

The Cleaning of America (Don't Hold Your Breath)

IT WAS MORE THAN A YEAR ago that Nixon announced he was a conservationist and promised reform. As it turned out, his administration worked behind the scenes to gut much of the decent conservation reform proposed; in other cases, it refused to enforce the laws already on the books. The overall result has been to sink the environmental programs into near chaos. Thus, the conservationist President supports the SST and his administration backs restricted, but continued, use of both DDT and 2,4,5-T herbicides. Former Secretary of Interior Hickel, now regarded as a "great conservationist," led the government in opposing any reform of the 1872 Mining Act. That law, which gives away public lands for five dollars an acre, has led to the wholesale destruction of much of the West by the mining companies. Despite repeated oil spills on the outercontinental shelf, the government went ahead and resumed issuing leases for oil- and gas-drilling on the shelf. Hickel delayed increasing the rates cattlemen pay for grazing their herds on public ranges, thereby reducing the amounts available for reseeding the miserably eroded public property. The Nixon government opposed the principle of "absolute liability" in the case of oil spills; that principle would have required an oil company to pay all the costs involved. It lobbied against a bill which would have established a cut-off date by which time automobile makers would have to reduce pollutants by 90 per cent. When, in the face of a conservationist lobby, the Congress refused to approve a bill ordering increased cutting in the national forests, Nixon circumvented the Congress and ordered the increased cuts by executive order.

In his appointment of Rogers C. B. Morton as Secretary of the Interior, Nixon picked a man who as a congressman had supported the SST and voted for billboards. Morton was a sponsor of the National Timber Supply Act, which sought to increase the cuts of public timber. He spoke in favor of protecting wetlands along the Chesapeake Bay but voted against a bill which would have allowed the Interior Department to preserve estuaries.

William Ruckelshaus, administrator of the new Environmental Protection Agency, recently invoked a section of the 1899 Rivers and Harbors Act which would require industries to obtain federal permits before dumping wastes into navigable waters. Unfortunately, many industries dump their wastes into city sewers, and in this case they are exempt from the Act. In order for an industry to obtain a federal permit it must demonstrate that its anti-pollution plans are in line with state water quality standards. The state stan-

dards, in turn, must be approved by the federal government. But the federal government has not yet passed on standards for nearly half the states, which gives the non-approved standards a dubious legal significance. More to the point, by employing this old Act, Ruckelshaus may throw a shield around polluting industries: so long as companies have filed their applications for permits, they probably are exempt from prosecution for pollution. Processing permit applications will take months, if not years, and will involve countless appeals, compromises and possible court challenges.

The air pollution law passed by the last Congress directs auto makers to eliminate 90 per cent of the pollutants from exhaust systems by 1975. But there is no certainty the auto companies can make a device which will effectively remove oxides of nitrogen by that time. If they are unable to do so, the law will probably become meaningless. In other respects the law represents a step backward. It perpetuates the concept of "ambient air standards"—a mumbo-jumbo technique for controlling air pollution dreamed up by Senator Jennings Randolph, the West Virginia coal stooge, and endorsed by Senator Edmund Muskie. Under the air pollution laws, the National Air Pollution Control Administration designates certain "air quality regions." A region is an imaginary line drawn around an urban area and its environs. The communities lying within the boundaries of the line generally share common topographical, meteorological and industrial patterns. The theory is that these common features will facilitate the eventual establishment of air pollution control standards. Unfortunately, since this "region" is not a unit of government, it is a meaningless designation. The Air Pollution Control Administration then issues "air quality criteria" and "control techniques." These documents assist the states in establishing "ambient air standards" for the different regions. Instead of measuring smoke from a stack to determine whether its sulphur dioxide content is above or below a national uniform emissions standard, pollution officials sample the ambient air throughout a region to find the sulphur dioxide levels. They then work out plans for dealing with sulphur dioxide. This procedure is obviously designed to drag along for an interminable time. Under the new act, the government is directed to determine emission levels for so-called hazardous substances coming from stationary sources. But sulphur, one of the major hazardous substances, is not included in the list of dangerous pollutants. This omission apparently was made in deference to Randolph and his West Virginia coal operator friends. The coal people fear a reduction in business if stringent air pollution con-

by James Ridgeway

trols are clamped onto electric utilities.

