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Ideas & Trends

Together Again At The E.P.A.

Banking on an old broom sweeping clean, the Senate last week unanimously confirmed William D. Ruckelshaus as head of the Environmental Protection Agency. Mr. Ruckelshaus had guided the agency through its formative years, beginning in 1970, as the first administrator. He must now steer it through a messy reformation amid Congressional investigations into whether the agency has been protecting industry at the public's expense.

After the vote, Mr. Ruckelshaus said he wanted to "get on with the job" of "carrying out President Reagan's mandate to restore the public's confidence in the agency by pursuing our mission of protecting the public health and natural environment." He began by accepting the resignations of four more top agency officials: Peter N. Bibko and Lester A. Sutton, the regional administrators in Philadelphia and Boston respectively; Frederic Eidness Jr., assistant administrator for water, and Kathleen Bennett, assistant administrator for air, noise and radiation. Sources at E.P.A. said Mr. Ruckelshaus had sought the resignations of Mr. Eidness and Mrs. Bennett, but asked them to remain as special assistants during a transition period.

President Reagan's concerns over agency operations went beyond personnel. At the new administrator's swearing-in ceremony, he asked that a reconstituted E.P.A. develop strategy for dealing with acid rain, "vigorously" enforce environmental laws, and allow state and local governments to do more of the enforcing.

The President directed Mr. Ruckelshaus to improve management of the \$1.6 billion "superfund," with which the Federal Government finances hazardous waste cleanups. Allegations that the fund was manipulated to political advantage and industry's benefit plagued Mr. Ruckelshaus's

predecessor, Anne McGill Burford, until she resigned March 9 in the face of Congressional inquiries. Charges of "sweetheart" deals, conflicts of interest and other improprieties had already convinced President Reagan to discharge Rita M. Lavelle, who led the agency's toxic waste division. A House subcommittee last week released material indicating that Miss Lavelle proposed using cleanups to political advantage, with the Administration claiming credit for these superfund "success stories."

Last week, Miss Lavelle was held in contempt of Congress for refusing to appear before a House subcommittee examining her management of the superfund. The House vote was 413 to 0. The Justice Department is deciding whether to prosecute.

Trailer town sits on asbestos, while EPA sat inactive

By Steve Twomey
Inquirer Staff Writer

GLOBE, Ariz. — Red ants still dig them up in Sarah Luckie's back yard. They float to rest on the Insalacos' coffee table and Cathy Scott's sofa. Desert wind blows them past the prickly-pear cacti and into children's faces, and the dogs tramp them in from the dusty streets.

Once, the 100 residents of Mountain View estates on the fringe of town had paid no heed to the ubiquitous white particles, seen and unseen. Nor had they minded the abandoned mill in the midst of their new subdivision, nor the white mounds on the mill's flanks and roof. Why, the kids used to romp in the soft, silky stuff.

"Metate Asbestos," said the mill's weathering 10-foot sign, but who knew about asbestos? They were not scientists. They knew nothing of increasing medical alarm about the indestructible fibers that come from rock.

They know now.

To Love Canal, N.Y., and Times Beach, Mo., on the list of man-made nightmares, add Globe, Ariz.

They know now that Jack Neal, Metate's owner, created their handsome mobile-home park 10 years ago atop 150,000 cubic yards of landfill tainted with commercial asbestos tailings, which he was unable to sell before the mill closed because of clean-air violations.

They know now that asbestos fibers, so valuable for insulation and filters, can eventually cause deadly cancers if inhaled, but that nobody stopped Jack Neal from building Mountain View — not the city, not the state.

And they have known all this — everyone in Arizona has known about Globe's disaster — for more than three years.

But government has fumbled their rescue, especially the Environmental Protection Agency (EPA), its Superfund and its ousted leaders, Anne M. Burford and Rita M. Lavelle. At best, it seems, the two were merely slow in dealing with Mountain View; at worst, they were listening to mining officials and local politicians, not parents and doctors who wanted a solution.

"They took their sweet time," said Jim West, press secretary to Gov. Bruce Babbitt of Arizona. The Democratic governor's office said that the state has tried to help but that it does not have the \$5 million needed for relocation and cleanup.

Report from Globe, Ariz.

Two congressional committees this month began investigating what one high-ranking EPA official has admitted is "a classic case of government inaction" and a "major embarrassment" in handling what has finally been ranked 92d on the \$1.6 billion Superfund's list of 418 critical waste problems.

Whatever it is and whoever is investigating, most Mountain View residents are still here in the mountains 90 miles east of Phoenix, waiting to be bought out and permanently moved by EPA. They must wait, they say, because they cannot afford to move on their own — they cannot buy new trailer lots without selling their old ones and they cannot sell their old ones.

And while they wait, they still walk in the microscopic asbestos slivers, and it gets on their clothes and furniture. Parents still let children out to play — they can get so restless otherwise, they say — and "you hold your breath and say 'Dear God, don't let anything happen,'" said Sarah Luckie.

No one has died and no one is ill yet because asbestos fibers take decades to work their harm on lungs and chest cavities. It is not even certain they ever will. But with each passing day, "the residents, especially the children," face "a significant health risk," said the Center for Disease Control (CDC), the one federal agency that did become alarmed.

"See that white powder?" said Mrs. Luckie, 33, pointing at a faint haze in the anthills behind her neat, double-wide trailer. "That's it. And here's a big piece. . . ."

"I would have thought that after a year, we'd be gone, that somebody'd take care of us. I'm just flabbergasted we're still here."

She seemed near tears.

Across the street from Mrs. Luckie's home, virtually the entire Insalaco clan is at risk in four mobile homes: John and his wife, Eileen; his parents; her parents, and his brother and family. They moved here because of the mountains, plus the lots were cheap and Neal had promised a classy subdivision.

For three years, Neal has said he did nothing evil by building Mountain View because there is nothing evil about the asbestos found in the

rocks around Globe and processed at his plant for 30 years.

CDC officials vigorously dispute Neal's analysis. They say the population here is too small to draw conclusions.

Prudence is mandatory before "bodies roll in," said Dr. James Rutenber of the CDC.

But in Globe, at least, Neal does not stand alone. This is mining country, not just for asbestos but for copper. There are many people who think Jack Neal is right: the publisher of the local paper, about half the Globe city council and even quite a few Mountain View residents at first.

These locals do not want EPA to do anything because they are worried about damaging Globe's "tourist" image, such as it is.

And they have even made fun of Mountain View. For his birthday, John Insalaco's friends gave him a piece of asbestos in a box marked "Danger, put on moon suit before opening."

More telling, perhaps, is that Neal encountered no official obstacles to the conversion of his well-known site into mobile home lots.

