

Action and controversy



Cleveland and its Cuyahoga River are major contributors to pollution of Lake Erie, target of a cleanup campaign.

EPA

In the largest single action against water pollution by the Nixon Administration to date, William D. Ruckelshaus, administrator of the new Environmental Protection Agency, last week gave Atlanta, Detroit and Cleveland 180 days to comply with state standards for sewage treatment.

Although the Ruckelshaus action appeared to take a tough new stand against water polluters, key environmentalists, including Sen. Edmund S. Muskie (D-Me.), were critical. And it is still difficult to learn just what the action means.

Officials of the Federal Water Quality Administration explain that the 180-day notice gives officials of the three cities that long to confer with FWQA and arrive at a settlement of issues between them before suits are filed by the Justice Department.

The specific charge is that the cities have lagged from one to seven years in construction of primary and secondary sewage treatment plants. The original schedules were established when states adopted, and FWQA approved, state water quality standards. Since most of the timetables call for completion of the plants at dates not yet reached, actual violations of water quality standards have not yet occurred. But FWQA says they will, unless construction is speeded up.

Although Ruckelshaus made the decision to file the notices, the action was in the works before he was named to the new post. "Workshops we held around Lake Erie last June made it clear Detroit and Cleveland were major violators," says an FWQA official, adding that the Atlanta action also had been previously contemplated.

Although the action against the cities was dramatic, the picture becomes confused when pollution from municipal sewage is weighed against pollution by industry. With the exception of a 180-day notice filed earlier this year against some Cleveland industries, FWQA has not acted against industrial polluters in the three cities. In one instance, the Federal agency is demanding that the city involved, Detroit, construct sewage treatment facilities to handle phenols, a pollutant in oil refinery effluents.

A fair question is whether industries hooked into municipal sewage plants would be required to pay their share of the cost of needed special facilities—or of sewage treatment costs in general. New FWQA regulations now require cities receiving Federal grants to set up cost recovery programs with local industries. But so far only Chicago has acted to establish such a program. Atlanta, Detroit and Cleveland have apparently not resolved the cost-sharing problem. FWQA acknowledges that industries are in the habit of dumping what they want into municipal sewage systems, leaving the responsibility for special treatment up to the cities.

Muskie charges that the Nixon Administration was talking out of both sides of its mouth when it filed the notices to the three cities. "Such an order is meaningless without a commitment on the part of the national Government to assume its share of the cost of halting the discharge of inadequately treated waste," says Muskie. The \$900 million the three cities need to spend by 1975 in order to meet schedules is, he points out, between 5 and 10 percent of all the Federal and local funds that would be-

come available under the Nixon sewer program. The program proposes \$10 billion in Federal and local funds for sewers in the next four years (SN: 2/14, p. 168).

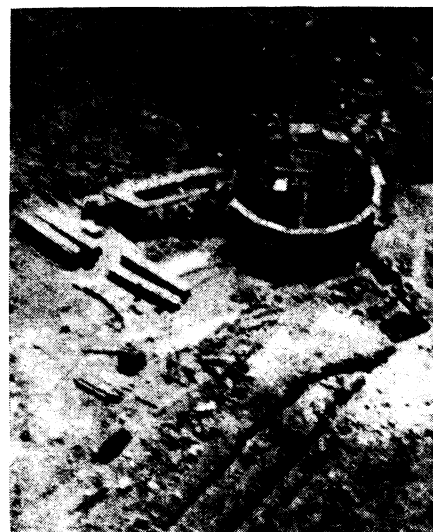
Detroit Mayor Roman Gribbs agrees with Muskie, claiming FWQA had not paid its 55 percent share of the \$165 million worth of sewage plants now under construction in Detroit. Mayor Carl Stokes of Cleveland earlier told Muskie's air and water pollution subcommittee that Cleveland had spent \$30 million on sewage plants during the past four years. "Not one dime of that has come from the Federal Government," Stokes said.

But Ruckelshaus' duty is primarily to enforce the law. Although there is a question of whether he enforces it equally against cities and industry, there is no doubt the latest action is a major step in the initiative begun under President Nixon to get tough with polluters.

In an unrelated statement, Ruckelshaus indicated he has no particular sympathy with polluters. There is, he said, a distinct conflict of interest when representatives of agriculture, industry and cities sit on state pollution control boards. His advice to the states: Change the boards so that they will better represent the public interest. □

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