

Russell E. Train: Oral History Interview

Foreword



This publication is the second in a series of oral history interviews with the Environmental Protection Agency's administrators and deputy administrators. The EPA History Program has undertaken this project in order to preserve, distill, and disseminate the main experiences and insights of the men and women who have led the agency. EPA decision-makers and staff, related government entities, the environmental community, scholars, and the general public, will all profit from these recollections.

Separately, each of the interviews will describe the perspectives of particular leaders. Collectively, these reminiscences will illustrate the dynamic nature of EPA's historic mission; the personalities and institutions which have shaped its outlook; the context of the times in which it has operated; and some of the agency's principal achievements and shortcomings.

The techniques used to prepare the EPA oral history series conform to the practices commonly observed by professional historians. The questions, submitted in advance, are broad and open-ended, and the answers are preserved on audio tape. Once transcripts of the recordings are completed, the History Program staff edits the manuscripts to improve clarity, factual accuracy, and logical progression. The finished manuscripts are then returned to the interviewees, who may alter the text to eliminate errors made during transcription of the tapes, or during the editorial phase of preparation.

A collaborative work such as this incurs a number of debts. Kathy Petruccelli, Director of EPA's Management and Organization Division, sought support for transcription and printing costs. John Chamberlin, Director of the Office of Administration, provided the necessary funds. Finally,

Russell Train himself must be acknowledged for his candid and insightful reflections on this formative period in EPA history.

Biography



EPA Administrator Russell E. Train September 1973

Unlike many conservationists, ecologists, and environmentalists who commit themselves to nature in their early years, Russell E. Train found himself drawn to it in mid-life. Like his parents - U.S. Navy Rear Admiral Charles R. Train and Errol C. Brown - Train and his two brothers were reared in the District of Columbia. During the summers, however, the nautical Trains rented a house in Jamestown, Rhode Island, where Russell Train was born in June 1920. Family life may have been complicated by Admiral Train's long absences for sea duty, but the young brothers grew up in an otherwise secure household.

After attending the Potomac School, Russell Train graduated from St. Alban's in 1937. He then enrolled at Princeton University and in 1941 received a Bachelor's degree in Politics. On campus, he joined the Army ROTC (which Admiral Train forgave only because Princeton had no naval ROTC). This step committed young Train to four years of military service and from 1941 to 1945 he served on active duty in the U.S. and overseas, rising to the rank of major. Influenced by the example of an uncle - prominent New York federal judge Augustus Hand - Train decided to attend Columbia University Law School after his army discharge and earned an L.L.B. degree in 1948.

Russell Train devoted the first part of his career to government service as an attorney and jurist. From 1948 to 1965 he served successively as legal advisor for the Congressional Joint Committee of the House Ways and Means Committee (where he became an expert on tax law); Chief Counsel, then Minority Advisor to the same committee; and Assistant to the Secretary of

the Treasury and chief of the department's tax legislative staff. In 1957 President Dwight Eisenhower asked the 37 year old lawyer to complete an unexpired term as U.S. Tax Court Judge, following which President John F. Kennedy chose him for a full 12 year appointment.

At this point, Train's path in life seemed clear. He could look forward to many secure years on the bench, which was fortunate; in 1954 he had married Aileen Bowdoin and now had small children to support. Despite these factors, he radically changed the course of his career. Actually, the metamorphosis began some time earlier, during two safaris to East Africa in 1956 and 1958. Observing the fragility of the African wilderness in the face of encroachment, in 1959 Train founded the Wildlife Leadership Foundation. Through it, he attempted to help the emerging nations of Africa establish an infrastructure of professional resource management in order to establish effective wildlife parks and reserves. His foundation continues to offer expertise along these lines.

Train's final environmental awakening occurred in 1965. From 1959 until that date, his involvement in conservation issues deepened and he met many figures associated with it internationally. But at age 45 he decided to abandon the safety of the tax court and accepted an offer to be president of the non-profit Conservation Foundation. A research, education, and information-oriented institution, during his tenure it stressed citizen participation, supported demonstration projects which infused ecological considerations into development planning, and sponsored a major conference on environmentalism in international economic growth. Train also focused the foundation on finding methods to insert greater environmental awareness into federal policy-making processes.

After three years in private life, Train found himself drawn back to government. In 1968, President Lyndon Johnson appointed him to the seven-member National Water Commission. With the election of Richard M. Nixon to the presidency in November of that year, Train figured prominently in one of the many task forces established by the new president to review all executive functions. Nixon asked him to chair a group on resource and environmental issues, which he did between November 1968 and January 1969.

The subsequent report proposed a White House office of environmental policy, an idea which bore fruit on January 1, 1970 in the National Environmental Policy Act (NEPA). Meantime, President Nixon appointed Train Undersecretary of the Interior. Here he led the Alaska Pipeline Intergovernmental Task Force, a difficult job which took almost one year. But with the passage of NEPA, the president established the Council on Environmental Quality (CEQ) and named Train to be its first chairman.

Russell Train and his small White House staff quickly defined the environmental role of the CEQ. They assumed the duties of advising the president on policy, drafting legislation, coordinating all federal activities, and preparing an annual report on the state of the nation's environment. Train also carved out important international responsibilities for himself; for instance, becoming chairman of the NATO Committee on the Challenges of Modern Society.

No sooner had the CEQ established its own mission than a second federal environmental institution came into being. The Environmental Protection Agency (EPA) opened its doors in

December 1970 and its Administrator, William D. Ruckelshaus, found himself following Train's recent example; that is, struggling to define the role of the new agency. From the early stages, it became evident that while the two organizations would work closely together, they would defer to each other in two spheres. Train and his staff would concentrate on policy formulation and international environmental activity, while William Ruckelshaus and EPA would focus on implementation.

