



LEAD INDUSTRIES ASSOCIATION, INC. • ZINC INSTITUTE, INC. 252 Madison Avenue, New York, N.Y. 10017 (212) 679-6226

June 7, 1973

SUBJECT: LEAD IN GASOLINE

TO: MEMBERS OF LEAD INDUSTRIES ASSOCIATION, INC.

The outcome of the lead in gasoline issue is of vital interest to us all. In the past year, evidence has continued to mount that the government has moved too quickly in its effort to control automobile emissions and to remove lead from gasoline.

Many knowledgeable people feel the Clean Air Act of 1970 should be reexamined and amended to reflect the realities of the present state of technology and the relationship of environmental needs to other important national priorities such as the growing energy problem.

You and others in your organization might wish to express your views on the desirability of amending the Clean Air Act to permit a more realistic approach to controlling automobile emissions.

What follows are some major points that could be made in your contacts and discussions:

- 1) The Environmental Protection Agency position that lead in gasoline poses a threat to public health has been shown to be without basis in scientific fact.
- 2) The catalytic approach, which would create the requirement of lead free-gasoline, is no longer thought to be the system of choice from economic or durability standpoints. Other systems, such as thermal reactors with traps, could meet more realistic standards, such as those of California, and also control particulate emissions including lead.

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- 3) Current measures to control automobile emissions, including the removal of lead from gasoline, will result in a tremendous drain on energy supplies at a time when the nation faces severe shortages.
- 4) Implementation of the present law will have an adverse economic impact on all segments of society from producer to consumer.

There are those in Government who are aware that the Clean Air Act of 1970 could prove detrimental to the public interest, witness the reprint attached. They would, no doubt, welcome your views on the matter.

Directly addressing itself to the broad questions of energy crisis, lead in gasoline, and emission systems - among other issues - is the current issue of ETHYL DIGEST, enclosed. It is well documented and includes a depth of information which we feel would prove useful to people in your company, including sales and plant personnel, who are constantly asked about the energy crisis, the pros and cons of lead in gasoline, and auto emissions.

Our member company, Ethyl Corporation has made several hundred copies available to us for distribution, and we shall be glad to send you additional quantities as long as the supply lasts.

If, however, you desire to make a large-scale distribution to company employees, please let us know. In cooperation with Ethyl, LIA can make bulk copies available at an extremely low cost.

Sincerely,



Philip E. Robinson
Executive Vice President

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Attachments

AUTO EMISSIONS STANDARDS: DO THEY STILL MAKE SENSE?

Mr. HART. Mr. President, Congress, as was intended by the authors of the Clean Air Act, tends to be the most legislative branch of government.

Because of its size, because of the diversity of philosophy represented there, because of occasionally conflicting regional and political interest, Congress is a pot where legislative ingredients tend to simmer slowly until they are indistinguishable in the stew that finally arrives at the table.

This, in balance, is fine. Programs do stand a better chance if the opposition sector's sharpest teeth are blunted. Minority philosophies should have a degree of influence. Regional interests should not be totally ignored.

Our problem very often is that once we have polished some program into acceptable condition with all the compromises, commitments, and political considerations tucked in, it must succeed or fail in that form no matter what changes in circumstances may befall it.

Congress sometimes finds itself with little ability to adjust, to tinker, to add, to subtract or remove it once the program has been launched.

The war on poverty might be cited as an example. It was admittedly a somewhat convoluted concept structured into legislative form. It was a somewhat uncertain craft—tending at times to be clumsy and inefficient but it was here, there, and everywhere as it set out on its historic mission.

Some parts of it worked. Some parts did not. But Congress never really reconstructed it, revised it, discarded portions and preserving a better concept.

And as a consequence, the bureaucratic administration—often the program's deficiencies—finds itself politically able to scuttle the whole concept of a unified poverty program.

Certainly, it is our obligation—although an admittedly difficult one in view of the nature of the body in which we serve—to make sure that the programs we enact are not made rapidly obsolete by circumstance, not made unrecognizable by bureaucracy, not left to fall through uncertain seas without an occasional chance of course or aid.

All of this is a rather wordy prelude to my reexamination of problems that are soon to descend on us—problems generated by the 1970 enactment of the Clean Air Act.

When we passed that legislation many of us—with considerable justification, I think—were particularly sensitive to the distortions of congressional intent that often result when a public law is passed through a bureaucratic filter.

Previously, in matters of health, Congress has left the technical details of discovery and enforcement to the executive branch.

We traditionally let them figure out what the dangers are and what enforcement levels are needed to meet the dangers. This time, we decided that we would be the technicians that would determine the requirements and set standards far into the future.

So we did not leave much discretion to the enforcing agencies. We built the ship but before we pushed it off from shore, we set the sails, we locked the rudder, and sent it on its way under the guidance of a largely automatic pilot.

