

TESTIMONY

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DEPARTMENT**

**BEFORE THE
SUBCOMMITTEE ON HEALTH AND ENVIRONMENT, ENERGY AND COMMERCE
COMMITTEE
U.S. HOUSE OF REPRESENTATIVES**

CLEAN AIR ACT

DECEMBER 7, 1981

MR. CHAIRMAN:(U.S. Rep. Henry Waxman of California)

**BEFORE COMMENCING MY TESTIMONY REGARDING THE FEDERAL
CLEAN AIR ACT, I WISH TO TAKE THIS OPPORTUNITY TO PUBLICLY THANK
AND COMMEND YOU FOR YOUR EFFORTS TO ADEQUATELY FUND PUBLIC
HEALTH PROGRAMS, FOR YOUR EFFECTIVENESS IN RESISTING BLOCK
GRANTS WITHOUT CONCURRENT TRANSFER OF REVENUE RESOURCES TO
THE STATES, AND FOR YOUR SUPPORT OF STRICT ENVIRONMENTAL
HEALTH MEASURES FOR THE CITIZENS OF THIS NATION.**

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I AM PLEASED TO BE HERE TODAY TO REPRESENT THE INTERESTS OF THE NEW MEXICO HEALTH AND ENVIRONMENT DEPARTMENT, THE DEPARTMENT HAVING STATUTORY RESPONSIBILITY FOR AIR POLLUTION CONTROL FOR THE CITIZENS OF NEW MEXICO.

IT IS INTERESTING TO ME THAT MANY CITIZENS AND REPRESENTATIVES OF THE NEWS MEDIA PERIODICALLY RE- DISCOVER THAT NEW MEXICO HAS SOME EXTREMELY SERIOUS AIR POLLUTION PROBLEMS. WHILE NEW MEXICO IS GENERALLY THOUGHT OF AS AN AREA HAVING ONLY PRISTINE AIR AND BEAUTIFUL VISTAS, THE PROBLEMS OF AIR POLLUTION IN NEW MEXICO ARE REASONABLY WELL-DOCUMENTED AND HAVE BEEN THE SUBJECT OF CONTROL EFFORTS FOR MANY YEARS. I STARTED NOTICING AIR POLLUTION PROBLEMS IN ALBUQUERQUE IN THE EARLY 1950s WHEN I DROVE FROM MY OFFICE IN SANTA FE TO ALBUQUERQUE IN THE EARLY MORNING HOURS. NOW, MOST ALBUQUERQUE RESIDENTS RECOGNIZE THE PROBLEM, ONE WHICH THEY KNOW WILL WORSEN DURING THE COMING YEARS WITH POPULATION GROWTH AND ATTENDANT INCREASE IN NUMBERS OF AUTOMOBILES AND OTHER POLLUTION SOURCES,

THE AIR POLLUTION PICTURE IN THE MIDDLE RIO GRANDE VALLEY HAS BEEN OBVIOUS AND SERIOUS AT LEAST SINCE THE EARLY 1950s. THERE IS STRONG SUPPORT FOR THE IMPLEMENTATION OF AN AUTO INSPECTION AND MAINTENANCE PROGRAM IN THE ALBUQUERQUE-BERNALILLO COUNTY AREA, AND THE CITY IS

CONSIDERING THE IMPLEMENTATION OF AN INSPECTION AND MAINTENANCE PROGRAM DURING THE COMING YEAR. WHILE SUCH AN INSPECTION AND MAINTENANCE PROGRAM WILL NOT SOLVE THE AIR POLLUTION PROBLEM IN THIS AREA, CERTAINLY IT IS A "MUST" IF THE SITUATION IS TO BE IMPROVED AND THE PROBLEM SOLVED. OTHER TYPES OF EFFORTS WILL ALSO BE NECESSARY AS ESSENTIAL ADJUNCTS TO AN INSPECTION AND MAINTENANCE PROGRAM. THE CURRENT FEDERAL AUTO EMISSION PROGRAM IS CRUCIAL IN THAT RESPECT. THE REQUIREMENT THAT CO EMISSION BE STRICTLY CONTROLLED IN BOTH LOW ALTITUDE AND HIGH ALTITUDE VEHICLES IS PROJECTED TO RESULT IN A 50% REDUCTION IN ALBUQUERQUE'S AMBIENT CO LEVELS IN COMING YEARS, A RELAXATION OF ANY OF THESE REQUIREMENTS MIGHT PROLONG EFFORTS TO DEAL WITH THIS PROBLEM. THERE IS EVIDENCE THAT THERE MAY BE AGGRAVATED HEALTH EFFECTS AT HIGH ELEVATIONS DUE TO THIS POLLUTANT. RECENT NATIONAL AND LOCAL PUBLIC OPINION POLLS HAVE SHOWN CONCLUSIVELY THAT OUR CITIZENS SUPPORT THE NEED FOR CLEAN AIR AND THE NEED FOR INSPECTION AND MAINTENANCE PROGRAMS SUCH AS THE ONE PLANNED FOR THIS AREA.