Clearly, however, by 1973 the main tenants of environmental policy had been laid and EPA began to assume the dominant position. In April of that year, as the Watergate Crisis rose in intensity, Ruckelshaus resigned from EPA to become Acting FBI Director. Realizing the agency had become the "principal arena" for environmental activities, Russell Train declared his interest in becoming EPA Administrator and in May 1973 President Nixon nominated him for the position. He served as the second administrator from September 1973 to January 1977, during which time the agency expanded its interest in international affairs and turned to risk assessment as an instrument of policy-making. More important, at a time when the supply and cost of energy became paramount in the United States, Train and the EPA succeeded in "holding the environmental line."

Russell Train's personal commitment to conservation survived the rigors of eight full years as a federal environmental leader. In 1978 he was named president and chief executive officer of the World Wildlife Fund (U.S.) and became its chairman of the board in 1985.

Looking back on his service to the EPA, Russell Train reflected on an intangible but vital contribution of his tenure. He felt that his most important achievement involved

We didn't have any major setbacks insofar as public confidence was concerned. We were able to resolve political problems within the administration and the White House in a way that did not diminish respect for the agency. We had good Congressional relations....The important thing we did was to build the credibility of the agency with the public.

References

1. Interview, Russell Train with M. Gorn, May 5, 1992, EPA History Interview-2, March 1993.
2. "Biographical Sketch of Russell E. Train" in the Nomination of Russell E. Train to be Administrator of the Environmental Protection Agency, Hearing before the U.S. Senate Committee on Public Works, August 1, 1973.
3. *Who's Who in America, 1990-1991*

Interview

Early life and influences

Q: Mr. Train, would you briefly describe your upbringing and early family life?

MR. TRAIN: I grew up here in Washington, D.C., which makes me a little unusual in government. I was born in 1920, in Jamestown, Rhode Island. My father was a Naval officer, and in those days, sea duty was largely on the East Coast. Our principal home was in the District of Columbia where both my father and mother had grown up, but in the summertime, the fleet went North to New England, I suppose for a more salubrious climate than Norfolk, Virginia. During the summers, my family took a house in Jamestown, an island just off Newport in Narragansett Bay. That's where I happened to have been born, but the fact is that other than that, my life has been here in Washington.

My two older brothers and I went to school here. I went to the Potomac School and then to St. Alban's, where I graduated in 1937. I went from there to Princeton University, where my brothers had gone. I was in the class of 1941 and majored in Political Science, or Politics as it was called at Princeton. I joined the Army ROTC since there was no Naval ROTC. My father finally accepted this. But, that meant that on graduation, in June of 1941, I went straight into the Army on active duty and spent over four years in military service here and overseas, ending up in Okinawa. I came back in the spring of 1945.

Shortly thereafter, I entered Columbia Law School in New York and graduated from there. In those days, following the war, there was a short course in which there were no summer vacations, and so I went to law school for two years and graduated in the class of 1948. Then I came back to Washington and went to work.

Q: In the early years, can you recall any mentors at school or at home? Any people who influenced you greatly?

MR. TRAIN: Well, I think obviously our parents have a good deal of impact, whether you know it or not at the time and whether you admit it or not at the time. On the other hand, my father was away from home a great deal, being a Naval officer. There was a good deal of sea duty involved. I had an uncle who was a very formative influence; a Federal judge named Augustus Hand. He was married to my father's sister and was a judge of the U.S. Second Circuit Court of Appeals in New York, and one of the most distinguished judges on the Federal bench. He doubtless influenced me to go into the law.

Career Prior to EPA

Q: By what route did you arrive as Administrator of EPA?

MR. TRAIN: By a devious one (laughing)! I was in public life in Washington from the moment I got out of law school. I went directly from law school to work as an attorney on the Congressional staff of the Joint Committee on Internal Revenue Taxation. I remained in public service in various capacities until 1965 when I resigned as a judge of the United States Tax Court to become president of the Conservation Foundation. I spent approximately three years doing that until I re-entered government in the Nixon Administration as Undersecretary of the Interior, beginning in 1969.

I guess that early on I became completely committed to public service of one kind or another; a career in government was quite a natural thing for me. However, I didn't have very much exposure to environmental matters in the early part of my government career.

To raise the political aspect, I was identified early as a Republican. However, we didn't have any particular political identification at home. Certainly, my father didn't. Being a Naval officer, he was completely non-political, although he had been a Naval aide to President Herbert Hoover, so he had a loyalty there. I suppose he probably was a Republican.

Nonetheless, after I had been on the staff of the Joint Committee on Internal Revenue for several years, I became Clerk of the Ways & Means Committee for a Republican Chairman, Daniel Reed of upstate New York. That was the last time to this date that the Republican Party controlled the House of Representatives. So, I was identified as a Republican up to that point, although in those days politics in the District of Columbia had not become as active as they are today.

In any event, I went on from there to the Treasury Department during the Eisenhower Administration. I worked for Secretary of the Treasury George Humphrey as head of the Legal Advisory Staff, which essentially handled all tax legislation and regulatory matters. From there, I was appointed by President Eisenhower to fill the unexpired term of a U.S. Tax Court Judge who had died in office. Then, I was re-appointed to a full term by President Kennedy. As I recall, I went on the Court in 1957 or 1958 and resigned in 1965.

During that period, I had gone to Africa on a couple of private trips and on a few safaris and became very interested in African conservation. In my spare time, in 1960 or 1961 I started an organization called the African Wildlife Leadership Foundation which still exists here in Washington and has an office in Nairobi. It is one of the principal international organizations involved with conservation in Africa. That got me involved with environmental matters, with conservation issues, and with the people involved in the movement.

Then, in 1965 I agreed to leave the Tax Court and become President of the Conservation Foundation. After I became President, the principal thrust of the Foundation was to develop ways in which environmental values and environmental considerations could be brought into the decision-making and policy-making processes.

About 1967, the Senate Interior Committee, then chaired by Senator Henry "Scoop" Jackson of Washington, was considering environmental issues and how to build environmental considerations into government decision-making. At the Conservation Foundation we had a small advisory board, one of whose members was Professor Lynton "Keith" Caldwell, a political scientist at the University of Indiana, who had been giving a good deal of thought to these issues.