But now it is clearly our responsibility to monitor that voyage closely. I hope we can do that and make whatever adjustments that logic may demand without undue loyalty to the decision that Congress made under other circumstances in 1970.

My suggestion that the act be reexamined will not, I hope, be totally suspect because I am the senior Senator from Michigan. It is true that my constituency is heavily involved in automobile manufacture, but I think many colleagues will recognize that I am not exactly a favorite in the boardrooms of Detroit.

In fact, I have no hesitancy in stating that the crisis we find ourselves in today is in no small part the result of myopia on the part of the auto manufacturers themselves.

They had little or no response to early pollution warnings. Moreover, it is undoubtedly true that the now-famous California consent decree arrangement offered strong evidence that the companies did, in fact, considerably drag their feet on pollution control.

It might be justifiably said that, had the auto companies in 1970 been fully thoughtful in regard to future, inevitable and consumer concern, the Clean Air Act may have passed in a more moderate form.

The American auto industry certainly has not been noted for individual innovation. When it moves, it almost always moves in lockstep, a characteristic common to concentrated industries.

Nevertheless, I find myself in accord with the National Academy of Sciences, which after reviewing the energy, economic and social impact of the act, recommended:

These matters are so complex and important that the committee urges an early and thorough examination by Congress, EPA and the academy of all aspects of the motor vehicle pollution standards established in the Clean Air Amendments of 1970—their premises, underlying assumptions, the goals that were set and the interplay among the three pollutants dealt with specifically in the act.

In the light of the material developed in the study, CMAA believes that such a re-examination would be extremely valuable in relating motor vehicle emissions control to the many issues relevant to a sound national environmental policy.

Why is it appropriate for us to now reexamine that 1970 act?

We have grown increasingly concerned about our energy supplies, and it now appears that the systems most likely to be installed to meet the statutory standards will require increased fuel consumption.

We still have no medical evidence—however tentative—of the degree to which public health will be improved by the end-stage requirements of the act; thus the cost-benefit ratio is difficult, if not impossible, to compute.

If industry and government do not deviate from their general course, it is apparent that the devices needed to bring cars into compliance with 1970 and 1976 requirements will add about \$275 to the price of an auto. The consumers paying out those dollars will be justified in asking precisely what benefits will accrue to themselves and their communities. I am not sure our answers will be very satisfactory, especially to that 30 percent of the Nation's population not living in urban areas.

Technological advances now on the horizon promise cleaner engines at lower prices.

News reports—confirmed by private conversations with EPA staffers—indicate there is new scientific evidence that nitrous oxide—the most difficult of all exhaust gases to eliminate—may not be the national hazard that we earlier thought it to be.

If we elect to continue a breakthrough charge toward the 1976 goals, let us all at least understand that the path leads through a swamp of uncertainties.

Certainly, I am aware that many now maintain that the industry made a mistake in its persistent devotion to the conventional internal combustion engine. The automotive genius, Charles Kettering, would have understood that.

It was always his contention that in a factory there is nothing harder to sell than a new idea.

The overriding problem as I see it is that we are at present locked into a course that will require additional expenditures by the consumer of at least \$2 billion a year if catalytic converters are standard equipment.

It is possible that the total extra expenditure may go even higher than that if increased demand drives up gasoline prices.

Many experts in the oil industry, in fact, are predicting gasoline prices of \$1 a gallon, the cost being propelled upward by no-lead requirements and by the increased consumption required of pollution devices now being contemplated for installation.

The National Academy of Sciences concludes that:

Three costs, in dollars and in depletion of fuel reserves, are so great that they should serve as a national incentive to hasten the development of reliable lower-cost alternatives to the dual-catalyst system as a solution to the problem of emissions control.

Certainly, everyone will agree that they should. But will they? In view of Mr. Kettering's law and in view of past performance, we cannot at this time promise the consumer that the industry, once the dual-catalyst is comfortably in place, will quickly seek to replace it.

But if we are to require the consumer to spend an extra \$2 billion a year, we have to promise him something, right? We almost have to be able to pledge, do we not, that the 1978-79 emissions standards will make his environment either healthier or pleasanter or both.

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Well, we assume the environment will be healthier in some selected parts of the country, particularly concentrated urban areas. No one is sure, but we think so.

On the other hand, evidence indicates that in most areas of the country, the new emissions standards won't make a whit of difference. We might as well face it—on our present course we will sooner or later be compelled to tell the auto owner in Detroit, Mich., why he has to pay \$272 more for his car because distant cities that he has no prospect of there are serious pollution problems in visiting.

And he might ask some embarrassing questions.

He might ask if the last, and most expensive, emissions controls are really necessary from a health standpoint.

He might ask if local pollution outbreaks might not be more efficiently and more cheaply controlled by local regulation designed to cut back auto traffic.

He might ask, for example, why a federal government worried about pollution in Washington, D.C. might not simply prohibit the use of at least government parking lots to cars carrying fewer than three people.