An official of the local air-quality board, which was responsible for closing Metate, expressed serious concern about awarding zoning permits, but was overruled, said Nancy C. Wrona, Babbitt's special liaison for the Globe problem.

And while the state Real Estate Department, which regulates subdivision development, gave Neal a permit only after stipulating that he must clean up the site, no one ever followed up to make sure that he did, Wrona acknowledged.

So the 47 families began coming, ignorant of what was under them and what it can do.

"The building was sitting there. It had 'Metate Asbestos' on the side. But I had no idea about asbestos, no idea," said Mrs. Luckie.

Only in late 1979 did someone become alarmed. A state health official, investigating a chronic sewer problem at Mountain View, saw the mill sign, the white mounds and the tiny particles everywhere.

Virtually everyone agreed that the state then acted quickly. In early 1980, it ordered the mill razed and relocated residents temporarily so that six inches of topsoil could be spread over the subdivision.

But by 1981, summer thunderstorms had washed away the cover, exposing the asbestos tailings again.

At that point, according to press secretary West, the state felt hampered in doing more. Though the cost of relocating residents and burying their old homes was \$5 million, in a state budget of \$1.6 billion, the state could not afford the cost, he said.

Besides, there was pressure from many Globe residents and officials not to do anything, which would have made passage of appropriations difficult, he said.

Phila Inq

5-22-83

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So Arizona turned to EPA and its Superfund for help — but found little urgency over the next two years, state officials said.

For one thing, Washington doubted that an emergency existed because lives were not in immediate danger, Wrona said.

Second, the chemical industry, forced by law to contribute most of the Superfund money, kept saying that it did not want money spent to clean up a mining industry problem, while the mining industry feared setting a precedent that would lead to it being forced to contribute to the Superfund as well.

This, in turn, caused EPA officials to try to persuade the mining industry to pay for the Globe cleanup on its own, in advance, and this became a third cause of delay.

After her dismissal, Rita Lavelle contended that she had paid no heed to industry pressure and had moved as swiftly as she could to remedy the situation.

But William Hedeman, director of EPA's Office of Emergency and Remedial Response, told the House investigating committee that Lavelle had delayed because she feared spotlighting the nagging issue of mining wastes in the West — and antagonizing the industry — at a time when several prominent Western Republicans needed help in winning elections.

"The agency could have and should have moved faster in resolving this issue," Hedeman said. "There has been virtual inaction at this site."

There is plenty of action now, in the wake of Lavelle's departure. After the public meeting last week, EPA began relocating residents temporarily and is expected to start finding permanent housing within a month.

That will only close a chapter, however.

"You've got the next 30 to 40 years to think about," Mrs. Luckie said.

EPA scandal spreads

Chicago Tribune, Friday, May 20, 1983

Note links Reagan aide

By James Coales
and Storer Rowley

Chicago Tribune

WASHINGTON—Key White House aide Michael Deaver discussed plans with Environmental Protection Agency officials to time the announcement of toxic dump clean-ups to coincide with last year's congressional and gubernatorial elections in Indiana and New Jersey, according to a document released Thursday by a prominent House Democrat.

Releasing the memo during a press conference, Rep. John Dingell (D., Mich.), chairman of the House Energy and Commerce Committee, also said federal officials have testified in secret sessions on Capitol Hill that at least three White House aides participated in a scheme to use the \$1.6 billion toxic waste Superfund for political purposes.

before Dingell's committee. "EPA has federal monies totaling about \$5.2 million ready for award for various types of remedial and clean-up work at six hazardous waste sites in New Jersey," begins the memo to Deaver, Reagan's deputy chief of staff.

"THIS IS AN opportunity for the President to announce the awards and stress the accomplishments of his administration under Superfund nationwide," she continued.

"Many of the [toxic waste clean-up] sites are in or near the Trenton-Philadelphia area, so that Trenton would be a suitable place for the President to make the announcement, with Governor Kean of New Jersey, Congressman Forsythe, EPA Administrator Anne M. Gorsuch, Senate Republican Candidate [Millicent] Fenwick and others at his side," Lavelle wrote.

"From this platform the President can summarize the successes of all of EPA as well as support the candidacies of New Jersey candidates, including Millicent Fenwick," the

cal purposes.

He declined to name the aides. Deaver challenged Dingell to release the names.

In a telephone interview, Deaver acknowledged receiving the memo but denied that the White House played politics with the Superfund or that President Reagan was involved in any way. He called the allegations of political manipulation "untrue, unfair and unfounded." He said congressional investigators are "making a mountain out of a molehill."

WHITE HOUSE counsel Fred Fielding said Deaver had sent Rita Lavelle, then administrator of the Superfund, an answer to the memo involved, confirming Dingell's allegation that the two had "discussed" making political use of Superfund announcements. Reagan fired Lavelle on Feb. 7 amid allegations that the Superfund had been used for political purposes.

"We are also proposing that the President may wish to go to Seymour, Indiana, in October to participate in announcement of private sector cooperation in remedial action at another large hazardous-waste site."

IN A HANDWRITTEN addendum to the typed memo, addressed to "Mike" and signed "Rita," Lavelle noted that "background is attached. We also can have our speechwriters available to offer words of wisdom." She concluded: "Again, thanks for the opportunity. I know Anne and the Governor [Kean] would love to share the limelight."

The memo also suggested that similar political benefits could be achieved through an appearance by Reagan at the Seymour site south of Indianapolis. The dump is rated among the worst in the nation.

Dingell handed reporters a page from the logbook of a top EPA legal aide in which the aide told superiors that "President Reagan wants to visit the [Seymour] site."

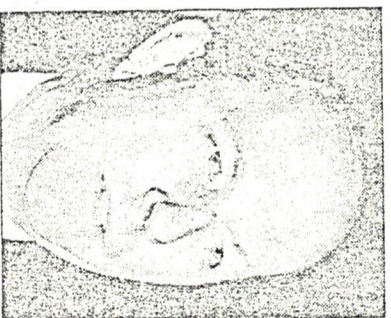
Deaver acknowledged receiving Lavelle's memo but said he had not acted on her advice to take political advantage of federal plans to clean up waste sites scheduled for emergency action because they posed dangers to the health of people living nearby.

LAVELLE'S MEMO suggested that "Next Friday, Sept. 17, would be an appropriate day. A time in the morning around 10 a.m. would be best for maximum media coverage" at the New Jersey site.

The proposed trip to Indiana apparently was to have occurred in October, Dingell said.

Reagan did go to New Jersey last Sept. 17 to campaign for Rep. Fenwick, who was running as a Republican for the Senate, but he did not make any announcement about clean-up plans.

