University of Wisconsin and the Wisconsin Department of Natural Resources through a grant from the Upper Great Lakes Regional Commission, has apparently been a success. The cost was \$10,000 to pump the lake's 21 million gallons.

I am hopeful that we can extend our support of such efforts, for the benefit of future generations. Lakes provide not only a source of water but offer recreational outlets, wildlife habitat, and they are a basic part of the beauty of the earth landscape. Clean lakes are basic to the life balances on which our existence depends.

Our lakes are a priceless commodity. To delay action in cleaning our lakes is to risk losing them. We cannot afford this.

Mr. President, I ask unanimous consent that the full text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1017

A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Clean Lakes Act of 1971."

Sections 22 through 27 of the Federal Water Pollution Control Act, as amended, are redesignated as sections 23 through 27 and there is added after section 21 a new section 22 to read as follows:

"LAKE POLLUTION ABATEMENT AND QUALITY ENHANCEMENT

"SEC. 22. (a) The Congress finds and declares that—

"(1) the public fresh water lakes of the United States are irreplaceable resources for meeting many of man's public water supply, recreational, esthetic, industrial, agricultural, navigational, and other needs;

"(2) some such lakes, both urban and

rural, are carpeted with green scum and formations of slime, their waters grossly turbid and unpleasant in taste and odor, and have been thoughtlessly pillaged by man's technological advances;

"(3) many of America's lakes are suffering from manmade pollution caused by the continuing discharge of untreated or inadequately treated industrial and municipal wastes, from agricultural and urban runoff, including siltation due to soil erosion, and from manufactured products containing harmful pollutants discharged into municipal treatment systems which greatly accelerate the natural eutrophication resulting from the normal aging process of the lakes;

"(4) because a lake has relatively little motion, it has less capacity than a flowing stream to rid itself of wastes;

"(5) while there has been a great deal of publicity about the deterioration of some of our larger lakes, many small community lakes are losing the same battle;

"(6) destruction of water quality in our Nation's navigable lakes cuts deeply into their recreational uses; swimming beaches and picnic areas close; fishing and boating activities decline sharply; shoreline property values fall off; the water supplies of nearby communities and industries are adversely affected and economic disaster can result for the towns and cities whose economic well-being is dependent upon good quality water;

"(7) the restoration or rehabilitation of a navigable lake involves more than the control and abatement of water pollution, since even though the wastes entering these lakes are made less harmful, the discharge of cleaner water into a still degraded lake would solve only part of the problem; and

"(8) It is therefore the purpose of this section to provide a comprehensive and coordinated action program, using the latest technology and available resources, to enhance the quality of public fresh water navigable lakes in urban and rural areas of the United States, with particular attention given to small community lakes.

"(b) (1) The Administrator of the Environmental Protection Agency is authorized to increase the grant percentage for treatment works under section 8(b) of this Act to a maximum of 65 per centum if he finds that the State agrees to pay not less than 20 per centum of the estimated costs of such works and that, in addition to complying with the requirements for treatment works eligible for 30 per centum grants under said section, such works:

"(A) are located in an area near or adjacent to any fresh water navigable lake and discharge treated wastes into such lake or into waters tributary to such lake;

"(B) are located in an area where enforceable water quality standards have been approved by the Administrator for such lake and the waters into which the treatment works discharge wastes, and are constructed or reconstructed in accordance with the plan for the implementation, maintenance, and enforcement included in such water quality standards;

"(C) are planned, constructed, or reconstructed, and equipped, operated, and maintained in a manner that utilizes available up-to-date treatment technology and trained personnel; and

"(D) discharge only treated wastes into such waters and provide for the pretreatment, when necessary, of industrial wastes before entering such treatment works.

"(2) There is authorized to be appropriated annually the sum of \$150,000,000 for such increased grants for the fiscal years ending June 30, 1972, through June 30, 1975.

