

High Country

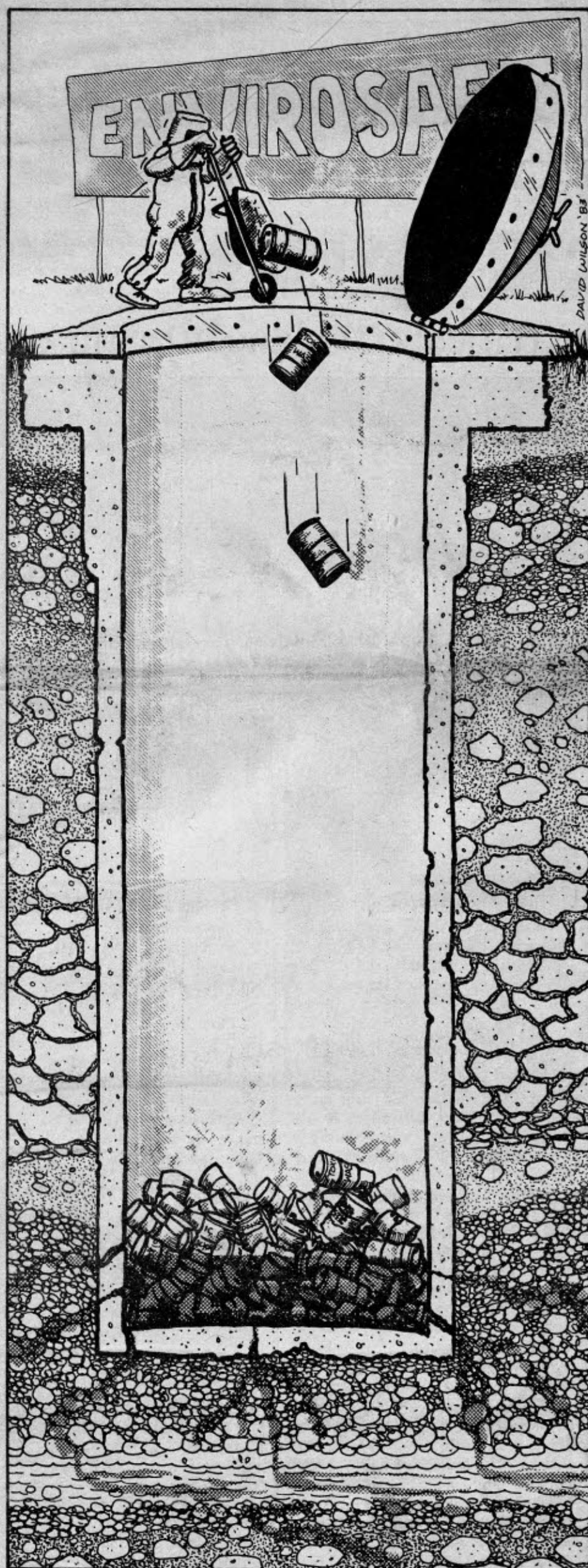
news

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A grassroots effort

Residents fight to control a toxic dump

by Glenn Oakley

If a little-noted incident in central Idaho is any indication, America is not protected against toxic wastes getting into our daily bread by federal or state bureaucrats or by regulations. What protection there is comes from people at the grassroots exercising their powers of observation and common sense.

That's the only common thread to run through six months of allegations and investigations surrounding the EnviroSAFE toxic waste landfill in Idaho -- a facility once considered among the safest in the West.

It's certainly the moral of the incident that took place this summer just outside the 117-acre fenced dump in central Idaho. The incident centers on farmer Terry Ketterling, who was combining wheat on his farm near the dump one hot August day.

As Ketterling tells it, a truck driver who had hauled grain for him before stopped by on his way to the EnviroSAFE dump. The driver offered to haul Ketterling's freshly combined wheat, which was bound for Portland, Oregon.

Ketterling was curious about what was on the truck. "The driver told me he was hauling lead or something," and so Ketterling agreed to let him haul out his grain. But then he "got to wondering" and called EnviroSAFE to ask them what the driver had.

"They said he had about 100 to 150 different chemicals," including paraquat, nitric acid, chloroform, ethanol, mercuric benzoate, nicotine, and silver chloride.

Ketterling then asked EnviroSAFE how the wastes are unloaded. "He said, 'We drive on the trucks with a Bobcat [similar to a forklift]. I asked him if the Bobcat had been in hazardous wastes. He said, 'Of course, this is a hazardous waste dump.'"

Ketterling told the driver not to come back. Later that day, the driver thinking he was on a different farm, approached Ketterling's hired man with an offer to haul wheat.

According to Ketterling, "I don't think this was the first time it happened. I was lucky to have seen the truck coming in... I've seen trucks go up there -- grain rack trucks. They

might be hauling stuff you ate for breakfast. This isn't a problem just for Grand View [the small town near EnviroSAFE], nor for Idaho. Idaho produces a lot of food for the rest of the country and the world."

The farmers and other residents of rural Owyhee County may be concerned about the threat the EnviroSAFE facility presents to the people who consume the food they raise. But especially since an August flash flood, they have been most concerned about the threat it presents to them.

The August 20, 1983 flood through the 117-acre toxic waste dump initially seemed to merely point out monitoring deficiencies by the Idaho Hazardous Materials Bureau and the Environmental Protection Agency.

Among the deficiencies was speed of response. The flood occurred on a Saturday evening, but state inspectors didn't arrive until Monday morning. And it wasn't EnviroSAFE which notified officials of the flood even though the flood, perhaps thanks to barrels it was carrying, smashed a chainlink fence on its way out of the compound. The regulators learned of the flood from someone else at the grassroots -- an employee-informant who called Owyhee County prosecutor Clayton Andersen.

Even then, state inspector Daryl Koch didn't take water or soil samples to determine whether waste from the dump had flowed over Russell Fox's alfalfa field, into Castle Creek, and then into the Snake River just two or so miles from the site.

It was not until four days after the flood that the EPA took samples -- samples which showed only traces of chemicals, according to Steve Provant, Air and Hazardous Waste Team Leader for the EPA in Idaho.

The slow, sloppy handling caused a spate of letters and protests. For example, Congressman Larry Craig (R-Id), issued a press release chastising Idaho's Hazardous Materials Bureau: "Their actions to date have been slow, unsatisfactory and highly questionable."

But attention soon went far beyond

[Continued on page 10]

Dear friends,



High Country News

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Those who live in the Rocky Mountains in the winter are aware that this is the season people and wildlife interact strongly. To his sorrow, an *HCN* staffer interacted strongly with a deer two weeks ago -- it dashed across a highway in the North Fork Valley about 9 P.M., right into his Pinto. The staffer was heading home after a meeting. The deer was probably heading down to the river for a drink after an evening spent browsing on next spring's fruit buds in the local orchards. It is speculated that Colorado's long hunting season, or the harsh winter, or just habit has moved the game down to lower elevations, where the living is easy if they can dodge the cars. This issue has several stories about the effect of winter on wildlife. Former *HCN* editor Geoff O'Gara describes the elk slaughter on Wyoming's Wind River Range. And



Antelope blocked at Red Rim

Marjane Ambler, another ex *HCN* editor, describes the conflict between cattle, coal and antelope in southern Wyoming. It is a conflict heightened by this harsh winter coming after several mild winters. It is a pattern that produces large winter kills.

One final note before we sign off

for the year. *HCN* hopes to ring in 1984 by reviving *Afield*, the column which was once a staple here. We are looking for contributions of about 500 words, preferably with photos or drawings. And yes, we will pay for published work.

--the staff

WESTERN ROUNDUP

Two Wyoming tribes are slaughtering elk

Wyoming's early and harsh winter has driven hundreds of big game animals to their deaths along fences and railroad tracks, but here on the Wind River Indian Reservation they face another danger: unrestricted hunting by tribal members.

Last week, elk and deer driven down from the mountains by heavy snow were slaughtered by the dozens on the reservation, which has virtually no restrictions on hunting by enrolled Indians (*HCN*, 2/5/82). One former game warden alone has reportedly killed 14 elk and eight deer.

There were indications last week that the slaughter -- which has drawn attention from national media -- may finally compel the tribes to enact a simplified code for big game. "Most of the people I talk to want to protect the game," said Emil O'Neal, a member of the Arapahoe Business Council. The Council and its Shoshone counterpart govern the reservation. "We might have a referendum on a new code around the first of January," he said.

Neither the U.S. Fish and Wildlife Service nor reservation Game Warden Gary LeJeunesse could provide exact figures on the number of big game animals killed on the reservation this month. A week ago, LeJeunesse's records showed 49 elk killed, but slain game is reported to LeJeunesse only when it is commercially processed. More recent figures from a Fish and Wildlife official put the number of tagged or confirmed elk dead at 140.

The reservation is viewed by state and federal wildlife experts as ideal big game habitat: 2.2 million acres of forest and plain, a low human population density, and little impact from non-Indian users. But while the surrounding national forest offers one of the richest hunting preserves for elk, moose and deer in the lower 48 states, the wildlife disappears when one crosses the border of the reservation.

The reservation is not subject to state and federal controls on hunting. A game code was in effect briefly, from 1949 to 1953, but since then the tribes have maintained it is a vested right of tribal members to hunt without restrictions. U.S. Fish and Wildlife Service biologist Richard Baldes, in Lander, maintains that open hunting, combined with increas-



ed backcountry access by logging roads built in the 1960s, is to blame for the steep decline in game.

Twice in recent years, the USFWS has assisted the tribes in writing a game code. Most recently, in 1980, the Shoshone approved a proposed code only to have it rejected by the Arapahoe.

Tribal leaders are reluctant to speak ill of one another, and many refuse to air their differences to the press. But a year ago, Shoshone Business Council Chairman Robert Harris took the unusual step of asking the federal government -- in the person of Secretary of Interior James Watt -- to intervene and impose a temporary hunting moratorium, exercising his trust responsibility for Indians and their property. Last March, the Interior Department refused the request, citing an "apparent split in judicial authority" regarding Interior's regulation of reservation hunting and fishing.

The stalemate might have continued indefinitely, but for this year's harsh winter and the slaughter that ensued. An elk herd of about 2,000 winters high in the reservation's 180,000-acre wilderness area, normally out of reach of four-wheel-drive vehicles and snow machines. This year, the elk and deer have been forced down onto exposed ridges in

the foothills where they are easy prey for high-power rifles.

Shoshone Chairman Harris and Arapahoe Chairman Wayne Felter have issued an appeal that tribal members "respect our wild game as our forefathers and elders have taught us." Shoshone Board Member Wes Martel said tribal leaders would defend the right of those living on the reservation, where there is 63 percent unemployment, to take "an elk or two this winter to feed their families." But Martel added, "I think we're getting the momentum to do something about a game code."

Should the tribes succeed, they face another problem: enforcing the code. According to USFWS's Baldes, game wardens on the reservation have in the past been among the most avid hunters, and enforcement of the current minimal restrictions -- which ban the selling of game meat or spotlight hunting -- has been inconsistent.

Last November, the reservation's Fish and Game Department ran out of funds, and seven of nine game wardens were laid off. They could be rehired when the new fiscal year begins in January, but Baldes said, "Until we get a good group of professional law enforcement folks working for the tribes, it won't work."

--Geoff O'Gara

Wyoming rancher cuts his fence

With more than 1600 antelope facing a slow death by starvation or exposure, Wyoming Gov. Ed Herschler finally succeeded in convincing rancher Taylor Lawrence to cut his fence across miles of snowy plains south of Rawlins, Wyoming.

Howling winter storms had forced the antelope against the fence in their attempt to get to winter range, which is usually free of snow. Because it is such valuable winter range, the Wyoming Wildlife Federation had filed an unsuitability petition to prevent the federal coal there from being leased.

Lawrence owns private land in the area and would have been unable to benefit from the coal beneath it if the federal lands, which checkerboard with his, were declared off-limits to mining. Because of federal land grants to railroads in the 1800s, Union Pacific's subsidiary, Rocky Mountain Energy, owns the coal under Lawrence's sections of land.

Lawrence has said he is concerned about overgrazing from excess antelope in the area and has denied that the fence was designed to expedite mining. Although the checkerboard land-ownership pattern has worked to his disadvantage for coal development, he turned it to his advantage by building his fence on a diagonal across the section corners so that it was entirely on private land. The straight-line fence runs for 28 miles.

The situation has created a public relations nightmare for the state of Wyoming. A national television news spot publicizing the plight of the antelope inspired more than 500 phone calls to the governor's office from well-intentioned but usually ignorant wildlife fans. They wanted to donate food or adopt the starving critters and wondered if antelope weren't a threatened or endangered species. At the same time, ranchers continued to criticize state game officials for allowing antelope populations to get out of hand.

Dale Strickland of the Wyoming Game and Fish Department said antelope are far from being endangered in the state and particularly in this area. The objective is to reduce the herds there to 7,200 wintering animals, and now he estimates there are close to 9,000. The department has increased hunting permits, which is the only tool it has for changing population levels, and hopes to reach its goal by the end of 1985.

Strickland said that managing wildlife in Wyoming is not like running a zoo. Because state biologists cannot anticipate whether a winter will be harsh, they cannot afford to dramatically decrease a population in one year. Changes are spread over several years in an attempt to smooth the fluctuation in herd sizes caused by weather.

The Red Rim antelope herds had grown because there were three mild winters in a row -- a rare occurrence in

Wyoming. It is too early to say how many will be lost this winter, but at least 200 have already been killed by trains, and others by automobiles, as the antelope sought bare ground along highway and railroad right-of-ways.

Strickland said the department cannot feed the Red Rim antelope, as people have suggested, because their location is so remote in the winter and because they cannot digest hay or grains. Their systems are attuned to sagebrush, and they do not have the bacteria in their stomachs necessary to digest other foods. Thus, antelope do not compete with cattle except during a short part of the summer, according to game biologists. Lawrence's operation is strictly cattle. Antelope do compete with sheep, however, which is why other ranchers in the area are concerned about the high population of antelope.

Now that the crisis is past, the different parties to the conflict will meet to try to achieve a compromise. Both the Wyoming Wildlife Federation and the Bureau of Land Management, the federal agency responsible for the federal coal leasing, said they would consider allowing coal to be leased in part of the Red Rim area if the portion most important to wildlife were not disturbed.

If no agreement is reached by spring, the state of Wyoming has promised to put the fence back up again for Lawrence.

--Marjane Ambler

Wyoming is unfriendly to voter initiatives

Wyoming's initiative law is proving to be more a mirage than a workable tool of grassroots democratic action. Two petition drives to place proposed laws on the 1984 ballot appeared doomed as the Dec. 16 deadline approached, even though one of them, a streamflow protection effort, had more than 25,000 signatures.

Since the initiative amendment was added to the state constitution 15 years ago, no attempt has succeeded in placing a proposed law on the ballot. Critics say the signature requirements are much too high.

The initiative provision requires would-be initiators to obtain signatures of "qualified voters equal in number to 15 percent of those who voted in the preceding general election." But a later law passed by the Wyoming Legislature changed the Constitution's wording to "qualified registered voters."

After a two-year effort, a committee in 1981 filed an instream flow initiative petition with 3,668 signatures more than the number required. But Secretary of State Thyra Thomson ruled that 4,934 of the signatures could not be validated as being those of registered voters. She disqualified the petition and the state Supreme Court later affirmed the secretary's ruling.

Last May, the Wyoming Citizens' Committee for Instream Flow announced a new petition drive. "It seems inconsistent that it is illegal to pollute our streams, but legally acceptable to dry them up," said chairman Tom Dougherty, a Cheyenne businessman.

The proposed law is identical to one which passed the state Senate by a 4-1 majority in February, but was later killed in a House committee. The bill provides that instream recreational



Wyoming Travel Commission

use of water can be considered a "beneficial use" under the water rights statutes, thus allowing the Wyoming Game and Fish Department to obtain instream flow rights on selected, unappropriated waters in the state. It specifically provides that the instream flow law shall not affect any existing water rights.

Nonetheless, a group calling itself the Wyoming Citizens for Wyoming Water began a counter-petition drive during the summer, pushing a proposed law that would only allow instream flow protection where additional water is "produced" by new storage projects. This effort has the support of state agriculture organizations. Chairman Merl Rissler, a Casper rancher and irrigator, charged that Dougherty's instream flow law could "stop any future storage development of Wyoming water, making downstream states the principal beneficiaries."