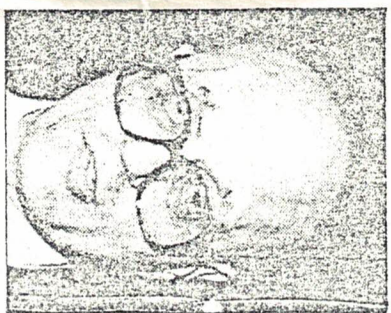
Deaver said the memo from Lavelle reached him after the President's schedule for the New Jersey trip had been drafted. For that reason, he said, her suggestions were not considered.



Michael Deaver



Rita Lavelle



Rep. John Dingell

Fielding, also interviewed by phone, said he found out about the exchange of memos between Deaver and Lavelle during an internal White House review of contacts between presidential aides and the EPA. The President's counsel said he concluded that Deaver had acted properly in the

matter.

On Thursday, Dingell handed out copies of a Sept. 13, 1982, memo written on EPA stationery to Deaver by Lavelle, who was cited by the House on Wednesday for contempt of Congress for declining to testify

Continued on page 17, col. 1

The top Reagan aide said he did send the memo along to the schedule office, but he added: "The President never saw it."

HE CHARACTERIZED the note as common, saying, "I get hundreds of these from government officials" who want to promote their programs.

But Dingell said: "The subcommittee's investigation has confirmed that the funding announcements regarding New Jersey sites targeted in Ms. Lavelle's memoranda were designed in a way to benefit certain candidates for political office."

"On other occasions, announcements were made to disadvantage or to spite other candidates," Dingell said.

The Justice Department disclosed this week that a grand jury will be impaneled soon to investigate the possibility that Lavelle and another former EPA official committed perjury in testimony before House committees. The other official is former EPA General Counsel Robert Perry.

Dingell also said at least two witnesses interviewed in executive sessions of the House Energy Committee's Subcommittee on Oversight and Investigations, which he heads, had confirmed that Lavelle had frequent contacts with White House officials on the topic of putting toxic waste clean-up projects on "a political track."

DINGELL SAID: "In addition to the Lavelle-Deaver memorandum, the subcommittee has received sworn testimony in executive session that another high-ranking White House official was in contact with Ms. Lavelle just about every day."

Numerous White House officials have denied having contact with Lavelle, and Dingell refused to identify the official he described because the information had been developed in an executive session.

Dingell did acknowledge, however, that the officials in question did not include presidential counselor Edwin Meese, a longtime acquaintance of Lavelle's.

STATEMENT OF THE
HONORABLE JOHN D. DINGELL
CHAIRMAN
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

THURSDAY, MAY 19, 1983

YESTERDAY, THE HOUSE OF REPRESENTATIVES BY A VOTE OF 413-0, WITH ONE MEMBER VOTING PRESENT, REAFFIRMED THE ANCIENT PRINCIPLE OF OUR SYSTEM OF LAWS: EACH PERSON, WHEN SUMMONED, SHALL GIVE HIS OR HER TESTIMONY. AND SO, THE HOUSE DIRECTED THE U. S. ATTORNEY FOR THE DISTRICT OF COLUMBIA TO PROSECUTE FORMER EPA OFFICIAL RITA M. LAVELLE FOR CONTEMPT OF CONGRESS. IN THE FACE OF A LAWFUL SUBPOENA ISSUED BY THE ENERGY AND COMMERCE COMMITTEE'S SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS, MS. LAVELLE WILLFULLY FAILED TO APPEAR AND TESTIFY ON MARCH 21, 1983.

WE HAVE BEEN ENGAGED IN A LONG AND THOROUGH INVESTIGATION OF THE SUPERFUND. THOSE OF YOU WHO HAVE BEEN FOLLOWING THE COURSE OF THIS PROCEEDING HAVE SEEN OUR CAREFUL PROGRESS MOST RECENTLY IN THE COMMITTEE'S REPORT TO THE HOUSE ON THE CONTEMPT. AS LEGISLATORS, THE MEMBERS OF THE SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS HAVE BEEN CHARGED BY THE HOUSE WITH RESPONSIBILITY TO DETERMINE WHETHER THE SUPERFUND LAW IS WORKING PROPERLY, AND, IF NOT, TO FIX IT; AND FURTHER, TO DETERMINE WHETHER THE LAW IS BEING ADMINISTERED PROPERLY.

MANIPULATION OF SUPERFUND MONIES FOR POLITICAL PURPOSES HAS BEEN ONE FOCUS OF OUR INQUIRY. AS I SAID YESTERDAY ON THE FLOOR OF THE HOUSE: "WE HAVE HEARD, IN EXECUTIVE SESSION, TESTIMONY THAT CONFIRMS POLITICAL MANIPULATION. WE HAVE SEEN DOCUMENTS THAT TIE IN THE MANIPULATION TO MS. LAVELLE. THE SUBCOMMITTEE NEEDS TO KNOW HOW FAR THOSE EFFORTS WENT AND WHO OR WHAT WAS BEHIND THEM." CLEARLY, MS. LAVELLE'S TESTIMONY WAS, AND, IS, ESSENTIAL ON THIS SUBJECT.

ON MARCH 21ST, WHEN MS. LAVELLE REFUSED TO APPEAR AND TESTIFY, A NUMBER OF DOCUMENTS WERE PLACED IN THE HEARING RECORD -- DOCUMENTS WHICH WERE GOING TO BE USED IN THE QUESTIONING OF MS. LAVELLE AND HER FORMER ASSISTANT, MS. SUSAN BALDYGA.

SEVERAL OF THESE DOCUMENTS DISCLOSED WHAT COULD ACCURATELY BE DESCRIBED AS A PREOCCUPATION WITHIN MS. LAVELLE'S OFFICE TO GAIN POLITICAL ADVANTAGE THROUGH USE OF THE SUPERFUND. PERHAPS THE MOST INTERESTING DOCUMENT IN THIS REGARD WAS THE HANDWRITTEN NOTES OF MS. BALDYGA MADE DURING A 45-MINUTE MEETING ON JULY 13, 1982, BETWEEN MS. LAVELLE AND WHITE HOUSE ASSISTANT JAMES MEDAS. DURING THAT MEETING, SERIOUS POLITICAL DISCUSSIONS TOOK PLACE IN THE CONTEXT OF PROSPECTIVE SUPERFUND ANNOUNCEMENTS.