"(c) (1) The Administrator shall provide technical and financial assistance, in accordance with an application approved of all or part of any public fresh water navigable lake located in such States. In addition to con-

trolling effluent discharges, the program should include a description of means and measures to be employed to improve water quality using all available technology including, but not limited to, the use of safe chemical process, the dredging of lake bottoms near shore to remove decaying sludge and other pollutants; the recovery of overgrowths of algae, the recovery of trash and other materials from the waters and shorelines, and the grading of shorelines and planting of grass, trees, and shrubs to protect banks and improve the scenic beauty.

"(2) The Administrator shall annually approve any application submitted under this subsection by a State which—

"(A) sets forth the programs, policies, and methods to be followed, consistent with water quality standards established for such lake, in carrying out such programs;

"(B) provides that such State or political subdivision thereof has, or will have within eighteen months after the effective date of this subsection, adopted enforceable laws to control industrial, agricultural, and municipal sources of effluents discharged into such lakes and to require persons developing land areas near or adjacent to such lakes or waters tributary thereto for commercial purposes to control soil erosion;

"(C) provides such fiscal control and fund accounting procedures as may be appropriate to grants to the States under this subsection;

"(D) contains assurances that such grants will supplement, not supplant, existing water pollution control programs of a State;

"(E) provides that such State will make reports to the Administrator in such form and containing such information as the Administrator may from time to time require; and

"(F) meets such additional conditions as the Administrator deems appropriate to effectuate the purpose of this section.

"(3) The amount granted to any State for a fiscal year under this subsection shall not exceed 80 per centum of the amounts expended by such State in such year for carrying out such a program. There is authorized to be appropriated \$150,000,000 for fiscal year 1972; \$200,000,000 for fiscal year 1973; \$250,000,000 for fiscal year 1974 and \$300,000,000 for fiscal year 1975, for grants to States under this subsection which sums shall remain available until expended. The Administrator shall provide for an equitable distribution of sums appropriated for such grants to the States where there is an approved application. Applications for grants under this subsection shall be filed at least sixty days prior to the beginning of such fiscal years.

"(4) In addition to such technical and financial assistance, the Administrator may, at the request of a State, enter into agreements with the Secretary of Agriculture and the Secretary of the Army to provide personnel, services, and facilities to the State in carrying out such a program including the constructing of water impoundments or other facilities designed primarily to improve water quality or control pollution for any fresh water navigable lake for which the Administrator has approved an application under this subsection, or the Administrator may provide such personnel, services, and assistance, may enter into contracts with public or private agencies, organizations, and individuals and may acquire by purchase, lease, donation, or exchange lands or interest therein and transfer such acquired lands to such State as part of any grant made to a State for any fiscal year.

"(d)(1) In case of any public fresh water navigable lake for which an application for a grant is approved under subsection (c) of this section in any fiscal year, no person shall thereafter discharge waters from any public, commercial, or industrial facility of

any kind into such lake or waters tributary thereto in violation of established water quality standard or in violation of any other applicable provision of this Act.

"(2) In addition to any other provision of this Act or other law providing for the enforcement of water quality standards for such lake, any person who knowingly violates paragraph (1) of this subsection shall, upon conviction, be fined not more than \$10,000 for each violation, or imprisoned for not more than one year, or both, and one-third of said fine shall be paid to the person giving information which leads to a conviction. Each occurrence of a violation may constitute a separate offense.

"(3) The Administrator may also institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the district court of the United States for the district in which a person subject to the provisions of paragraph (1) of this subsection is located or resides or is doing business whenever such person violates the provision of said paragraph. Each court shall have jurisdiction to provide such relief as may be appropriate, except that such court shall have jurisdiction only with regard to the issue of relief being sought pursuant to this paragraph. Temporary restraining orders shall be issued in accordance with rule 65 of the Federal Rules of Civil Procedure, as amended, except that the time limit in such orders, when issued without notice, shall be seven days from the date of entry. In actions under this section, subject to the direction and control of the Attorney General, as provided in section 507(b) of title 28 of the United States Code, attorneys appointed by the Administrator may appear for and represent him."