The staff of the Senate Interior Committee asked whether the Foundation could finance a consultancy for Professor Caldwell to work with the committee on these issues. We did, and he did, and he became the principal architect of the Environmental Impact Statement (EIS), as well as the National Environmental Policy Act (NEPA). So, we at the Foundation worked very hard

and were personally involved in the labors that eventuated as NEPA. I don't think this is a story and an association that has been particularly well-known.

Toward the end of 1968, following the election of Richard Nixon, I was asked to chair a task force on environmental issues. President-elect Nixon had a very extensive task force mechanism that was put together by Dr. Paul McCracken, who later became Chairman of the Council of Economic Advisors in the Nixon White House. McCracken's executive assistant, a man by the name of Henry Loomis, had been head of the Voice of America, and I believe, Commissioner of Education.

Loomis also happened to be associated with the Conservation Foundation. He was a close personal friend of mine, as well as director and treasurer of the Foundation. So, Henry called me up after the election (he was already working for McCracken) and said, "We're setting up task forces on just about every conceivable issue; from taxation to space exploration, from public health and education, to defense. Don't you think we should have a task force on the environment? If we do, would you chair it?"

My answer was, "Yes," on both scores; "yes" to the task force, and "yes," I would chair it. I put together a totally bipartisan task force of around 15 to 20 people. Incidentally, I never had the slightest suggestion from the in-coming Nixon Administration as to whom I should appoint to the group. In any event, we came up with a rather short report whose principal proposal was the establishment of a focal point for environmental policy-making in the White House. We did not give a name to it, but eventually it became the Council on Environmental Quality (CEQ).

Following our report, in the beginning of 1969, I was asked to come into the Nixon Administration as Undersecretary of the Interior. I was an identifiable Republican who already had some distinction in public office and who was considered to be a conservationist; the term "environmentalist" was not yet in common usage at that time. In any event, I became Undersecretary of the Interior at the very beginning of the Nixon Administration. Walter Hickel was Secretary. Unfortunately, Hickel and I had a fairly rough association for the next year, which had an impact on later events.

Meanwhile, the National Environmental Policy Act was under consideration by the Senate Interior Committee. I was the Administration spokesman and testified *against* the establishment of the Council on Environmental Quality, even though after the election we had recommended it in the task force report. I took this position because the President had established another agency, a *Committee* on Environmental Quality chaired by Dr. Lee DuBridge, his science advisor.

It was made up of the various agency heads who had major interests in the environment, like the Secretary of the Interior, the Secretary of Agriculture, and so forth. It represented the White House's initial response to our task force report, and while it was a starter, like most inter-agency committees it wasn't terribly effective. It tended to represent what I would call the lowest common denominator among the existing agencies, rehashing what they were doing already or wanted to do in the future. There was no new cutting edge there.

While I testified against some aspects of NEPA in the Senate, by the time the bill was under consideration in the House (before John Dingell's Subcommittee of the Committee on Merchant Marine and Fisheries) we managed to turn the Administration around and I was able to support the legislation. When the NEPA was passed at the end of 1969, I suggested to the White House that I be appointed the first Chairman of CEQ. Given my increasing difficulty with Secretary Hickel (and to be fair, his increasing difficulty with me), that seemed like a good arrangement all around. The White House bought it, and I did become the first Chairman of CEQ in early 1970. Nixon signed the National Environmental Policy Act on January 1, 1970 as his first official act of the decade and I remained at CEQ until I went to EPA in September 1973.

Of course, CEQ began a year before EPA came into existence. EPA resulted from a recommendation by a presidential commission on government reorganization, known familiarly in those days as the Ash Council. It was chaired by Roy Ash who later became the first Director of the Office of Management and Budget (OMB). There was a good deal of debate within the Administration about an organizational home for environmental concerns; not about whether there should be some new institutional arrangement in the government to deal with the environment, but just exactly what that institution should look like, where it should be located, and how it should be organized. I think the White House leaned towards establishing a major new Department of Natural Resources and the Environment. I am not quite clear as to how it was to be put together. Of course, talk of a Department of Natural Resources has persisted ever since.

By the time I testified before the Ash Council, I had reached the conclusion that it was much better to start off with a clearly defined, independent agency with a clearly defined mission than have an environmental structure tied to a much bigger natural resources organization. There it would be subject to bureaucratic entanglements, a loss of identity, and a fuzziness of mission. I said at the time that what we needed - and what the public wanted - was an organization with a clearly defined mission: to be the sharp, cutting edge of environmental policy in the government, and at the same time be clearly identifiable and understood by the public. I like to think that I had something to do with moving the decision in that direction. Today, of course, the effort is being made to make EPA a department, which I think it should be. But at that time (1970) I think we reached the right answer.

So, EPA came into existence on December 2, 1970 as a result of Reorganization Plan Number 3. The National Oceanic and Atmospheric Agency (NOAA) came into being at the same time under Reorganization Plan Number 4. As Chairman of CEQ, I was the principal Administration witness - one might say lobbyist - for these reorganization plans on the Hill. I visited all the various committee chairmen whose jurisdictions were going to be affected, ranging from Agriculture, to the Joint Committee on Atomic Energy, to the Interior, to Public Works, and all the rest. Finally, the reorganization plans went through, and EPA came into existence.

CEQ then continued on its own course. We saw ourselves in those days as the principal policy development arm of federal environmentalism, while EPA was the principal implementing, regulating, and enforcing arm. During the next three years, CEQ was responsible for bringing together an *enormous* range of new policy recommendations to the President and the Congress, relating to clean air and water, toxic substances, safe drinking water, surface mining, endangered species, and other areas. There was an extraordinary *outpouring* of public and political response

to the environmental crisis, a sense that we were coming to grips with a major problem in our national life. I think that in those years, the legislative and regulatory responses and the Executive Orders relating to the environment represented the most comprehensive set of initiatives produced in any domestic area in the history of the country.

