

EDITORIALS

Clean Air Chicanery

President Clinton's decision to pursue tougher new smog and soot rules is being hailed as a victory for Americans' health. It's more a victory for the relentless and misleading campaign waged by Environmental Protection Agency head Carol Browner.

Back in November, the EPA proposed its new rules for smog and soot. At the time, the EPA claimed that scientific evidence conclusively showed current federal standards for both were inadequate. People were dying. Children were suffering.

Since then, the facade has been crumbling. But the more the case for the new rules weakened, the more resolute Browner became, often misrepresenting both the science behind the rules and the costs of complying with them.

For example, Browner went to congressional hearings toting along a poster-sized chart, titled "The Science Calls for Action," which claimed that five studies looking at "fine particles" — the soot EPA wants to regulate — showed health risks from this pollutant.

It turns out that only one of them did. The others were inconclusive, according to science writer Michael Fumento, author of a forthcoming book on the subject for the American Enterprise Institute.

When questioned about this at a later hearing, Browner claimed she hadn't read any of the studies. But she continued to make the same claims.

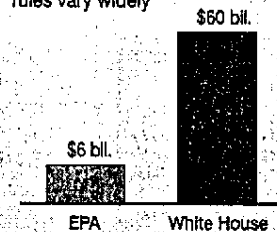
Browner routinely cites the rise in childhood asthma as justification for the rules, overlooking the fact that asthma rates are rising while smog levels have been dropping. And, recent studies suggest other factors — cockroach droppings, for one — might explain the increase.

On the cost side, Browner claimed only about \$6 billion would be needed to meet the new standards. But that figure was only for *partial* attainment.

The agency simply said, let's throw in every pollution control measure we know about and see how many areas that brings into compliance. That still left the most polluted — and heavily populated — areas out of compliance. So the EPA stopped counting the cost.

Huge Spread

Cost estimates of new clean air rules vary widely



Sources: EPA, White House

When White House economists finished the job, they came up with a figure 10 times as high.

Browner has also claimed repeatedly that the new rules will affect only big industry. "This is not about backyard barbecues or fireworks," she could be heard saying over and over again.

However, as our National Issue reported in April, state and local governments are already looking to small firms and individuals for pollution reduction. In many areas, that's the only place left to go for significant cuts.

Browner knows it, because the EPA itself has been pushing in the same direction.

The EPA threatened lawmakers in Maryland, for in-

stance, with the loss of highway funds if the state didn't adopt a costly and troublesome new auto inspection regime. The governor buckled under the pressure. And the EPA already has rules for emissions on lawn-mower and other small engines.

The administration's own assistant secretary of transportation said the new rules would likely "require lifestyle changes by a significant part of the population."

As disappointing as the EPA's performance has been, the Republican response is even more troubling. Still smarting from the barrage of green attacks in the last election, the GOP has been timid, leaving it up to liberal

Democrats — and many officials in the White House itself — to blast holes in the plan. It was Rep. John Dingell, D-Mich., hardly a friend of the marketplace, who declared war on the rules.

Letting the Democrats carry the ball on these rules may be a conscious tactic on the part of the GOP. But if these rules are in fact killed, who will get credit? Not Republicans, if they maintain their silence.

A bill introduced last week to put a four-year moratorium on the rules had two Democratic sponsors, but only one from the other side of the aisle. Sen. John Chafee, R-R.I., who had early on expressed doubts about the proposals, is sitting on the fence. Sen. Al D'Amato, R-N.Y., trying to burnish his liberal bona fides for the election, says he would fight for the new rules.

Another problem: If these rules were so desperately needed "for the children," why is the administration taking so long to implement them? According to Browner, the new particulate rule won't even start to go into effect for at least seven years, possibly many more.

And, of course, it will take many more years before compliance is reached. By that point, most of today's children will be well into adulthood. More than 100,000 people will have been killed, if the administration's figures are to be believed.

Still, the most troubling aspect of Clinton's decision has been overlooked. By pushing tougher air pollution rules, the Clinton administration has effectively put a good chunk of the economy — and nearly half the American population — under the EPA's thumb. Doesn't this sound like what he wanted to do with health care?

Clinton promises flexibility in implementing the rules. An EPA fact sheet says the agency will "use its discretion under the Clean Air Act to allow another three years for areas that are not in compliance to submit air quality plans on how they will meet the new standard."

Comforting to some. But it also opens the door to political favoritism — Democratic mayors could easily find themselves first in line for waivers.

Congress has a duty to use its authority to block the new rules — at least until better science is available, and until the American public has been able to listen to an honest debate about the merits of this proposal.