

WOODWARD COMPANY
December 9, 1971

MEMORANDUM

TO: Messrs., W. H. Beasley
John Benton
C. E. Cobb
J. W. Hager
A. A. Hollingsworth
Larry LeBeau
Dick Lowe
B. E. McDuff
Ron McSwiney
Sam Preston
H. S. Savage
Albert Smith
R. W. Toler
S. D. Weaver ✓
Bud Worthy
P. E. Wrist

FROM: Mr. H. U. Gilmer

SUBJECT: ALABAMA POLLUTION CONTROL LAW

This gives a good indication of what to expect from the
new Air Pollution Control Law.



H. U. GILMER

Plan asks fast air pollution cut

BY STEWART LITTLE Alabama Air Pollution Commission, left little doubt that sources of pollution within the state will soon have

to make reductions under the gun of the new state law.

John Daniel, the attorney for the state air pollution commission, outlined the emission standards and enforcement procedures of the proposed plan at the first of three workshops scheduled across the state, sponsored by the Alabama Clean Air Committee and the Alabama Tuberculosis Association.

The workshop was held to familiarize the public with the plan prior to public hearings on the plan in January.

Daniel told the overflowing crowd that the plan did not contain specific compliance schedules, as requested by the U. S. Environmental Protection Agency, because of the limited manpower and time available to the commission.

Compliance in 6 months.

But the plan, if approved by the EPA, will require all existing sources of pollution to be in compliance with the state's standards of emissions within six months after the plan is approved, unless the source has submitted a satisfactory schedule of compliance to the director of the commission, he said.

Any schedule of compliance that will extend more than 18 months must schedule its compliance in stages. "This is so we don't have to wait until the third year to have a reduction in emissions from major sources," he said.

The backbone of the plan's enforcement procedures is the permit system, he said. "This is one area that the state law exceeds the U. S. Clean Air Act," Daniel said.

Each new and existing source of pollution will be required to apply for a permit from the state commission to operate, Daniel said. Under the permit system, the commission will have the authority to inspect and monitor the emissions of all sources of pollution and force compliance with the standards set by the state, he said.

Will be available

Copies of the proposed plan, including specific emission standards for the various pollutants, will be available to the public after Dec. 11 at each county health department at the state commission's offices in Montgomery, he said.

Failure to comply with the standards set by the commission can result in a civil

penalty of up to \$25,000 a day, and a criminal penalty of up to a year at hard labor in the county jail, Daniel said.

"That should get their attention and cut out some of this nonsense," he said.

The state's plan also outlines specific compliance requirements of pollution sources under emergency situations.

When the pollution reaches various high levels, the plan requires certain automatic cutbacks from polluting sources. The director has the authority to enforce these cutbacks, which may include individual heating systems and automobiles as well as industrial polluters.

Separate criteria

The most controversial aspect of the plan, Daniel said, will be the commission's decision to establish separate criteria for compliance for urban, or Class I, counties and rural, or Class II, counties.

The decision was made, he said, because the commission felt it was not necessary to make industries in counties that have small air pollution problems comply with the same standards required of pollution sources in heavily polluted urban areas.

This differential treatment of pollution sources was criticized by Dr. Robert Burke, a technical adviser to the Clean Air Committee, because he said it would give industry "preference to Class I over Class II counties."

Daniel said the plan eliminates this incentive by requiring industry that moves into any county to meet Class I standards.

The workshop featured six speakers, including Thomas F. Williams, director of technical information of EPA. Each speaker, in addition to contributing some information from his expertise concerning the state's air pollution program, urged the crowd to continue to support air pollution control.

'Near miraculous'

Williams, who has been praised by Ralph Nader for his work in air pollution, said, "The key to air pollution control is concerned responsible citizens. What the press and actively working citizens have accomplished so far is near miraculous."

Alan Heflin, attorney for the Greater Birmingham Alliance to Stop Pollution, urged continued citizen vigilance because, he said, "I don't see ecologically concerned citizens and polluting industrialists going off hand in hand into the sunset enforcing these rules and regulations."

Both Burke and Heflin were asked to make a critique of the state's plan for the workshop. Each had several criticisms and recommendations on the plan, which Daniel said the commission welcomes and will consider in revising the plan.

Miss Carmen McDonald, president of GMA, urged all citizens, particularly young people, to attend the public hearings on the plan in January.

Two other workshops on the plan are scheduled for Montgomery on Wednesday and Mobile on Thursday.