In any event, we worked very closely with EPA all through that time, and the more EPA matured, the more it became the principal environmental player. By 1973 or so, it was pretty hard to find any policy initiatives to suggest to the President that hadn't already been put forward. There were some initiatives we recommended that were never acted on, such as the National Land Use Policy Act. But I think it is fair to say that by 1973, the action had pretty well begun to switch from CEQ to EPA, which was quite natural. Then, of course, the Nixon Administration - particularly President Nixon himself - ran into the Watergate fiasco. Bill Ruckelshaus, the first Administrator of EPA, left the Agency in May 1973 to become head of the FBI. He then became Deputy Attorney General under Elliott Richardson.

That is where I came in. Following Bill's departure from the EPA, which was pretty sudden, I began to give some thought to my own position and decided that I would like a shot at the EPA Administrator's job. As I have said, by this time (1973) the emphasis was less and less on the development of new policy and more and more on making things work; implementing programs that had been put into place and enforcing them. Clearly, EPA seemed to be the principal arena for all such environmental activities.

To promote my candidacy, I talked to some of the members of Congress with whom I had developed close working relationships. Certainly, I also talked with people in the White House. I remember at least one conversation with Alexander Haig, who by that time was Chief of Staff, having taken Haldeman's place. There were not many other candidates. One was John Quarles who became Deputy Administrator with me. I think Henry Diamond was a candidate.

At any rate, the White House, in its mysterious way, decided to give me the nod, and I was nominated later that same spring, in May 1973. My confirmation hearing was held in June 1973 by the Senate Public Works Committee (which, at that time, hadn't added "environment" to its title). But Senators Scott of Virginia and Hanson of Wyoming put a hold on my nomination, and it remained in limbo until September, when the objections were removed, and I was confirmed, either unanimously or with one or two votes dissenting.

I then became the second Administrator, sworn in that month by Elliott Richardson. I had originally asked President Nixon if he would swear me in. He and I had a conversation about the job in the Oval Office about this same time. I assumed it probably would be a politically shrewd thing for me to be sworn in at EPA by the President. President Nixon was quite a bit shrewder politically than I. He was in the middle of Watergate at that time, and said something like, "that could probably be just about the worst thing I could do for you." He was always extremely pragmatic about himself and his own value in politics (although I must say other events would not necessarily bear out the statement I just made). In any case, I was not sworn in by him, but by my friend Elliott Richardson. His Deputy Attorney General, Bill Ruckelshaus, stood with us. Of course, both Richardson and Ruckelshaus fell victim to the "Saturday Night Massacre" not long after that. Anyway, that's the devious route whereby I got to head the EPA.

Nixon's Involvement

Q: You mentioned President Nixon and a conversation in the Oval Office. Before you became EPA Administrator, did he give you any advice - either written or spoken - on your new job?

MR. TRAIN: I don't really remember him doing so. I would imagine that President Nixon was pretty preoccupied at that time with his various problems. I don't really recall that he gave me any particular instructions. Now, Al Haig, as I recall, went out of his way to emphasize that I should recognize that there has to be balance in these jobs. I replied that I understood. I suspect Haig may have gotten that thought from the President; I know Haig did not have any personal association with the environment whatsoever. The only thing I recall clearly was my conversation with Nixon about the swearing-in.

Train's Allies

Q: Mr. Train, were you assisted by any particular environmental advisors, either inside or outside EPA?

MR. TRAIN: I don't really think there were any of major importance. There certainly wasn't anybody on the outside that I regularly looked to for environmental guidance. There were people I had known in the scientific area such as Starker Leopold, a zoologist at the University of California at Berkeley and the son of Aldo Leopold. I probably had more contact with him when I was at the Interior Department than after I went to EPA. Stanley Cain, a professor at the University of Michigan and Assistant Secretary of the Interior, was another source. I mentioned Keith Caldwell earlier. Ian McHarg, a landscape architect at the University of Pennsylvania, was another one. There were many contacts of this sort, but I certainly wouldn't think of them as mentors. That sounds a little self-important, but the fact is, in the early days, EPA was pretty much out front in environmental affairs. It was unlike the situation today, where there is a wide body of people with experience and wisdom in the environmental area. In those days, I won't say CEQ and EPA stood alone; but we were definitely out front.

I should qualify this by saying that as EPA Administrator, you get so busy you don't really have much time to talk to eminent people. You are moving from one issue to another and flying by the seat of your pants half the time.

Q: Did you have advisors inside the government?

MR. TRAIN: At Interior, CEQ, and EPA, there were a fair number of associates who were important. I think one of the most important associations was with Al Alm. He first joined my staff when I was Undersecretary of the Interior, just before I went to CEQ. He became Chief of Staff for me at CEQ and then went to EPA as Assistant Administrator for Planning and Management. I would say he was by far my foremost personal advisor and associate during my time at EPA.

At the White House, I didn't have mentors, but John Ehrlichman was an important force during my time at Interior and at CEQ, before he ran into problems during the Watergate debacle.

Mainly, he was an important force in gaining the President's attention to environmental matters. Although John has come in for a lot of criticism, give him credit for that. He was extremely important to me when I was Undersecretary of the Interior. Thanks to him, we won some important environmental battles *before* the enactment of NEPA.

For example, we prevented the construction of a big new international airport in Dade County, Florida. It would have been as large as Miami Airport, but we determined it would have been destructive to the hydrology of South Florida, to the Everglades, and so forth. The White House came down on our side on that issue, against all of the development interests in the Department of Transportation. Credit for this basically goes to John Ehrlichman; his support was crucial. Later on, he helped with the Alaska Pipeline question. This issue was assigned to my office at Interior, and we had to grapple with it all through 1969, before there was any National Environmental Policy Act or any Environmental Impact Statement process. We had to put together all of our own procedures for dealing with a complex set of actions having substantial environmental impacts. Again, Ehrlichman was extremely supportive and helpful all through this debate.

Among people outside CEQ, I worked most closely with John Whittaker, Ehrlichman's Principal Deputy on the Domestic Council staff. He was my principal line of communication with the White House. I dealt with him on a daily basis, whereas I would deal with Ehrlichman - especially during the latter period - every couple of months. I communicated with the President perhaps twice a year. So, John Whittaker was an important force. By the time I went to EPA, I think he had become Undersecretary of the Interior, so our associations became less frequent.