FOLLOWING DISCLOSURE OF THE PREVIOUSLY UNDISCLOSED LAVELLE-MEDAS MEETING, IT WAS REPORTED IN THE PRESS THAT THE PRESIDENT'S COUNSEL, FRED FIELDING, WAS UNDERTAKING A FURTHER INVESTIGATION TO DETERMINE WHETHER ANY OTHER LAVELLE-WHITE HOUSE CONTACTS HAD GONE UNREPORTED BY THE WHITE HOUSE STAFF. REPORTEDLY, MR. FIELDING HAD DONE A SIMILAR CHECK A MONTH EARLIER BUT THAT INVESTIGATION HAD BEEN "INCOMPLETE." THE SUBCOMMITTEE DOES NOT KNOW WHAT THE WHITE HOUSE COUNSEL'S REINVESTIGATION REVEALED.

TODAY, WE ARE RELEASING A MEMORANDUM DATED SEPTEMBER 13, 1982, FROM MS. LAVELLE TO MICHAEL DEEVER, DEPUTY CHIEF OF STAFF AT THE WHITE HOUSE. THE MEMORANDUM CONFIRMS CLEAR POLITICIZATION OF SUPERFUND AT A NUMBER OF SITES IN NEW JERSEY, AND ALSO, AT SEYMOUR, INDIANA. SEYMOUR, YOU WILL REMEMBER, IS INCLUDED IN AN EPA REFERRAL TO THE DEPARTMENT OF JUSTICE FOR AN IMMEDIATE INVESTIGATION INTO THE POSSIBILITY OF A CRIMINAL VIOLATION INVOLVING POLITICAL MANIPULATION OF THE SUPERFUND. THE MEMORANDUM MAKES CLEAR THAT MS. LAVELLE AND MR. DEEVER HAD BEEN DISCUSSING THE USE SUPERFUND FOR THE INTENDED BENEFIT OF CERTAIN CONGRESSIONAL CANDIDATES, A GOVERNOR, AND THE PRESIDENT OF THE UNITED STATES.

IT IS INTERESTING TO REFLECT, IN THE CONTEXT OF THE LAVELLE-DEEVER MEMORANDUM, ON MS. BALDYGA'S NOTES OF THE LAVELLE-MEDAS CONVERSATION REGARDING NEW JERSEY: "NEW JERSEY - KEENE (SIC) - HELP HIM ALL WE CAN - NEW GUV - NEED INFORMATION."

THE SUBCOMMITTEE'S INVESTIGATION HAS CONFIRMED THAT THE FUNDING ANNOUNCEMENTS REGARDING NEW JERSEY SITES TARGETED IN MS. LAVELLE'S MEMORANDA WERE DESIGNED IN A WAY TO BENEFIT CERTAIN CANDIDATES FOR POLITICAL OFFICE. ON OTHER OCCASIONS, ANNOUNCEMENTS WERE MADE TO DISADVANTAGE OR TO SPITE OTHER CANDIDATES. FOR EXAMPLE, MR. WILLIAM HEDEMAN, WHO HEADED THE OFFICE OF EMERGENCY RESPONSE UNDER MS. LAVELLE TESTIFIED THAT MS. LAVELLE TOLD HIM SHE ANNOUNCED THE CLEAN UP AT BRIDGEPORT, NEW JERSEY "JUST TO GET FLORIO'S GOAT." THIS ANNOUNCEMENT WAS MADE IN THE PRESENCE OF THE REPUBLICAN CANDIDATE FOR MR. FLORIO'S SEAT.

MS. LAVELLE'S MEMORANDUM TO MR. DEEVER OF SEPTEMBER 13TH APPEARED TO TRIGGER OVER THE NEXT 10 DAYS AN INTERESTING SERIES OF EVENTS REGARDING NEW JERSEY ANNOUNCEMENTS. MS. LAVELLE RECOMMENDED THAT THE PRESIDENT ANNOUNCE FUNDING OF THE SITES ON SEPTEMBER 17TH AT TRENTON. FOR SOME UNKNOWN REASON, THE PRESIDENT DID NOT MAKE THESE ANNOUNCEMENTS. HOWEVER, THE CALENDARS OF BOTH MS. LAVELLE AND ADMINISTRATOR GORSUCH REFLECT THAT THEY MET WITH MR. ED MEESE, COUNSELOR TO THE PRESIDENT, AT THE WHITE HOUSE ON SEPTEMBER 21ST TO DISCUSS SUPERFUND. TWO DAYS LATER, ON SEPTEMBER 23RD, ADMINISTRATOR GORSUCH, TOGETHER WITH GOVERNOR KEAN OF NEW JERSEY, MADE THE NEW JERSEY SUPERFUND ANNOUNCEMENTS IN TRENTON, THE LOCATION PREVIOUSLY RECOMMENDED BY MS. LAVELLE. IN ALL DURING A THREE WEEK PERIOD IN SEPTEMBER 1982, EPA ALLOCATED OR OBLIGATED FUNDS FOR SUPERFUND ACTIVITIES AT SEVENTEEN NEW JERSEY SITES.

1294

THE WHITE HOUSE
WASHINGTON

May 19, 1983

Mrs. Deaver called and asked
that you call Jim Schwab or
Bob Greg, if you can not reach Jim.

of Lee and Schwab..362-5800

Bring to his attention that Dean
Maury suggested you call.....

IT HAS BECOME CLEAR, THROUGH THE SUBCOMMITTEE'S INVESTIGATION, THAT THE SEYMOUR SITE WAS PUT ON AN "ELECTION TRACK" IN EARLY SEPTEMBER 1982, WITH A POLITICAL DEADLINE OF OCTOBER SO THAT THE ANNOUNCEMENT COULD BE MADE IN ADVANCE OF THE NOVEMBER ELECTION. MS. LAVELLE SUGGESTED TO MR. DEEVER THAT THE PRESIDENT MAY WISH TO PARTICIPATE IN THE SEYMOUR ANNOUNCEMENT IN OCTOBER. FROM AN ENTRY IN ONE OF FORMER EPA GENERAL COUNSEL PERRY'S "GREEN BOOKS" IT WAS NOTED AS LATE AS SEPTEMBER 20TH, THAT "PRESIDENT REAGAN WANTS TO VISIT THE [SEYMOUR] SITE."

IN ADDITION TO THE LAVELLE-DEEVER MEMORANDUM, THE SUBCOMMITTEE HAS RECEIVED SWORN TESTIMONY IN EXECUTIVE SESSION THAT ANOTHER HIGH RANKING WHITE HOUSE OFFICIAL WAS IN CONTACT WITH MS. LAVELLE "JUST ABOUT EVERY DAY." ACCORDING TO THE WHITE HOUSE OFFICIAL INVOLVED, THESE CONTACTS WERE OCCURRING AS LATE AS NOVEMBER 1982 -- AROUND ELECTION TIME. THIS INFORMATION HAS BEEN CORROBORATED BY ANOTHER INDIVIDUAL WHO WAS PRESENT WHEN THE STATEMENT WAS MADE. HOWEVER, THIS SAME WHITE HOUSE OFFICIAL HAS DENIED IN THE PRESS EVER CALLING MS. LAVELLE OR RETURNING HER CALLS.

