

Clean air bill slated to become fascist law

by Carol White

The worst bill ever considered for adoption by any of the 101 sessions of the U.S. Congress is now set to become law. This is the 1990 Clean Air Act, which passed out of House-Senate conference procedures on Oct. 22. There is a certain ugly irony in the fact that while Congress has been apparently stumbling from one closure of the government to another since Sept. 30, in its collective wisdom it also agreed on legislation which will effectively shut down the entire economy over the course of the next decade.

The final push for passage of the bill was launched on Sept. 27, in the middle of the first crisis around the budget shutdown of the U.S. government, when President George Bush sent a letter to both houses of Congress, demanding passage of the bill before the recess. Agreements rapidly followed, first on standards for automobile emissions, then on the so-called acid rain matter, and finally on standards to be applied in the emission of up to 191 identified toxic chemicals.

A phalanx of hoaxes

Since the beginning of this year, *EIR* has documented repeatedly, in the case of this bill, that despite media-generated hysteria about toxic chemicals and cancer, about global warming, ozone holes, and greenhouse effects, the scientific evidence to substantiate any of the plethora of cited scare stories is nonexistent, or dubious at best. It has been found, for example, in the case of the urban smog pollution supposedly caused by auto emissions, that trees emit far more ozone-causing hydrocarbons. Thus, even if all man-made sources

of air pollution in the Los Angeles area were eliminated, there would still be atmospheric pollution, originating from nature's very own "point source emitters"—the Environmental Protection Agency's new term for trees.

So, the problems Congress claims to be addressing in this monstrosity do not exist in the form in which they are alleged to exist. What we have instead is perhaps the biggest change in U.S. law since the Kansas-Nebraska Act, or the related Dred Scott decision. It is a change which threatens the very foundations of the country.

In this sense: The act is constructed so as to establish regional "caps" for emissions of identified toxics or pollutants. The caps are fixed. New capacity cannot be introduced into a region without keeping the total emissions below the cap. This provision strikes at the heart of the scientific and technological progress which makes humans what they are, distinct from and superior to the lower beasts. It embodies in U.S. law the bestial conceptions of Diocletian's imperial code of Rome, which officially banned all technological progress, condemning all subjects to the status of beasts.

Costs will be astronomical

The bill does not explicitly outlaw introduction of new technology. The "caps" will be reinforced by the costs that have to be paid to implement the monitoring procedures, and certification and compliance features of the bill. Conservative estimates put these figures at about \$104 billion per year—\$1,700 per household per year—which is more than the levy to be imposed through the S&L bailout, reaching

more than \$1 trillion over 10 years. But the country is already in an economic depression. The bill is thus a recipe for disaster on a grand scale in the not-too-distant future. If signed, and of course Bush does still have the option to veto the package, it is the combination of emission caps and charges for compliance which will make new investment impossible. This cost is to be added to the approximately \$90 billion per year which is already spent to meet the standards of the Clean Air and Water Acts of 1970.

Monetary estimates don't do full justice to what is at stake. Estimated job loss from implementation of the provisions of the bill range from 750,000 in manufacturing and materials-processing industries directly affected, such as steel, chemicals, oil refining, synthetic rubber, and pulp and paper, up to 3-4 million jobs in the 1,500 counties where seven out of every eight Americans live. This does not include the knockout effect throughout the economy as a whole. The upper range encompasses about 20% of the 18 million Americans who are still employed in goods production. Agriculture, by way of the restrictions on agricultural chemicals and refrigeration technology, will be returned to the situation which prevailed prior to the 1930s. Food will, of course, become even more expensive. Availability of fresh fruits and vegetables will be curtailed by as much as 20-25%, according to the National Agricultural Chemicals Association.

Small business, especially in the core states of the once-industrial Midwest, will be severely affected. About 44% of the costs of the bill will be borne by five states, according to some estimates: Indiana, Missouri, Ohio, Pennsylvania, and Tennessee. Some 85% of the total costs will be carried by just 15 states. Small businesses, dry cleaners, and bakeries will have to apply for permits to function, seeking certification that they meet standards and have installed monitoring equipment. The costs will run into the billions.

On the larger scale, thermal generation of electricity is going to be subjected to rigorous new controls, which will push up rates for electricity provided by 15-30% per year.

Not just the United States will be affected. Under section 504(a) of the bill, the director of the Environmental Protection Agency is instructed to draw up, within 60 days of enactment, a list of atmosphere- and climate-modifying substances. These substances are to include the chlorofluorocarbons (CFCs), the primary components in refrigerants, which, it is asserted, are responsible for the so-called ozone hole. Substances on the list may not be exported from the United States, nor may the machinery and equipment used to produce those substances.

CFCs are critical in present refrigeration technology. With present technology, an estimated 30% of the food produced worldwide is ruined before it ever gets to the consumer. The replacement chemical for the CFCs costs 15 times more than CFCs. Countries and whole regions of the world will be affected. It is estimated that 40 million worldwide die

from hunger and related causes each year. It is the intention of the designers of the bill, that this number increase.

Die for Edgar Bronfman!

Take the following features of the bill. The patent on CFCs production was held by Edgar Bronfman's Du Pont Corp. The patent expired. Now that the method to produce refrigeration technology is widely available, lo and behold, it is banned, and three companies—Du Pont, Imperial Chemicals Industries, and Allied Signal—step forward with a replacement. The replacement is more expensive and more dangerous.

The same holds true with gasoline emissions. The bill requires 40 cities to provide oxygenated gasoline by 1993, and the auto companies to make cars capable of burning it. Within 10-15 years, 100 cities must have complied with the new standards.

The materials for oxygenation of gasoline are few. Among them the ethanol favored by Bronfman's friend Dwayne Andreas of the Archer Daniels Midland grain cartel company, and the methyl tertiary butyl ether whose availability is controlled to the extent of 40% by the Atlantic Richfield oil company, which was formerly run by Robert O. Anderson. It will cost billions to rebuild refineries to meet the standards. The variant fuels emit more of the nitrogen oxides than the fuels they are supposed to replace.

The sane alternative

Environmentally, the bill is a complete fraud. Economically it is a disaster. It would be better to simply say, "Let's rebuild the nuclear energy industry; let's move into the age of coherent high-energy physics-based technologies, epitomized by the laser and plasma processes, while at the same time rebuilding the country's basic economic infrastructure, such as fresh-water management systems. That way there would be environmental benefits, as well as an end to the present deepening depression."

Most congressmen have no idea of the implications of the bill for the economy. Actually, most don't have much idea of what is in the bill at all (it is over 5,000 pages long). Various of the provisions were elaborated by staff without any oversight from the elected officials.

There is another feature to the bill which is as deadly as the attempt to stop scientific and technological progress cold. This is the so-called enforcement provisions of the bill. Under these sections, the EPA is established as court and prosecutor. Criminal and civil proceedings can be brought against those who violate EPA procedures or standards, as defined in the bill; fines of up to \$25,000, or sentences of one year in jail can be imposed per violation *per day* as the violation is committed. Proceedings can be brought, penalties imposed, without going near the court system. Alleged violators can appeal to the courts only after they have been through the EPA administrative process.