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Frustrated by global Ozone Fight, California City Offers Own Plan

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"All the News That's Fit to Print"

The New York Times

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WEDNESDAY, JULY 19, 1989

National Edition
Southern California: Many rain patches morning fog near coast. High: 70-80 coast, 82-92 coastal plain, 66-78 interior valleys, 103-118 in the mountains. Windy and hot forecasts for other areas, page A15.
Printed in California 50 CENTS



Mayoral Rivals Talk Tough on Criminals
Inmates doing push-ups at a military-style prison in Summit, N.Y., because of an infraction by a fellow inmate, standing at left. Just about every candidate for mayor in New York City is calling for such camps and/or swifter certain punishment. Page A16.

More Investigations Are Foreseen On Bomb Plants' Waste Disposal

By KEITH SCHNEIDER
Special to The New York Times

WASHINGTON, July 18 — The nuclear weapons industry faces more criminal investigations and possible plant closings because of persistent failures to obey Federal environmental laws, the Department of Energy's inspector general has warned.

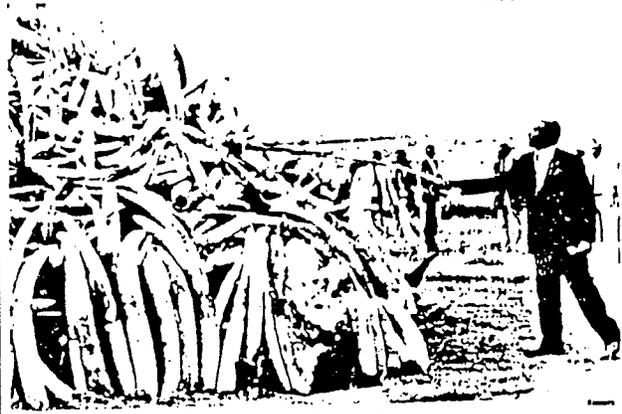
In a report made public today by Representative Thomas A. Luken of Ohio, the inspector general said a preliminary survey conducted in the spring by the department's field managers revealed 174 violations and 233 potential violations of the Federal law that regulates disposal of hazardous chemical and radioactive wastes and which provides for criminal prosecution of offenders.

Suspected violations of the law, the 13-year-old Resource Conservation and Recovery Act, led to a raid by the Justice Department on June 8 at the Rocky Flats Plant, a plutonium processing facility near Denver. On Monday, agents of the Federal Bureau of Investigation and the Environmental Protection Agency entered the Feed Materials Production Center, a uranium processing plant in Fernald, Ohio, to investigate other potential violations of the hazardous waste law.

"The intentions of the Department of Justice to prosecute violations of environmental laws and regulations has been made clear," said the inspector general, John C. Layton. "The regulatory authorities, E.P.A. and the states that oversee D.O.E. facilities for environmental compliance can be expected to become much more involved in Departmental operations if identified deficiencies are not corrected."

Mr. Layton's report is the most critical assessment issued by the inspector general's office of deteriorating conditions in the nuclear weapons industry. It came as the Energy Department seeks to rebuild its credibility in what it says is capable of safely operating the nation's 17 principal weapons factories, laboratories and waste dumps. An Energy Department spokesman said today that the agency would not comment on the report.

In other developments today, the



An Ivory Bonfire Intended to Save the Elephants
President Daniel arap Moi of Kenya igniting 12 tons of elephant tusks yesterday at the Nairobi National Park in a gesture designed to persuade the world to halt the ivory trade. The blaze, fed by hundreds of gallons of gasoline, was intended to reduce the tusks to charcoal. Page A4.

Jaruzelski, Changing Mind, Will Seek Presidency

By JOHN TAGLIABUE
Special to The New York Times

WARSAW, July 18 — Gen. Wojciech Jaruzelski declared today that he would seek the powerful new presidency, reversing an earlier decision to step aside in the face of possible defections from the Communist ranks.

The 66-year-old general, Poland's leader for eight years, said it would defy the logic of his social duty were the last few years "if he were not a candidate."

At the same time, the Solidarity opposition said it would leave its members free to act as they chose on Wednesday when Parliament votes for a President. Though the move was clearly in effort to ease General Jaruzelski's entry into office, most if not all

CONGRESS IS URGED TO REJECT LIMITS ON U.S.-P.L.O. LINKS

SENATE POSTPONES A VOTE

Bush to Argue Against Ban on Talks With Those Tied to Killing of Americans

By ROBERT PEAR
Special to The New York Times

WASHINGTON, July 18 — The Bush Administration limped today as it rejected legislation that would put sharp new restrictions on the American discussions with the Palestine Liberation Organization.

