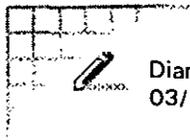


NLWJC - Kagan

DPC - Box 031 - Folder 007

Ideas - Environment



Diane C. Regas
03/11/97 04:46:48 PM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Paul J. Weinstein Jr./OPD/EOP
Subject: Response to ideas to vet

2. Environment (Diane/Paul): 1) Is EPA working on an expansion of right to know laws to cover chemical waste in 7 additional industries? 2) When will EPA develop the Safe Water regs requiring every water company to send every consumer an annual statement showing test results of the quality of water in their tap and any health concerns about drinking it? 3) Are we expanding Brownfields?

1) EPA is in the middle of implementing the three phases of right to know expansion that the President announced in Baltimore in late 1995. Phase II is the idea mentioned in your note.

Phase I is the expansion of the number of chemicals covered from 300 to 600. The regulations for Phase I are done, companies will report the new information beginning in July 1997, and EPA will release the information in about April 1998.

Phase II is the expansion of the list of industries covered to include those that were not explicitly required to report in the law. While there is an ongoing discussion within the Administration about which industries should be covered, the rule will likely include at least mining, hazardous waste handlers, and utilities. EPA has a draft final rule at OMB for review, and we should expect the normal review process to yield a final rule within a couple of months.

Phase III is the expansion of reporting to include information about what is going on inside a factory, i.e. what chemicals are used in making products. EPA released a pre-proposal in late summer 96; and we should expect a proposed rule in the next year or so. This proposal will be very controversial for legal and policy reasons.

EPA has proposed that the Administration support right to know legislation (or legislative principles) that would provide information about toxicity in products (this is known as "family right to know") there is a CEQ-NEC led process to take this up after the kids e.o. is decided. Some environmentalists feel strongly that the Administration should support Waxman's efforts to move this idea forward, even though prospects are dim for final legislation in this Congress. Industry is likely to criticize this idea, but will face difficulty in explaining why parents shouldn't be warned of toxics in products that kids are exposed to. The timing on this proposal is specifically dependent on how hard the WH pushes--it could be a few weeks to many months.

2) EPA is preparing regulations under the new Safe Drinking Water Act to require water utilities to provide information to consumers about what is in the tap water (known as "consumer confidence reports"). The regulations are being developed through a consensus process with the drinking water industry. The current schedule is to propose regulations later this year and to finalize the regulations 1998. This action is widely supported.

DEMS - environment



06:32:48 PM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Diane C. Regas/OPD/EOP
Subject: Brownfields

Status of Brownfields --

- Administration is resubmitting legislation to create a tax incentive and new grant programs to encourage the cleanup and redevelopment of urban and rural "Brownfields."
- EPA wants to rollout an expansion of the existing Brownfields pilot program over the next two months. The DPC is holding a principals meeting next week to ask other agencies to join in this effort to create a "Brownfields Agenda". The DPC is planning to ask agencies to provide funding and regulatory relief to encourage Brownfields cleanup and redevelopment.