

"It is the policy of this Act to preserve, protect and improve the air resources so as to promote health, safety, and welfare, prevent injury to human health, plant and animal life, and property, to foster the comfort and convenience of its inhabitants, and, to the greatest degree practicable, to facilitate the enjoyment of the natural attractions of the District of Columbia."

The bill directs the Commissioners to establish an "Air Pollution Control Agency" which would be given the authority of carrying out the provisions of the Act. It provides for broad controls over the use of fuels and fuel burning equipment, emission of air contaminants, the open burning of fires, and the operation of equipment that may produce air contaminants. The bill also contains provisions for exemption or partial exemption from its air pollution control measures. It further provides for enforcement and for judicial review of actions taken pursuant to the authority granted. The bill is to become effective upon enactment, subject to an exception which would allow persons owning or using existing equipment or fuels not in conformance with the control provisions of the Act six months in which to comply with the Act or apply for an exemption.

The Commissioners fully endorse the objectives of the bill. We are convinced that more stringent controls must be imposed if there is to be any real beginning to achieving a lasting solution to the problem of air pollution. We further frankly recognize that the causes of increasing air contamination are found in large part within the central area of the metropolitan region—that is to say, within the District itself, where day-to-day requirements of a metropolitan center, such as its needs for transportation, power production, and solid waste disposal, are activities generating greater air pollution—and in taking cognizance of this fact the Commissioners have also begun to plan and develop steps to alleviate the condition.

There is much to be done before we can say that the problem can be overcome. Not only is there the need for substantial expenditures of funds, there is the further need for technological development in an area of environmental protection that has only begun to be studied. To a very large extent the ultimate solution of air pollution in the metropolitan area must rely upon regional cooperation and enforcement, particularly with respect to those aspects of the problem arising from transportation and solid waste disposal. H.R. 6981 is in fact an outgrowth of one of the first steps toward this regional approach. The bill is essentially identical to the proposed air pollution control model code proposed for the region by the Washington Metropolitan Council of Governments. As a member jurisdiction of the Council of Governments, the District has been very actively engaged in developing this model code. The Commissioners believe that it provides the region with an excellent statement of the objectives which may be hoped to be achieved, and furnishes a needed impetus for the launching of a concerted drive throughout the metropolitan area to abate air contamination. Nevertheless, the Commissioners are unable to endorse the bill in its present form. Enactment of the bill with its detailed provisions—and, most significantly, the immediacy of its effectiveness—would be unrealistic in view of the excessive costs required and particularly in view of the present stage of the District's ability to conform with the high standards of control contained in the bill.

These standards are in fact so high for the present stage of development in this area, insofar as the District is concerned, that the enactment of the bill would have a tremendous impact upon the operation of waste disposal and fuel burning facilities of the District and Federal governments, the production of power by public utilities, the operation of the transportation system, including both public and private modes of transportation, and the operation of waste disposal equipment and fuel burning equipment in most commercial and multi-unit residential structures. Unquestionably, most careful consideration of the effect upon the community must be given in weighing the consequences of passage of H.R. 6981. Particularly of concern, for example, are those provisions contained in sections 9, 10, and 11 which provide in detail the permissible levels of fuel burning emissions, restrictions on burning of open fires, and the use of equipment, engines and mechanisms. Basically, the Commissioners question the advisability of incorporating in a statute, to be effective within a few months after enactment, all of the detailed provisions of a model code designed to be implemented over a period of years. Furthermore, it is the Commissioners' view that establishment of a separate statutory agency for air pollution control, as is contemplated under section 4 of the bill, is not desirable since it precludes their taking action to develop the kind of governmental organization which may eventually be determined should be of broader scope.

Rather than enacting H.R. 6981 in its present form, the Commissioners urge that the Congress adopt legislation granting the Commissioners authority