

can pick up in a very brief document and understand basically what they mean.

Mr. CARPENTER. I wanted to ask this other question, then.

Mr. FELTON. Go ahead.

Mr. CARPENTER. Do you know of any case when enforcement of water quality standards has caused a business operation to relocate, go out of business, or shut down a specific operation? In such cases, has there been a court challenge?

Dr. HIRSCH. I don't personally know specifically of such cases. I know that is a widespread concern.

Mr. CARPENTER. Which is why I asked the question, in hopes of laying it to rest.

Dr. HIRSCH. I think it really might have only relevance to some marginal industries in some cases, you know a claim that an industry is shutting down because a certain requirement has been imposed upon it sometimes means the industry was going to close down anyway and they were looking for a way to do it.

Mr. CARPENTER. An obsolete papermill?

Dr. HIRSCH. That is right, a corporation that has one marginal and six more viable plants. It doesn't want to shut down, so it cites tax increase or something else as the causative factor.

There may be cases and there may have been court challenges. I don't personally know of those. I think it does resolve meeting water quality standards in an economic sense. If there are difficulties from an economic standpoint, I think our studies indicate that they would be in a case of the rare exception—the marginal firm that is just barely making it, and so on.

Mr. CARPENTER. Has any case ever reached a court?

Dr. WEINBERGER. John?

Mr. BARNHILL. Well, I don't know of any. This question has been around. I have been in business 32 years and it was here when I started, and I guess it will be with us for some time, although you don't hear near as much of it as you used to.

I don't personally know of any business that was forced to close its doors because of its pollution control requirements. I agree with Dr. Hirsch, that it might have been the deciding factor. They couldn't make up their minds, but this did it.

There have been some instances where an industry said it did close its doors because of pollution control requirements, but when the States looked into it they found out it was some other factor, such as a threatened strike for increased wages or some such thing as that.

I don't know of any and as I said, since the question has been around a long time, we have all spoken frequently to the States about it, and they have never once given us an example of where industry shut down because of pollution control.

Now we haven't tried to enforce any of the new standards.

Mr. CARPENTER. Yes.

Mr. BARNHILL. But I think we can get at it a little different way. We have had 42, I believe it is, enforcement conferences——

Dr. HIRSCH. Forty-four.

Mr. BARNHILL. Forty-three—that is right, 44, and in effect the recommendations that the Secretary makes as a result of these enforcement conferences is a standard-setting exercise.