

## This Week

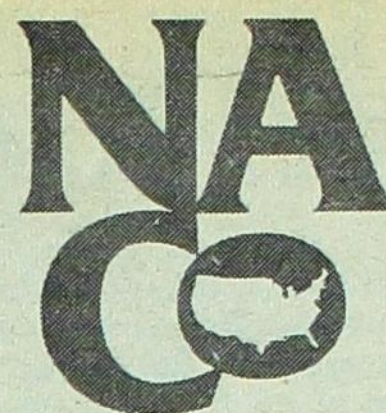
Outlook for  
solid waste,  
pages 5-8

Vol. 10, No. 10

# COUNTY NEWS

"The Wisdom to Know and the Courage to Defend the Public Interest"

March 6, 1978



Washington, D.C.

## Major Step for Rural Equity

WASHINGTON, D.C.—The House subcommittee on conservation and credit has taken a major step to benefit the nation's rural communities. The subcommittee, chaired by Rep. Ed Jones (D-Tenn.), acted to amend the Rural Development Act of 1972 to infuse greater amounts of assistance to rural counties for development programs. NACo has strongly supported the amendments.

During markup of H.R. 8315, the

Agricultural Credit Act of 1978, the subcommittee acted to:

- Increase the authorized funding level for water and waste disposal grants from \$300 million to \$400 million a year.
- Increase the ceiling of assistance to permit grants to cover up to 75 percent of project cost. The current level is restricted to no more than 50 percent of project cost.
- Delete from the bill a provision

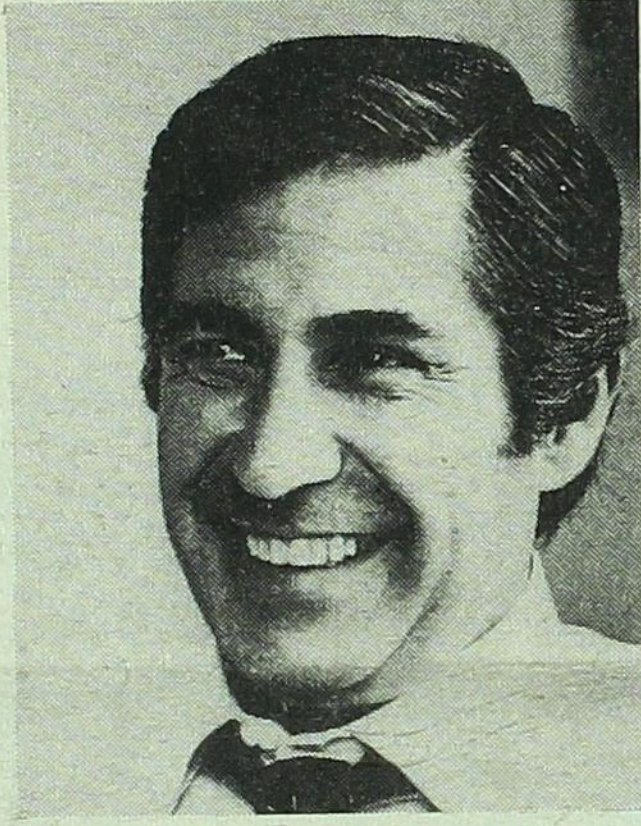
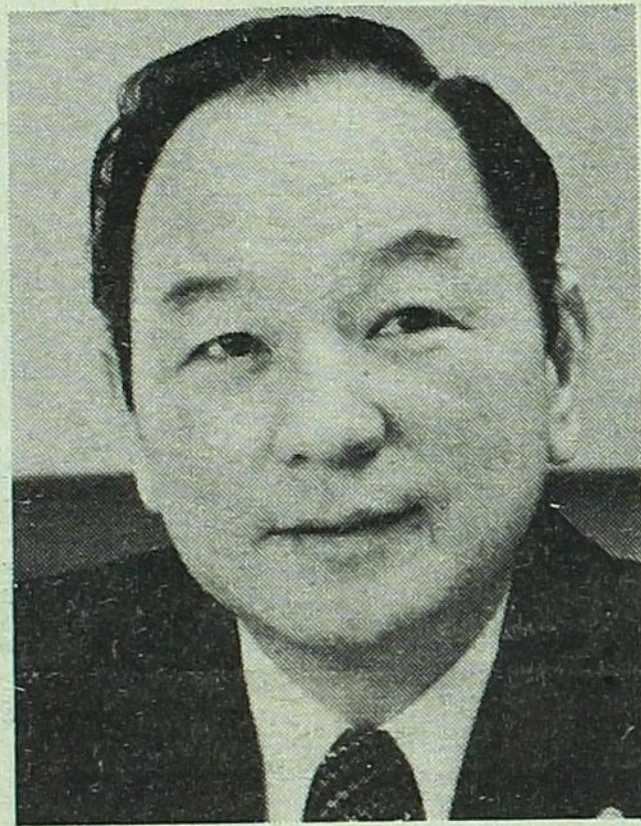
that would have set the interest rates on rural development loans at the market rate plus 1 percent. This would have escalated the rate from its current 5 percent up to 9 percent or 10 percent.