Dougherty, a board member of the

National Wildlife Federation, denies the charge. He said his petition was intended to protect fish populations and riparian habitats without damaging existing uses. An instream flow law would enhance the state's multi-million dollar tourist and outdoor recreation economies, he added.

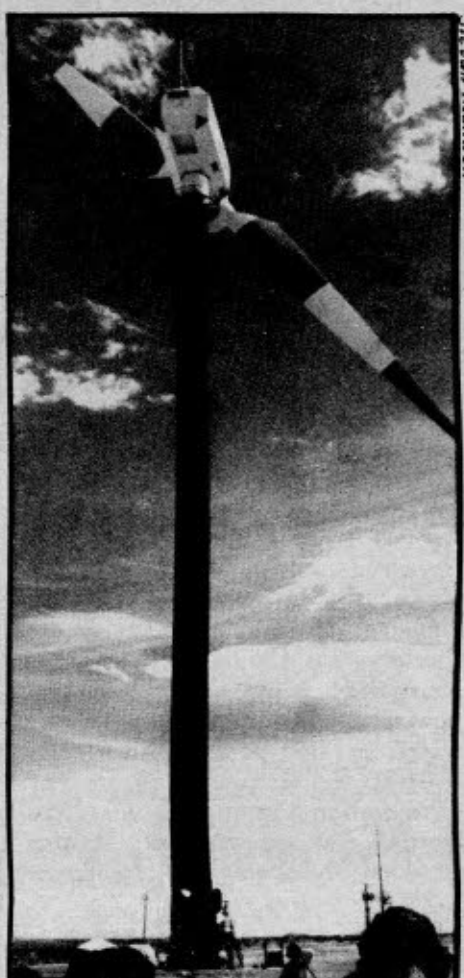
Dougherty said his group would turn in petitions with more than the minimum number of signatures. But he said the group's "cushion" of excess signatures "will be lower" than that of the initiative drive axed two years ago by the Secretary of State.

Rissler, reached at the Wyoming Farm Bureau office in Laramie, said his initiative effort has probably fallen short. "That big storm in November killed us," he said. "Our people had to tend to their livestock and didn't have time to be out getting signatures."

--Phil White

HOTLINE

Wyoming hopes to tap its curse



BuRec 4-megawatt windmill at Medicine Bow, Wyoming

A \$300 million "windmill farm" at Medicine Bow, Wyoming, has been proposed by Extractive Fuels, Inc., a small firm based in Casper. One hundred megawatts would be produced by up to 25 wind turbines, including two experimental ones owned by the Bureau of Reclamation. The state's Department of Economic Planning and Development would act as coordinator between the firm and the federal agency, which is under a congressional mandate to cut back its involvement in the project. Plans call for selling the electricity to the Western Area Power Administration, which feeds power into a nine-state grid. The wind farm could start construction next summer and be partly in operation by mid-1986. And a Denver firm, Pan Aero Corporation, has announced it also plans to build a windmill farm in the Medicine Bow area. Its start-up capacity would be 100 megawatts.

As John Goodier, a state minerals development staffer with the state, puts it: Wind power "is a neat way to take advantage of a Wyoming resource that most everybody has kind of cursed in the past."

Exhale only, in Denver

Dirty eastern cities once sent their asthmatic and tubercular citizens to clean Denver for medical help. But a just-released EPA report shows Denver's air is dirtier than that of Washington, D.C. About 11 percent of the 454 volunteers who roamed Denver with air quality monitors had carbon monoxide blood levels greater than federal standards. Only 4 percent of similar volunteers in Washington, D.C. exceeded the standards. Carbon monoxide levels in the blood averaged 1.5 percent, with volunteers in the downtown during rush hours testing higher. Physical impairment shows up at 4 to 6 percent levels. The test results, officials said, are worse than they seem. The readings were taken last winter, which was a relatively low-pollution winter.

HOTLINE

A conservation loss

Environmental Information, a publication of the Conservation Library of Denver Public Library, is no more.

For three years the tabloid provided news about energy development in the 10-state Rocky Mountain region and eventually reached more than 10,000 readers. The newspaper began with funding from the EPA and the U.S. Department of Agriculture, and its role was to increase the reach of the Conservation Library's Regional Energy/Environment Information Center.

Radical funding cuts finally forced the publication to survive on contributions, while the Information Center itself ceased to exist. Although the well-respected collection of conservation-related materials remains intact, sharp reductions in budget and staff have forced the Conservation Library to reduce the hours it is open for public use. The newspaper had targeted such topics as water in the west, passive solar heating techniques, and energy conservation opportunities for commercial and industrial use. It also provided bibliographic information and a calendar of events.

Gobbled up



Utah's turkey farmers were gobbled up this year. They lost money due to high interest rates, the Thistle Lake mudslide and tough competition from red meat producers. It's the third year in a row that growers in the Sanpete Valley south and east of Salt Lake City had little to be thankful for. According to the *Utah Waterline*, the growers lost three to five cents a pound on the 1.9 million birds raised in 1983. Last year they broke even; the year before they lost \$1 a bird.

Part of this year's problem was caused by the Thistle Lake mudslide, which took out a railroad line into the valley and raised the cost of feed by up to 1.5 cents a pound, which works out to about thirty cents per bird produced. They were also hurt on the market side. Prices stayed low even though Sanpete Valley's production has dropped drastically due to the past two bad years--from 4 million birds to this year's 1.9 million birds. Sanpete County is still among the top ten counties in the nation raising turkeys.

BARBS

Blame the roads.

Reading ski area weeklies gives you the feeling resort owners have memorized all the wrong parts of Ibsen's *Enemy of the People*. For example, the *Vail (Colorado) Trail* quoted that town's Holiday Inn sales director as saying: "They couldn't get here or were discouraged from coming. We do feel the road reports hurt us." The "road reports" over the Thanksgiving weekend said that Denver's Stapleton airport was closed, that Interstate 70 east of Denver was closed, that drifting snow had trapped and killed several motorists, and that thousands of stranded motorists were holed up in emergency shelters.

Wyoming may balk at tailings cleanup

A top Wyoming official is afraid that state legislators, who are cost-conscious and always wary of the federal government, may not appropriate the money necessary to help clean up radioactive tailings at the old Susquehanna-Western uranium mill site near Riverton, Wyoming.

Nancy Freudenthal, an attorney with the governor's office, said the Department of Energy came into the state assuming it would make all the decisions on the cleanup since it would foot 90 percent of the cost. State environmental officials, however, have made it clear they have their own ideas about what needs to be done. And now some legislators on the budget committee have indicated they must be convinced that the cleanup is necessary at all.

Freudenthal is seeking additional information from DOE on environmental and economic benefits from the project, but time is running out. Although DOE discovered this year that pollution from the tailings extends farther than originally thought, reports from the Lawrence-Berkeley Laboratory on water contamination are not due until January 1. On January 18, state environmental officials must present their arguments to the legislature justifying a cleanup appropriation of \$1,759,000. The request represents more than one-quarter of the total Land Quality Division proposed budget.

Freudenthal said she cannot just tell legislators that Congress recognized the radiation danger from uranium wastes when it passed the Uranium Mill Tailings and Reclama-



Clarence Moss, whose home is 250 yards from Susquehanna's abandoned uranium mill tailings.

tion Act of 1978. "They would just look at me and say, 'So?'" That is why she needs more information that will show the extent of the local hazard to Wyoming citizens, as well as the jobs and local revenue that will be generated by the project.

If the legislature does not appropriate Wyoming's share of the clean-up costs, Freudenthal said, she does not expect DOE to continue on its own. Non-cooperation would also rule out federal ownership of the land. Presently the mill site is owned by private non-Indian individuals on the Wind River Reservation. The state has no control over what the owners do or don't do there. Since the tailings now rest above an aquifer, the potential for

further pollution is considerable.

Freudenthal is also concerned about 36 structures in the Riverton area that have been identified as "hot spots." Tailings may have been used in construction or may have blown up against these structures, thus exposing residents to more possibility of cancers caused by radiation.

Susquehanna is one of 24 inactive mill sites nationwide targeted for cleanup after Congress passed the reclamation legislation five years ago. Susquehanna is considered a high priority by DOE because it is two miles from Riverton as well as being a wet site.

--Marjane Ambler

Polluter is asked to shell out billions

No one is quite sure what it all means yet. It might mean that polluters will finally pay for the legacy of years of toxic-waste dumping in Colorado, or, it could mean millions of dollars in court costs unravelling the legal tangle. It all began this October when the U.S. Army hit Shell Oil Company with a \$1.9 billion liability claim for contamination of underground water at the Rocky Mountain Arsenal east of Denver.

Then on Dec. 9, in a rush to meet a Statute of Limitations deadline, Colorado filed seven lawsuits and other claims against mining companies, chemical manufacturers, and as a last resort, Superfund, in U.S. District Court.

The total of 23 actions could net the state as much as \$1.15 billion. The claims were filed under a little-known clause in the Superfund Act that allows federal agencies and states to collect compensation from companies suspected of damaging natural resources. If the state can't find the polluters, it can file a claim against Superfund for up to \$50 million for each damaging release. State lawsuits were brought against Cotter Corporation for damages from its uranium and vanadium mine in Canon City, as well as against Shell for seepage of chlorinated pesticides into ground water at the arsenal. Those pesticides, aldrin and dieldrin, are believed to cause cancer and birth defects and have been banned by the Environmental Protection Agency.

It was news of the Army's suit that prompted Colorado officials to follow the federal lead and sue suspected polluters. Before that, according to a state Natural Resources Department official, the state had simply

overlooked it. "Nobody recognized it," said Dave Shelton, chief of that department's mined land reclamation section. "It's amazing... miraculous."

Thomas Looby, acting assistant director of the Colorado Health Department, said, "We're doing this to preserve our legal right. We do not want to create an adversarial relationship (with the alleged polluters.)"

"There are entities that have been responsible in righting past wrongs. We don't want to discourage them from continuing to clean up these sites."

This is the first time action has been taken under the "Natural Resource loss" provision unearthed in the Superfund Act by the Army. What Superfund activities director Bill Hedeman has been asking himself is whether these last-minute claims enable Colorado to go beyond cleanup to restoration of land to its former condition. "Is there a bandwagon (for the states) to jump on?" Hedeman asked. "There's been no interpretation of the law in the courts."

In the three years since Superfund was enacted, the EPA has identified 546 of the most potent chemical disasters in the nation, begun to clean up a few of them, and then sued to recover costs from industrial polluters. But the provision allowing states and federal agencies to collect for damages had been ignored and the claims filed by Superfund against polluters for cleanup costs have been miniscule compared to the potential settlements.

"Restoration is a monumental undertaking," said Bob Yuhnke, regional counsel for the Environmental Defense Fund. "Nobody knows

it could cost." The suits now filed can ask for compensation for lost use, and those who might have used the land include hunters, fishermen, and the city of Denver, which might expand Stapleton airport onto adjacent arsenal land.

"You can even get the value of future generations not knowing what an eagle is," said an EPA official based in Washington.

One problem with the suits is the uncertainty in assessing environmental losses. "If we lost a herd of elk we must show the herd was killed as a result of [hazardous substance] release," said Janice Burnett, assistant attorney general in Colorado. "Ecosystem damage is difficult to assess. It's very confusing. How much is a school of carp worth?"

Three years ago, President Reagan asked the Interior Department to assess "resource value" but the agency has not yet produced a formula for uniform valuation.

"They were supposed to do a cookbook so people could assess their own damage," said Bill Ross of the EPA's office of emergency remedial response in Washington, D.C. "Clear definition of an environment injury would shift the burden of proof from the claimant to the respondent," he added. Without that cookbook, said the state's Burnett, the state does not have a "rebuttable presumption" giving it a strong case in court. "We are estimating damages. We don't have a choice," said Burnett.

But as Dave Shelton of Colorado's Natural Resources Department put it: "The issue is not to collect the money; the issue is to remedy the situation."

--Mary Mann

Watt's coal commission pushes for leasing

The Linowes commission on federal coal leasing is not turning out the way many assumed it would.

It was born of Congressional dissatisfaction with Interior Secretary James Watt's approach to leasing and christened by his "joke" about its ethnic and physical makeup. Most therefore assumed the Commission on Fair Market Value would be critical of Interior's policies, would blast the Powder River coal lease sale, and would probably recommend a more stringent approach to the leasing of federal coal.

However, it is now clear that if chairman David Linowes, a professor of economics, has his way, the commission's final report will not be a critique of James Watt's policies or of the Powder River coal lease sale. And the commission will not recommend tightening of coal leasing laws and policies.

Instead, Linowes is pushing for changes in laws and procedures that will allow the federal government to make leasing more attractive to encourage competition. Linowes has concluded that the commission should not be bound by current laws, but rather should recommend changes in the laws on transportation, surface ownership, state severance taxes, due diligence and the like to make leasing and mining more attractive. As of this writing, he has had his way despite resistance within the five-person commission.

The main opposition to Linowes within the commission comes from Donald Alexander, a former Internal Revenue Service head who is now a Washington, D.C. tax attorney. He told *High Country News*: "My approach is somewhat narrower than Linowes'. He sees the charge of the commission in broader context than I do."

Alexander said he didn't want to see a detailed investigation of the Powder River sale or a pointing of fingers. But, he continued, he did expect to use the Powder River sale to understand existing problems and possible corrections. Plus, he didn't expect the commission to take a global approach by recommending changes in existing laws.

"I thought our principal duty was to accept current law and see how Interior could work within it to get fair market value. We expected to look at the past to cure problems in the future. I think we have an obligation to look at the past."

Linowes, in a telephone interview December 14 from his vacation home in Scarsdale, New York, indicated that he sees the commission's responsibilities in a different light:

"They didn't tell us to investigate the Powder River Sale. They already had two investigations. They didn't want a third. Plus, I'm not interested in an investigation -- they have the FBI for that."

Instead of an investigation, Linowes said, the commission was told to take a broad approach to coal leasing. As a result, he continued, it is recommending which laws and policies should be changed to make coal leasing more competitive.

Linowes said industry witnesses told the commission that "they don't bid because of transportation problems; because leases are too small; because the checkerboard pattern of many coal leases limits mining; because conflicts with surface owners sometimes stop mine development; and because of high severance taxes --



they don't know what the states will do."

Linowes said that these and other blocks to coal development and transportation make federal coal leasing unattractive to potential bidders. "About 80 percent of all federal coal lease sales draw only one bid." That means, he said, the market system is not working.

To make the market system work, in early December the commission released 39 recommendations. Perhaps the best example of their scope is its recommendation that a law be passed giving coal slurry pipelines the federal right of eminent domain so they can compete with railroads and bring down rail rates.

That made the coal companies happy, as did the commission recommendation that the due diligence clause in the 1976 coal leasing act be repealed. That clause puts pressure on lease holders to either mine the coal or return the lease by 1986. If they don't return the lease, they can't bid on additional leases.

The coal companies were not happy with another commission recommendation -- that Congress let railroads lease federal coal. Coal companies fear that railroads with coal mines may use their transportation monopoly to put independent mines out of business.

The recommendations have provoked controversy from a variety of quarters. Starting at home, one staff member, who asked not to be identified, said, "It seems like sheer foolishness to put out our recommendations without a report to back it up." Linowes said he wanted the recommendations out quickly to provoke discussion.

Commission member Alexander raised a question about the legality of some of the votes approving legislative recommendations. Alexander said he had abstained from voting on the slurry and due diligence recommendations, for example, because he believes he has conflicts of interest due to his legal practice. Two other commission members -- Andrew Brimmer of the DuPont board of directors and Richard Gordon -- also abstained because of conflicts.

"So only two members voted, and two is less than half of five." Alexander said he wondered whether

less than half a board could approve recommendations.

But Alexander also said he remained optimistic. He said he hoped the report backing the recommendations would be a compromise between the Linowes approach and his approach.

Linowes indicated to *High Country News* that compromise was likely. "We're using Powder River, Fort Union, etc. as case studies. We will have one chapter captioned 'case studies.'"

Whether the case study approach will satisfy Alexander and other critics won't be known until the commission's December 20 meeting, which took place after this was written.