ANOTHER IMPORTANT ISSUE, THE "PREVENTION OF SIGNIFICANT DETERIORATION," IS VITAL TO THE MAINTENANCE OF CLEAN AIR IN NEW MEXICO WHILE PROMOTING ECONOMIC DEVELOPMENT. THIS PROGRAM IS SUBSTANTIALLY SOUND AND SHOULD BE KEPT INTACT. ALTHOUGH THERE MAY BE CERTAIN IMPLEMENTATION PROBLEMS THAT COULD BE RESOLVED WITH MINOR STREAMLINING OF THE

FEDERAL CLEAN AIR ACT. BEST AVAILABLE CONTROL TECHNOLOGY SHOULD CONTINUE TO BE REQUIRED FOR DIRECT AND FUGITIVE EMISSIONS FROM MAJOR NEW SOURCES, INCLUDING POLLUTION CONTROL OF FACILITIES BURNING LOW SULFUR COAL OR LARGE SURFACE MINES DISPERSING LARGE AMOUNTS OF FINE PARTICLES. PREVENTION OF SIGNIFICANT DETERIORATION IS IMPORTANT TO OUR CITIZENS AND PERHAPS MORE DESIRABLE FOR THE ECONOMIC VITALITY OF THE CITIZENS OF THE WESTERN UNITED STATES WHERE SO MUCH OF OUR ECONOMIC BASE IS RELATED TO RECREATION, TOURISM, RANCHING AND FARMING, AND WHERE THE RELATIVELY PRISTINE AIR IS A MAJOR ASSET. RETENTION OF PRISTINE QUALITY AIR IS PARTICULARLY IMPORTANT FOR OUR NATIONAL PARKS, FORESTS, MONUMENTS, AND WILDERNESS AREAS, BUT SHOULD EXTEND TO OTHER CLEAN AREAS AS WELL. THE NATIONAL COMMISSION ON AIR QUALITY REPORT POINTS OUT THAT THE CURRENT "PREVENTION OF SIGNIFICANT DETERIORATION" PROVISIONS WILL NOT HAMPER ENERGY DEVELOPMENT AND ECONOMIC EXPANSION THROUGH THE MID-1990S, EVEN ASSUMING HIGH LEVELS OF ENERGY DEVELOPMENT. WITH STRONG CONTROLS ON POWER PLANTS AND COPPER SMELTERS, WE CAN HAVE ECONOMIC GROWTH AND ENERGY DEVELOPMENT WITHOUT SACRIFICING AIR QUALITY. ORDINARILY, NECESSARY POLLUTION CONTROL TECHNOLOGY IS NOT DEVELOPED OR UTILIZED IN THE ABSENCE OF REGULATORY REQUIREMENTS. THESE "TECHNOLOGY FORCING" ASPECTS OF THE CURRENT INCREMENT SYSTEM ARE EXTREMELY IMPORTANT AND SHOULD NOT BE WEAKENED.

THERE IS NO DOUBT THAT CITIZENS IN NEW MEXICO AND IN THE WEST PLACE A HIGH VALUE ON OUR CLEAN AIR, OUR ATMOSPHERIC VISIBILITY, OUR BEAUTIFUL VISTAS, AND OUR STARLIT NIGHTS. CONGRESS SHOULD, THEREFORE, ENCOURAGE REGULATION OF FINE ATMOSPHERIC PARTICLES, WHICH ARE THE PRIMARY CAUSE FOR THE DEGRADATION OF THESE QUALITIES. THESE ARE AMONG OUR PRIME ASSETS, AND DESTROYING THEM IS TANTAMOUNT TO KILLING THE GOOSE THAT LAYS THE GOLDEN EGGS.

IT CONTINUES TO BE A MATTER OF SERIOUS CONCERN TO ME THAT THE HUMAN SPECIES SOMETIMES SEEMS MORE WILLING TO SUFFER THE HEALTH, SOCIAL, ECONOMIC, AND ENVIRONMENTAL CONSEQUENCES OF DISEASE AND POLLUTION, RATHER THAN PAYING FOR ENVIRONMENTAL QUALITY FOR THIS AND FUTURE GENERATIONS. PERHAPS HUMANS CAN SLIGHTLY ADAPT TO SOME DEGREE OF ENVIRONMENTAL DEGRADATION, BUT IT IS INDEED ALARMING THAT HUMANS MIGHT ATTEMPT TO MERELY SURVIVE THROUGH ADAPTATION RATHER THAN THRIVE IN A QUALITY ENVIRONMENT. THE BURDENS ON INDUSTRY AND CONSUMERS OF PRESERVING THESE VALUES CAN BE REDUCED BY INCREASING FISCAL INCENTIVES FOR INNOVATIVE POLLUTION CONTROL TECHNOLOGY AS WELL AS CONVENTIONAL TECHNOLOGY. PERHAPS INDUSTRY COULD BE OFFERED THE OPTION TO SELECT STRINGENT, STANDARDIZED BEST AVAILABLE CONTROL TECHNOLOGY AND THEREBY AVOID THE TECHNOLOGY REVIEW. THE

EPA TECHNOLOGY CLEARINGHOUSE NEEDS TO BE MADE MORE USEFUL FOR REGULATORY AUTHORITIES.

