

other purposes." This Act, which has subsequently been amended, provides primarily for the control of smoke and other particulate matter discharged from fuel burning facilities. It is quite clear that this legislation is inadequate to prevent, abate or control the types of air pollution now encountered in our community. For example, two of the more deadly kinds of air pollution, carbon monoxide and sulfur dioxide, are totally uncontrolled by present legal requirements.

In 1966, the Department of Public Health employed a legal consultant to prepare a compilation of all Federal and District of Columbia laws and regulations relating to air pollution control and affecting Washington. It became apparent as this compilation was developed that the legal authority to prevent, abate or control air pollution is woefully antiquated and lacking in essential elements.

The Department of Public Health wishes to lend its general support to the Bill under discussion here today. It will, in our opinion, substantially strengthen the program to prevent, abate or control air pollution in the District of Columbia. The declaration of policy sets forth the necessity for the program and defines the direction it is to take; we support this policy statement.

If air pollution control is to be successful in the District of Columbia, one agency must be responsible for carrying out the overall program. We therefore support the concept expressed in Section 4 of H.R. 6981. However, as currently stated, it would appear to imply the establishment of a new agency for air pollution control. We would point out that the Department of Public Health, through its already existing Air Pollution Division, already has been designated as the Air Pollution Control Agency to receive funds for the District of Columbia under the Clean Air Act of 1963; furthermore, the Department of Public Health is the coordinating agency for air pollution control activities among the several District of Columbia agencies having responsibility in this area. What is required, in our opinion, is that our Department, through its already existing Air Pollution Division, be given the authority it now lacks, namely, not just to coordinate the air pollution program but to be able to ensure that the program is properly implemented. At present, air pollution control activities are scattered throughout several departments in the District of Columbia, with no one agency having the responsibility of ensuring that the appropriate steps are taken to abate conditions leading to contamination of the atmosphere. We would therefore hope that Section 4 can be amended in order that the Department of Public Health can be given the authority to ensure that the air pollution control program can be effectively administered.

It also appears to us that the Bill would be more flexible if some of the specifics were deleted and the authority to promulgate and enforce such reasonable rules and regulations as they deem necessary was vested in the Commissioners. There are several reasons for this:

1. The technology of air pollution is rapidly changing; what may appear to be reasonable standards today may be outdated in a few short years.
2. Not all of the desirable improvements can be achieved over night; for example, several steps may be required to eliminate high sulphur fuels.

We would therefore recommend that Sections 9 and 10 be deleted from the proposed Bill and that a new paragraph be added to Section 5 to achieve the purposes covered in the deleted portions. The paragraph might well read as follows:

"(a) The Commissioners are hereby authorized and empowered to promulgate and enforce all such reasonable rules and regulations as they may deem necessary to prevent and control air pollution in the District of Columbia, including but not limited to the authority to:

- (1) Establish air quality and emission standards;
- (2) Control air pollution caused by emission of vapors, gases, fumes and particulate matter;
- (3) Regulate harmful or objectionable odors, dusts, pollens and similar air-borne contaminants;
- (4) Restrict or control the use of any fuel containing one or more substances which upon combustion produces harmful air contaminants;
- (5) Control open fires;
- (6) Control or prohibit the use of chemicals which may be used to conceal or mask emission of air contaminants;
- (7) Provide for an alert system during periods of temperature inversion or photochemical smog; and