At this point, however, it is unlikely that the commission can satisfy some of its external critics. Carl Gawell of the National Wildlife Federation in Washington, D.C. said:

"The Linowes Commission has out-Watted Watt. It has been a three-ring circus." He said that at one public meeting, the commission "talked back and forth about the issues in code -- 1A, 2B, etc. They wouldn't give us the issues paper they were using." So the audience, he said, didn't know what 1A or 2B referred to. "It might as well have been held in private."

In addition, he said the commission has held back documents. "The law says all documents are supposed to be available." But requests were turned down, he said, and both the National Wildlife Federation and Friends of the Earth filed Freedom of Information requests.

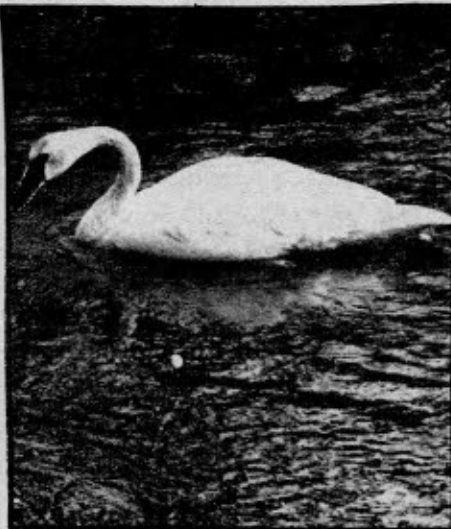
Those requests, he continued, revealed that those who had testified under oath against the coal leasing program were responded to at length, and anonymously. "But there was no criticism of industry testimony."

David Maselli, a consultant to the Colorado-Wyoming-Montana Western Organization of Resource Councils, wrote to the Commission: "Nameless, faceless figures in the administration have criticized critics." He said he had no objection to being criticized, but felt the administration people should testify publicly and under oath, as had those who gave the testimony.

--Ed Marston

HOTLINE

A swan dive



Trumpeter swan

The United States' trumpeter swan population has apparently declined in the last few years. The birds were thought to be extinct in the mid-continent until the 1920s, but after the discovery of a few swans in Yellowstone National Park and Montana's Centennial Valley, protection measures and a National Wildlife Refuge were established, and the trumpeter population increased to 600 in the late 1950s.

Then this September, a U.S. Fish and Wildlife survey put the current number of birds at 452. Only 54 cygnets (young swans) were counted, compared to the 50-year annual average of 77 cygnets. The survey was conducted in the Wyoming-Montana-Idaho tri-state area, including and surrounding Yellowstone National Park. The region is home for most of the trumpeter swans in the continental United States, though Canada has a midcontinent population of more than 200 birds. Galen Buterbaugh, Regional Director of the U.S. Fish and Wildlife Service, said reasons for the decline aren't fully understood. He cited recent years' unseasonably cold spring weather and increased development as possible factors. Buterbaugh said study efforts are being directed at closer monitoring of the swans, including the start-up of radio monitoring. Many of the Canadian trumpeter swans winter in the region, he added, and this creates increased competition for the trumpeters' limited winter feed.

Regional Forester retires



Craig Rupp

Rocky Mountain Regional Forester Craig Rupp, 55, will retire from the U.S. Forest Service at the end of this year. Rupp has been in charge of the National Forests in Colorado, eastern Wyoming, Kansas, Nebraska and much of South Dakota since 1976. He will be replaced by James F. Torrence, who is now deputy Regional Forester in the Pacific Northwest.

LETTERS

SKEPTICAL KRISHNAS

Dear HCN,

Though late, I am responding to the HCN article on hunting and Michael Moore's response. I wouldn't mind being a cow or an elk. Though our cattle are branded, castrated, dehorned and vaccinated, this occurs chiefly on one day. We take care of them and we like cows.

Our cattle have a good life. They live in the mountains all summer, utilizing forage that cannot be used otherwise. They come down to the valleys for the winter. Life is sweet and short and I would prefer it to, say being a Hare Krishna at the airport. (I have spent many hours between plane connections arguing with Hare Krishnas, but I have yet to convince them that to come back as a cow, even a million times, for the sin of eating meat, is better than living in the Boston airport.)

The cattle end up as beef which provides complete protein and vitamins for many people. It is good food. Our cattle receive no hormonal injections or implants. Lastly, ranches keep the land beautiful and scenic. When a ranch sells, a subdivision replaces it (at least in Colorado's mountains). The elk have no place to winter and people see nothing but suburbia.

I was also interested in your article on Cecil Garland. I am supportive of his campaign for peace. And I hope he continues preaching.

However, from your portrait, Cecil Garland's understanding of Russian history is rather incomplete. The Soviet Union went from tyranny under the Czars, to Lenin's leadership, to tyranny under the worst dictator the world has ever known -- Joseph Stalin. Antonov-Ovseyenko credits Stalin with the deaths of over 80 million of his own countrymen. Stalin found WWII a good way to rid the USSR of millions (15) of "untrustworthy" ethnic groups (*The Time of Stalin: Portrait of a Tyranny*, Anton Antonov-Ovseyenko.)

As warm, good-humored and loving of children and strangers as the Soviet people are, blindness to their leaders' policies will not improve anything. Does Mr. Garland really think the Soviets were afraid of being invaded by Afghanistan or Poland? As C. Garland states, "We have to understand each other to survive." I believe we need to communicate more with the Soviet Union, and our leaders need to communicate much more. We do not need to pretend the USSR is something it is not, just because we wish it so, or because there are many good people there.

Marjorie Perry
Carbondale, CO

WHAT'S AN AD

Dear HCN,

Let me add to the praises of the new HCN. This rag is finally becoming readable. No longer will I renew my annual subscription only out of duty to a "worthy cause."

I encourage your efforts to bring human beings into stories usually populated only by bloodless technotypes and faceless bureaucrats. HCN seems to always be teetering on the financial brink. Perhaps the next step is to get your ad salesmen (are there any?) off their asses. Good luck.

Scott Stuckey
Richardson, Texas

Oil shale foes end a decade-long war

If oil shale has a future, that future has been advanced by work done over the last year by a unique committee made up of representatives of local and state governments, environmentalists and industry.

Known as the Joint Working Group, this ad hoc collection of mostly Colorado, Utah and Wyoming residents and officials, has put together a series of oil shale leasing recommendations that could break a decade-long Congressional blockade.

The blockade has kept in place artificial economic restraints that make much federal oil shale undevelopable. But the blockade has worked both ways, and also prevented laws which would protect local communities and the environment.

The compromise worked out by the Joint Working Group trades economic advantages to industry for environmental guarantees and control by local government of socioeconomic impacts.

Although the agreement seems sound on paper, its transformation into law will not be automatic. For the next month the special interests represented on the group will review the 37 pages of recommendations. If they approve the proposal, it will then be proposed to Congress as an amendment to the oil shale section of the 1890 Minerals Leasing Act.

Potential stumbling blocks abound. The representatives of the national industry groups said it would be premature to comment on their view of the proposal's chances. But DeWitt John, who co-chaired the group and who is with the Colorado Department of Natural Resources, said:

"I know of no lurking disaster. But we are swimming upstream. Laws are not generally made in Denver."

Carl Gawell of the National Wildlife Federation in Washington, D.C., who has followed the negotiations from the outside, said he does foresee a problem: questions from environmental groups about how Interior will administer any new law. According to Gawell, "Watt said that no matter what we put down on paper, the department will find a way to reinterpret it."

"Most people will agree that Watt and (BLM's Bob) Burford are not the rule. But we haven't seen enough of (new Interior Secretary William) Clark yet to know if he will be different. How much support this will get will depend on how Interior is perceived."

In particular, Gawell said the National Wildlife Federation would listen closely to the testimony Interior gives when the bill goes before Congress. They will judge if Interior is committing itself to the bill or keeping its distance.

The compromise is actually a result of Interior's own failed efforts to put together an oil shale leasing program. A year ago, the BLM proposed a leasing program similar to its approach to coal. It would have leased shale lands in response to demand from companies rather than from the market; it would have required little or no royalty payments; the planning process would have been telescoped into a short time; and companies obtaining leases could have sat on them for decades without developing the shale or paying royalties in lieu of development.

The regulations would have been nice for firms seeking real estate, but wouldn't have dealt with the fundamental economic problems: the federal limitation on tract size to 5100 acres, the law that limits each

company to no more than one tract, and the ban on off-tract dumping of overburden from open pit mines.

Together, the three limits make development of much federally owned oil shale uneconomic. Companies can live with the limits in Colorado's Piceance Basin, with its rich oil shale in one-thousand-foot-thick beds. But it makes oil shale development unthinkable in Utah and Wyoming, where shale is less concentrated. (The White River project in Utah is possible because companies merged two leases.)

So although the BLM proposal gave industry carte blanche in obtaining oil shale lands, it didn't help with industry's fundamental economic problems. In addition, the BLM proposal did not give local government a voice in how leases were developed, and it did not give environmental groups the feeling that their concerns would be met.

As a result, everyone attacked the BLM's proposed plan -- industry, local and state government, and citizen and environmental groups. The BLM has now withdrawn and revised its plan. The BLM had no official role in developing the compromise, but Robert Leo-

nors, the American Mining Congress, the Rocky Mountain Oil and Gas Association, the American Petroleum Institute, a Colorado county commissioner and a Grand Junction, Colorado city councilman.

According to Kevin Markey, Colorado representative of Friends of the Earth, the agreement wasn't reached in a vacuum. Markey and American Mining Congress representative Gary Aho said each group member had kept in touch with his or her constituency throughout the year-long negotiations.

The group was able to come together because of real political forces. For years, industry has tried to get the limits on lease size and ownership and off-tract dumping lifted. But industry couldn't force its 'economic freedom' bills through Congress. It failed most recently with Senator John Warner's bill.

From the other side, environmental groups were frustrated by the lack of ways to control oil shale development once land was leased. The fact that environmental groups are even considering releasing their oil shale hostages -- the 5100-acre lease size

The BLM's oil shale leasing plan brought everyone together... against it

pold of the agency's Denver office sat in on the meetings as a technical advisor.

The BLM's aborted proposal did achieve one thing: it brought the state and local governments, environmental groups, and industry together. The three interests went from joining together to oppose the BLM to forming the Joint Working Group.

The 37 pages of recommendations it came up with in mid-December have something for everyone. First, companies would no longer be limited to ownership of one 5100-acre tract. They could own several, and tracts can be larger than 5100 acres. The proposal would also lift the ban on off-tract disposal of overburden.

Local government also gains. Counties would be given the power to regulate socioeconomic impacts. Responsibility for the physical environment -- air, water, and land -- would remain with the federal government. But local government could impose safeguards against their having to pay for schools, police and utilities for influxes of newcomers.

The governors of the three oil shale states -- Colorado, Utah and Wyoming -- would have to be consulted at each leasing step by the Secretary of Interior. The Secretary would have the final say, but he would have to justify any action he took contrary to the wishes of the governor of the affected state.

Environmentalists achieved the detailed, step by step planning they have been campaigning for, as well as a commitment that the cumulative impacts of projects would be examined. Especially in the relatively small Piceance Basin of Colorado, it was feared that the cumulative effects of several projects on air and water would be devastating.

The compromise is no small achievement, involving as it did representatives of the Sierra Club, Friends of the Earth, the three oil shale gover-

limit and no off-tract dumping -- is due to the efforts of Markey of Friends of the Earth. Markey is the environmental expert out in the field, and he has been pushing -- often in the face of skepticism from those worried about Watt - compromise for a year.

Markey, in an interview, said the Joint Working Group proposal still leaves many questions unanswered. There are details -- such as the royalty to be paid on mined oil shale. And there are larger questions -- such as a definition of the "carrying capacity" of the land -- which the group couldn't figure out how to answer.

Also left vague is the right of a citizen to challenge in court Interior's leasing actions. Finally, this compromise would not directly affect the way in which companies develop the extensive privately-owned shale lands on the southern rim of the Piceance Basin in Colorado.

But Markey said the main elements of the compromise -- the trading to industry of certain economic advantages in return for environmental guarantees and local control of socioeconomic impacts -- is sound.

Those signing the proposal are: co-chairmen Allan Jones of Rio Blanco County, Colorado, and DeWitt John of the Colorado Department of Natural Resources; and members Gary Aho (Cleveland Cliffs Oil Shale Co.), American Mining Congress; Cindi Coleman (Phillips), Rocky Mountain Oil and Gas Association; Jim Evans, Associated Governments of Northwest Colorado; Markey;

Jim White (Standard of Indiana), American Petroleum Institute; Warren White, State of Wyoming; Jon Bartley, Utah Sierra Club chapter; Betsy Clark, Grand Junction councilman; Eric Reynolds of the Western Colorado Two Rivers Citizens Association; and Jim Bradley of the Utah state energy office.

--Ed Marston

Montana mill threatens Idaho, Washington

Champion International's mammoth pulp mill just west of Missoula, Montana, is back in the public eye again, ten years after a largely successful pollution clean-up effort. The mill was once the bane of Missoula's winters, spewing tons of hydrogen sulfide gas -- the gas which causes the rotten-egg smell familiar to all residents of pulp mill towns.

An expensive, successful effort to quell the stench worked well enough to get the residents of the university town off the mill's back. But now the mill has a new load of people on its back and this time the complainers are from around the region. Residents from as far away as Spokane, Washington and Sandpoint, Idaho are protesting Champion's mill.

The issue now is water pollution. The big mill stands on the Clark Fork, a Columbia River tributary that flows into Idaho's Lake Pend Oreille. Water flowing out of the lake enters the Spokane River and goes through Spokane.

At present, the mill is allowed to directly discharge waste into the Clark Fork only during the spring runoff, when there is enough water to dilute the fine solids and wash them far downstream. But now Montana, after a preliminary environmental review, has granted tentative approval to Champion to discharge directly into the stream on a year-round basis. The amount discharged will also rise. At present, the mill is discharging only 30 percent of its total waste into the river, but under the new plan that percentage will rise to 40 percent -- a 2 million pound per year increase by weight.

The fear is that the additional organic pollutants will increase biological activity in the river, reducing the amount of dissolved oxygen available for fish and generally degrading the stream's quality.

The possibility has a number of local and out-of-state people upset, including Idaho Governor John Evans (D). In a letter to Montana's Governor

Ted Schwinden (D), Evans suggested that they jointly ask Champion to fund a study of the effects of the effluents on Lake Pend Oreille, which is one of Idaho's recreational treasures. Pend Oreille residents are already convinced that the lake's quality is deteriorating, and suspect some of the problem may be the present pulp mill discharges, even though the mill is 170 miles upstream.

Schwinden doesn't share those suspicions, however, and he rejected Evans' request. "It is our opinion that few, if any, of the pollutants that might cause degradation of water quality in the lake could possibly come from the mill."

Closer to home, Schwinden's Water Quality Bureau has refused to perform a full Environmental Impact Study on the New Champion permit to determine what effect the discharges will have on the Clark Fork itself.

Bill Henderson, an environmental technician at the Champion mill, doesn't believe the proposed change is significant enough to warrant a detailed study. He said too much has been made of the increase in quantity of effluent and too little made of the fact that the effluent will be cleaner.

"We are also required to increase the quality of the effluent leaving the mill. We'll have to do in-mill recycling and reduce the biochemical oxygen demand, as well as color, down to standards." He said the biochemical oxygen demand will actually be reduced, although total suspended solids will rise dramatically.

Don Peters, a regional fisheries biologist for the Montana Department of Fish, Wildlife and Parks, disagrees. He said that studies in California showed that the biological oxygen demand question couldn't be separated from the suspended solids question. He said that California studies showed that increasing suspended solids sometimes had a dramatic effect on oxygen in the water. He also said organic sediments put in the river during low flow could

affect its ability to support fish and aquatic insects.

But the big problem, Peters continued, is that "we don't really know what the current condition of the Clark Fork is, so we don't know what will happen after increased organic matter gets into it." Peters said an independent monitoring study was called for. Right now, the state's information all comes from Champion.

The problem traces back to 1973, when the original owner of the mill, Hoerner-Waldorf Company, installed the filtration basins and sediment ponds. A year later, in 1974, the company announced plans to expand the mill, and its production of pollutants, but not the filtration system.

The state Water Quality Bureau saw a problem coming, and suggested two water treatment schemes -- one using lime and the other carbon as filtration media. The company rejected both, choosing instead to use the on-site gravel. The state approved the plan, saving the company \$4.5 million over the lime system or \$8 million over the carbon.