NEW MEXICO RESIDENTS VALUE THEIR CLEAN AIR AND 100 - MILE VISIBILITY, AND IT IS INDEED AN ECONOMIC ASSET FOR OUR RANCHERS, FARMERS, TOURISM INDUSTRY, RECREATIONAL INDUSTRY, AND MANY OTHER IMPORTANT COMPONENTS OF OUR SOCIETY. IT IS DIFFICULT TO FIGURE THE VALUE OF SUCH CLEAN AIR INTO AN ECONOMIC COST-BENEFIT RELATIONSHIP. I AM CERTAIN THAT MY OWN PROPERTY AND HOME ARE WORTH CONSIDERABLY MORE DUE TO THE VIEW AND THE 100-MILE VISIBILITY FROM MY OWN YARD TO MOUNT TAYLOR TO THE WEST, INSTEAD OF THE FIFTEEN OR TWENTY-MILE VISIBILITY LIMITATION THAT WOULD OCCUR IF WE WERE JUST BARELY MEETING THE FEDERAL CLEAN AIR STANDARDS. THE VISIBILITY PROGRAM SHOULD BE LEFT AS IS. COMPLETE VISIBILITY REGULATIONS SHOULD BE PROMULGATED AS SOON AS THE SCIENTIFIC INFORMATION IS AT HAND. PERHAPS EPA COULD OFFER TECHNICAL GUIDANCE TO THOSE STATES WISHING TO HAVE VISIBILITY PROGRAMS IN THEIR CLASS II AREAS.

NOT LONG AGO, I WAS RETURNING TO NEW MEXICO FROM THE EAST COAST, AND WE WERE READY TO LAND IN ALBUQUERQUE WHEN THE PILOT ADMONISHED ALL PASSENGERS TO DISEMBARK WHILE IN ALBUQUERQUE AND TAKE A LOOK AT THE SKIES WHERE "YOU CAN STILL SEE THE STARS."

LAST SUMMER I BACKPACKED SOME 20 MILES INTO A WILDERNESS AREA IN SOUTHWEST COLORADO. THE HIGH POINT OF THE TRIP WAS TRAVERSING COLUMBINE PASS. ON TOP OF COLUMBINE PASS AT ABOUT 12,000 FEET ELEVATION, WE ENCOUNTERED A NUMBER OF GIRL SCOUTS FROM (GUESS WHERE) ST, LOUIS. THESE GIRLS SPENT MOST OF DAY ABSORBING THE VIEW OF THE SURROUNDING PEAKS, AND PROBABLY TOOK THAT EXPERIENCE BACK TO ST. LOUIS SO THAT IT COULD LAST A LIFETIME.

MR. CHAIRMAN, IN ADDITION TO THE FOREGOING RATHER GENERAL COMMENTS, ADDITIONAL MORE TECHNICAL INFORMATION PREPARED BY MY STAFF, AS WELL AS TESTIMONY I PRESENTED AS PRESIDENT OF THE AMERICAN PUBLIC HEALTH ASSOCIATION BEFORE THE U.S. SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE ON JULY 9, 1981 ARE BEING PRESENTED FOR THE RECORD.

THANK YOU FOR YOUR CONTINUING INTEREST IN SAFEGUARDING OUR PRECIOUS ENVIRONMENT --- THE PLACE WHERE WE WILL ALL SPEND THE REST OF OUR LIVES.

Larry Gordon

A PUBLIC OPINION SURVEY CONDUCTED IN ST. LOUIS, MISSOURI A FEW YEARS AGO INDICATED THAT SOME 65% OF THOSE POLLED PLACED LITTLE OR NO VALUE ON HAVING SUFFICIENT ATMOSPHERIC VISIBILITY TO SEE THE HORIZON. WELL, THERE IS REALLY NOTHING INSPIRING TO VIEW WHEN YOU LOOK AT THE HORIZON IN SUCH AN AREA. CERTAINLY, THAT IS NOT TRUE IN THE MOUNTAIN AND RANGE AREA IN THE ENTIRE WEST, WHERE PEOPLE PLACE A GREAT DEAL OF VALUE ON BEING ABLE TO SEE THE SURROUNDING MOUNTAINS, PEAKS, MESAS,