THERE ARE MILD REFORMS which might actually alleviate the air and water pollution problem. For instance, the government could proceed in an expeditious manner to set national water quality standards—as it was directed to do by an act of 1967. It could seek injunctive powers to close down any industry violating those standards. In the case of air pollution, it might pursue a vigorous independent research program aimed at developing an alternative engine which is low in pollutants. And it could create a market for such an engine by requiring that the government buy only pollution-free engines for the huge federal fleet of cars. But Nixon has generally opposed this course. He even has asked for a reduced air pollution research budget.

At the same time, the government might pursue an expanded rapid transit program aimed at removing automotive traffic from polluted and congested cities. And indeed the Nixon people went through the motions of proposing such a mass transit reform. It calls for putting \$3 billion into mass transit systems over the next five years, which is peanuts compared to the \$15 billion spent every year for new highways. Expenditure of any money for mass transit is left for annual decision by the appropriations committees of Congress. They are still dominated by Southern, rural members who are not enthusiastic about spending money for urban areas. The result is that only \$600 million will go into mass transit work during the next year.

There are still other, less costly, ways in which the Nixon government, if it were at all serious about ecology, could begin to make innovative reforms. For example, instead of spending federal money to help localities build sewage treatment works which are oftentimes inefficient and don't affect certain kinds of inorganic industrial wastes, it could begin to press communities to act on successful experiments to pipe sewage back into the watershed, where it can then filter through the soil. The usefulness of this historic method was proved recently in experiments made at Penn State and financed by the federal government. In this method, water is returned to the water table, nitrates to the soil (where they fertilize—thus eliminating the need for chemical fertilizers). It is a relatively inexpensive method and could be used in many cities with populations up to 100,000. But the government, the sanitary engineering profession and the construction companies are instead bent on building sewage treatment plants which inefficiently treat sewage, then pour the resulting pollutants into rivers and lakes.

Air and water pollution occur as byproducts in the creation of energy; and the outcome of the pollution war will probably be determined by whoever wins the war for control of energy resources. This is an immense industrial struggle, and it goes on behind the scenes while the politicians argue over pollution reforms.

S EVEN INTERNATIONAL OIL companies now control about three-quarters of the world oil market. All but one—British Petroleum—are U.S. firms. They also control natural gas and in recent years have achieved important holdings in coal and uranium. They are important in the chemicals industry, and exercise a con-

siderable sway in the international tanker trade. These companies largely determine which fuels are used and where—for example, major oil companies have withheld large supplies of natural gas from the market in an effort to drive up natural gas prices. They are in a position to engage in bizarre business transactions, such as the shipment of Alaskan natural gas to Japan rather than to California where it is needed to reduce air pollution. At the same time, they ship gas from North Africa to the East Coast of the United States. The oil companies monopolize the distribution mechanisms for fuel, and in areas such as Appalachia they own most of the land: the state of West Virginia, for example, is nearly destitute because of the drain placed on it by absentee landlords—mostly steel and oil companies.

At the moment, the national fuels policy works to reinforce the grip of the oil industry over the production, distribution and end use of all fuels. Import quotas protect the U.S. from the world-wide glut of oil, which, if allowed in, would probably reduce prices. At the same time, the tax program encourages domestic drilling—and that means drilling on the outercontinental shelf, the scene of the modern-day oil boom where ecological hazards are so severe. While the import quotas restrict the flood of oil from abroad, the tax system makes it easy for American-based oil companies to import their foreign profits. It is this vicious profit system which underlies much of the ecological mess.

Increased profits in fuels depends on increased consumption, and here the answer apparently lies with a widening demand for electric power—the single fastest-growing form of energy. Just as the large oil companies moved to corner the fuel markets, a few large utilities dominate the electricity markets. In 1945 there were more than 1000 electric power companies; now there are but 300. The largest utilities in the field are buying up smaller firms to extend their geographical range, and are turning themselves into conglomerates along the way. Electric utilities run railroads, build housing subdivisions and are in the mining business.