NACo testified on the legislation in October and urged the subcommittee to increase the grant levels and to defeat the loan interest rate increases. The current nationwide waiting list for water and sewer grants exceeds \$600 million.

The subcommittee action represents major progress toward achieving rural equity by making rural development act grant programs more comparable with urban-oriented programs.

The House Agriculture Committee will consider the bill after the subcommittee completes all its actions. The subcommittee is still considering other provisions and will probably finish its work in early March.

In the Senate, comparable legislation was acted on late last year by the subcommittee on agricultural credit and rural electrification. The provision in bills S. 312 and S. 2126 to increase the interest rates on loans were deleted. No action was taken in regard to the grants, although additional legislation may be forthcoming. The full Agriculture Committee has not yet scheduled action on the bills.



**GATHERED TITLE XX SUPPORT**—The senators pictured above led efforts in the Senate Finance Committee to have an increased ceiling for Title XX social services included in the committee's budget recommendations. From left are Robert Dole (R-Kan.), Spark Matsunaga (D-Hawaii), and Mike Gravel (D-Alaska).

### FISCAL RELIEF, TITLE XX

## Budget Increases Supported

WASHINGTON, D.C.—Progress has been made toward achieving an increase in the Title XX ceiling for social services to \$2.9 billion and providing \$400 million for fiscal relief payments for welfare costs. The House Ways and Means and the Senate Finance Committee voted last week to recommend including these increases in the fiscal '79 congressional budget.

NACo has supported both these measures while continuing to press for long-range welfare reform.

Under the congressional budget process, budget targets must be submitted to the House and Senate Budget Committees by March 15. The congressional budget process culminates with the adoption of a concurrent resolution on spending limits by May 15. In order to receive appropriations in fiscal '79, the amounts must be included in the budget resolution.

Reps. Martha Keys (D-Kan.) and Donald Fraser (D-Minn.) led the budget target efforts in the House. They are also cosponsoring a bill, H.R. 10833, which would raise the ceiling to \$2.9 billion in '79; \$3.15 billion in '80; and \$3.45 billion in '81.

The bill currently has 92 cosponsors.

The Title XX ceiling was set at \$2.5 billion in 1972 and has not been increased to keep pace with inflation. An additional \$200 million earmarked for day care was provided in 1977 and 1978 on a year-to-year

basis. In terms of 1972 purchasing power, the \$2.5 billion ceiling in 1977 is worth only \$1.7 billion and would require \$3.6 billion in 1977 dollars on a year-to-year basis.

The federal government provides states with matching funds on a population-based formula to provide social services for the needy such as child care, family planning and homemaker services.

In the Finance Committee, Sens. Robert Dole (R-Kan.), Spark Matsunaga (D-Hawaii), and Mike Gravel (D-Alaska) led similar budget efforts to raise the Title XX ceiling.

Although the measure was first defeated by a voice vote, the sponsors were successful in gathering support on the second try. The \$400 million fiscal relief proposal of Sen. Daniel Patrick Moynihan was also included in the Finance Committee's budget recommendation.

County officials are urged to keep their representatives and senators informed about county needs as Congress continues its deliberations on these issues.

—Aliceann Fritschler

## Taft Joins Race for 4th VP Post

WASHINGTON, D.C.—Seth Taft, commissioner, Cuyahoga County, Ohio has announced he will be a candidate for the office of NACo fourth vice president.

Taft is completing his second four-year term as commissioner, and is serving as president of the board.

He has represented NACo before Congress in the area of tax and finance, and currently serves as vice chairman of NACo's Taxation and Finance Steering Committee. In the past, he was chairman of the federal budget impact subcommittee.

Taft is also one of four county appointees to the New Coalition, a Washington-based committee.