MS. LAVELLE'S MEMORANDUM TO MR. DEEVER AND HER ALMOST DAILY CONTACT WITH ANOTHER HIGH RANKING WHITE HOUSE OFFICIAL RAISE SERIOUS QUESTIONS ABOUT THE POLITICAL MANIPULATION OF SUPERFUND. THIS IS ONE IMPORTANT REASON WHY THE SUBCOMMITTEE'S INVESTIGATION REQUIRED AND CONTINUES TO REQUIRE THE TESTIMONY OF MS. LAVELLE.

IT IS UNFAIR, HOWEVER, TO LAY ALL OF THE BLAME ON MS. LAVELLE. CLEARLY, THERE WAS CLOSER POLITICAL INVOLVEMENT BY WHITE HOUSE OFFICIALS IN THE SUPERFUND PROGRAM THAN HAS HERETOFORE BEEN ACKNOWLEDGED.

THE INVESTIGATION OF THE PRESIDENT'S COUNSEL, MR. FIELDING, WAS SUPPOSED TO DETERMINE THE EXTENT AND NATURE OF WHITE HOUSE CONTACTS WITH MS. LAVELLE AND THE SUPERFUND PROGRAM. HOWEVER, WE LEARNED ON MARCH 21 THAT THE MEDAS-LAVELLE MEETING WHERE POLITICAL RACES WERE DISCUSSED WAS NOT REPORTED TO MR. FIELDING. THE FIELDING INVESTIGATION WAS SUPPOSEDLY INTENSIFIED THEREAFTER TO INCLUDE ANY CONTACT WITH EPA NO MATTER HOW INSIGNIFICANT.

THE WHITE HOUSE HAS NEVER RELEASED A REPORT ON THE RESULTS OF MR. FIELDING'S INVESTIGATION.

THE PRESIDENT SAID YESTERDAY DURING THE SWEARING IN OF THE NEW EPA ADMINISTRATOR THAT TOO MUCH TIME HAS BEEN SPENT IN "FAULT-FINDING, RECRIMINATION AND INNUENDO" AND STATED THAT IT WAS TIME FOR "A NEW BEGINNING".

IN LIGHT OF THE NEW INFORMATION NOW AVAILABLE, WE CALL ON THE PRESIDENT TO MARK THE "NEW BEGINNING" BY COMING CLEAN ABOUT HIS STAFF'S PAST INVOLVEMENT WITH EPA'S SUPERFUND PROGRAM AND MS. LAVELLE.

RATHER THAN "FAULT-FINDING, RECRIMINATION AND INNUENDO" WE SEEK FACTS. WE, THEREFORE, CALL ON THE PRESIDENT TO RELEASE THE FIELDING INVESTIGATION REPORT SO THAT THE CONGRESS AND THE AMERICAN PUBLIC CAN HAVE THE FULL FACTS ABOUT THIS VITAL PROGRAM TO CLEAN UP HAZARDOUS WASTE.

ONLY IN THIS MANNER CAN THE FUTURE INDEPENDENCE OF THE SUPERFUND PROGRAM AND PUBLIC CONFIDENCE IN ITS ADMINISTRATION BE RESTORED.

September 13, 1982

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Positive Environmental Action for President

FROM : Rita M. Lavelle *Rita M. Lavelle*
Assistant Administrator for
Solid Waste and Emergency Response

TO : Michael Deaver
Deputy Chief of Staff
The White House

EPA has Federal monies totaling about \$ 5.2 million ready for award for various types of remedial and cleanup work at six hazardous waste sites in New Jersey. This brings to \$9 million the EPA awards to New Jersey in the year and a half Superfund has been in existence.

This is an opportunity for the President to announce the awards and stress the accomplishments of his Administration under Superfund nationwide.

The sites are Spence Farm, Friedman, Goose Farm, Pijak Farm, LiPari, D'Imperio, Price's Landfill, and Kin-Buc. Two of these lie in the district of Republican Congressman Edwin B. Forsythe, of the Sixth District of New Jersey. Two others lie in the district of Democratic Congressman James J. Florio, of the First District of New Jersey, leading critic of EPA in the House of Representatives.

Many of the sites are in or near the Trenton-Philadelphia area, so that Trenton would be a suitable place for the President to make the announcement, with Governor Kean of New Jersey, Congressman Forsythe, EPA Administrator Anne M. Gorsuch, Senate Republican Candidate Fenwick and others at his side.

Next Friday, September 17, would be an appropriate day. A time in the morning, around 10 a.m., would be best for maximum media coverage.

From this platform the President can summarize the successes of all of EPA as well as support the candidacies of New Jersey candidates, including Millicent Fenwick.

We are also proposing that the President may wish to go to Seymour, Indiana, in October to participate in announcement of private-sector cooperation in remedial action at another large hazardous-waste site.

Mrs. Gorsuch will be able to rearrange her schedule to accompany the President. Two other staff members should accompany her to provide technical backup.

I await your decision.

Mike -

Background is attached. We also can have our speechwriters available to offer words of wisdom. This is a very definite environmental success story - one this administration can and should start claiming.

Again thanks for the opportunity. A know Anne and the Governors would love to share the 'limelight'.

Rita

Mon, Sept 20

K. - 50 } recently
W. 100 } sent

Tell RMP

1. called Bill Holden on Fri ✓
2. Overtone for Paul
3. Reassuring tip - Waxmough ✓
4. PD - Perf. Site
5. Abramson's office checked Fri

Yanada

Peelerson this week

* A. call Peelerson to call RMP re

bubble case request for rehearing

B. MA Brown - RMP wants to talk by him

C. Schedule of reports

D. Weekly Report - too long

- don't talk about past much

- be brief

- don't put that RMA has not
personally blasted

- say we're processing, etc.

- referrals - identify number and
the acts

add - Dams argument went well

- RMP / flower garden

* - (voluntary settlement
Stahl, Kurrent)

Hooker - intervention in case

Seymour - President Reagan wants
to visit the site

May 19, 1983

Regarding Chairman Dingell's Press Conference on Rita Lavelle and Superfund

As the Chairman of the Committee on Energy and Commerce indicated earlier this morning, the vote yesterday by the House of Representatives was a bipartisan vote in favor of the constitutional prerogatives of the legislative branch of our government. It was made clear that yesterday's vote was not a referendum on EPA's policies, but merely on the authority of the House to receive information pursuant to its legitimate oversight responsibilities.

To date, the Subcommittee's conduct of the Superfund inquiry has, in fact, been bipartisan. It is unfortunate, however, that the Chairman has now sought to turn the EPA Superfund inquiry of the Oversight and Investigations Subcommittee into a matter for partisan advantage.

