

Water-Pollution Control: Trouble at Headquarters

In April, a few months after leaving office, former Secretary of the Interior Stewart L. Udall frankly admitted to a congressional committee that the effort to protect and enhance environmental quality was going badly. "I think we are still losing the battle," he said.

The nation's faltering efforts to cope with water pollution was one of the problems Udall had in mind. The federal funds being made available for sewage treatment works satisfy only a small fraction of the need. And while nearly 50 federal water pollution abatement proceedings have been initiated over the past 12 years, for many of the waters involved in these cases the pollution problems still persist—the three abatement conferences for the Potomac, for example, have not left this historic river much cleaner. Even the effort to set goals for a national cleanup is lagging. The Water Quality Act of 1965 called for the states to adopt water quality standards, but, today, nearly 4 years later, less than half the states have standards fully acceptable to the Secretary of the Interior.

Turmoil and Confusion

In view of the size and importance of the job to be done, the Federal Water Pollution Control Administration (FWPCA) is an agency that one might hope would be free of inner turmoil and administrative confusion. But there is growing concern on Capitol Hill and among conservation organizations that such is not the case. In recent weeks word has been spreading around Washington of a conflict between the two Republican appointees in charge of the pollution-control program, FWPCA's Commissioner David D. Dominick and Carl L. Klein, the Assistant Secretary of the Interior for Water Quality and Research.

Klein, not content to exercise merely the policy-making role that an assistant secretary usually plays, is reportedly taking a direct and aggressive part in administering the agency. His boldest action to date has been to dismiss Dominick's deputy and to name the acting director of the Senate Republican Pol-

icy Committee to replace him—doing all of this without consulting Dominick. Changes of some other key people are understood to be in the making, and fears are being expressed within the agency and by some of its friends in Congress that the FWPCA is being turned into—as one Senate aide put it—a "political barnyard."

Moreover, among both Democrat and Republican members of the Senate Air and Water Pollution Subcommittee and their staff people, there are other worries. Klein has left them with the impression that he does not understand the objectives of the Water Quality Act. As for Dominick, they fear he no longer has any real influence. "Dominick doesn't have a place in the program," said one Senate staffer. "He is powerless."

Klein denies all of these allegations. Talk of his making FWPCA a political barnyard is entirely unfounded, he says. "Hell, no, I'm not going to do that," he told *Science*. Klein rattled off a list of FWPCA officials and laboratory directors who, he said, were leading experts in their fields. "You don't often get guys like that," he said. "I've heard the rumors," he added, "but I've been here 4 months and there's been only one replacement." Dominick's deputy is being replaced because "things were starting to slow down too much over at FWPCA," Klein explained. He describes Bryan LaPlante, the new deputy, as an administrator who can keep things moving.

Klein also insists that reports that he is undercutting Commissioner Dominick's authority are untrue. "He is a very sharp and smart young man," Klein said. Dominick's efforts to advance the water quality standards program have his full support, he says. And, by no means, he declares, is he bypassing Dominick with his frequent calls to FWPCA assistant commissioners and regional directors.

His purpose, he says, is simply to get information and not to give orders. Klein has, of course, his boosters as well as detractors. His deputy for scientific programs, S. Fred Singer, who has also served under two pre-

vious assistant secretaries, says, "The [FWPCA] program is really moving with Carl Klein at the helm."

The appointments of both Klein and Dominick were sponsored by Republican members of the U.S. Senate. Klein, 52, is a lawyer and former Republican member of the Illinois House of Representatives. He served as chairman of a legislative commission on water pollution and was sometimes referred to in the press as "Mr. Clean Water." As a loyal party man and on the strength of his local reputation as an anti-pollution crusader, Klein was able to persuade Senator Everett M. Dirksen of Illinois, the Republican leader in the Senate, to recommend him for the post of assistant secretary.

Up to the Big Leagues

Upon his appointment, the Chicago *Sun-Times* observed editorially that, as a legislator, Klein had made water pollution his personal concern and that he would carry to Washington the image of a fighter against pollution. But it cautioned: "Klein's efforts . . . frequently were backed up by an embarrassing lack of technical knowledge. This shortage of information may not be a major detriment, if Klein is willing to rely on the able, big-league staff at his disposal, which he should do. . . . We suggest, however, that he be given early guidance."

Dominick, a 32-year-old alumnus of Yale and the University of Colorado law school, is a second cousin of Senator Peter H. Dominick of Colorado and was legislative assistant to Senator Clifford P. Hansen of Wyoming. He handled all of Hansen's staff work relating to pollution-control questions, including the preparation of statements assailing Secretary Udall's requirement that the states adopt a "nondegradation" policy as part of their water quality standards. (Under this policy, water of exceptionally high quality must ordinarily be protected from any deterioration, even though its existing quality is higher than state-prescribed standards.)