First Impressions of EPA

Q: Did the EPA job surprise you in some ways?

MR. TRAIN: That's hard to answer. I knew it was a tough job before I went there because I had seen a good deal of it. I guess I was surprised by the technical nature of what I had to deal with. I hadn't really had to grapple with technology before. As an Administrator, you really find yourself getting into the most incredible minutia, dealing with catalytic converters, or dealing with the possible de-registration of a pesticide. These were decisions an Administrator had to make by law, frequently with legal findings. That was certainly new to me.

But, I guess there wasn't an awful lot that took me by surprise. I had been around the environmental track for about three years by that time, and I knew most of the players and most of the problems. What I found at EPA was very much what I expected. However, it was a much bigger bureaucracy than I had ever had to deal with before. Even by 1973, EPA had by no means sorted out its inter-program conflicts. We all know Ruckelshaus had to struggle with that a great deal, bringing the various groups together from HEW and Interior and so forth. The Assistant Administrators were still fighting over what floor their offices should be on. I think by the time I got there, nothing much had changed in that regard (laughing). I don't think there were any great surprises.

I certainly learned that at EPA you are in the middle of controversy all the time. I probably was not accustomed to the amount of media attention I received on just about everything. That was something new to me. Of course, I found myself embroiled in all the inter-agency struggles, as well as with the White House and with OMB. I had felt some of it at CEQ and Interior, but it was more pronounced at EPA. It was the nature of the beast.

Main Policies

Q: Could you outline the half-dozen most important policy questions you faced as EPA Administrator?

MR. TRAIN: Let me start with this anecdote. When the auto emissions controversy resulted in some very, very important public hearings, I was called upon to preside over them. We had to use the Department of Commerce auditorium, it received so much attendance and interest. The principal problem was whether or not to approve the catalytic converter. In the Clean Air Act, Congress had mandated a 90 percent reduction for auto emissions, leaving it up to the manufacturers to decide how in the world they were going to comply. It also gave the Administrator a certain leeway in terms of providing some extensions of time. As I remember, the industry devised the catalytic converter as its way of trying to achieve the mandated reduction. The converter was supported by the Mobile Source Office of EPA, but it was very much opposed by a number of the health scientists in the Agency.

So I had two elements of the Agency pitted against each other. The Mobile Source people were basically engineers, and the other side of the coin was represented by the health scientists. The latter group argued that catalytic converters would emit a fine aerosol of sulfuric acid, so that anyone standing alongside a Los Angeles Freeway would essentially be inhaling a sulfuric acid mist, which was extremely damaging to health. This was a very tough decision to make. I came down on the side of the catalytic converter, which, in hindsight, seems to have been the right decision. I like to think it was some great wisdom on my part, but I can't remember any great wisdom. In any event, it was a very tough decision. At one point, I did give the auto industry some additional time to meet the 90 percent reduction. Predictably, I caught all sorts of hell from the environmental community.

The registration and de-registration of pesticides and herbicides was also a big question. Ruckelshaus had already dealt with DDT. But when I came in, I had on my desk the problem of permitting the emergency use of DDT in the forests of the Northwest to control the tussock moth. At that time, the moth was in the third or fourth year of a population explosion which threatened to decimate the timber forests of the Northwest. Everyone - including three governors, six senators, and every House delegation from the Pacific Northwest - urged me to permit the use of DDT on an emergency basis. I could allow it under the statute banning DDT, which I finally did. When I went to Seattle to make the announcement, the room was filled with environmentalists, a number of whom were weeping over the decision. Maybe that was not the toughest decision, but it was one of the most emotional ones I had to deal with. It was not only very hard, it occurred as soon as I walked into the office. I should add that after using DDT on the tussock moth, the population did collapse; but it might well have collapsed anyway. It was tough.

On the broader question of pesticides and cancer, Ruckelshaus had previously decided to ban DDT. I had to deal with aldrin, dieldrin, heptachlor, chlordane, and some others as well. These, too, were very difficult issues and created an enormous amount of flak within the agricultural community, particularly in the Agriculture Committees of the House and Senate, where I always had the toughest time. In the House Agriculture Committee, the number two ranking Democrat was Congressman Tom Foley from the State of Washington, now the House Speaker. Although he had a strong agricultural constituency, Tom was always fair and decent and helpful whenever I testified. Hardly anybody else was so considerate (laughing). I was a political football. But we did make the tough decisions on the persistent pesticides. I appointed a Committee on Cancer Policy which I think was influential in helping to develop guidelines that are still in use today.

Toxic substances control absorbed much of my time at EPA. I began work on toxic substances legislation when I was still with the Department of the Interior. I had already been named Chairman of CEQ, but we had no office yet, so three or four of us used my office at Interior and started working on toxic substances. At that time, there was a big mercury scare in swordfish, which led us to conclude that rather than reacting to each specific chemical scare, we needed a more generic approach. It led finally to the Toxic Substances Control Act, which was developed at CEQ. Terry Davies did most of the work, and it was still being debated when I became EPA Administrator. We worked hard to get it enacted into law, and finally succeeded.

The "significant deterioration issue" in the Clean Air Act was also a hard fight. We ultimately got the Congress to rule on the side of the best available technology - scrubbers, principally - rather than relying on tall stacks. Until Congress acted, it was a big struggle. Sometime during the Ford Administration - probably 1974 or 1975 - some of the White House staff who worked with Congress attempted to eliminate those provisions of the Clean Air Act which prohibited "significant deterioration" of air quality standards. They encouraged some of the conservative members of the Senate to promote legislation along that line. In fact, legislation was actually introduced and referred to the Public Works Committee! I thought this was very dirty pool; these White House staffers were working behind my back and around the Agency and not even consulting the appropriate members of the Senate. It became a big problem for me. I went to Howard Baker, the ranking Republican on the Senate Public Works Committee, and he was properly outraged by this whole process, as indeed were all the Republican minority members of the committee. We scheduled a meeting with the President in the Cabinet Room of the White House. Every single one of the Republican minority members attended. I can't recall all of them, but they included Howard Baker, James Buckley, Pete Domenici, and Jim McClure. To a man, they laid down the law to the President on this question, saying such interference was unacceptable. The White House then withdrew its offensive, and that was the end of that.