As a result of the following facts, I leave to your own judgment why the Chairman would call his news conference this morning. The Subcommittee has had no hearing on any EPA matter since May 2, 1983. The Subcommittee has heard no testimony in Executive Session since March 23, 1983. The Subcommittee has not met in Executive Session to discuss any matter relating to its EPA investigation since May 3, 1983. These facts demonstrate the absence of any new evidence leading to the need for another press conference.

Today's effort by the Chairman must be viewed as an effort to rekindle partisan political flames recently doused by the President's vigorous and decisive actions in changing and restructuring the entire top management team at the Environmental Protection Agency, recruiting the individual probably more capable than any other in the country to lead the Agency, and outlining a specific four-point environmental program in his statement yesterday at the White House.

The Chairman of the Committee has noted that the objective of the Subcommittee's inquiry has been to determine "whether the Superfund law is working properly, and, if not, to fix it." I agree with that objective, and have encouraged the Chairman

to conduct his inquiry in that vein so that we can make such needed changes. It was only last Friday, May 13th, that the Environmental Protection Agency itself outlined a series of far-reaching policy and administrative changes in its hazardous waste programs, including not only the Superfund program, but also regulatory controls under the Resource Conservation and Recovery Act (RCRA).

The New York Times reported on Sunday, May 15th, that the pace of Federal indictments charging criminal violations of laws regulating the dumping of hazardous or toxic waste was quickening under a new team of special Justice Department prosecutors.

These are positive steps being taken by the EPA and the Department of Justice to strengthen the nation's enforcement of environmental laws. It is also at odds with the impression left by the Chairman, who would allow the innuendo and partisan rhetoric to continue indefinitely for purely political purposes.

Information concerning the meeting on July 13, 1982, between Rita Lavelle and a White House employee, James Medas, had previously been disclosed publicly. Most of the news media reacted to that disclosure for what it was -- a crude attempt to link the White House to wrongdoing because of an isolated and inconsequential meeting in which apparently not a single Superfund site was discussed.

Testimony received by the Subcommittee and previously disclosed by the Subcommittee indicates that the meeting in question was not called by the White House. The testimony shows that it was initiated by Rita Lavelle herself. No one at the White House requested the meeting.

The Chairman has never offered evidence that any Superfund decision was made, or not made, on the basis of that July 13, 1982 meeting. He cannot do so because there is no such evidence. The Chairman would suggest that it is unusual for Presidential appointees to discuss politics in the White House or to discuss the political prognosis of various candidates around the country. If this was true, the entire 200 year history of our political system would be subject to revision.

When Ms. Baldyga appeared before the Subcommittee, she was specifically asked whether any programmatic decisions involving the Superfund program or Superfund sites were affected by the meeting. The response of Ms. Baldyga was "none". The Chairman of the Subcommittee has not presented to the membership of the Subcommittee a scintilla of evidence indicating political manipulation of the Superfund. No such evidence has been forwarded to the Department of Justice or the Federal Bureau of Investigation. That has not, however, prevented the Chairman from suggesting publicly that political manipulation has occurred.

The Subcommittee has received evidence, as the Chairman suggests, that the consent agreement reached between the EPA and hazardous waste generators in the Seymour, Indiana site case was accelerated. The Chairman, however, would have it both ways. The Seymour site was identified as a large and important site with the potential for substantial public health problems if cleanup could not promptly commence. To fault the Agency for accelerating the agreement under which money could be received from polluters and remedial work performed in order to clean up this site is curious indeed.

I would urge the American people to look behind the mere unsubstantiated allegations contained in the Chairman's announcement this morning, and to question him closely concerning the timing of his announcement, and his failure to suggest and put before the membership of the Subcommittee any evidence of political manipulation.

(ind, nj, mich)

By GREGORY GORDON

WASHINGTON (UPI) Rep. John Dingell, D-Mich., made public Thursday a pre-election memo from former EPA official Rita Lavelle to a top White House aide that he said confirms political use of the "Superfund" toxic waste cleanup program.

Dingell said Ms. Lavelle's memorandum to White House deputy chief of staff Michael Deaver triggered White House discussions of political announcements, possibly by President Reagan, for a half dozen cleanups in New Jersey and at one Indiana site.

Dingell also disclosed at a news conference his House Energy and Commerce subcommittee has received closed-door testimony showing another high-ranking White House official was in "just about daily" contact with Ms. Lavelle, former chief of the Environmental Protection Agency's \$1.6 billion cleanup program.

He declined to name the official but said the testimony has shown "these contacts were occurring as late as November 1982 -- around election time."

The House cited Ms. Lavelle for contempt of Congress Wednesday for her refusal to comply with a subpoena and appear before Dingell's oversight and investigations subcommittee, which is leading the congressional inquiry into EPA.

Dingell, joining Rep. James Florio, D-N.J., at the news conference stressed the subcommittee has found evidence of political manipulation in the Superfund program but needs Ms. Lavelle's testimony "to know how far those efforts went and who or what was behind them."

"The subcommittee has confirmed," Dingell said, "that the funding announcements regarding New Jersey sites targeted in Ms. Lavelle's memoranda were designed in a way to benefit certain candidates for political office."

Dingell said the memorandum to Deaver "confirms clear politicization of Superfund at a number of sites in New Jersey and at Seymour, Ind."

In the Sept. 13 memo to Deaver, Ms. Lavelle said about \$5.2 million was ready for award in New Jersey.

"This is an opportunity for the president to announce the awards and stress the accomplishments of his administration under Superfund nationwide," it said.

Suggesting a Sept. 17 announcement in New Jersey, she wrote, "From this platform the president can summarize the successes of all of EPA as well as support the candidacies of New Jersey candidates."

She said Reagan could be accompanied by Republican Gov. Thomas Kean, Rep. Edwin Forsythe, R-N.J., EPA Administrator Anne Burford, a former Rep. Millicent Fenwick, R-N.J., who was running for the Senate.

Dingell said Reagan did not make the announcement "for some unknown reason." But he noted the calendars of Ms. Lavelle and Mrs. Burford "reflect that they met with Mr. Ed Meese, counselor to the president, at the White House on Sept. 21 to discuss Superfund."

Two days later, Mrs. Burford and Kean made the New Jersey

nnouncements, he said.

Dingell also said Ms. Lavelle suggested Reagan announce a cleanup settlement for a site near Seymour, Ind., allegedly being rushed to completion to aid the re-election campaign of Sen. Richard Lugar, R-I. Reagan did not make that announcement either.

Dingell noted other announcements were made to hurt Democratic candidates, including Florio. He asserted the New Jersey congressman, also heading a subcommittee probe of EPA, may have been the target of "dirty tricks."