He might ask why we are not more actively pressing for mass transit systems in stricken areas.

He might point out that a mandatory inspection system that limited on written auto owners in high-pollution areas could reduce hydrocarbon and particulate emissions by some 40 percent at a cost of perhaps \$35 a car.

If we stay on our present course, we will also have to prepare a strong case for participation in families of low and middle income. All the additional costs demanded by the 1975-76 steps will represent a sizable percentage of their income when car-buying time comes around.

Those families will have a right to know precisely what benefits will accrue to them and the Nation as a result of the extra charges we require them to pay.

Once again, I quote from the Academy report:

Whereas pollution control is undesirable where there are no serious health problems, today, to be exercised on the basis of other essentially scientific or health considerations in large areas of the nation.

Indeed, recent, natural production of hydrocarbons, carbon monoxide, and perhaps nitrogen oxide for periods that from man-made sources.

In view of the costs to the nation, in dollars and in lost consumption, of early implementation of the 1975-76 standards, attention seems warranted to the possibility of temporarily relaxing the established emissions only in those specific urban areas where air quality is known to be adversely affected by automobile emissions, trusting national implementation when there are available reliable, relatively inexpensive emissions control systems which exact no fuel penalty.

What the Academy is saying, I think, is that the extra cost of near-total emissions control may be easy to explain to the fellow in Los Angeles but extremely difficult to explain to the fellow in Fayette, Miss., or Grosse Pointe, Mich.

It is undeniably true that we have experienced serious outbreaks of pollution in a number of urban areas. But if there is an outbreak of rabies in, say, a dozen cities, is it reasonable to insist that everyone in the Nation undertake an expensive and inconvenient series of inoculations?

And if we think it is, do we not have the duty to prove it?

And certainly a fellow who happens to be employed in making cars will have a right to know precisely what is gained in return for whatever reduced demand results from the higher prices.

After all, hundreds of thousands of families depend on the auto industry for their livelihoods, their very survival.

We cannot reasonably continue on a hasty and uncertain course that may damage their interests unless we are very positive that the damage will be justified by measurable benefits to society.

In 1979 and 1972, we did not budget a great deal of time to the cost-benefit questions. Everyone was in favor of the principle of cleaner air so we banged ahead toward that goal on the basis of whatever information we could scratch together at the time.

But once the costs of that cleaner air are applied, all these arguments are going to come. They are legitimate questions deserving factual answers.

It might be overreacting at this moment to note that there is indeed a study underway to determine the relationship between health and emissions.

However, it is my understanding that the study, being conducted by EPA, is not scheduled for completion until the end of this year.

Someone might also ask whether all these expensive devices will really work once installed. I guess no one really knows. If the devices go out, then the companies are supposed to recall them for service. But the owner is not required to accept the offer, and we can justifiably guess that many of them will not. So that raises the specter of millions of cars carrying expensive, and useless, control mechanisms.

More uncertainty is injected by the appearance on the horizon of newer and cleaner powerplants that may offer cheaper alternatives.

The question must also be raised as to whether we can wisely driver all production and maintenance of pollution devices to the auto maker, thus freeing out the possibility of corruption from small manufacturers and perhaps adding to the current, slow-motion economy setting the industry.

There are questions that we would be irresponsible to avoid. Even environmentalists must agree that the Clean Air Act should be reexamined.

If it is allowed to plow blindly ahead with nothing more to guide it than the automatic pilot set in 1970, the disaster potential is impressive.

If it credibly can be said 4 years from now that we have caused the expenditure of billions to no purpose or to questionable purpose, the clean air cause will have been dealt a blow from which it will be hard put to recover.

These concerns, it should be emphasized, are not about whether the act's standards can be met. That is a problem that Mr. Ruckelshaus is puzzling over and one that he will have to resolve. What we in Congress will have to determine is whether the standards should be met in light of new considerations. And only Congress can make that decision.

For all of us, I know, it is more comfortable to pretend that our legislation, once deliberated, debated, and enacted, can be safely entrusted to the spee.

Moreover, we will risk the appearance of going to the rescue of an industry that is not held in impressively high regard. The trouble with the auto companies is that every time you feel inclined to listen to their kyle they commit some new outrage that turns everybody off.

Let me make it clear that the 1970 act has brought the Nation some very good results. And the problem of air pollution is not solved by any means.

Whatever we do, we must maintain all possible pressure on that problem. If we are going to live with ourselves around here, we had better make certain that we continue to push hard.

But let us make sure that when we push, it is toward a technological solution that we can comfortably defend as having a sound cost-benefit ratio.

It is now our responsibility to provide whatever flexibility makes sense. Circumstances have changed. We are clearer as to what we know and what we do not know.

What appeared in the public interest 3 years ago demands constant monitoring if the public interest of 3 years hence is to be served.

We should get at it—and quickly.