Dick Konizeski, a hydrological consultant to the company at the time, predicted the system's eventual failure. He said back then that the soils and gravel at the millsite would eventually clog, as has now happened.

Champion's Henderson plays down Konizeski's foresight. He said his role in the design of the filtration system was minimal. "Anyway, it's easy to say, 'I told you so.'"

Weighing in against the concern for the Montana river and Idaho lake are jobs in western Montana. The pulp mill itself, which produces brown liner board for boxes, directly employs 700 persons. Moreover, the company is the largest wood products developer in the state, with several sawmills, a plywood mill near Missoula, and thousands of acres of private forest and federal leases.

--Don Snow

LETTERS

DEFENDS NAVAJOS

Dear HCN,

I find I must take issue with Mark Acuff's letter criticizing the Oct. 14th *High Country News* article about forced relocation of Navajos from Hopi land.

I have been researching Navajo-Hopi history extensively for background information on a book I am writing about the Four Corners area. My research does not bear out what Acuff says.

Acuff and others hold the misconception that Navajo people have historically been raiders and warriors, when in fact the Navajo name itself says otherwise. The Navajo -- Apachu De Nabuju, as the Spaniards translated the name given the Navajo by the Tewa people of New Mexico -- means roughly "strangers of the cultivated field." The Navajo, in fact, were skilled farmers as they began to settle northern New Mexico and Arizona, a skill taught them by the descendants of the ancient Anasazi, the Pueblo people, among whom the Hopi number. Likewise, although some conflicts have sprung up between the Pueblo and Navajo peoples over the past four or five hundred years, Acuff is forgetting that when many Pueblo people fled the returning Spaniards after the Pueblo Revolt of the 1680s, it was the Navajo who sheltered and protected them, and while doing so, learned from them the skill of weaving. Thus began the tradition of the now-famous Navajo blanket.

The Navajo, in fact, didn't begin a substantive history as raiders until they gained possession of the horse from the Spaniards. This brought major cultural disruption to North America, particularly since horses could be used for the purpose of kidnapping people to be sold as slaves. In their eagerness to purchase slaves, the Spaniards unintentionally contributed to an era of anarchy that was to bring heartbreak to many people, including even the Navajo.

Although he mentions Kit Carson "subduing" the Navajo, Acuff is apparently unaware that Carson brought the Navajo to their knees, at least in part, by destroying their crops, at one time spending seven days burning corn and wheat fields near Canyon de Chelly.

To me the ultimate tragedy of the Navajo/Hopi land dispute is that, if left alone, these people might have very well worked out their differences, at least to a level that both could have lived with. The dispute has, in my opinion, been fanned by energy companies and others eager to exploit the natural resources of the land where these people live.

While visiting with traditional Hopi leaders at Kykotsmobi, Arizona this past autumn, I was surprised to see the sorrow many of these people share for the burden of their soon-to-be displaced neighbors. Thomas Banyacya, spokesman of the traditional Hopi, expressed an eagerness for the Navajo to remain where they have lived for so long. He knew of no differences between the people that could not be worked out over time. Such is, in my opinion, the way the Hopi have earned their tradition as a peace-loving people -- by extending a hand of friendship, not by standing in judgment of others.

Kathleene Parker
Denver, CO

BOOK NOTES

Growing with the sun

The Bountiful Solar Greenhouse -- A Guide to Year-Round Food Production

John Muir Publications, P.O. Box 613-B, Santa Fe, New Mexico, 87501, 1982. 244 pages, \$8, paper.

Review by Jo Robertson

An intense and innovative man named Steve Smith has pioneered a solar greenhouse for a diverse community on the bleak plains east of Cheyenne, Wyoming.

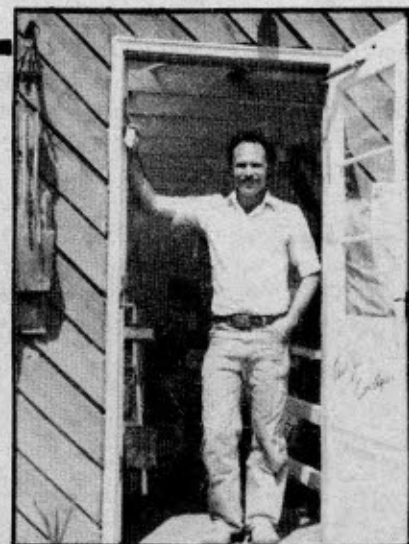
The structure isn't glamorous, but inside flowers and vegetables flourish, and the elderly, handicapped, juvenile offenders and skilled volunteers work together. Nothing seems to go to waste: straw and manure collected from the Pioneer Days celebration are collected for compost, plastic bakery trays are used to shield young plants, and steel landing-mats -- used in Vietnam jungles for runways -- have been recycled for use in an orchard designed for wheelchair access.

Smith, a native of Denver, received a horticulture degree from Colorado

State University, but wasn't able to find courses in the field he was fascinated by: food production in solar greenhouses. After reading about a small solar project in Cheyenne, he volunteered his services. When it became clear that a larger greenhouse would be more practical, Smith became the director. Federal funding came from the now-defunct Community Services Administration, but there was not enough for skilled workers. So, in 1977, the 5,000 square-foot greenhouse was built by two foremen-carpenters, assisted by volunteers with more enthusiasm than expertise.

Indoor planting began in 1978, and when federal funds dried up, Cheyenne and Laramie County came to the rescue, although they asked that the greenhouse become as self-supporting as possible. Since then Smith and his helpers have added a garden shop which now accounts for a third of total operating expenses. Funding, of course, is still a continuing concern.

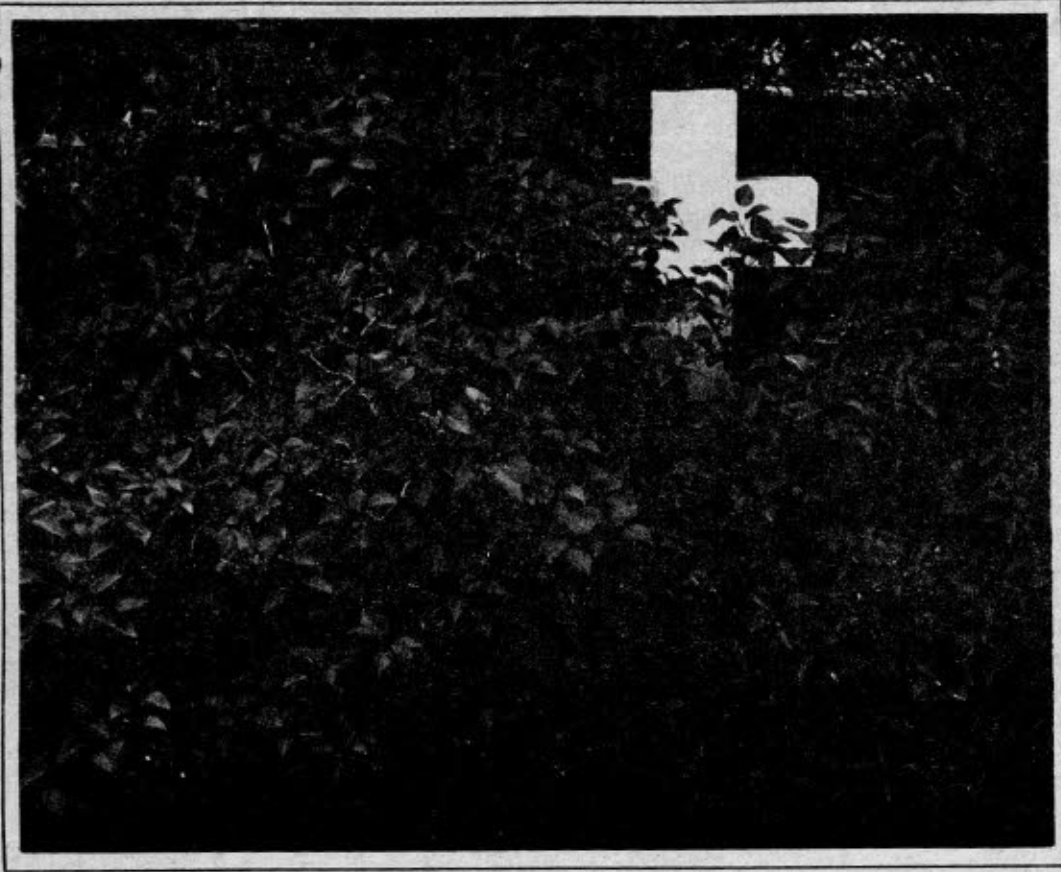
During the winter, heat from the



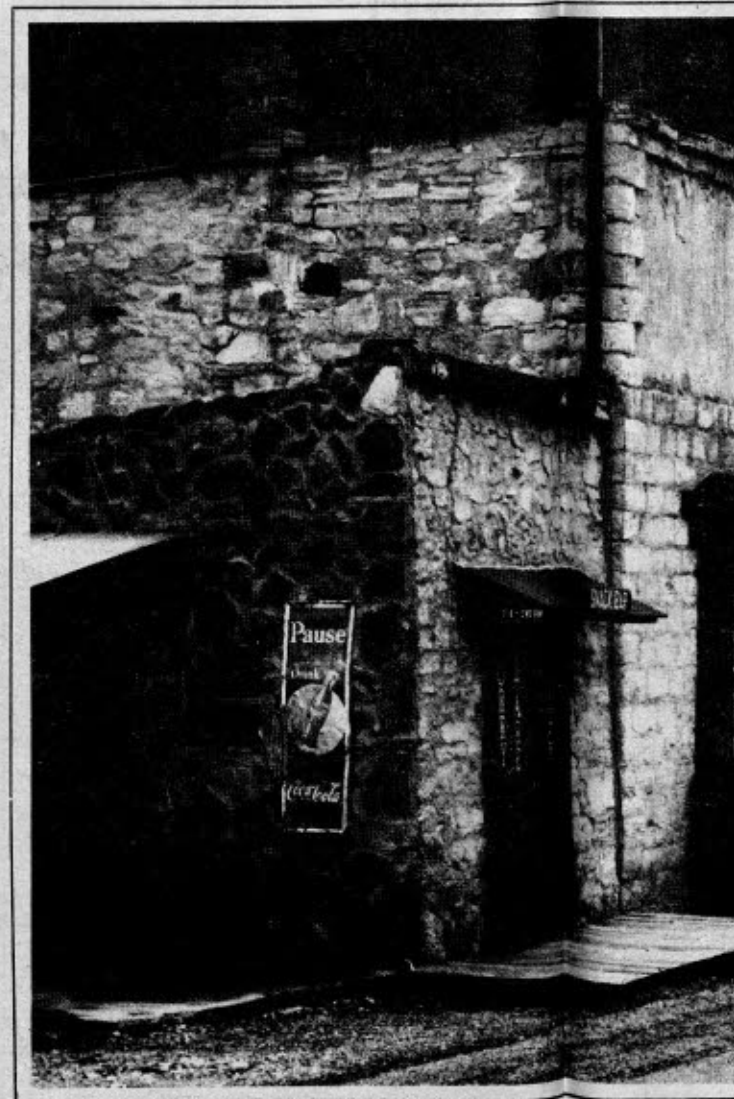
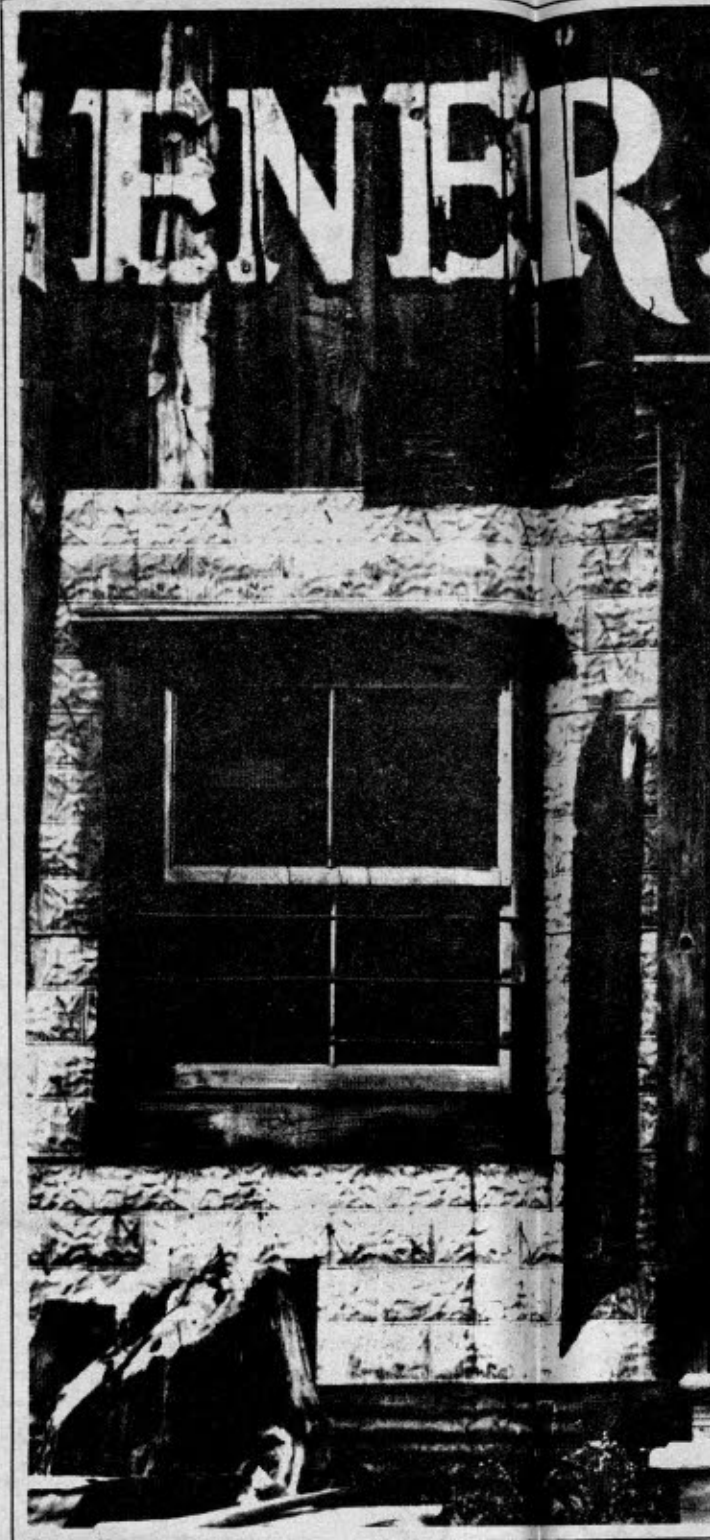
Shane Smith

sun is collected and stored in 250 black, 55-gallon drums, and this is all the heat needed despite harsh winters and famous winds. In summer there are 24 garden plots, 12 by 20 feet, with 20 used by low-income people and the rest rented, which covers all expenses. Bee keeping and poultry raising also contribute to the food supply, and just added is a root cellar for common use.