Because of his youthfulness, his lack of experience, and his identification with opponents of the nondegradation policy, Dominick's appointment was at first received with reservation by such people as Senator Edmund S. Muskie of Maine, chairman of the Air and Water Pollution Subcommittee. In his few months in office, however, Dominick has made a favorable impression on Muskie and other members of the



Assistant Secretary Carl L. Klein
Illinois's "Mr. Clean Water"

committee as well as on congressional staff aides, conservation group leaders, and members of the President's Water Pollution Control Advisory Board. "Our experience with Dominick indicates that he is his own man and is able and ambitious enough to want to make his program a success," an aide to Muskie said. "And he seems willing to listen and not to prejudge issues."

Dominick is understood to have been so disturbed by Klein's dismissal of his deputy, John T. Barnhill, that he considered resigning, though his present intention is to stay and try to smooth over the present difficulties. Dominick would not discuss the situation with *Science* except to say that he expected to have a "close relationship of mutual loyalty and confidence" with LaPlante, Barnhill's successor. LaPlante was once the Atomic Energy Commission's top security officer and has had considerable administrative experience, though none in pollution control.

Barnhill, the ousted deputy, is a career civil servant with over 20 years experience who last fall received the Distinguished Service Award, the highest honor that the Department of the Interior confers on an employee. He views his dismissal as a sign that the spoils system is returning to Washington. Last week he told *Science* that he was refusing to vacate his post voluntarily and would not decide until later whether to appeal to the Civil Service Commission or to accept either a lesser position within FWPCA or early retirement.

Barnhill says Klein told him recently that the decision to replace him was

not his own but came from "beyond the Secretary's level," seeming to imply that it could be traced to Republican party leaders. Klein denies having said any such thing.

The recent appointment of Robert L. L. McCormick, formerly director of research for the Republican National Committee, as Klein's principal deputy has added to the uneasiness at FWPCA. As a former staffman to the two Hoover commissions and as staff director for various Republican policy studies, McCormick has some credentials for a policy-making position in the natural resources field; nevertheless, he carries a strong partisan identification and is spoken of by some at FWPCA as Klein's potential "hatchet man."

It seems clear that if the present mood of apprehension within FWPCA continues and the troubled relations between Klein and Dominick are not repaired, the water-pollution control program will suffer. The program is technically complex and politically sensitive, involving delicate relations between the federal government and the state and local governments. Its keystone is the Water Quality Act, under which the states have been adopting quality standards for their interstate and coastal waters.

Senator Muskie and others who prepared this legislation felt that the nation could best come to grips with the huge pollution-control problem by having the states develop progressive policies in this field. The states were given not only the responsibility of setting quality standards but also that of drafting abatement schedules, fixing a series of deadlines which polluters would have to meet in providing, between 1972 and 1975, the "best practicable treatment" of their effluents.

Standards-Setting Lags

All of the 50 states have now submitted standards to the Secretary of the Interior, but only 21 have had their standards fully approved and about half of those are now considered inadequate and subject to further tightening. Furthermore, most states still have not adopted acceptable nondegradation statements. The urgency of completing the standards-setting process is evident. The first deadlines for polluters to meet in designing and ordering pollution-control equipment occurred last year. Also still unresolved is the question of how compliance with abatement schedules is to be enforced, or even whether the



David D. Dominick
Commissioner, FWPCA

federal government itself has the authority to enforce them in situations where the states fail to do so.

Dominick says that he has directed his Washington headquarters staff to give top priority to having all states adopt fully acceptable standards. "Regional directors will be reporting here directly for guidance on those problems which they are not able to resolve in the field," he told an interviewer. Dominick said that, with the exception of Iowa, which has adamantly refused to insist on secondary treatment of sewage discharges into the Missouri and Mississippi Rivers, the states are "well aware of their responsibilities."

The commissioner says that another pressing matter is for FWPCA to integrate its standards-setting and enforcement activities, which now are being handled separately. Dominick has directed that a plan to accomplish this be prepared for policy review by Secretary of the Interior Walter J. Hickel.

Dominick's efforts to speed up standards-setting and to tie the standards and their accompanying abatement schedules closely to FWPCA's enforcement work will need Klein's understanding and support. But, though Klein gives assurances to the contrary, congressional aides who have talked with him are now convinced that he has no grasp or appreciation of the Water Quality Act's emphasis on having the states adopt water quality standards and set up appropriate schedules to enforce them. "He is impervious to this philosophy," said one aide. "It's almost as though he had never read the

act and was unfamiliar with its legislative history," said another.

These observers say Klein views FWPCA chiefly as an enforcement agency and sees himself as some kind of superenforcement officer who goes about the country negotiating with polluters and presiding over abatement conferences. The assistant secretary is reported to have said that he intends to transfer as many people as possible from FWPCA's operations staff, which is responsible for standards-setting, to enforcement. Klein has developed especially close relations with Murray Stein, the assistant commissioner for enforcement.

Klein can talk tough at abatement conferences, as he did at the one last spring dealing with the Potomac. This is seen as a virtue by some; there are others who feel that he shows gross insensitivity in telling representatives of localities which are hard pressed financially that, with federal funds now short, they must go it largely alone in cleaning up their effluents. Many local governments, already heavily indebted, feel that they cannot improve their treatment facilities without substantial federal help. Congress has authorized such aid on a generous scale but the amounts actually budgeted and appropriated have been relatively modest.