Administration officials asked the Senate to defer action on the legislation so that President Bush could present his arguments against it to the sponsors, including Senators Jesse Helms of North Carolina, and John F. Kerry, Democrat of Massachusetts.

The Senate was scheduled to vote on the legislation today, but agreed to delay the action. There is bipartisan support for such a measure in the House of Representatives.

Killing of Israeli Airlines

The proposal reflects Congressional reaction to American discussions with Sateh Khalaf, who is Yasser Arafat's principal deputy in the P.L.O. The informal discussions with Mr. Khalaf, also known as Abu Iyad, appeared to represent an upgrading of the talks with the Palestinian organization.

Mr. Khalaf was a founder and leader of the Black September terrorist organization, which carried out the massacre of Israeli athletes at the Olympic Games in Munich in 1972. He was also implicated in the 1973 killing of an American Ambassador to the Sudan, Cleo A. Noel Jr. Mr. Khalaf was indicted last month in Italy on charges that he had helped supply P.L.O. arms to the Red Brigades.

Many members of Congress support the discussions with the P.L.O., but believe that the United States should not be dealing directly with Palestinians responsible for the death of American citizens.

"Instead of negotiating with Abu Iyad, the State Department should have this thing arrested," said Senator Helms, who proposed the restriction as an amendment to a bill authorizing funds for the State Department.

The effort to restrict the discussions

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When Long Life Is Too Much: Suicide Rises Among Elderly

By MARTIN TOLCHIN
Special to The New York Times

WASHINGTON, July 18 — Reversing a half-century trend, the suicide rate among elderly Americans steadily increased in the 1980's, according to Government records.

The recent increase from 1981 to 1986, the last year for which the Government has records, brought the suicide rate among those 65 and older to 21.9 per 100,000 people, as against an overall national rate of 13.4. The trend perplexes health care experts, who note that the elderly are generally more financially secure and healthier, and they live longer than their forebears.

"There's no other group showing that kind of an increase," said Dr. John L. McIntosh, associate professor of psychology at Indiana University. "Teen-age suicide peaked in 1977 and it's going down."

Some experts speculate that the technological advances extending the lives of the elderly sometimes bring a quality of life that they cannot accept.

Life at What Cost?

Dr. McIntosh, who with Dr. Nancy J. Osgood wrote "Suicide and the Elderly," a 1986 review of literature in the field, said the increase in suicides among the elderly suggested that "medical technology may have created physically longer lives, but it also has created new concerns."

"People say, 'I'm going to live

longer, but is that going to be the kind of life I want to live?'" Dr. McIntosh added.

Dr. Robert Butler, chairman of the Mount Sinai School of Medicine in New York, said, "There's a much greater awareness of Alzheimer's disease and other incurable diseases, and people know they're going to become helpless and the costs are going to be great."

Dr. Osgood, associate professor of gerontology at the Medical College of Wisconsin, said

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Frustrated by Global Ozone Fight, California City Offers Own Plan

By ROBERT REINHOLD
Special to The New York Times

IRVINE, Calif., July 18 — The ranks of American cities, counties and cities impatient with the pace of international efforts to protect the earth's ozone layer are swelling. The latest action comes from conservative Orange County, where the City Council of Irvine voted it to tonight to approve what is believed to be the most far-reaching measure yet to control ozone-depleting chemicals.

The Irvine ordinance will prohibit the use of nearly all chlorofluorocarbons, or CFC's, and related compounds in any industrial process, except in the manufacture of drugs and medical devices and when military specifications call for them. It will ban the sale and use of styrofoam food packaging, if the chemical compounds were used in their manufacture, and it will prohibit the use of building insulation containing the compounds.

The ordinance will not bar the use of the compounds in automobile air conditioners and refrigerators, since they have no current substitutes. But it will require service stations and repair shops to capture and recycle the compounds, raising prices for consumers.

The main provision in the ordinance will go into effect on July 1, 1990.

Center for Manufacturing

A "planned" city of 12 square miles 53 miles South of Los Angeles and a population of 195,000, Irvine was created out of orange groves 18 years ago and has since become a major center of aerospace, computer and other high-technology manufacturing.