By Mr. CHURCH:

S. 1018. A bill to amend the Rail Passenger Service Act of 1970 in order to expand the basic rail passenger transportation system to provide service to certain States. Referred to the Committee on Commerce.

Mr. CHURCH. Mr. President, on January 28, the Department of Transportation submitted to Congress its final report on the Basic National Rail Passenger System. That report was made in accordance with Public Law 91-518, the Rail Passenger Service Act of 1970.

Since the system grows out of the 1970 act, I was astonished, to say the least, when I found that five States, including Idaho, with populations totaling nearly 3½ million people, were left totally without any form of rail passenger service.

Immediately after the final report was released, the Idaho congressional delegation protested the action of the Department of Transportation in a joint letter to Secretary Volpe. For almost 3 weeks we awaited a reply. Finally, I sent a telegram to the Secretary insisting on a reply and inserted it in the RECORD. Nearly another week passed before the reply finally arrived.

Mr. President, I ask unanimous consent that the text of the letter of the Idaho congressional delegation to Secretary Volpe, the text of my followup telegram, together with my remarks in the Senate at that time, and Secretary Volpe's recent reply, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INATTENTION TO THE NEEDS OF THE PEOPLE OF IDAHO BY THE DEPARTMENT OF TRANSPORTATION

Mr. CHURCH. Mr. President, 19 days ago, I joined other members of the Idaho congressional delegation in protesting to the Secretary of Transportation the virtual isolation of the State of Idaho from the National Rail Passenger Network.

This is a matter of vital concern to thousands of my fellow Idahoans and I have anxiously awaited a reply from the Department of Transportation. To date, no reply has been received. I consider this delay unnecessary and unwarranted.

Today, I have sent a telegram to Secretary of Transportation John Volpe expressing my concern in this matter. I ask unanimous consent that the text of the letter sent by the Idaho congressional delegation to Secretary Volpe and the copy of my telegram to him appear at this point in the RECORD.

U.S. SENATE,

Washington, D.C., February 1, 1971.

Hon. JOHN A. VOLPE,
Secretary, Department of Transportation,
Washington, D.C.

DEAR SECRETARY VOLPE: Our understanding of the final report submitted to the Congress on the Basic National Rail Passenger System by the Department of Transportation is that no passenger service will be provided to our state of Idaho, either on a North-South or East-West basis.

Not only has the Department of Transportation refused to accept the recommendation of the Interstate Commerce Commission that trains 35 and 36 providing North-South service between Butte, Montana, and Salt Lake City be included in the system but in addition, it appears that the Department has dropped from its final report the preliminary designation of a Chicago-Seattle route passing through the Southern portion of our state with possible stops at Pocatello and Boise. Our reading of this report indicates that the State of Idaho is left totally barren of any rail transportation facilities under the Department's plan.

This virtual isolation of our state under this final report we most vigorously protest. We fail to understand how an "Integrated National Rail Network" can be achieved by the blanket denial of such service to our state, and its major population centers.

Frankly, we are shocked not only at this action, but also by the arbitrary manner in which it was accomplished. At the time of the submission of the preliminary report, a distinct impression was made that this was the minimal basis of essential passenger service. Now, only eight weeks later, it has been determined that the possible Pocatello-Boise stops are no longer essential. We do not think it improper to insist that an adequate explanation be made as to why the Pocatello-Boise stops have now been deemed dispensable. And, further, why the subject was ignored in the final report, which spoke only of "additions" to the preliminary routes.

Your early attention to this oversight would be greatly appreciated.

Sincerely,

LEN B. JORDAN.
FRANK CHURCH.
JAMES McCLOURE.
ORVAL HANSEN.

U.S. SENATE,
February 18, 1971.

JOHN A. VOLPE,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.:

On February 1, 1971, I, along with other members of the Idaho Congressional Delegation, requested from you, in writing, your reasons for the isolation of the State of Idaho from the National Rail Passenger Sys-