Smith continues to involve the community through solar-heating demonstrations, radio programs, a garden "Hotline," and his book about how it all came together. He has a mission: to show that a solar greenhouse can provide food and also serve as a focal point for any community. The book also provides useful tips for home greenhouses.



ghosts of MOGOLLON



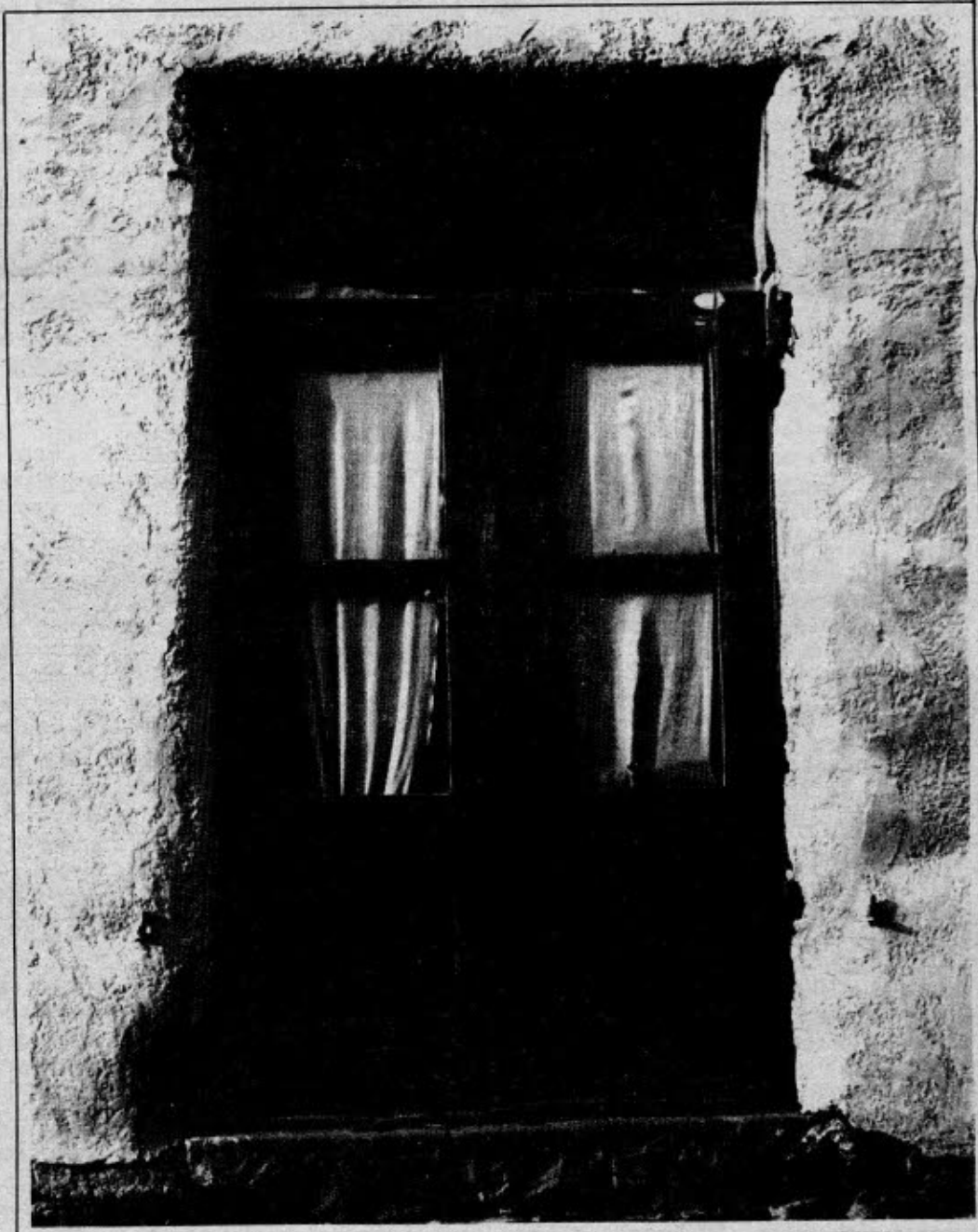
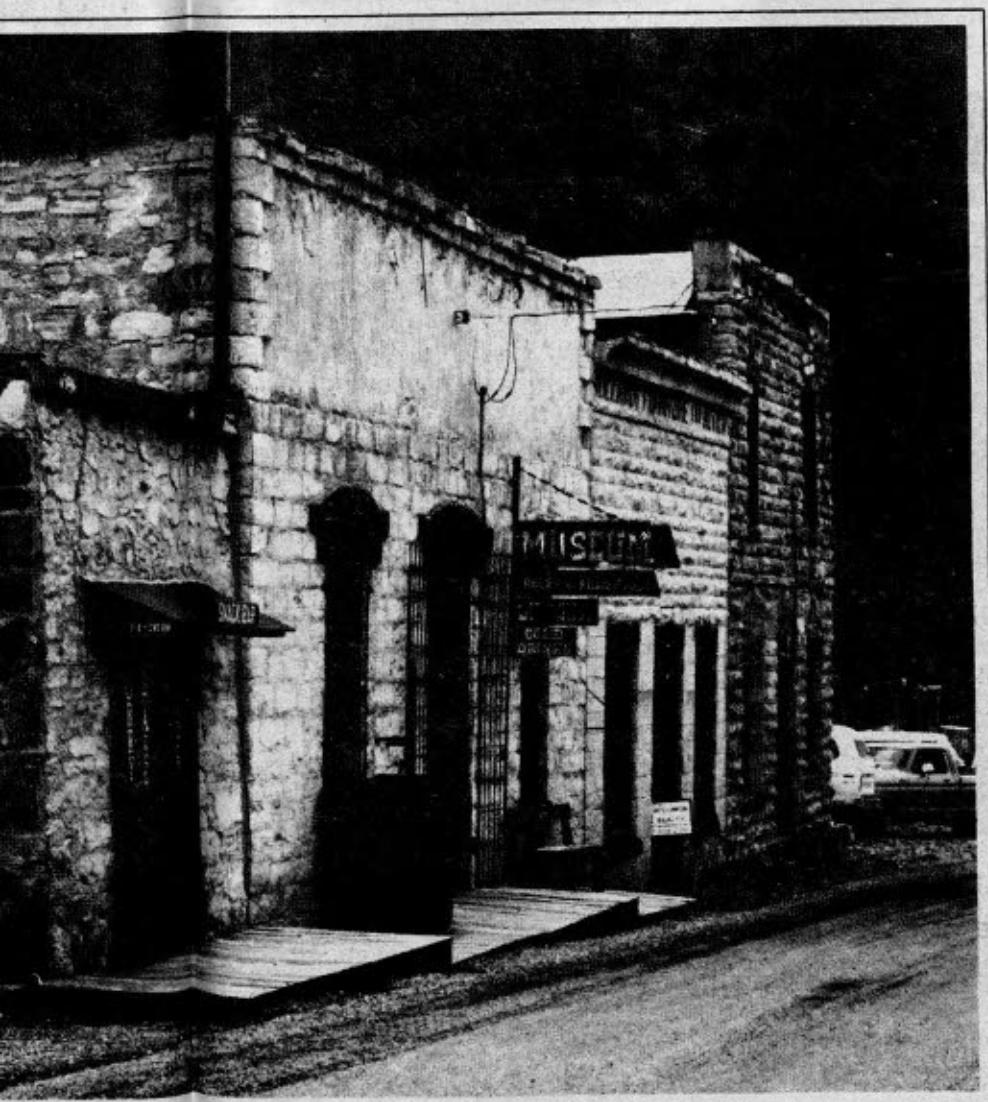


photos by DALE SCHICKETANZ

Except for a few shops for tourists, Mogollon (pronounced Muggy-yon) in southwestern New Mexico is now a ghost town. But it once had its day. The boom decades lasted from the 1870s until World War II when silver and gold mines produced millions of dollars.

The town's peak was reached during 1912-1915, and then Mogollon went into its decline. A governor of New Mexico from 1712-1715, Don Juan Flores Mogollon, gave the town and surrounding mountains their name.

Photographer Dale Schicketanz says Mogollon is an old haunt of his, and that deep in the mountains near Reserve, New Mexico, there are several old mining towns.



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Toxic dump...

[Continued from page 1]

the flood, and it hasn't lessened despite an early prediction by Envirosafe manager Rick Morton: "This [concern] will probably peak for awhile and then subside."

Instead, after several months of mounting evidence and investigations, the EPA slapped the Pennsylvania-based firm with a \$150,000 fine and issued a list of required improvements. Despite that, new violations at the site are revealed almost weekly and Governor John Evans (D) is threatening to renew his on-again, off-again demand for closure of the dump.

Back at home, speaking for the conservative rural people who live with the dump, Owyhee County Commissioner and rancher Dick Bass said: "Their gut reaction is: close the goddamned thing down!" Concern focuses on several issues.

First, and most alarming, a post-flood investigation revealed that the water table under the dump is not 3,000 feet deep, sealed off by impermeable layers of clay. Instead it is only 180 feet deep.

This, more than anything else, has created distrust between Owyhee County and the regulators. Said Connie Collett, co-chairman of Citizens for Control of Toxic Wastes: "The whole thing has been a lie." Tests are now underway to determine whether the shallow groundwater is an isolated pocket, or an active, flowing aquifer.

Under normal conditions, the groundwater would have been continually monitored. But the EPA relieved Envirosafe of its monitoring responsibility because the agency thought the water was 3000 feet deep. Where did that information come from?

"I don't know," said the EPA's Provant. "When I came here, that's what I heard... And it doesn't make sense." He said existing reports showed the groundwater levels only 180 feet deep. "That should have been used. Why it wasn't, I don't know."

The second area of major concern are three abandoned missile silos at the site. They were the drawing cards for the original dump operator and are now filled with burst barrels of unknown chemicals. These concrete Titan 1 silos are 160 feet deep; if they are leaking, the effluent could seep directly into the groundwater.

Third, some of the delivery trucks have leaked hazardous waste on the way to the site. In other cases, cargos have been improperly identified. According to Congressman Craig's assistant, Karmen Larsen, "The only training many of the drivers received was to be handed a brochure."

There is a fourth problem that bodes ill for the future. Idaho's toxic waste regulations are so loose compared with other states that Owyhee County is becoming the dumping ground for much of the West's poisonous wastes. According to the company, Envirosafe receives 90 to 95 percent of its shipments from out of state. Observers expect the volume to increase as states like California phase out land disposal in favor of the safer, but more expensive, reuse and detoxification.

Digging out the details about Envirosafe is not easy. The company does not reveal information about the chemicals and their source because



Envirosafe's toxic waste dump-site near Grandview, Idaho.

federal regulations protect such information as proprietary.

Nor does the company do much to reassure the worried. Prior to the recent EPA fines, manager Morton discounted the list of over 50 EPA violations as "all paper violations." He added, "We are addressing those and will give them another 42,000-page document."

Chairman Collett of the newly-formed citizens' group is most upset with the regulators. "The EPA? I don't know what they're up to. I feel they're the Chemical Protection Agency." She said her committee's goal is "to shut Envirosafe down and detoxify it." But the EPA "doesn't seem to be concerned about the high water level... With our water level so high, it's crazy to keep dumping."

EPA's Provant responded that tests have yet to show that chemicals escaped the site. "I don't think that's been proved. So what do you base an order to close on: a suspicion?"

State inspector Daryl Koch, who has taken the brunt of the criticism, said, "I can see where we've had some problem, no doubt about it. But mainly it's been because of a lack of manpower. But the legislature doesn't like to hear that because it means more money." He added, "We're at the mistrust level now."

That appears an understatement. Owyhee County officials have even hired their own inspector, to be paid by taxes they plan to levy on hazardous waste shipments. County Commissioner Bass said:

"They [Envirosafe] didn't pay any attention to us before." As for the EPA, "They weren't that cooperative either. Both the state and the federal. They don't think there's that much of a problem. They still don't."

The man whom Owyhee County hired to inspect Envirosafe once worked for the EPA. Toxicologist Dr. Charles Scott, now a national consultant and lecturer, sees the recent events at Envirosafe as consistent with the past. He recalls his first EPA inspection of the site in 1981, when it was operated by Wes-con.

Employees were discovered pushing barrels of toxic waste over the edge of the silos, sending the 400 to 700 pound drums plummeting 100 feet or more to explode on the accumulated pile of barrels below.

Scott blames most of the problems on "poor management practises" and on the state and EPA for "not doing their job." As an example, he points out that inspections of Envirosafe on April 12 and 13 by state and EPA inspectors turned up over 50 violations. Yet Envirosafe was not given a warning until September -- five months later.

Provant responded that "The inspections are fairly complex," but he also said, "I don't think it should take that amount of time."

It is interesting that the strongest case against Envirosafe -- the case which resulted in the fine and sanctions -- was not discovered by the EPA or state. It was brought to light by yet another unofficial person -- this time a whistle blower. Mick Spickelmier, a former Envirosafe employee, went to prosecutor Andersen with allegations that barrels of liquid wastes were being buried in the trenches. Federal regulations require that wastes be solidified before burial.

Spickelmier's allegations sent the EPA into action. They ordered the trench excavated. Prior to the excavation, manager Morton both downplayed and anticipated the results: "It's inevitable that we'd find some liquids in there because nobody's perfect." He implied that, if liquids were found, it might be due to employee sabotage.

Morton's prediction that "some liquids" would be found proved correct. Initial excavation turned up 163 barrels containing some liquid out of 618 barrels examined. Excavation continues.

The discovery prompted Governor Evans to write to the EPA: "Let's shut it down now and get some technicians, geologists, and engineers to study the site to see if it is safe."

The EPA announced instead, on the day before Thanksgiving, that Envirosafe would be fined \$150,000 and have to meet 16 conditions,

including: the excavation of the barrels in one trench; construction of a truck decontamination facility; the establishment of a groundwater monitoring program; the sealing of an artesian well near the silos; the building of berms and a holding pond to contain future flash floods; and the clean-up of 8,000 to 10,000 leaking drums on the site.

Evans then withdrew his demand for closure of the dump. Most recently, the governor appointed a blue ribbon panel to study the situation. Special assistant Mike Brush said, "We are very leery of the continued use of that facility... We shouldn't wait till we're sure [people's] safety is threatened."

Before the ink was dry on the initial sanctions resulting from the illegal burial of liquid wastes, the EPA discovered 13 drums of PCBs, which had been left leaking out in the open for at least a month. That cost Envirosafe another \$50,000.

It is the continuing series of revelations which have made many people in Owyhee County determined to close the facility. Commissioner Bass said, "They ain't impressing us none. If we could, we'd close them down tomorrow." But he fears, "It's going to be business like usual" once the fuss dies down.

Although the EPA has ordered the removal of liquid-bearing barrels from trench 11, Bass said that trench 10 is packed with thousands of liquid-filled barrels. They were buried before federal regulations prohibited it. So the EPA cannot order them cleaned up.

"It's just sitting there," Bass said. At least, "I hope it's all still sitting there."

Farmer Ketterling doesn't have faith that it will sit there forever. His well water -- like that of his neighbors -- has been tested and found pure. But, he said, "I think it's just a matter of time until it gets in the water."

He feels threatened in other ways. "My irrigation system goes past the site and I'm as much concerned about that as anything." He says that four different times he has seen trucks

(Continued on page 11)

Toxic dump...

(Continued from page 10)

leaking liquids when they were driving down a road parallel to his ditch.

He is pessimistic about control efforts. "In my opinion, they've proven they can't follow the regulations they have. What's more going to do?"

Ketterling and his neighbors are alert to the problems trucks can cause. But the trucks range over the entire region. On July 20, 1983, foul liquids began dripping from a truck trailer parked at a Montpelier, Idaho truckstop in far southeastern Idaho. Inside the trailer, 86 drums stood in an inch-deep pool of methylene chloride, perodine and water. Methylene chloride can be fatal if inhaled or absorbed through the skin. The truck

"They've proven they can't follow the regulations they have. What's more going to do?"

was on its way from Colorado to Envirosafe.

In a more recent case, a truck bound for Envirosafe lost a barrel of toxic wastes in Yellowstone Park. It was found by a Ranger along a park road.

The situation has sparked a variety of actions. The Grand View City Council is banning the parking of loaded truck trailers within city limits and Congressman Craig has promised legislation controlling the transport of

hazardous wastes. One proposal would prohibit trucks hauling toxic wastes from hauling anything else.

Early in 1984, Envirosafe must apply to the EPA for its Part B permit, required under recent regulations. There will be public hearings, and some Owyhee County residents hope to derail the dump then.

But even if they are successful, the thousands of barrels of waste and millions of gallons of liquid in the silos will still be there. If it is possible to

detoxify the site -- and Dr. Scott, for one, questions if it is -- the cost would be enormous. Commissioner Bass has said, "I don't think the United States government has got the money to clean it up. Owyhee County sure doesn't."

Dr. Scott added: "It's not just Love Canal, it's all over."

□

This article was made possible by the High Country News Research Fund.

BULLETIN BOARD

WILDERNESS OIL

The U.S. Geological Survey has released a report on the petroleum potential of designated and proposed wilderness lands in 11 western states. USGS Director Dr. Dallas Peck emphasized that, "The information in the new report can be used for background purposes only, because exploration is not allowed in present or potential wilderness areas." He also said that the inventory and reserve estimates are not gospel because they're based on limited, publicly available geological information.

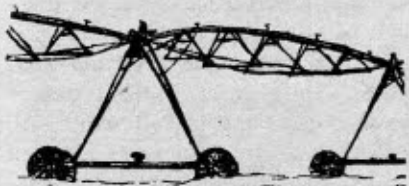
USGS Circular 902, *Petroleum Potential of Wilderness Lands in the Western United States*, edited by Betty M. Miller, is free on request from the Branch of Distribution, U. S. Geological Survey, 604 South Pickett St., Alexandria, Virginia 22304.