Certainly, the relationship between energy and the environment became an *enormously* important issue in the wake of the Arab oil embargoes. As you remember, the President appointed a series of energy czars, starting with the former Governor of Colorado, John Love; followed by Bill Simon, later the Secretary of the Treasury; followed by Frank Zarb; followed by John Sawhill. The energy versus environment debate became the principal arena for action during my last year or so at EPA. In fact, during both the Nixon Administration and the Ford Administration - during my entire time at EPA - this issue was joined. Nixon got very much involved on the energy side of the controversy before he left office. By then, the bloom was off the environmental rose and

the name of the game was to promote energy supply. This was the Administration's viewpoint. So, almost everything was looked upon from the standpoint of whether it promoted or depleted the nation's energy supply. The fight over sulphur standards and emissions reflects this emphasis on energy. But even though we had some tough, tough fights, we never lost a major battle, and not many small ones either. There was a good deal of rhetoric; a lot of Congressional hearings and meetings at the White House. But by and large we were able to hold the line on all of the environmental legislation and regulations. I think this was a major accomplishment because all the political strength was really on the energy side.

A major factor we had going for us was good economic analysis. One of the most important things Al Alm did for us was to build a strong economic analysis capability. I think we had about the best in the government (although I also think it's declined since those days). As a result, when I would go into a meeting at the White House on auto emissions or other subjects, we always had better economic data than the other side. We even did better than the Department of Commerce. I always thought this fact was extremely influential in our successes.

Relations with Congress

Q: You alluded to your relations with Congress. How would you characterize the overall relationship?

MR. TRAIN: Overall, I would say very positive. This is a very important point to make because I think the climate has changed a lot in that regard. In my day, EPA's principal association in the Senate was the Public Works Committee. Senator Ed Muskie was the number two Democrat on it, and the principal mover in air and water legislation. Much of what he eventually came to support was shaped by the recommendations of the Nixon and Ford Administrations, although he opposed much of what we tried to do in the early days. The chairman of that committee was Senator Jennings Randolph of West Virginia, with whom I always had a good relationship. He was an old-style politician, more interested in public works than the environment. He pretty well left Muskie to run the environment on the Democratic side. I always had a good relationship with Muskie, although it had its ups and downs. Ed was a very mercurial individual, tended to lose his temper quite quickly and recover it equally quickly. Ed had a very active and aggressive staffer on environmental matters named Leon Billings. Leon didn't let many days go by without calling and telling you what you did wrong. But these relationships were manageable.

On the Republican side, I received remarkable support. Give Senator Howard Baker a lot of credit for that. Howard was highly respected by the less senior members of the committee, was always extremely helpful to me, and worked well with Muskie and with Jennings Randolph. I always had good support from Republicans in dealing with the White House, especially from Senator Jim Buckley, the head of the Environmental Subcommittee on the Public Works Committee. Although very conservative, Buckley happened to be an old personal friend, and we had an excellent relationship. Jim became a strong ally when EPA opposed the new Supersonic Transport (SST) aircraft. (The Agency recommended reduced appropriations and tough permits). Of course, Buckley opposed the SST because he thought it was uneconomical, while we opposed it because we were worried about the ozone layer and other environmental problems. I would say

generally that in those years the legislative product of the Public Works Committee was really a bipartisan effort.

The relationships on the House side were more complicated. There were more committees and subcommittees involved, and the relationships were more politicized. But by then I had known many members of the House for some time. For instance, I had quite a good relationship with John Dingell. I had also known Paul Rogers for a long time. In fact, Rogers' father had been on the Ways & Means Committee when I was on the staff, as had Dingell's father. So we had long associations, and generally speaking, the Agency had good Congressional relationships.

The House Appropriations Committee was a special case. The present Chairman of Appropriations, Jamie Whitten, was then Chairman of the Subcommittee which dealt with CEQ and EPA. Jamie was difficult. He and I got along very well personally, had a good relationship, and trusted each other. But I learned that when I made a decision on something like an agricultural pesticide - something that was going to make Jamie really unhappy - the best thing to do was to let him know just a little bit in advance so he wasn't taken by surprise. As long as Jamie wasn't taken by surprise, we got along fine; but he could be very difficult on environmental issues. Generally, he was certainly not pro-environment. Ed Boland, a Democrat, became Chairman of that Subcommittee later on, and it became an entirely different situation. Boland was from Massachusetts and was an extraordinarily able and even-handed Appropriations Subcommittee chairman. He ruled that subcommittee, but he had a good staff, and you always got a very fair shake from Ed. I don't recall the other members now, but Ed Boland was absolutely first rate.

Again, I would generalize that our Congressional associations were very good, very supportive. Obviously, some individual members behaved in a manner which drove me right up the wall. These were the ones who hauled me up to Capitol Hill and beat me over the head, either publicly or privately. But that's part of the process. You expect that. Overall, I think we had extremely good support.

Contrast between Nixon and Ford

Q: Could you contrast the environmental views of President Nixon with those of President Ford?

MR. TRAIN: Nixon made a decision early in his Administration that the environment was important politically. He was supported and encouraged in that view by John Ehrlichman. I have no doubt about this whatsoever. I can illustrate with an incident which happened about January 1969. It happened in New York, before Nixon was inaugurated, when his transition office was at the Pierre Hotel. I mentioned earlier that I had chaired a task force on the environment for the President-elect. As thanks, he gave a dinner at the Pierre Hotel early in January of 1969 for all of his task forces. There were a lot of people; many of these task forces had 15 to 20 on them, and there must have been at least 20 such panels altogether. In fact, we filled the Grand Ballroom of the hotel. Nixon invited the various chairmen and chairwomen to sit at the head table with him, up on a platform. By the luck of the draw, I was seated on his left. I had discovered I was going to sit next to him about two hours before the dinner.