Mayor Larry Agran estimated about 600 to 700 of Irvine's 5,000 businesses will be affected by the ordinance and that they currently use almost half a million pounds of ozone-depleting chemicals into the air each year.

"We've got a moral obligation in this matter," he said.

The only member of the City Council objecting to the ordinance was Sally Anne Sheridan, who said it was "unbelievable" that Irvine could have a significant effect on the global problem. She added that the ordinance puts the

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IN SHIFT, U.S. EASES COMPUTER EXPORTS TO EASTERN BLOC

A STEP TO EXPAND TRADE

Industry Hails the Move, but Some Former Pentagon Officials Are Critical

By MICHAEL R. GORDON
Special to The New York Times

WASHINGTON, July 18 — In a shift in American report policy, the Commerce Department announced today that it planned to allow the sale of a broad range of personal computers to the Soviet Union and Eastern-bloc nations.

The department said that its action, which was announced today as President Bush returned from a four-day trip that included stops in Poland and Hungary, reflected the Administration's desire to expand trade with Eastern European nations.

The Administration's action will allow American companies to sell more up-to-date desktop computers, those generally built in the mid-1980's, while maintaining controls on the most sophisticated systems. Older models of limited capability can already be exported under an earlier relaxation of controls.

Action Called Justified

The Commerce Department said that its action and the similar trade models similar to those banned by the United States have been freely sold to the Eastern bloc from other countries, including Taiwan, Singapore, India and West.

But some former Pentagon officials sharply criticized the move, which they said was based on an exaggeration of the availability of computers around the world and would benefit the Soviet Union.

Because United States allies have similar restrictions and generally follow America's lead, the move will also affect the ability of companies in their countries to sell computers to the Eastern bloc. Thus, Bush Administration officials said that they expected sales of "hundreds of millions of dollars" from Western nations as a result of July 18's decision.

More Than \$1 Billion in Exports
American companies sold a total of about \$1 billion desktop computers in 1984, the Commerce Department said. About 2.1 million of these were sold outside of the United States, representing more than \$1 billion in exports.

"It would be foolish of us to sit on something when it is not state of the art and is available all over the world," Commerce Secretary Robert A. Mosbacher, said in a telephone interview. "It is going to give American companies a chance to sell an awful lot of computers around the world. I think we are talking about big money here."

Representatives of computer industry groups hailed the action as a step in the right direction, while urging even more liberal exports controls.

Ed Block, vice president and general counsel of the Computer and Com-

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Japanese Police Said Sophisticated Electronic Equipment Was Diverted to East Germany by a Company Also Suspected of Sending Nuclear Material to the Soviet Bloc. Page C1.

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A New Toll of Alcohol Abuse: The Indians' Next Generation

By GINA KOLATA

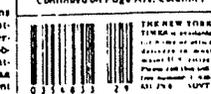
The devastating effects of alcohol abuse among Indians are reaching a point where the next generation of children are being affected and the number is growing.

Such children are often mentally retarded and have behavior problems, including hyperactivity and an inability to understand cause-and-effect relationships. This can make them difficult to rear and to educate.

These children usually have distinctive physical features, including a small head, low frontal ears, poorly developed cheekbones and a long and sloped upper lip. They also are slow to develop physically and mentally.

Children with symptoms in three categories — facial abnormalities, growth problems and neurological abnormalities — are said to have fetal alcohol syndrome, under the definition of a pediatrician at the University of British Columbia. Children less severely

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Special to The New York Times

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The Irvine ordinance will prohibit the use of nearly all chlorofluorocarbons, or CFC's, and related compounds in any industrial process, except in the manufacture of drugs and medical devices and when military specifications call for them. It will ban the sale and use of styrofoam food packaging, if the chemical compounds were used in their manufacture, and it will prohibit the use of building insulation containing the compounds.

The ordinance will not bar the use of the compounds in automobile air conditioners and refrigerators, since there are no current substitutes. But it will require service stations and repair shops to capture and recycle the compounds, raising prices for consumers.

The main provisions in the ordinance will go into effect on July 1, 1990.

Center for Manufacturing

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Mayor Larry Agran estimated about 400 to 500 of Irvine's 5,000 businesses will be affected by the ordinance and that they currently release almost half a million pounds of ozone-depleting chemicals into the air each year. "We've got a moral obligation in this matter," he said.

The only member of the City Council objecting to the ordinance was Sally Anne Sheridan, who said it was "unbelievable" that Irvine could have a significant effect on the global problem. She added that the ordinance puts the city in "splendid isolation" by "arrogantly forcing laws" on businesses and residents.