Florio suggested news reports last week stating he received large campaign contributions from chemical and waste industry interests may have emanated from an aide to Ms. Lavelle. He noted his campaign contributions were found on Ms. Lavelle's desk at EPA after Reagan fired her Feb. 7, triggering the months-long controversy that has resulted in FBI investigations and the departures of 15 political appointees, including Mrs. Burford.

Dingell said he hopes a little-known criminal statute will allow prosecutions if political manipulation of Superfund money is proved. If no laws apply, he said, he will propose legislation to close the loophole.

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Dingle Says White House Aide Discussed Timing EPA announcements to Politics<

By WILLIAM KRONHOLM=

Associated Press Writer=

WASHINGTON (AP) - Top White House aide Michael Deaver and fired Environmental Protection Agency official Rita M. Lavelle discussed timing announcements of "superfund" grants to help Republican candidates in the 1982 elections, a House committee chairman charged Thursday.

Rep. John Dingell, D-Mich., chairman of the House Energy and Commerce Committee, released a Sept. 13, 1982, memorandum from Ms. Lavelle to Deaver discussing the political impact of announcing grants from the \$1.6 billion fund in New Jersey and Indiana and suggesting that President Reagan participate.

There was no indication of Deaver's response, nor proof that decisions on the awarding of grants - as opposed to the announcement of them - was influenced by politics.

However, Dingell charged, the memo "makes clear that Ms. Lavelle and Mr. Deaver had been discussing the use of 'superfund' for the intended benefit of certain congressional candidates, a governor and the president of the United States....

"Clearly, there was closer political involvement by White House officials in the 'superfund' program than has heretofore been acknowledged," Dingell said.

Ms. Lavelle was the assistant EPA administrator in charge of the \$1.6 billion "superfund" program to clean up abandoned chemical waste dumps until she was fired by Reagan on Feb. 7. A half dozen congressional committees are investigating EPA's handling of the fund, with charges of political manipulation one focus of the probes.

On Wednesday, the House voted 413-0 to cite Ms. Lavelle for contempt of Congress for refusing to testify before Dingell's investigations subcommittee. Dingell said the memo and other information released Thursday showed why her testimony remains essential.

Deaver denied that the Lavelle memo showed any effort at White House manipulation of the superfund program.

"They're making a mountain out of a molehill," he said.

He said he asked the White House scheduling office to send Ms. Lavelle a routine reply thanking her for the suggestions. He also denied having any verbal discussions with Ms. Lavelle about the "superfund."

"It never was discussed with me," he said. "I never discussed anything with her. I might have passed her in the halls a few times."

The memo from Ms. Lavelle describes several cleanup sites in terms of whose congressional they are in, and says Reagan's participation in an announcement would give him a chance to "summarize the successes of all of EPA as well as support the candidacies of New Jersey candidates."

Rep. James Florio, D-N.J., chairman of another subcommittee investigating EPA, said the political concerns over timing indicated political manipulation of the fund.

"The offensive part of this was that for a year and a half, the law was not used for appropriate purposes," Florio said. "Nobody did anything for a year and a half on the merits, and then everyone gets all charged up for the six months before an election."

Dingell said the Lavelle memo was not the only link between EPA and the White House.

He said the calendars of both Ms. Lavelle and then-EPA Administrator Anne McGill Burford showed a meeting Sept. 21 with presidential counselor Edwin Meese to discuss the "superfund." Two days later, he said Mrs. Burford traveled to New Jersey to announce "superfund" actions.

"In all during a three-week period in September 1982, EPA allocated or obligated funds for 'superfund' activities at 17 New Jersey sites," Dingell said. The Lavelle memo had suggested that announcements on New Jersey sites would help the campaign of Republican Senate candidate Millicent Fenwick.

He said Ms. Lavelle also proposed that Reagan participate in a cleanup announcement in September in Seymour, Ind.

"It has become clear ... that the Seymour site was put on an 'election track' in early September 1982, with a political deadline of October so that the announcement could be made in advance of the November election," Dingell said.

Reagan did not participate in the announcement, however, and Dingell said there was no evidence linking the president to political timing.

Dingell also said that sworn testimony before his investigations subcommittee indicated that a high White House official was in contact with Ms. Lavelle "just about every day."

He refused to name the official, but said "this same White House official has denied in the press ever calling Ms. Lavelle or returning her calls." The only senior White House official to issue such formal denials has been Meese, who held the Bible at Ms. Lavelle's swearing in but insisted after she was fired by Reagan that he knew her only remotely.

Asked about those denials, Dingell responded: "If I were in Mr. Meese's shoes, I would probably not remember Ms. Lavelle very well either." However, he refused to confirm his "high ranking White House official" was Meese.

Dingell called on Reagan to release the report by presidential counsel Fred Fielding on his internal investigation into White House ties with EPA.

He noted that at the swearing in of new EPA Administrator William D. Ruckelshaus on Wednesday, Reagan had called for "a new beginning" at the agency.

"In light of the new information now available, we call on the president to mark the 'new beginning' by coming clean about his staff's past involvement with EPA's 'superfund' and Ms. Lavelle," Dingell said.

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WASHINGTON (AP) - Here is the text of the memo by Rita M. Lavelle to Michael Deaver concerning announcements of "superfund" cleanup grants, as released Thursday by Rep. John Dingell, D-Mich.

September 13, 1982<

MEMORANDUM

SUBJECT: Positive Environmental Action for President

FROM: Rita M. Lavelle

Assistant Administrator for Solid Waste and Emergency Response

TO: Michael Deaver

Deputy Chief of Staff

The White House

EPA has federal monies totaling about \$5.2 million ready for award for various types of remedial and cleanup work at six hazardous waste sites in New Jersey. This brings to \$9 million the EPA awards to New Jersey in the year and a half Superfund has been in existence.

This is an opportunity for the President to announce the awards and stress the accomplishments of his Administration under Superfund nationwide.

The sites are Spence Farm, Friedman, Goose Farm, Pijak Farm, LiPari, D'Imperio, Price's Landfill and Kin-Buc. Two of these lie in the district of Republican Congressman Edwin B. Forsythe, of the Sixth District of New Jersey. Two others lie in the district of Democratic Congressman James J. Florio, of the First District of New Jersey, leading critic of EPA in the House of Representatives.

Many of the sites are in or near the Trenton-Philadelphia area, so that Trenton would be a suitable place for the President to make the announcement, with Governor Kean of New Jersey, Congressman Forsythe, EPA Administrator Anne M. Gorsuch, Senate Republican Candidate Fenwick and others at his side.

Next Friday, September 17, would be an appropriate day. A time in the morning, around 10 a.m., would be best for maximum media coverage.