When I finally got his attention - diverting it from the guy on his other side who headed the Space Exploration Subcommittee and was spinning visions of moonshots and space probes - I knew I had a lot to compete with. When Nixon turned to me, I said, "I learned about two hours ago that I was going to be sitting next to you at dinner. I've spent the last two hours thinking this may be the only opportunity I will have to get a message across to the next President of the United States. I asked myself what I should talk about, what I should say; it seemed terrible to approach a dinner conversation in this way." Nixon said, "Not at all. That's exactly the way you should have approached it." Then he said, "What was your conclusion? What did you decide to tell me?" I said, "I decided to talk to you about the politics of the environment, why I feel it is politically important."

I had his immediate attention, and he listened to me without interrupting. He was an unusual politician in that regard. He would actually listen - at least at that time. Later on, as a defensive measure, he tended to talk a lot. In any case, I talked to him about the importance of the environment, a concern which involved every geographic region of the country, which involved all kinds of people and interests, and which could be used to help unify the nation and bring people together. He nodded his head and indicated that he understood. He said, "that sounds pretty good. But, what about the poor and the blacks living in the inner cities?" Of course, he had instantly put his finger on an extremely important aspect of what I had been saying, one which was very often overlooked, and is still overlooked. So I discussed the relationship between poverty and the environment with him, about lead paint, about the fact that people in the cities suffered more from air pollution than others.

I tell this story to underline the fact that from the beginning, Nixon had a keen appreciation of the political importance of the environment. I think it clearly influenced the first three years of the Nixon Administration. It certainly was a great help to us in achieving our agenda at CEQ. President Nixon issued an annual environmental message to the Congress, and to this day I am absolutely amazed at what we got away with! Absolutely amazed! At the same time, Nixon ran a tough White House, due to people like Ehrlichman and Haldeman. They were tough operators and ran a very *disciplined* ship; a taut ship, in Navy parlance. Also, a very *political* ship. But that was a side I saw little of.

President Ford, on the other hand, was a much more relaxed human being than Nixon. He was not a driven man in any sense at all. He became President of the United States more by happenstance than anything else, and the people he brought in reflected that. It was a much more relaxed White House, much more tolerant of a diversity of viewpoints within the Administration. I always had a feeling with Ford that if I really needed to take something to the President, I could. More than that, he probably would come down on my side. I felt I had that sort of relationship with him. With Nixon, it was a much tenser sort of a situation. But they were a tense crowd; all of them! (laughing)

EPA and Industries

Q: How would you characterize your relationship with the industries you were asked to regulate as EPA Administrator?

MR. TRAIN: It was pretty hard going. The agricultural industry, for instance, was always very difficult to deal with, and almost always opposed pesticide regulations. They also had very vocal allies on Capitol Hill, which made life difficult.

Manufacturing industries were a good deal more difficult in those days than today. Even then, attitudes within industry were evolving; but since that time there has been a generational change. Younger people who are more accustomed to environmental issues and values have assumed positions of responsibility. But in my time we had some awfully tough struggles with the steel industry, particularly U.S. Steel (now called U.S.X.). They fought us tooth and nail over coke oven emissions, fugitive emissions, all those things. They had more lawyers than *we* did. It was hard. They had plants in so many locations, it was very difficult for us to fight them on all fronts. I eventually closed down U.S. Steel in Birmingham; we actually shut down their ovens. It came to that kind of head-on collision.

The chemical industry was very divided over the Toxic Substances Control Act. But I will say that from our point of view, there was considerable leadership shown by the DuPont Company. Again, I would say relationships were often strained, but they were evolving. They were changing. I think more and more, industry was seeing that they *had* to do these things.

The auto industry always fought tooth and nail against any additional standards, either on emissions or fuel efficiency. I don't *ever* remember the auto industry or any related manufacturers saying, "That's something we could do." It was always, "We can't do it."

EPA, the States, and the Cities

Q: How was your relationship with the states and municipalities?

MR. TRAIN: I am tempted to say, like every other relationship that EPA had, very edgy (laughing), very controversial. It is difficult to typify. In the Office of the Administrator, we worked hard to maintain good working relationships with the states and with the mayors. We met with them quite a lot. We were, of course, in the process of handing over a good deal of authority to a lot of the states, including permit authority under the Water Pollution Program. Money was always an issue. We used to have a small grants program to assist the states in their administration of environmental laws, which OMB always tried to cut back. They usually succeeded in getting rid of most of it.

During my time at EPA, I think an important development in our state and local relationships was the Sewage Waste Treatment Construction Grant Program, which we got going with full force. When I came in, the Sewage Treatment Program was probably operating on something like \$200 million a year; it was something like three or four billion dollars by the time I left. It became a huge, huge program with all sorts of Congressional interest, and a lot of money falling to the states and local communities. It therefore became a very important element in the federal-state relationship.

Another, more abrasive question involved some of the transportation control plans proposed under the Clean Air Act. We ran into situations like Los Angeles, where the EPA was ordered by

a Federal Court in California to impose commuting restrictions (such as carpools and prohibitions on driving during certain days of the week). It was an effort to bring the ambient air quality to acceptable norms in the Los Angeles Basin. Of course, there was no way to comply, short of calling out the National Guard. I suspect some legal decisions of this kind probably involved sweetheart cases cooked up between our more evangelical air people and a couple of the public interest law firms. Nonetheless, we tried to institute quite a number of transportation plans around the country, most more modest than the one I described for Los Angeles. But they tended to be controversial. Our efforts ceased after a member of the House Appropriations Committee added a provision to the Clean Air Act, saying that no monies appropriated under its titles could be used to implement any transportation plans. This marked the end of that program. It had involved us in all parts of the country, connected us with many mayors and governors, and encouraged an awful lot of interaction with the states.

EPA and the Environmental Movement

Q: How would you characterize EPA relations with the environmental movement?