MIDWEST DIRECTOR SEARCH

Citizens for a Better Environment is looking for someone to direct their three Midwest Region offices. CBE concentrates its research, advocacy, legal and educational efforts on urban environmental problems such as toxic substances, air pollution and water quality.

The Midwest Director will be expected to raise funds, manage personnel, finances and administration, work with and report to a board of directors, and coordinate with the Research Director's Committee on program oversight. Applicants should be experienced and familiar with environmental organizations in the Midwest or on a national level. Pay is \$18,000 to \$24,000 a year, and the job will start March 1, 1984 in Chicago, Milwaukee or Minneapolis/St. Paul.

Write to: Citizens for a Better Environment, 59 East Van Buren, Suite 1600, Chicago, IL 60605, Attention: Judy Beck.



WESTERN WATER

The Office of Technology Assessment has just released a bulky study on water stretching -- a survey of ways to grow more crops in the West with less water. Titled *Water-Related Technologies*, the October 1983 400-page report (OTA-F-212) is a mix of lots of background information with some new ideas. The study is available from the Supt. of Documents, Washington, D.C. 20402.

BED AND BREAKFAST

The Bed and Breakfast approach to tourism is usually associated with traditional communities and rambling Victorian homes. That description doesn't exactly fit Vail, Colorado, but it too now has bed and breakfast accommodations. For information, call Kathy Fagan at 303/476-1225.

ASPEN AND WAFFER BOARD

Colorado's Western Slope Energy Research Center will hold its annual meeting Monday, Jan. 16, at 7:30 P.M. at the Hotchkiss elementary school band room. Dave Plunkett of the U.S. Forest Service will talk about the aspen management plan for the Gunnison-Grand Mesa-Unchompahgre National Forests, and Bob Sutherland, woods operations manager for Louisiana Pacific, will talk about the wafer-board factory planned for Olathe. The public is invited.

WINTERING ELK

A sleigh ride is the best way to get a close look at some of the 7500 wintering elk on the Jackson National Elk Refuge. The elk associate the sleighs with feeding operations which begin later in the winter when deep or crusted snow prevents elk from grazing. As a result, they seem unperturbed by sleighs whereas a person on foot can alarm the whole herd. Sleights are pulled by Belgian draught horses departing from the east side of the refuge a few miles from Jackson, Wyoming.

WESTERN COLORADO TRAVEL SHOW

Club 20, the organization of Western Colorado counties, invites exhibitors and door prize donors to take part in a Travel Show the weekend of February 11 and 12 at Two Rivers Plaza in Grand Junction. Four thousand people attended the show last year. For information about how to participate, call 303/242-3264 or write Club 20 at P.O. Box 550, Grand Junction, CO 81502.

NATIONAL RESOURCE DEFENDER AWARD

Do you have a favorite public servant? The National Parks and Conservation Association is looking for nominations for their first annual Stephen T. Mather Award, to be given to a public employee. He or she must be "dedicated to the principle of protection of our national heritage ahead of personal gain or any political or bureaucratic considerations." Eligible are any federal, state, county or local-level employees in the field of natural resource management and protection.

Eight regional finalists will be chosen. From this group, one national award winner will receive a cash prize of \$1000.

Nominations will be accepted from both individuals and organizations, and should consist of a letter telling of the 1982 or 1983 accomplishment or deed for which the nominee merits the award. Nominations for the May, 1984 award must be received between February 1 and March 1, 1984.

For more information or to submit nominations, write to the Mather Award Coordinator, NPCA, 1701 18th Street, NW, Washington, D.C. 20009.

In case you are wondering who Stephen T. Mather is, he served for 14 years as a "wily defender" of the national parks in his position as first director of the National Park Service.

COMING SOMEDAY

A draft Environmental Impact Statement has been released by the Interior Department on the proposed White Pine Power Project in Nevada. The power complex would consume about 4.5 million tons of coal per year to supply electricity to Nevada and Utah. The lead agency on the project is the Los Angeles Department of Water and Power, which says it is having no trouble finding firms in Colorado, Utah and Wyoming interested in selling coal. Given the present power glut, however, the utility may have a bit more trouble finding consumers to use the electricity. The planned start-up date has slipped over the past year and is now at 1991.

ECONOMIC DEPOSITION

A senior fellow at Resources for the future says the U.S. Congress took a wrong turn in 1977 with regard to clean air and depressed Appalachia. Until 1977, Dr. Paul Portney writes, Congress had chosen to give direct assistance to residents of Appalachia, rather than to indirectly assist them by aiding local industry. But in 1977, Congress amended the Clean Air Act to require power plant clean-up through use of technology rather than by switching to low-sulfur coal. The goal was to preserve jobs mining high-sulfur coal. The same "scrubber" approach is being considered for acid rain control such as in the Waxman-Sikorski bill. Portney estimates that the 'least-cost' approach would save \$1 billion a year and result in 5,600 more jobs than the 'forced scrubbing' approach. This paper was prepared for the Alliance for Clean Energy, an industry group made up of railroads and low-sulfur coal owners. Portney's paper can be had by writing to the group at: 1901 N. Ft. Meyer Dr., 12th Fl., Rosslyn, VA 22209, or by calling 703/841-1781.

WORLD ENERGY AND U.S. COAL

Worldwide energy consumption held constant in 1982. Substantial oil and gas production declines balanced with increases in coal production and, to a lesser degree, increases in hydropower and nuclear power generation. Oil production declines were primarily due to cutbacks by OPEC countries. Saudi Arabia dropped from third to fourth (behind the U.S., Soviet Union and People's Republic of China) on the list of the world's largest energy producers. The United States broadened its lead as the world's biggest coal-exporting country. It now has a 37 percent share of the world coal trade.

These statistics are taken from two separate Energy Information Administration reports. Write for copies of the 1982 *International Energy Annual* (\$5; stock no. 061-003-00352-4) and the *Historical Overview of U.S. Coal Exports, 1973-1982* (\$2.25; stock no. 061-003-00356-7) to the U.S. Government Printing Office, Washington, D.C. 20402 or to the National Energy Information Center, Room 1F-048, Forrestal Building, Washington, D.C. 20585.



NUCLEAR POWER ECONOMICS DIM

The economics of nuclear power have steadily eroded in the past decade, and the eighties promise to be a disaster for the industry, according to a just-released study by the Worldwatch Institute. Worldwatch reports that the United States leads the pack in cost-overruns and they estimate that construction bills for the 30-odd U.S. nuclear plants to be completed in the mid-eighties will average over \$2 billion each -- five to ten times original estimates. Electricity from these plants will cost 65 percent more than that from new coal-fired plants.

The Soviet Union, Great Britain, Japan and West Germany have also had severe cost increases, but the high cost of coal in the latter three countries makes nuclear power more competitive with coal-fired plants. However, only France's streamlined nuclear power development has kept nuclear power actually cheaper than coal power, Worldwatch reports. Eight-seven U.S. nuclear plants have been cancelled or mothballed in the past decade, and this country's nuclear industry survives only on pre-1974 orders. Over \$10 billion dollars had been invested in the cancelled plants.

The 84-page Worldwatch Paper 57, by Christopher Flavin, *Nuclear Power: the Market Test*, can be ordered for \$2 from the Worldwatch Institute, 1776 Massachusetts Ave., NW, Washington, D.C. 20036.

GOOD NEWS

The United States is today about as secure from another oil embargo as is possible. According to the U.S. Department of Energy, the nation has reduced its dependence on OPEC oil imports from 35 percent in 1973 to ten percent today. Moreover, the Strategic Petroleum Reserve could replace 240 days worth of OPEC imports. The reduction in dependence on imports has been achieved by holding U.S. oil production steady while reducing use of petroleum. The U.S. today consumes petroleum at a rate of 14.9 million barrels per day. In the peak year of 1978, we were using 18.8 million barrels per day. Barrels of statistics on oil and natural gas consumption, production and imports are available from the U.S. Department of Energy, Washington, D.C. 20585.

12-High Country News--Dec. 26, 1983

'Risk assessment' approach

The EPA now trades lives for jobs

by Charles Rogers

Last winter, the Environmental Protection Agency seemed on the verge of committing institutional suicide.

It was engulfed in an ever-widening scandal whose flames of corruption were rapidly turning its once enviable reputation for integrity to ashes. Almost daily came allegations of political hanky-panky, conflict of interest, and partiality to industry.

At one point, the agency was being investigated by four Congressional committees. When its administrator, Anne McGill Gorsuch Burford, finally resigned, President Ronald Reagan accused her critics of "unfair judgments, based upon allegations and innuendo alone."

Later events, especially the perjury conviction of Rita Lavelle, seemed to contradict the President. In fact, along with Mrs. Burford and Ms. Lavelle, twenty other administration appointees left EPA before the President had reached across the continent to Seattle and persuaded William Doyle Ruckelshaus to return to the agency he first headed in 1970.

Ruckelshaus' assignment was formidable: to rebuild the EPA from the top down. As one hardened staffer put it: "Bill Ruckelshaus came back to let some fresh air into the skunkworks."

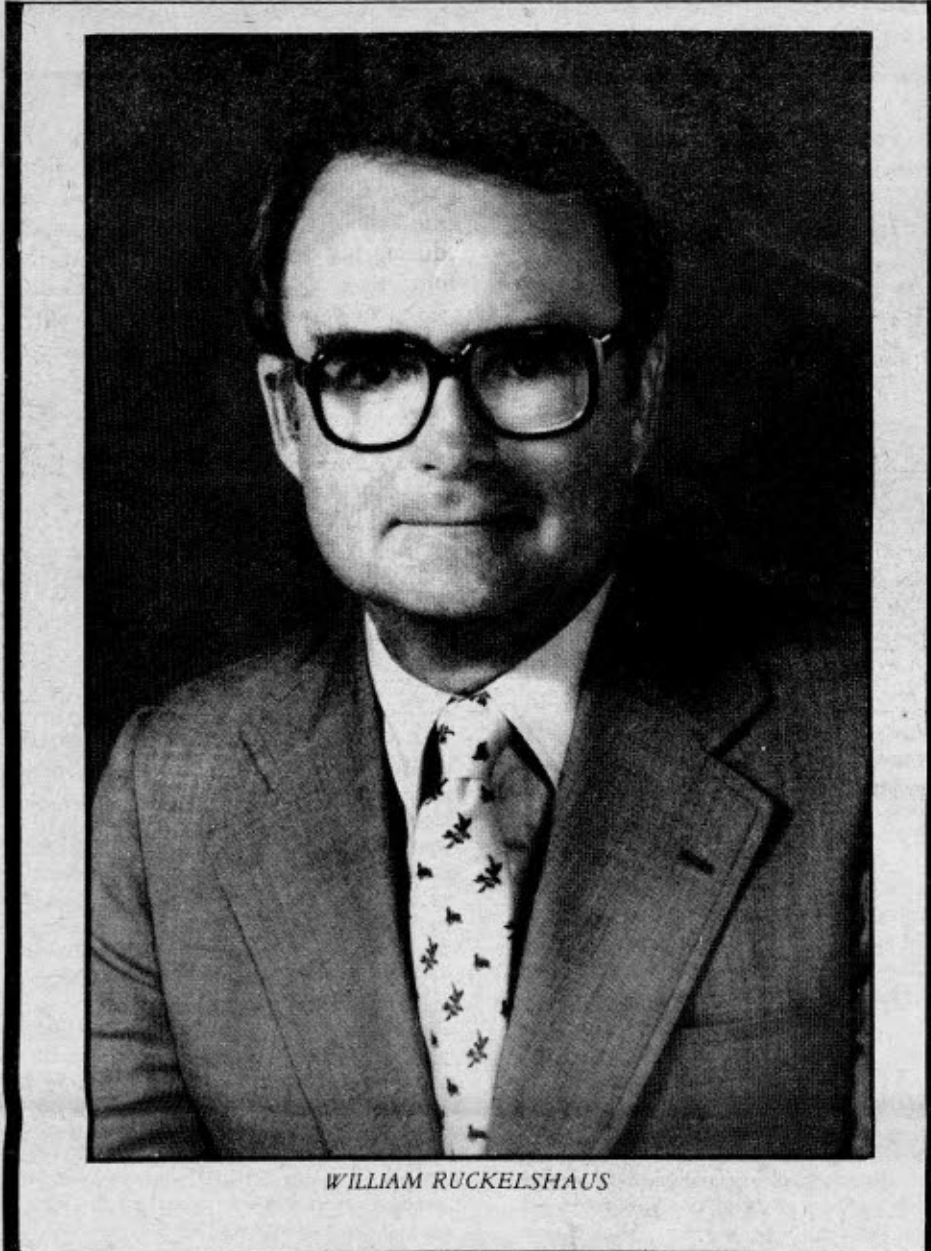
The return of Ruckelshaus was heralded by almost everyone. Now -- six months later -- it is clear that he has achieved some important things. He seems to have restored morale and to have given EPA back its lost credibility. The chairman of the Senate Committee on Environment and Public Works, Robert T. Stafford, says, "Things are so much better than before that I can't begin to describe it."

But vital though morale and openness are, they are not substance. Overriding questions remain about what Ruckelshaus has been able to accomplish and what he is likely to accomplish in the future. First, can he overcome the budget blows struck by his predecessor under the direction of the still omnipresent Budget Director, David Stockman?

When he was sworn in on May 18, Ruckelshaus took over an agency that had been brought to its budgetary knees -- "crippled" was the term he used. Its operating funds had been slashed by more than 30 percent in two years, and its headquarters staff cut from 5,300 to 4,200 at the same time its workload was doubling.

With six months gone, it is clear that Ruckelshaus has reversed the budgetary trend. But it is just as clear that he hasn't repaired all past damage. When Congress attempted to restore EPA's operating budget to its pre-Reagan level of \$1.35 billion, Ruckelshaus resisted. He explained in a recent interview:

"Moving the agency up and down like a yo-yo guarantees one thing and that is, we'll waste resources. There are limits to what any institution can wisely absorb in any one year. We have 1,100 people more in (fiscal year) 1984 than were in the President's budget. We have a lot more people to



WILLIAM RUCKELSHAUS

hire between now and September 1984...."

The budget figures are book-keeping. But behind the book-keeping lies strong need. According to a Government Accounting Office report released this month, the water quality budget was cut in half during the Reagan administration -- from \$318 million to \$152 million. As a result, the report said, waste water discharge violations are way up and enforcement action way down.

Ruckelshaus declined to comment on the report. But he has submitted a 1985 budget that continues the budgetary and manpower repair work. In so doing, it exceeds the President's ceilings and has run into opposition from Stockman. But the EPA budget increases have strong support in the Congress. Senator Patrick Leahy of the Senate Appropriations Committee says flatly: "I expect that Congress will at least approve the level of funds requested by Mr. Ruckelshaus."

It appears then that Ruckelshaus will eventually regain the money and staff to carry out EPA's existing duties. But the picture is more clouded when it comes to new initiatives. For example, he appears to find it impossible to put together an acid rain policy despite a direct order from the President on May 18, 1983, the day Ruckelshaus took his oath of office. Reagan, putting acid rain first among four areas of "immediate concern," told him:

"Many of us -- both here and in Canada -- are concerned about the

harmful effects acid rain may be having on lakes and forests. I would like you to work with others in our administration, with the Congress, and with state and local officials to meet this issue head-on."

Ruckelshaus did work hard. He met with scientists, with environmental groups, with industry leaders, and with lawmakers. He formulated several options, from the most stringent and costly to the least so.

He is even said by agency insiders to have decided on a limited, evolving, experimental plan to reduce sulfur emissions by three million tons a year in the northeastern United States. That is a modest reduction compared to the ten million tons most scientists call for, and the most-likely-to-pass Congressional bills are aiming at.

But Ruckelshaus has been unable to move even his modest proposal through the administration. When he presented it to the Cabinet Council on Natural Resources, chaired by former Interior Secretary James Watt, it was attacked as expensive and politically untenable.

Ruckelshaus professes little surprise or sense of failure at the setback. "I frankly expected some difficulties once people's noses got about six inches from a decision. As we worked our way up through the analytical level, through all the agencies concerned... and into the Cabinet level, people began to say, 'Ye Gods, this is a big problem. Look at all that money. Look at all that disruption.'"