His involvement in the County Commissioners Association of Ohio includes serving on the board of trustees and as chairman of its Judiciary Committee.

In the past, he has served as president of the Governmental Research Institute of Cleveland, the Citizens League of Cleveland, the Cleveland Guidance Center for Disturbed Children, the Northeast Ohio Aviation Council and Community Action Against Addiction.

He is a 1948 graduate of Yale Law School.

Also seeking the post of fourth vice president are Jack Simmers, commissioner, Polk County, Fla. and Richard Conder, chairman of the

Richmond County (N.C.) Board of Commissioners. John Spellman, executive, King County, Wash., is a candidate for the seat of third vice president.

NACo's Annual Conference will be held in Fulton County (Atlanta), Ga. July 9-12. County officials wishing to be considered for any office at that time should send their names to President William Beach at NACo headquarters, attn: Nominating Committee. In accordance with NACo policy, all candidates are entitled to coverage in *County News*. Appropriate information may be sent to Christine C. Sock, news manager, 1735 New York Ave. N.W., Washington, D.C. 20006.



Taft

## Wait Over for New CD Regs

WASHINGTON, D.C.—After nearly three months of delay, the Department of Housing and Urban Development (HUD), March 1, issued regulations implementing the Community Development—Block Grant Program.

A storm of controversy surrounded a provision in the regulations, dated Oct. 25, 1977, which required counties and cities to spend at least 75 percent of their community development funds on activities directly benefiting low and moderate income persons.

The final regulations, in a compromise response to the more than 1200 comments received by HUD, retain the 75 percent benefit test, but permit variation from it so long as a locality's community development program as a whole principally benefits low and moderate income persons.

NACo HAD pressed for such a compromise, together with the National League of Cities, U.S. Conference of Mayors and the National Association of Housing and Redevelopment Officials. NACo's comments were prepared by its Urban County Community Development Task Force and approved by delegates to the Second Urban County Community Development Conference last November.

NACo argued that a rigid percentage test was antithetical to the

block grant concept and would work an unreasonable hardship on urban counties whose low and moderate income persons were scattered through the county as opposed to being concentrated.

The new regulations provide that if a county or city's application proposes, through certification, to direct at least 75 percent of its funds for low and moderate income persons it will not have its application scrutinized by HUD. Those which fall below 75 percent will be subject to such scrutiny, to ensure that the program as a whole benefits low and moderate income persons. These localities will be required to reprogram their funds or face rejection of their application.

The regulations also expand the types of activities which benefit poor persons and provide greater flexibility for defining low and moderate income areas.

While these requirements do not take effect until May 1, applications which are under A-95 review or submitted to HUD prior to March 15 must comply with HUD policy contained in the April 1977 memorandum from Assistant Secretary Robert Embry. That memorandum requires that low and moderate income persons must be served at least in proportion to their number in the population of the area.

—John C. Murphy



# Civil Rights Reorganization Plan Sent to Hill

WASHINGTON, D.C.—President Carter held a White House ceremony to reveal his proposal for the eventual merging of all federal responsibilities for enforcement of anti-discrimination provisions into a single agency in the Equal Employment Opportunity Commission whose chairman is Eleanor Holmes Norton.

NACo Executive Director Bernard F. Hillenbrand attended the Feb. 23 ceremony along with hundreds of civil rights groups, state and local officials, members of Congress and federal agency representatives.

Congress has 60 days to act on the reorganization plan; the President may amend the plan during the first 30 days. The plan submitted to Congress transfers responsibilities to EEOC on an incremental basis including:

- **Abolishing the Equal Employment Opportunity Coordinating Council and transferring its duties to the EEOC, effective July 1.**

The responsibilities which the EEOC assumes include the development of substantive equal employment standards applicable to the entire federal government, standardization of federal data collection procedures, creation of joint training programs, establishment of requirements to ensure that information is shared among the enforcement agencies, and development of government wide complaint and compliance review methods.

The President announced that when the reorganization plan is approved, he will issue an executive order providing for prior consultation by the EEOC with any agency affected by a commission action. This or-

der will establish a procedure for reviewing major disputed issues within the Executive Office of the President.

- **Transfer of responsibility for ensuring equal employment opportunities for federal employees from the Civil Service Commission to the EEOC.**

The Civil Service Commission is responsible for enforcing all non-discrimination and affirmative action requirements in federal employment. Unlike private employees and employees of state and local government, federal employees must look to their own agencies and to the CSC for the vindication of their equal employment rights under Title VII of the Civil Rights Act.

