

Dr. Middleton, I was not quite clear on your answer to Mr. Ryan as to what your action would be if a State or locality were told that this situation was occurring. When this situation did occur, when they did not act and when the Federal Government enjoined them to act, no action was forthcoming. Could the Federal Government act?

Dr. MIDDLETON. We would act through the Office of the Attorney General and the Justice Department and see that control took place.

Mr. BELL. In other words, you could actually move in there after the Attorney General acts and bring about whatever changes were necessary—to stop motor traffic, let us say?

Dr. MIDDLETON. Whatever the Attorney General was able to bring forth through the Federal court as an injunctive measure would be that which would take place.

Mr. BELL. I guess that means stop traffic, right?

Dr. MIDDLETON. I am attempting to say I cannot make a judgment for the Federal court.

Mr. BELL. I assume that is right.

Mr. FELTON. I think the question is: Can you move against a class, or do you have to move against an individual? Can you seek an injunction against a class, as all automobile drivers cannot come into the city; or do you have to move against a specific individual or industry, as an industry cannot emit certain pollutants?*

Dr. MIDDLETON. Mr. Felton, I am sure you recognize this is a matter of considerable debate in the General Counsel's Office of the Department as well as in the Department of Justice. We are hopeful that the opinion will suggest we move against classes rather than individuals.

Mr. DADDARIO. Dr. Middleton, if we could have Dr. Ludwig continue to spell out how you are putting together this capability and how you intend to work it now from a 36-hour forecast to something on the order of 12 to 24. You are about at that stage of the game.

Dr. LUDWIG. Yes. The present air pollution potential advisories predict the continuation of existing air stagnation condition for an additional period of 36 hours. What we are now attempting to do is to be able to forecast the onset of these events 24 hours in advance and, in addition to this, to quantify it. In other words, to designate when they will start, how long they will last, and the severity of the particular stagnation; for example, weak, medium, or severe. We are trying to make this a better tool for the kind of emergency action that we are talking about.

At the present time we update these forecasts every day. For example, we issue one of these advisories which indicates that stagnation will continue for another 36 hours. The next day we will issue an advisory which says it will either continue another 36 hours or end the advisory after a certain period of time.

These advisories, which go out to all the Weather Bureau offices, are then transmitted to the State and local agencies. Any industries that want to be kept informed, when these advisories are issued, are privileged to notify the local Weather Bureau station and they will be advised that an advisory has been issued for the particular period in a certain area.

The other piece of information, of course, which compliments an advisory, is the air monitoring information that the State and local agencies maintain in their areas. These advisories and a monitoring

*See Appendix D, page 583, for an advisory opinion of the Legislative Reference Service, Library of Congress, which indicates that a class action against automobile drivers could not be maintained.