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PLAINTIFF'S EXHIBIT

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Report From Mr. Kretchmer

Watchman, What of Environment? It's Beset—and So Is the Watchman

By Nina Totenberg
FROM NEW YORK CITY

Jerome Kretchmer is a mustached young lawyer who was put in charge of cleaning up New York City's environment 14 months ago. By now, he feels he has been abused by business and industry.

His experiences to date have taught him to distrust the makers of baby powder and electric power alike, he told a panel at the American Bar Association's annual



Mr. Kretchmer

meeting here last week. New York may have a dirtier environment than most cities, and Mr. Kretchmer may be more politically ambitious than most environment watchmen; but his experiences as administrator of the city's environmental protection administration perhaps are typical of the frustrations faced by local environment officials.

Mr. Kretchmer cited some particular incidents. During the week of Earth Day 1970, as Mr. Kretchmer prepared to take office, he learned that building contractors at the World Trade Center were about to spray 1,200,000 pounds of asbestos as insulation on the beams and girders of two towers. The contractors "knew that asbestos spraying in the open air sends out clouds of fine, indestructible particles that when breathed . . . cling to the lung permanently, leading to an extraordinarily high rate of lung cancer" and other diseases, Mr. Kretchmer told the Bar Association.

Presto! A Substitute

The contractors insisted they had no choice but to spray, and Mr. Kretchmer's agency issued an order setting severe restrictions on the spraying. The next day, he said, the contractors "magically discovered a substitute existed." Other contractors agreed also to use the substitute or to follow the restrictions. But, he said, most of them "consistently violated both their agreement and the legal commissioner's order" during the rest of 1970 unless an inspector was on the scene.

Another unresolved asbestos controversy involves talcum powder—baby

powder—declared Mr. Kretchmer. Talc occurs in nature along with asbestos. So the city asked researchers at Mt. Sinai Hospital to test two brands of talcum powder; they found that the powders contained from 5 to 25 per cent pure asbestos that can be readily inhaled by users and their infants, he said. The New York environment agency then asked the U.S. Food and Drug Administration to run the sort of exhaustive tests that Mt. Sinai is not equipped to run.

Local newspapers declined to publish the city's preliminary findings because the brands were not named, Mr. Kretchmer said. But the manufacturer of one of the two brands, according to Mr. Kretchmer, told the press that its products were "totally asbestos-free," a statement that Mr. Kretchmer rated as "totally truth-free." Researchers at Mt. Sinai Hospital, however, said the tests they conducted were limited and inconclusive. But they suggested that people use other materials, such as corn starch, instead of talcum until the preliminary results that show a potential hazard can be clarified.

Force Aplenty

Mr. Kretchmer also had unkind words for other segments of business and industry: the real-estate managers who fought air-pollution laws that affected apartment-house incinerators; manufacturers who balked at using recycled materials; electric-power officials who complained about the city's new air-purity code; and merchants who objected that the city's street-closing program cost them business.

The car, of course, was on Mr. Kretchmer's hate-list too. He noted that New York City has a Federal grant to test low-polluting vehicles, but asserted that the pollution-free car suggestions are coming, not from Detroit as might be expected, but from private people and small companies.

"The environmental movement, right up to the first Earth Day, was a love feast with no enemies," fumed Mr. Kretchmer. "Who could be for pollution? Now the environmental movement believes, with Pogo, that 'we have met the enemy and he is us.' I am really weary of seeing that Pogo quote on every piece of environmental literature. It is too easy to blame everybody, because if everyone is guilty, no one is guilty," Mr. Kretchmer concluded.