MR. TRAIN: Just about as difficult as industry! (laughing) When I first joined EPA I decided to have regular meetings with the heads of the principal environmental organizations. They were held about once a month. The leaders of these organizations came to the first meeting, but by the second meeting they had passed on this responsibility to the young staffers in their Washington offices. Pretty soon, it seemed all I did was call these meetings and have these young Turks tell me what a jerk I was and what a poor job I was doing; how I was crucifying the environment and selling out to industry, and so forth. It finally seemed to me a totally unproductive exchange, and I didn't call any more meetings. I never said we weren't going to have any more sessions; I just never called any more. Life was too short, and I had only a certain reservoir of energy and blood. I thought there were more important battles to fight than those with the environmental community.

Having said that, when push came to shove, my relationship with the environmental community was pretty good. But almost every issue that was hot then is still hot today. The Administrator of EPA cannot very often make a decision that is going to completely please the environmental community. These decisions usually run down the middle, and flak tends to come from all sides. It's the nature of the operation.

EPA in the International Setting

Q: Were there heavy demands on you in the international arena?

MR. TRAIN: Yes, there were demands on me, but that was probably because I was more interested in it than were others. I had been involved with many of the initiatives when I was at CEQ. When he was Administrator for the first time and I was at CEQ, Bill Ruckelshaus agreed to let CEQ handle most of the international activities. This kept the two of us from developing bureaucratic problems. In any event, at CEQ I had been the President's representative to the NATO Committee on the Challenges of a Modern Society (CCMS). CEQ had also written the environmental agreement with the USSR that Nixon signed at his first summit meeting in

Moscow in June 1972. The Soviet agreement was an extremely active bilateral - one that required me to go to the Soviet Union at least once a year. So, I carried both those enterprises with me when I went to EPA. Of course, we had an international office at EPA in the Office of the Administrator, which I inherited from Ruckelshaus. It was kept very busy during those years with a good deal of bilateral activity with Japan, Germany, Poland, Mexico, and Canada, among others. We signed with Canada a highly developed Great Lakes water quality agreement which was negotiated when I was at CEQ. International activities were very important to me when I was at EPA.

Train's Achievements and Legacies

Q: What your lasting achievements as EPA Administrator?

MR. TRAIN: In a general sense, all through the various energy crises of the 1970s we succeeded in holding the environmental line. We never did get pushed back in any significant way. One of our main achievements was putting into place the National Pollution Discharge Elimination Permits (NPDEP) program. Despite Ed Muskie's opposition, we borrowed this program from legislation that long pre-dated any of the current environmental legislation. We latched onto it as a basis for imposing discharge limitations, wrote it into the Water Pollution Control Act, and put it into effect nationwide. It is really the basis of the Water Pollution Control Program which exists today. It was a huge achievement.

I don't say this to be pejorative about other periods in EPA history, but I think we did a pretty good job of building the credibility of the Agency from 1973 to 1977. We didn't have any major setbacks insofar as public confidence in the Agency was concerned. We were able to resolve political problems within the Administration and the White House in a way that did not diminish respect for the Agency. We also had good Congressional relations. Again, the most important thing we did was to build the credibility of the Agency with the public.

Cabinet Status

Q: Do you think cabinet status will improve the standing of the Agency?

MR. TRAIN: Yes, I think it would be a good thing. I have testified to this effect before Congress, so I am clearly on record. It is not going to be a solution to the problems that EPA confronts day in and day out. In some ways, it may make some of them more difficult. But, in my mind, it clearly gives the Agency more clout: politically, publicly, with the Congress, and around the world. I think that more and more the environmental issues we have to deal with involve interfaces with other major public concerns, such as energy, transportation, agriculture, trade, and so on. The environmental side of the equation will be better served if the principal institution speaking for the environmental side is of equal status with these other groups. I think it is very important from that standpoint. I also believe that as a first step, the practical thing is simply to create the present EPA as a department without adding many other functions from around the government. I believe that in due course, and sooner rather than later, the Department of the Environment should include new functions, such as those found in NOAA. I think these

steps would go a long way toward helping build the kind of scientific capability and scientific credibility the Agency needs.

Final Observations

Q: Do you have any final observations to make?

MR. TRAIN: I've talked long enough! I should mention that, in my judgement, the Cancer Advisory Committee that I set up is really the beginning of what is now called risk assessment, which has become an awfully important theme of EPA. Then as now, it wasn't hard to do laboratory tests and develop data which showed that if you fed so many mice so much of one ingredient for a given length of time, it would develop a malignant tumor. This meant there was a risk of cancer in those particular materials. But that was not terribly helpful. Somehow, you have to get beyond that and determine the magnitude of risk, learn at what level of exposure risks may occur. These were the tough questions, and I had a feeling the public never really appreciated their complexity. Certainly, Congress seldom did. So, I think the field of risk assessment has been extremely important, and is one the Agency must continue to give a lot of attention to. Bill Reilly has done this through the Science Advisory Board, which has made very important contributions. I like to think we started the trend.

I would also like to make a general comment on EPA relationships with the White House and OMB. I gave an interview not long ago to public radio, and the interviewer said, "Isn't it awful how the White House and OMB interfere with EPA in carrying out its responsibilities?" I reminded them that this is nothing new. It's been going on for a long time. I do think it's become more intrusive, more pervasive. It does seem to me that the White House today pays more detailed attention to what EPA does than was ever true in my day. Having said that, the White House and OMB always had a fairly lively interest in our regulations. While we didn't have a Competitive Council, we did have something called the Quality of Life Review. But it acted more to delay than to prevent initiatives. In my opinion, in the 1970s, EPA did not have the difficulties with the White House that it has today. My point is that such interference is not really something new, not something dreamed up by the Bush Administration or Reagan Administration. There was a good deal of it in the Carter Administration, and it certainly went on in the Nixon and Ford Administrations. But, I do think it has become more difficult.

Q: Mr. Train, thank you for this enlightening discussion.

MR. TRAIN: You are welcome.

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