"So we're doing some more

analysis; people are talking to one another outside the context of a Cabinet meeting and we're working it up toward some ultimate address by the administration. I don't know how long it will take, but it will take a while longer."

Some Washington observers think the "while" could be an eternity. They think acid rain containment has itself been contained. David Hawkins, an attorney for the Natural Resources Defense Council who once served in Carter's EPA, has accused the Reagan Administration of wanting to stall the issue past the next election.

"Do they need an acid rain strategy to keep control of Congress or for presidential campaign purposes? I think they've concluded that right now they do not."

Hawkins' guess is strengthened by word from within the administration. A little-noticed shift in EPA's fundamental priorities surfaced in late November. Alvin Alm, EPA's deputy administrator and top Ruckelshaus aide, told the *New York Times* that the priority list for the 1985 fiscal year is no longer headed by acid rain. It has been replaced by hazardous wastes and toxic chemicals. In fact, acid rain has dropped way down on the pollution hit parade -- to a low fifth.

Acid rain may not be a good issue on which to judge or understand Ruckelshaus since it was not his number one issue -- it was handed to him. A more accurate indicator of where Ruckelshaus wants to take the EPA this time around is posed by the "risk assessment" approach, which has long been important to him.

Risk assessment is dramatized by the ASARCO copper smelter in Tacoma, Washington. Ruckelshaus has asked Tacomans to join him in a wrenching decision: Should they accept some risk of cancer from arsenic in the air or should they face the probable closing of the ASARCO plant with the loss of 800 jobs?

The agency's proposed standard would force the Tacoma smelter to lower arsenic emissions from today's 282 million grams to 172 million grams. The reduction means that the extra cases of cancer caused by the plant would be one a year. The rate is now four a year.

Behind those numbers lies a clash between the historic approach to public health and the one Ruckelshaus would adopt. He agrees that by public health standards, the extra death a year in Tacoma is too high. He points out that the Clean Air Act of 1970 requires standards that give the public an "ample margin of safety" from toxic air pollution. In the case of carcinogens like arsenic, there is no known threshold. Any arsenic creates risk which can be eliminated completely only by halting all emissions.

To involve the public in this decision, Ruckelshaus ordered an intensive information campaign to tell the people of Tacoma about the proposed standard, its risks, and the alternative to risk: closing the plant. He has done this through a series of

(Continued on page 13)

Ruckleshaus...

(Continued from page 12)

public hearings and workshops and has given those who live near the smelter an opportunity to interact with EPA scientists at the scene.

This "participatory process" has produced a firestorm of reaction, many adverse. Ruth Weiner, a Western Washington University professor who knows the smelter, says EPA is "copping out" by asking residents to decide. Thomas Dalglish of Tacoma for a Healthy Environment says EPA is "volunteering some members of the community to a rather large-scale experiment to see how much arsenic they can tolerate."

Ruckleshaus doesn't see it that way. "I'm not asking them for a decision. I'm asking for their input." He doesn't think that is the same as having them share his regulatory burden:

"If they want to be involved, then get involved. Welcome to the world of regulation. Whatever we finally do out there, the people who are most closely involved in it will undoubtedly have a better appreciation of the nature of the decision and what went into it. Hopefully, if they're fair-minded, they'll be more inclined to say, 'That

was a very tough call to make and that's as reasonable a solution as any.'"

The implications of the risk assessment approach go far beyond arsenic at Tacoma. He has also called for a "common statutory formula" for risk assessment and management among all federal social regulatory agencies. "We should be able to coordinate our risk assessment procedures across all federal agencies."

More seriously, he also sees it as an important part of America's global economic policy. "If our approach to the management of risk is not sufficiently in harmony with those of other developed nations, we could save our health and risk our economy," he warned. This last thought sounds faintly like the robber's threat to Jack Benny: "Your money or your life." Benny, like the

The Ruckleshaus approach at Tacoma sounds faintly like the Jack Benny joke: 'Your money or your life.'

people of Tacoma, replies: "I'm thinking it over."

Ruckleshaus has repeatedly sounded the theme that the EPA needs more flexibility to carry out its mission. He said it several times during his confirmation hearings. In one notable exchange with Senator Gary Hart of Colorado, he declared:

"The American people put a very high premium on public health... but that does not mean that in my view that we should pursue public health policies to the exclusion of everything else." Later he told Hart:

"To the extent that in the Clear Air Act we give the impression to the American people that we are going to be able to absolutely protect any health concern they have, by setting ambient air quality standards, we are flying in the face of reality."

Ruckleshaus' ASARCO approach can also be seen in his recently promulgated final standard governing

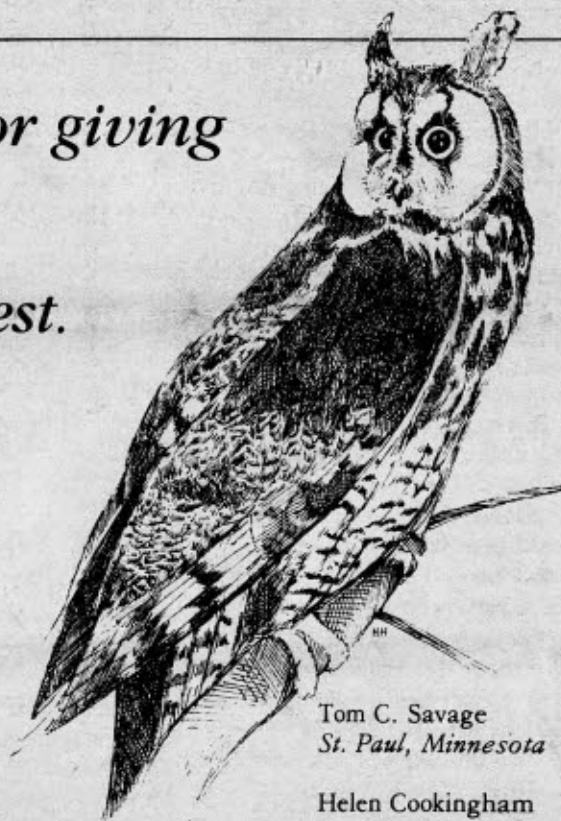
active uranium mills. In human terms, it would abide one death from cancer for every 1,000 people exposed near the mills, during a lifetime. That's a higher risk level than those accepted by former administrations.

Robert E. Yuhnke, a lawyer for the Environmental Defense Fund in Boulder, Colorado, finds the risk assessment approach disturbing. He says it shows "a pattern of sacrificing human health for the economic well-being of industry." Yuhnke also says:

"The legislative record is clear that Congress did not delegate to EPA the power to make tradeoffs between economic costs and sacrificing life and health."

Charles Rogers is a freelance journalist based in Maryland. He worked at the EPA as a public information officer from its inception in 1970 until his retirement in 1981.

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14-High Country News--Dec. 26, 1983

OPINION

Monkeywrenching Edward Abbey

by J.V. Rosenfeld

Life in the Arizona sunbelt is not as carefree as *Sunset* magazine portrays it. Hazards exist -- native ones like black widow spiders and 115 degree August heat -- and imported ones like mulberry pollen and letters-to-the-editor from Edward Abbey.

Mr. Abbey, well known as the author of the eloquent *Desert Solitaire* and the execrable *Monkey Wrench Gang*, may be the culminating refinement of a species for whom the least hospitable regions of the southwest have long been a refuge, the Desert Crackpot. Sensitive, hot-blooded, all action and little deliberation, passionately single-minded, this Anna Magnani of the Sonora stands guard over the absolute truth of Harmonious Nature.

Mr. Abbey's op-ed pronouncements appear in the Tucson dailies as often as reports of Middle Eastern summit meetings, and produce the same edification. They come in two flavors, cranky and apocalyptic, and are always in response to someone's implied endorsement of the post-industrial age or criticism of the pre-feudal age.

I have been brooding for weeks now over the most recent of these tracts.

His latest op-ed outburst illustrates Abbey's low flashpoint as well as his willingness to subordinate aesthetic standards to political ones. His letter was a response to a newspaper review of the film "Koyaanisqatsi," a Hopi word meaning life out of balance.

The film vividly celebrates the beauty, rhythm, and logic of Nature and condemns Man's cold disregard for their preservation. With clear visual metaphor it brilliantly portrays the notion that Man's progress has been achieved largely at the expense of Nature and, consequently, both have been diminished, perhaps irredeemably.

The film is unique in that it has no plot, no characters, no dialogue, and no sound but the electronic music of composer Philip Glass. It relies entirely on stunning cinematography (much of it aerial and time-lapse) and on Glass's powerful score.

The visual and auditory metaphors in "Koyaanisqatsi" are absolutely magical and resoundingly successful -- for twenty minutes. But by forty-five minutes the dulllest strip-mining seal-slaughterer has gotten the message. By the hour mark the theater is empty of all except the stoned, the stubborn, and the ecosystematically obsessed. By the finish, one hour and forty minutes later, bludgeoned senseless by endlessly repeated images and relentless electric decibels, the last remaining reflex is to flush and flee. Once again, incontinence has triumphed over art.

The newspaper reviewer noted the film's virtues but concluded -- rightfully and generously -- that it was "smug and simplistic." Here, excerpted from his letter, is Abbey's critical analysis.

"...finally... a film for grownups... a film of visual magnificence, intellectual grandeur, and emotional complexity, and it deals with the most important subject of our time, namely the sick, destructive, evil and ultimately suicidal madness of our urban-techno-industrial culture."

A "culture" thrice narrowed and twice hyphenated aside, anytime a writer uses seven adjectives to qualify two nouns you know you are in the clutches of neither an artist nor an intellectual, but a tub-thumper. When Abbey

unearths his frequent opinions about art or politics or the breadth of "culture," he is excavating a vein of dogmatism, not aesthetics or logic.

Just as "Koyaanisqatsi" undermines itself, post-*Desert Solitaire* Abbey steadily chips away at that benchmark of wonderful ecological spleen by doing little else but repeat himself. In the process he has sunk from art to rabble-rousing. The *Monkey Wrench Gang*, for example, was a polemic of environmentalist revenge and sabotage appealing directly to that tight dark knot in the gut where our worst vigilante instincts are chained up.

With chilling intellectual efficiency (even for someone who once said he'd rather kill a man than a snake), Abbey has refined his philosophy of life to a single, portable thought: Life in Nature is good and civilized life is bad. Abbey brings to environmentalism the same thing J. Edgar Hoover brought to internal security.

But my quarrel with Abbey is not about bad art. Bad art will not bring the environmental movement to its knees, but bad politics might. When Abbey lavishes high praise on a bit of failed art like "Koyaanisqatsi" he only damages his own reputation; but when he does so in the name of ideology -- environmentalism -- he sloshes over into a different realm, propaganda. This is the corrupting practice that replaces artistic merit with demagoguery. Propaganda is the beginning of self-righteous excess that, in the end, is politically counterproductive. The distance between ideology and fanaticism is never far.

Granted, it is possible that in some political excess there is truth, maybe even justice. But Abbey and others of the monkey wrench mentality can't find truth or justice because they proceed from a false assumption; that Man's proper place in the earthly scheme has been and should be in rhythm with, obedient to, Nature; that Man has violated some universal contractual obligation. Abbey seems not to comprehend the evolutionary meaning of our presumptuous species.

Man does not live in harmony with Nature. He never has, he never will. To truly live in harmony with Nature is to adapt to the challenges of the elements with purely biological responses; to evolve hair, gills, wings, talons, speed, stamina, strength; whatever it takes to survive on Nature's non-negotiable terms.

Koyaanisqatsi letter

The following letter-to-the-editor by Edward Abbey was printed in the October 4 *Arizona Daily Star*.

To the Editor:

Jacqui Tully's review of "Koyaanisqatsi" Sept. 27 was disappointing, far below her usual standard of high critical acumen.

After all these years of infantile space fantasies, juvenile sex comedies and Woody Allen's self-encounter therapies for self-obsessed young adults, we finally get a film for grown-ups -- and Ms. Tully dismisses it as "smug and simplistic."

"Koyaanisqatsi" is neither: It is a motion picture of visual magnificence, intellectual grandeur and emotional complexity, and it deals with the most important subject of our time, namely the sick, destructive, evil and ultimately suicidal madness of our urban-techno-industrial culture.

The truth of the film is validated by the tragic faces which peer at us from the screen -- or by a stroll up Speedway at any time of day or night, where boredom, futility and an incoherent despair are expressed as manic activity and frantic noise. In truth, we have created a "world out of balance," as the Hopi elders keep trying to tell us. If anything, the movie understates the actual case.

Edward Abbey
Oracle

As soon as he stood upright and warmed himself with something other than his hairy palm, *Homo erectus* (soon to be *Homo sapiens*) ceased to live in harmony with Nature and began to seek mastery over it. When he employed those first technologies, whether to skin out a giant sloth, plow a furrow in the dirt, or bash a fellow australopithecine skull, his evolutionary destiny was sealed. He would not yield to Nature's physical laws or changing cycles. He would go where and when he pleased; he would build shelters and tame fire; he would eat what tasted best; he would hunt and cache, plant and reap; he would be industrious and thankful when Nature's temperament shined upon him, and resentful and ingenious when it restricted him.

I can sympathize with the idea that *Homo sapiens* is an evolutionary blunder, a deadly mutation whose extinction cannot occur too soon. It is certainly not clear that the rest of the planet can put up with a species which -- if it cannot completely subjugate Nature -- appears willing to see her dead.

But man's unbending nature is nothing new. We didn't take an abrupt right turn in the last few centuries. We've always been this way. The vision of man at one with Nature is a fantasy, alive only in the minds of those few good souls who read Thoreau superficially; some fewer hardy ascetics who, because of their own extraordinary will power, expect too much of their brethren; and some fewer still who idealize the American Indian into a symbol just as wooden as the one vulgarized by cigar stores.

The Hopi, in particular, can do without Abbey's sentimentality. Their ancestors, the Anasazi, may have been the first humans on the North American continent to practice those most premeditated of Nature controls, damming and irrigation. Even more ironic is recent theory concerning the sudden disappearance of those same cliff dwellers after centuries occupying the same canyons. Apparently they left not because of prolonged drought or war but because they had exhausted their sole source of fuel, the surrounding pinon-juniper forest. Hopi deforesting? What sacred icon will fall next?

Some 300,000 years of *Homo sapiens* have not altered, except by degree, that distinctive opportunistic relationship of Man to Nature. These days we defy cold and heat and boredom with gas, oil, and nuclear energy. We defy thirst and hunger by damming transcontinental rivers. Using science and technology we defy time, space, and gravity; blindness, deafness and crippling. We defy pain and death.

And yes, all of this domination and subjugation of Nature has been imperfect at best and disastrous at worst. Now and then our smugness and hubris is shattered by flood, hurricane, volcanic eruption, or microbial invasion. But more often our own cruel or misguided hands collect the toll. Indeed, Pogo was right.

Yet none of this need cause environmentalists to throw up their hands in despair. Our species is stubborn and prideful and shortsighted. But it does not follow that we are also purposefully evil, intent on self-destruction.

We're lousy at permanent cures, and greed, bigotry, injustice and malice will always struggle against our humanity. But that is no reason to surrender to despair and invective. History does indeed reveal horrors, but it also records times of light and enlightenment. Permanent cures evade us, but we've had limited success with amelioration.

What Abbey and the monkey wrenchers must do is stop the self-righteous exposition, the sentimentalizing and romanticizing, the shrill keening over the imperfections of human nature. The time spent scrawling and rescrawling misanthropic graffiti could be better spent at a U.S. Forest Service EIS hearing.

J.V. Rosenfeld is a long-time Telluride, Colorado resident temporarily experiencing life at lower climes.

REPORTER'S NOTEBOOK

Wendell Berry on story telling

by Dan Gorham

"That reminds me of the time..." Those familiar and welcome words put a gathering at ease. At ease yet anticipating, knowing that it's the prelude to remembrance and folktales about to be relived. Story telling, the spontaneous art of exchanging information, is the subject of this year's Humanities and the Environment series at the Teton Science School in Yellowstone, Wyoming.

The first of four sessions was held in early December and featured Wendell Berry, farmer and writer, as the keynote speaker. Berry, a humble, eloquent man, spoke about the art of communicating through story, but more importantly, about the decay of traditional community life in which all stories are rooted.