Industry leaders here remain uneasy about the economic consequences of the ordinance. "This will have a significant economic impact on companies in the city," said Todd B. Nicholson, president of the Industrial League of Orange County, which represents 900 companies. "This is an international problem. For one community to do this puts small employers at a significant economic disadvantage."

Used Worldwide

Chlorofluorocarbons are used worldwide in thousands of industrial processes like cleaning computer circuit boards and medical equipment, and as refrigerants and fire extinguishers.

In recent months, world leaders have begun to take action to reduce the use of chlorofluorocarbons. In March, the 12 nations of the European Community agreed to phase out five of the most troublesome compounds by the end of the century to combat what scientists say is the alarming erosion of the ozone layer, which filters out the ultraviolet radiation from the sun. Some scientists have argued that as the ozone layer is depleted, temperatures on earth will rise and an increasing number of skin cancer and other diseases will result.

Irvine officials say they want quicker action in reducing the compounds and hope that other cities around the country will follow their lead, creating a kind of international diplomacy from the ground up. "We are very eager to prod our national Government and international bodies to act much more quickly in the face of this global emergency," Mayor Agran said in an interview. "Local communities acting two to five years in advance of states and nations is how change takes place."

The Center for Innovative Diplomacy, which Mr. Agran heads, has called a national conference here for Friday and Saturday. Mayors and council members are expected from dozens of North American cities, including Denver, Toronto, Sacramento, Calif., and Albuquerque, N.M.

Other Local Actions

Other state and local governments have already taken some steps in fighting the compounds. Styrofoam packaging containing CFC's has been banned in Suffolk County, N.Y., Newark, Tempe, Ariz., Portland, Ore., Florida, and several California cities, including Los Angeles, San Francisco, Berkeley and Palo Alto. In California's Silicon Valley, which is probably the largest emitter of the compounds in the United States, the city of San Jose is drawing up an ordinance. Vermont requires recycling of CFC's in car air conditioners and has barred their use in cars starting with the 1993 models. In 1978, the Environmental Protection Agency banned chlorofluorocarbons as aerosol propellants. And now the European Community has vowed to eliminate altogether the five most dangerous.

The Irvine ordinance goes beyond other measures and also covers the related halons, used in fire extinguishers, and the widely used solvents carbon tetrachloride and methyl chloroform. It will prohibit their use in "the manufacture, production, cleansing, degreasing or sterilization of any substance or product" apart from the exceptions.

'Unnecessary' and 'Redundant'

But while they say they support the phasing out of the use of the compounds, the producers of the chemicals say the Irvine law may undermine the orderly transition agreed to by 46 countries in Montreal in 1987. The countries agreed to put an immediate limit on production of the chemical compounds and agreed to cut it by half by 1998.

In Washington, Kevin J. Fay, executive director of the Alliance for a Responsible CFC Policy, representing the five American producers and about 500 users of the compounds, called the Irvine action "totally unnecessary" and "redundant."

Industry, he said, had already voluntarily replaced the compounds in food packing, and the Montreal protocols, which are due to be strengthened in Nairobi this August, provide "a reasonable transition" that would protect both industry and consumers.

Many executives in Irvine are dubious that substitutes can be found quickly enough to satisfy the ordinance's requirements, though most seem to support the notion philosophically. "Down the road there will be replacements," said Kevin Clark, manager of facilities engineering for Parker-Bertea Aerospace, a division of the Parker Hannifin Corporation of Cleveland, which employs 3,500 people in Irvine making landing gear, rudder controls and fire fighting systems. "But I don't know if it can be done in one year. It does not give industry enough time to switch over." The company, like most others, uses freon and trichloroethane for microscopic cleaning of precision components.

Jim Jenal, a City Council aide, said the problem of substitution is "not insurmountable." A number of alternative cleaners are under development, some of them water-based. One Irvine company, Western Digital, a maker of computer parts, is already switching to a water process to clean circuit boards.

In recent days, to address industry concerns, city officials eased provisions in the bill to allow a waiver when a company shows there is no "technically or economically feasible" alternative chemical.

Air Conditioner Repairs

For consumers, the chief impact of the Irvine ordinance will be felt when they have their automobile air conditioners serviced. The ordinance will require service stations to buy "vampire units," which cost up to \$5,000 each, to suck the used freon out of air conditioners before replacement, rather than releasing the freon into the air as most now do.