The Nixon administration has proposed a supplementary financing plan whereby the government would pay its share of the cost of treatment facilities in installments over periods of up to 30 years, but this plan has not been acceptable to local governments. In May, before the administration plan had been made public, Klein offended some members of the Water Pollution Control Advisory Board by refusing to show it to the board.

Despite his interest in enforcement, Klein also had aroused the board's concern by seeming inclined to de-emphasize formal abatement conferences. In an interview with a New York Times reporter, Klein had described such conferences as a "yelling and screaming process" and said that more could be accomplished through private negotiation. Even though Klein later pointed out that he had called several conferences himself and was not abandoning this approach, the advisory board adopted a resolution praising the conference procedure as a means of focusing public attention on pollution problems and urging its "wider use."

Whatever Klein's real or alleged shortcomings, he is today the dominant

figure in the federal water pollution-control program. Dominick is understood to have gone to Secretary Hickel recently to protest Klein's removal of his deputy, but the secretary took Klein's side in the matter.

Thus far, Klein seems to have largely escaped public criticism, although his hometown newspaper, the Chicago *Sun-Times*, several weeks ago carried an irreverent article entitled "Mr. Clean Water Muddies Waters in Interior Post." This may not continue much longer, however, for Muskie and his subcommittee staff are following developments closely. Also looking on are Ralph Nader and a group of graduate students who are investigating FWPCA. Klein scarcely can object to having outsiders look over his shoulder. Not long ago, in a speech in Chicago on water pollution control, Klein told his listeners: "Don't let up on government. Hammer it. Worry it. Keep after it."

—LUTHER J. CARTER

APPOINTMENTS

Roy L. Lovvorn, director of research at North Carolina State University School of Agriculture, to administrator of the Cooperative Research Service, Department of Agriculture. . . . **A. M. Winchester**, biology professor, Colorado State College, to dean of arts and sciences at the college. . . . **George S. Mumford, III**, professor of mathematics and astronomy, Tufts University, Mass., to dean, Liberal Arts College at the university. . . . **Roger F. Hibbs**, vice president for production, nuclear division, Union Carbide Corporation, to president of the division. . . . **Alphonso R. Gennaro**, chemistry professor, Philadelphia College of Pharmacy and Science, to director, chemistry department at the college. . . . **Manuel I. Viamonte**, professor of radiology, University of Miami School of Medicine, to chairman, radiology department there. . . . **Edward Stainbrook**, chairman, psychiatry department, University of Southern California School of Medicine, to chairman of the newly created human behavior department at the medical school. . . . **Frederick A. King**, director, Center for Neurobiological Sciences, University of Florida, Gainesville, to chairman, anatomical sciences department, University of Florida's School of Medicine. . . . **Evan B. Hazard**, biology professor, Bemidji State College, Minnesota, to head, science and mathe-

matics division at the college. . . . **Ernest S. Tierkel**, Agency for International Development official formerly in India, to director of the Office of Science, HEW, and U.S. Public Health Service assistant surgeon general. . . . **Alexander Kossiakoff**, deputy director of the Applied Physics Laboratory, Johns Hopkins University, elevated to director of the laboratory. . . . **Raymond D. A. Peterson**, director of research at La Rabida—University of Chicago Institute, elevated to director of the institute. . . . **W. Parker Maudlin**, director of the Population Council's biomedical division, and **Sheldon J. Segal**, director of the council's demographic division, elevated to vice presidents of the Population Council. . . . **Donald R. Scheuch**, vice president for engineering, Stanford Research Institute, to chairman of the new Office of Research Operations at the institute. . . . **Samuel R. Keys**, associate dean, College of Education, University of Missouri, Columbia, to dean of education, Kansas State University. . . . **William W. Cleveland**, instructor in pediatrics at the University of Miami School of Medicine, to chairman of the pediatrics department at the university. . . . **A. R. Lind**, associate professor of medicine, Indiana University Medical Center, to chairman of the physiology department, St. Louis University School of Medicine. . . . **Arthur G. Hansen**, dean of the college of engineering, Georgia Institute of Technology, to president of the Institute. . . . **Robert E. Tranquada**, chairman of the department of community medicine and public health, University of Southern California, to medical director of the Los Angeles County—University of Southern California Medical Center. . . . **Count D. Gibson, Jr.**, chairman of the preventive medicine department, Tufts University School of Medicine, Boston, to chairman of the community and preventive medicine department, Stanford University School of Medicine. . . . **Rolf T. Skrinde**, professor of civil engineering, University of Massachusetts, Amherst, to chairman of the civil engineering department, University of Iowa. . . . **Frederick C. Neidhardt**, associate head of the biology department, Purdue University, to chairman of the microbiology department, University of Michigan Medical School. . . . **Chester O. McCorkle, Jr.**, vice chancellor of academic affairs, University of California, Davis, to dean, College of Agriculture and Environmental Sciences, Davis.