"That icy blue light," as Berry refers to television, "has everyone sittin' around stupified." The result is a growing inability to communicate simply with neighbors and relatives and the increase of meaningless language. He calls for people to speak not from their books but from the heart.

"When we all have one story, then it will be total. We'll of been had."

The author of 25 books, Berry defends the land and family farm in an almost Puritanical style. Scattered throughout his essays, poems and novels is a eulogy for the values of a rural community. In his essay *Wild Birds*, Berry's character Wheeler reflects on this disappearing era:

"It's been a long time since he was able to forget that he is making his stand in the middle of a dying town, in the midst of a wasting country. From which many have departed and much has been sent away. A land wasting and dying in want

Wendell Berry is not your ordinary country gentleman. He left the literary world of New York City in 1964 to return to a family and heritage in rural Kentucky. A decision he later explained to his readers: "What I had in mind, that made the greatest difference, was the knowledge of a few square miles in Kentucky, that were mine by inheritance and by birth and by the intimacy the mind makes with the place it awakens in."

Berry uses stories to tell us who and where we are. He criticizes the present by romanticizing the past. His audience is caught off guard, questioning the distance between their lives and their roots. He personifies harmony in an age when you can buy anything else.

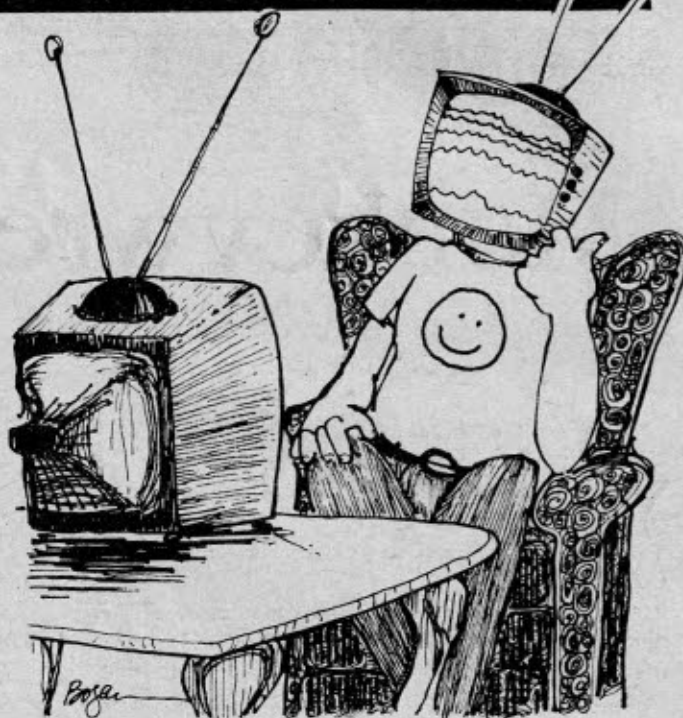
While it's easy to picture Wendell Berry sitting on the porch of a general store performing "the sacred duty" of swapping tales, it doesn't seem much like the world in which most of us live. But it's not geography that makes the difference, it's the slow and steady change in the methods we use to communicate.

Books, television and the movies all convey the morals, knowledge and quirks of human nature we are curious about. But only the story encourages the mind to imagine.

"I've talked with a lot of (older) folks who had some kind of sorry, sad revelation the first time they saw a movie of their favorite radio show," says Berry. "It's such a comedown. Nothing like they imagined it."

One of the participants of the workshop commented, "Have you ever noticed that people no longer know how to give directions? It's a kind of illiteracy. People don't look at where they've been the way they used to."

But I guess that's the point. If we no longer



make the effort to observe life for others, what experiences do we have to share? Whether in a tavern or the corner donut shop, we swap stories for the company rather than the content.

Traditional storytelling is the result of friendships, community, and shared experiences. Yet many of us live miles from our past and alone with our memories. Without a sense of historical belonging, it is common to live for oneself. If you want to be entertained, you can go to the movies. If you feel lonely, you can pick up the phone. But as Tom Lyon, moderator of the story and myth series put it: "Storytelling subverts the industrial outlook. There's nothing to own, only a process that is entered."

□

The Teton Science School's *Story: Recreating the Mythological Landscape* series will continue January 27-28 with guests Laura Simms and Steve Gorn. For more information contact the Teton Science School, Box 68, Kelly, Wyoming, 83011.

OPINION

EPA works to prop up industrial dinosaurs

Things are never as they seem.

Take, for example, EPA administrator William Ruckelshaus' seemingly hard-headed approach to jobs and health. Ruckelshaus would make their relation explicit: he would set up an accounting ledger in which so much economic activity would be equated to so many deaths.

He would then -- as he has already at Tacoma, Washington -- reveal his scrupulously calculated balance sheet to workers and inhabitants and give them a choice: the old 'Your money or your life' choice.

All this would be done in a participatory way, as described in this issue by journalist Charles Rogers. There would be public hearings, expert testimony, interaction with the community -- all the panoply of democratic regulation.

In the end, the EPA, with the advice and consent of the victim community, would decide how many jobs are to be saved and how many lives are to be sacrificed.

To some, Ruckelshaus' approach will seem superior to the way other development-minded officials behave -- hiding risks from the public to keep a factory or mill open. Some will even say the EPA approach tests our toughness by determining if we can look risks in the face. Or are we such babies that officials must hide from us the real costs of our economy so as to keep things going?

Ruckelshaus thinks so highly of risk assessment that he would extend it beyond uranium mills and metal smelters. He wants it to guide our entire economy. He wants the U.S. to keep an eye on other industrialized economies to ensure we're not becoming too clean or pure. By emitting as much soot and dirty water as the Japanese and French, he assumes we ensure our economic position.

To be consistent, we should probably extend this economic watch to the less developed world. We shouldn't let our steel mills emit any less

smoke than Brazilian mills. We should make sure our coal mines are no safer than Chinese mines. Our farm tractors should tip on the same slope as an African tractor. Why spend money to make our farmers safer than other farmers?

Such arguments sound like nonsense, yet it is what Ruckelshaus is suggesting. By focusing on what he thinks is a rigid bond between jobs and public and environmental health, he has missed the meaning and hope of our way of doing things. The less of our past is that cleanliness and safety walk together with prosperity and productivity. It is a lesson that is repeated abroad. Does Ruckelshaus believe that Switzerland, Sweden or Japan moved ahead because of unsafe, polluting workplaces?

The truth is otherwise. As we and other developed nations advanced, we have exported or destroyed economic activities that couldn't be done in clean, healthful and productive ways. Our communities have rejected many of the dirty and dangerous workplaces, the brightest and most ambitious people have avoided taking jobs in them, and gradually those activities have withered.

When Ruckelshaus works to trade off lives for jobs, he is propping up economic corpses. The ASARCO smelter and its 800 jobs are already gone unless the firm can figure out how to protect those who live near it and work within it. We don't believe a pariah company -- one that kills people at a statistically determined rate -- can survive.

Ruckelshaus may help the smelter hang on for a while. But we predict its productivity and profitability will steadily decline. The dynamic of our culture and of our economy almost guarantee it.

It is interesting that Ruckelshaus would preserve this poisonous dinosaur even though we are all surrounded by so many dying industrial relics that tried to survive without being progressive -- without producing higher quality goods at a non-

escalating price, without improving the quality of their workplace, and without reducing the burden their product put on the public health and the environment.

The prime relic is Detroit, which agreed to pay its workers well, but which never figured out how to do its job right. So Americans cut back on their consumption of autos in absolute terms and turned to foreign-made cars for many those they they did buy. Tightly tied to the decline is the fact that the Detroit assembly line went from being a symbol of progressive America to the dreariest of workplace deadends. It is safe to say that the steel and electric power industries are treading only steps behind.

Instead of trying to out-Stockman David Stockman within the Reagan administration, we suggest that Ruckelshaus show how Reagan's economic program, which preaches individual responsibility and minimum government regulation, is compatible with a healthy and safe environment.

Ruckelshaus, as EPA head, should be telling the other Reagan people that America's genius is our ability to achieve both a productive economy and an increasingly clean workplace and environment doesn't sacrifice human beings in order to squeeze out an extra unit of production.

He should also remind the Reagan team that economies serve man; man doesn't serve economies.

--E.M.

Winter break

High Country News takes its traditional (and welcome) mid-winter break in early January. The next HCN will be dated January 23, 1984.

16-High Country News-Dec. 26, 1983

OFF THE WALL

Drinking Coors' lunch

William Coors, chairman of the Adolph Coors Brewing Company, has shown the leadership that has put Colorado and the nation where it is today.

He recently told a group of security analysts in Denver that the brewing industry demonstrates an "outrageous" lack of ethics by promoting beer drinking among college students.

That lack of ethics has drawn Coors itself into the pits, forcing it to hire 250 campus reps to push its beer at wet T-shirt and get-drunk parties. Coors said that if his firm doesn't do that, "They'll eat our lunch."

The Coors firm, which is firmly against federal regulations of all kinds, implied that morality would come to the brewing industry only if an outside force imposed it. "One way or another, the country is going to stop this because our industry doesn't have the ethics to stop it ourselves."

The argument is familiar -- given all the time by Ralph Nader and other regulatory types who say industry can't act for the greater good. The Naderites argue that the free enterprise market system drives companies to cut-throat competition -- competition in which good-guy corporations like Coors get its lunch eaten. The answer, as Coors and Nader jointly believe, is for government to force everyone to play by the same fair rules.

But Coors didn't hew to the regulation position throughout his speech. He blasted those who would tax the alcohol industry because of drunk drivers. He pointed out that only five percent of alcohol users are abusers -- that only one out of twenty people who drink Coors beer are likely to kill or maim you on the highway.

Get stinko first

Coors' talk suggested a new approach to defensive driving. From now on, good citizens should get stinko before getting behind the wheel. After all, why should moral types let the other guys and gals have the fun of drinking and driving while they creep down the road, fearful and shivering, hoping to spot a drunk's weave before they get nailed?

If the good-citizen types get caught, they can cite the Coors argument: they personally abhor and deplore drunken driving as "outrageous," but the other guy does it so they also have to do it. That's especially true since studies show, or would show if done, that a relaxed and happy drunk survives accidents better than a sober driver.

Our bet is -- and the Coors firm might want to follow this one up -- that being drunk provides greater accident protection than seat belts or air bags. Such findings would open the door to a new type of anti-regulatory action. The Reagan administration could continue to oppose

mandatory airbags while pushing mandatory drunken driving. At the least, the administration could push against oppressive, unnecessary regulations aimed at getting drunks off the road.

It would allow the Reagan team to continue to appeal to the anti-regulation interests while picking up the drunk-driver constituency. That's a sizeable group of potential voters if you can get them to the polls before the bars open. Until now, that group has been shamefully neglected by both Democrats and Republicans.

Are kneecaps next?

Crested Butte, Colorado, used to be a laid-back town with unpaved streets and platoons of semi-owned dogs lolling in them. But the December 2 issue of the Crested Butte *Chronicle* indicates all that has changed. The major indicator was a page 9 photo of Tom Duran, teeth bared, giving a karate kick. The photo was part of an ad for Crested Butte State Bank -- "Your friendly hometown bank."

Duran is the bank's loan and collection officer, and the ostensible message of the ad was that Duran's karate hobby "teaches me patience" and lets him "take an unusually relaxed attitude to his work." The subliminal message is that times are tough in the ski town and it's time to start muscling the laggards.

--Ed Marston

ACCESS

WORK

HELP WANTED: Reporter for weekly newspaper covering Navajo and Hopi reservations in Arizona. Skills: good reporting, writing, photography, headline writing and page makeup. Must be able to work on own with little supervision. Starting salary \$265/wk. plus mileage. Contact Julia Betz, *Lake Powell Chronicle/Navajo-Hopi Observer*, 602/645-8888 at Box 1716, Page, Arizona 86040.

HELP WANTED: Executive director needed for a dynamic conservation coalition. Duties include personnel management, fund raising, public relations, board and membership development. \$15,000 plus benefits. Qualifications: high motivation, knowledge of natural resource issues, previous experience. Send resume by Jan. 10 to: Colorado Open Space Council, 2239 E. Colfax, Denver, CO 80206. No calls, please.

POSITION AVAILABLE: Staff Attorney. The Environmental Defense Fund seeks a staff attorney to work in its Rocky Mountain office in Boulder, Colorado. The Rocky Mountain office focuses on the protection of human health and natural ecosystems in the mountain West. At least two years of relevant experience past the J.D. is required. Salary range \$22,000 to \$30,000, depending on experience. Starting date: March 1, 1984. Applicants should send a resume, a list of references and a copy of applicant's most creative piece of legal writing by January 10 to: Robert Yuhnke, Environmental Defense Fund, 1405 Arapahoe Avenue, Boulder, CO 80302.

POSITION AVAILABLE -- EXECUTIVE DIRECTOR. Greater Yellowstone Coalition seeks experienced person to help keep Greater Yellowstone natural. Duties: fundraising, program planning and implementation, political action, administration, public relations. Qualifications: leadership, communication, knowledge of environment and Northern Rockies, political skills, management. Location: Greater Yellowstone ecosystem. Salary: \$25-40K plus benefits. Write: SEARCH COMMITTEE, Greater Yellowstone Coalition, P.O. Box 657, Helena, MT 59624.

REGIONAL REP WANTED: Sierra Club is seeking a representative for the Northern Plains region: MT, WY, ND, SD, and NE; and for the Southern Plains region: AK, KS, OK and TX. Both positions require frequent travel, strong training and motivational skills, and knowledge of conservation issues and the political process. Three to five years similar job experience required. Salary -- \$25,000-\$30,000, plus excellent benefits. Send cover letter, resume, and writing sample to: Sierra Club, Personnel Dept., 530 Bush St., San Francisco, CA 94108 by Jan. 15, 1984. EOEM/F/H.

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PROJECT LIGHTHAWK, that unique publicly-supported non-profit corporation, is back in the air again. That's because pilot Michael Stewart can touch the pedals of the airplane after seven weeks of recuperation from a knee operation. Stewart, who is based in Santa Fe, New Mexico, has made his plane available to conservation groups in the Rocky Mountain states for the last three and a half years. Now, thanks to a new administrative assistant, Sara Yarnall, you can call Project Lighthawk to request a flight between 1 and 5 p.m. weekdays and "finally talk to a human," Stewart says. The phone number is 505/984-1315. At other times, call 505/982-9656 to leave a message.

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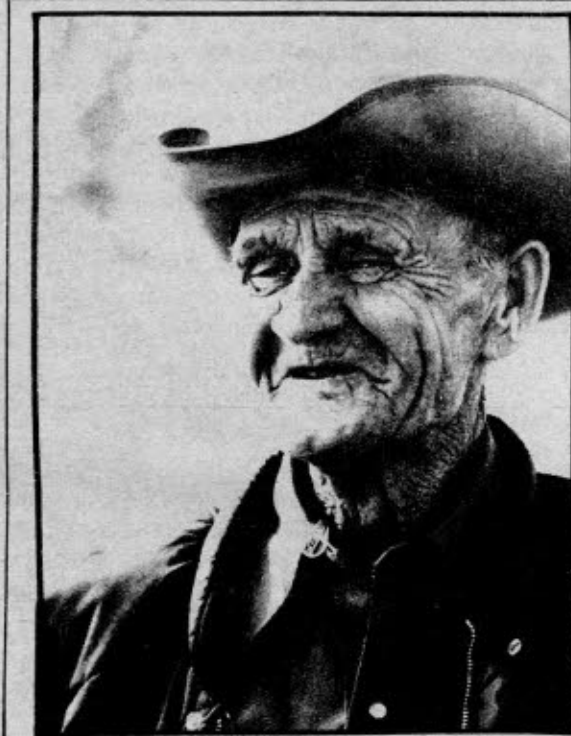
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FENCED, Katie Lee's newest recording of songs about the Old West, has just been released on high-quality cassette tape. Katie sings and plays guitar on 12 previously unrecorded songs about "Some of the things we should try to keep from slipping away." Three songs are for river runners -- including her acid "Wreck the Nation-Bureau Song." *FENCED* is available by mail order for \$12 postpaid from Katydid Records, P.O. Box 395, Jerome, Arizona 86331. *FOLK SONGS OF THE COLORADO RIVER* and other record albums are also available from Katydid Records.