From this platform, the President can summarize the successes of all of EPA as well as support the candidacies of New Jersey candidates, including Millicent Fenwick.

We are also proposing that the President may wish to go to Seymour, Indiana, in October to participate in announcement of private-sector cooperation in remedial action at another large hazardous waste site.

Mrs. Gorsuch will be able to rearrange her schedule to accompany the President. Two other staff members should accompany her to provide technical backup.

I await your decision.

(The following was a hand-written addendum:)

Mike -Background is attached. We also can have our speechwriters available to offer words of wisdom. This is a very definite environmental success story - one this administration can and should start claiming.

Again, thanks for the opportunity. I know Anne and the governor would love to share the limelight.

Rita

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(US, Soviets Continue Arms Talks<

(By BARRY SCHWEID=

(Associated Press Writer=

GENEVA (AP) — American and Soviet negotiators held a two-hour session Thursday on their conflicting proposals to limit medium-range nuclear weapons in Europe without indicating whether they had made any headway.

Although President Reagan and Yuri V. Andropov, the Soviet leader, modified their positions since the last round of talks ended in late March, the two sides remain far apart as preparations proceed for the deployment of new U.S. medium-range missiles in Britain and West Germany in December.

Privately, administration strategists do not expect a breakthrough before the fall. At the same time, they are concerned that the Soviets will make a major effort during the summer to persuade West Europeans that they are taking a conciliatory stance.

In the current round of talks, which is scheduled to resume next Tuesday, U.S. negotiator Paul H. Nitze and his delegation are probing for details of Andropov's May 3 offer to consider total warheads in devising an arms accord.

The Soviets, meanwhile, are exploring Reagan's March offer to work out an interim settlement, with ceilings on U.S. and Soviet missiles, instead of going all-out for their elimination.

In tabling the proposal, the U.S. negotiators have not suggested where that ceiling should be set. However, unlike last summer, when Nitze and Soviet negotiator Yuli A. Kvitsinsky informally discussed missile limits, the United States intends to include Pershing 2 rockets as well as slower-moving, and less-feared Tomahawk ground-launched cruises in whatever total is finally established.

Although the Pershing 2 is incapable of reaching Moscow, its speed matches the SS-20 rocket, which forms the heart of the Soviet nuclear arsenal in Europe. Plans call for deploying 108 Pershings in West Germany by 1988.

The Soviets have installed 351 SS-20s, and are adding one or two a month.

With neither side setting a deadline for an agreement, the Reagan administration is braced for anti-nuclear demonstrations and dissent within the alliance as the talks drag on.

As the fifth round opened this week, French President Francois Mitterrand and West German Chancellor Helmut Kohl joined in a statement of support for the deployment of new U.S. missiles in Western Europe if the negotiations fail to produce an agreement.

Pravda, the Soviet Communist party newspaper, accused the allied leaders on Thursday of adopting a "policy of connivance with bellicose Washington." The commentary said their "stand plays only into the hand of those circles in the United States and NATO which seek to thwart the Geneva negotiations ..."

With both sides still in the process of unveiling their latest positions and refining them, the twice-weekly talks here are likely to wind uneventfully through June before recessing.

They will overlap the next round of negotiations on long-range ballistic missiles and bombers, which are set to resume on June 8. Those talks also appear to be at an impasse.

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September 16, 1982

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Dear Rita:

This is to thank you for your memorandum of September 13 to me about the Federal monies EPA has ready for award for various types of remedial and cleanup work at six hazardous waste sites in New Jersey.

Although the President's schedule for his trip to New Jersey already had been set by the time your memorandum reached me, I do want to assure you that your suggestion he announce these awards in Trenton was indeed appreciated.

With my best wishes to you,

Sincerely,

MICHAEL K. DEEVER
Assistant to the President
Deputy Chief of Staff

X
Ms. Rita M. Lavelle
Assistant Administrator for
Solid Waste and Emergency Response
United States Environmental Protection
Agency
Washington, D.C. 20460

MKD:WKS:MHR:rs--

inf copy to Mike McManus.

THE WHITE HOUSE
WASHINGTON

SECTION AGENCY

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Date: 9/14/82

OFFICE OF
SOLID WASTE AND EMERGEN

TO: *Bill Sadleir*
FROM: Michael A. McManus, Jr.
*Deputy Assistant to the President
and Deputy to Deputy Chief of Staff*

☐ Information

☒ Action

☐ Let's Discuss

Comments:

*I think it's so late for this.
Please prepare an appropriate
Response for Mr. Deaver's
Signature. Thanks.*

M. R.
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OFFICE OF THE ASSISTANT ADMINISTRATOR
SOLID WASTE AND EMERGENCY RESPONSE
WASHINGTON, DC 20460

Shirley -

This will be a
good one for the
President. As always
thanks a million!

Rth

Bill - Take a
good look,
please.

The Bakerfield Californian

Serving the South San Joaquin Valley since 1866

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Friday, May 20, 1983

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Vol. 97, No. 140

Home Edition

Political superfund use linked to White House

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Deaver is a former resident of Mojave.

There was no indication of Deaver's response, nor proof that decisions on the awarding of grants — as opposed to the announcement of

them — was influenced by politics. However, Dingell charged that the memo "makes clear that Ms. Lavelle and Mr. Deaver had been discussing the use of 'superfund' for the intended benefit of certain congressional candidates, a governor and the president of the United States. ...

"Clearly, there was closer political involvement by White House officials in the 'superfund' program than has heretofore been acknowledged," Dingell said.

Ms. Lavelle was the assistant EPA administrator in charge of the \$1.6 billion "superfund" program to clean up abandoned chemical waste dumps until she was fired by Reagan Feb. 7. A half dozen congressional committees are investigating EPA's handling of the fund, with charges of political manipulation one focus of the probes.

Wednesday, the House voted 413-

0 to cite Ms. Lavelle for contempt of Congress for refusing to testify before Dingell's investigations subcommittee. Dingell said the memo and other information released Thursday showed why her testimony remains essential.

But the senior Republican on Dingell's committee, Rep. James T. Broyhill of North Carolina, accused Dingell of calling the news conference "to rekindle partisan political flames recently doused by the president's vigorous and decisive actions."

Broyhill said Dingell has presented no evidence to the subcommittee, to the Justice Department or to the FBI of political manipulation of the fund. "That has not, however, prevented the chairman from suggesting publicly that political manipulation has occurred," he said.

Deaver denied that the Lavelle see Superfund — page A11



MICHAEL DEAVER
... 'mountain of molehill'

Superfund in politics?

from page A1

memo showed any effort at White House manipulation of the superfund program.

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all charged up for the six months before an election."

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