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The large utilities and the big oil companies work in tandem. The utilities propagandize the constant energy crisis, demanding the right to build more electric plants, which consume more oil, gas, coal and uranium. At the same time they bemoan the energy crisis they are selling electricity, encouraging homeowners to leave the lights on outside all night long to scare away burglars, or establishing tie-in sales with home developers in an effort to persuade them to build all-electric homes. This coalition may well become more open and defined; the big oil companies own vast tracts of land in the United States, which they eventually will begin to develop into new towns. The Nixon Administration has embraced the concept of “new towns.” Profits in a new town will depend on increasing energy consumption through such devices as all-electric homes, home computer systems, and the like.

New towns—built on oil company land by electric utility conglomerates and financed by oil companies—will be among the most modern, clever solutions to the problems of population congestion and ecological decay. In fact, the new town concept merely closes the circle of the energy monopoly.

Los Siete de la Raza

Bebe pointed the gun at McGoran but didn't fire. Then he, like the others, fled. As Bebe explained, "There's one cop dead, another injured. I'm standing there with the gun. I'm brown. Who's gonna believe me?"

THE UPRISING IN EAST LOS ANGELES last August, during which a cop killed journalist Ruben Salazar, called national attention to the anger of chicanos in urban *barrios*. While the police riot and the death of Salazar were making front pages, a less-publicized murder trial in San Francisco was dramatizing the same chicano militancy and police brutality which clashed so violently in Los Angeles.

The trial of *Los Siete de la Raza*—the young men who became known as "the seven of the latin people"—was taking place because for once the tables had been turned: instead of cops gunning down brown people, as in Los Angeles, a cop himself had been killed. As the defense attorneys for Los Siete would point out, had the roles been reversed there would have been no trial—just a perfunctory inquest and another verdict of "justifiable homicide."

The trial of Los Siete began on May 1, 1969, on Alvarado Street in San Francisco's Mission District, when plainclothes officers Joseph Brodnik and Paul McGoran stopped a group of young latins on a burglary investigation. There was a fight, and a call for help. By the time police reinforcements arrived, Brodnik was dead, killed with McGoran's gun, and McGoran was injured. All the suspects had fled.

McGoran told other officers he thought the suspects were hiding nearby at 433 Alvarado in a second-floor flat rented by a family named Rios. The apartment was saturated with teargas and automatic weapons fire, wounding one of the Rios children, a 14-year-old girl. When the police discovered there were no fugitives inside, the search spread to other homes in the Mission. Flats were ransacked and hundreds of teenagers interrogated. Mrs. Rios was forced to point out friends of her son José, whom McGoran identified as one of the young men involved. The home of another suspect, Mario Martinez, was staked out, his 15-year-old brother threatened at gunpoint, and his mother told by a cop. "When we find them, we'll shoot them down like dogs."

BRODNIK WAS THE JUNIOR in the plainclothes "Mission Eleven" team. He and McGoran, his partner of three years, reduced daylight burglaries in a middle-class area near the Mission District by asking housewives to report all "suspicious persons" to police. Known among their peers for "dedication," Brodnik and McGoran piled up over 400 burglary arrests and two dozen bravery medals.

Like much of the Irish Catholic brass in the San Francisco Police Department, the two men had grown up in the Mission District in the 1930s and '40s, when it contained primarily Irish, Italian and German immigrants, most of them unquestioning believers in the American myths of free enterprise and social mobility. They attended Mission High and formed their political attitudes during the wartime years. Brodnik, an all-city basketball star, led Mission High to its first championship in 50 years. He married his high school sweetheart, settled down in a quiet neighborhood on the outskirts of the Mission, and became a cop in 1956. "He had a lot of friends on the force," said his wife; "it seemed like a good life."

But the Mission District was changing. In the 1950s and '60s, thousands of immigrants arrived from Central America, and whites hurried out to the suburbs. The Inner Mission became predominantly latin: a mixture of Central Americans, Mexicans and Puerto Ricans, with some Filipinos, Samoans and American Indians. In the surrounding areas, many European immigrants remained. Alvarado Street in 1969 was typical: among the eyewitnesses to the May 1st scene were Salvadorians, Mexicans, Poles, Yugoslavs and Irish.

Brodnik's wife Jessie often insisted they move to the suburbs. Brodnik resisted. McGoran lived in a suburb, though his job took him to the Mission every day. When his first marriage broke up in 1966, McGoran returned to home territory and began living with a waitress his partner had

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