The reorganization plan would transfer authority to ensure equal

employment for federal employees to the EEOC on Oct. 1. The plan would involve the transfer of approximately 100 positions and \$6.5 million from the CSC to the EEOC. The effect will be to establish for federal employees the same non-discrimination protections as those afforded nonfederal employees.

- **Transfer of responsibility for enforcing Equal Pay Act and Age Discrimination in Employment Act from the Labor Department to the EEOC.**

The Equal Pay Act of 1963 and the Age Discrimination in Employment Act of 1967 are currently administered by the Labor Department's Wage and Hour Division.

The reorganization plan transfers the Equal Pay Act enforcement responsibility to the EEOC effective July 1, 1979. The shift will transfer 198 positions and \$5.3 million. The objective is to minimize overlap, allocate resources more effectively, and centralize federal enforcement of sex discrimination prohibitions. It will provide the EEOC with additional enforcement powers to strengthen its efforts against sex discrimination in employment. The EEOC would be able to initiate reviews, for example, without first having to engage in prolonged negotiations.

The plan transfers the Age Discrimination in Employment Act enforcement responsibility to the EEOC effective July 1, 1979.

This shift will result in the transfer of 119 positions and \$3.5 million.

- **Clarification of the Attorney General's authority to initiate "pattern or practice" suits under Title VII against state or local governments.**

An examination of the proposal indicates the President's commitment to consolidate federal equal employment opportunity activities and laws and, for the first time, lays the foundation of a unified, coherent federal structure to combat job discrimination in all its forms. Past efforts have been scattered into different departments and agencies responsible for enforcing 40 separate employment requirements. Such fragmentation has resulted in overlapping jurisdictions, inconsistent standards and reporting requirements, poor use of resources and confusion among both protected groups and employers.

NACo supports consolidation of these federal efforts and voluntary compliance programs. The Labor Management Relations Steering Committee will review the plan in detail and make recommendations to the NACo Board of Directors at the appropriate time.

The House subcommittee on legislation and national security chaired by Rep. Jack Brooks (D-Tex.), scheduled hearings on the reorganization for last week.

For more information, contact Ann Simpson of the NACo staff.

## The Fourth Annual Labor Relations Conference

April 30-May 2, 1978  
Host International Hotel  
Tampa, Florida

Delegates can both preregister for the conference and reserve hotel space by completing this form and returning it to NACo.

Conference registration fees must accompany this form before hotel reservations will be processed. **Enclose check, official county purchase order or equivalent.** No conference registrations will be made by phone.

All Advance Conference Registrations must be postmarked no later than April 20. After the 20th, you must register on-site at the hotel and there will be an additional \$5 charge per registrant.

Refunds of the registration fee will be made if cancellation is necessary, **provided that written notice is postmarked no later than April 17.**

A two-track program is planned to meet the needs of both novices (Track I) and experienced practitioners (Track II). To help us plan the function space, please indicate whether you are primarily interested in either:

☐ Track I ☐ Track II

**Conference registration fees: (Make payable to NACo) \$95 Advance \$100 On-Site**

### Conference Registration

Please print:

Name \_\_\_\_\_ (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (Initial)

County \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Tele. (\_\_\_\_) \_\_\_\_\_

### Hotel Reservation (Host International)

Special conference rates will be guaranteed to all delegates whose reservations are **postmarked by April 7.** After that date, available housing will be assigned on a **first come basis.**

Please print:

Occupant's Name \_\_\_\_\_ Single \$28

\*Arrival Date/Time \_\_\_\_\_ Departure Date/Time \_\_\_\_\_

Occupants' Names \_\_\_\_\_ Double \$34

\*Arrival Date/Time \_\_\_\_\_ Departure Date/Time \_\_\_\_\_

### FOR OFFICE USE ONLY

Reg. check/P.O. # \_\_\_\_\_ Housing Deposit Check # \_\_\_\_\_  
Amount \$ \_\_\_\_\_ Amount \$ \_\_\_\_\_

Send preregistration and hotel reservations to: **National Association of Counties—Labor Relations Conference, 1735 New York Ave., N.W., Washington, D.C. 20006.** For further housing information call NACo Conference Registration Center, 703/471-180.

\*Hotel reservations are only held until 6 p.m. on arrival day. If you anticipate arriving near or after that time, list a credit card name and number below to guarantee your first night reservation, or send one night's deposit.

## Citizens to Assume Paperwork Assault

WASHINGTON, D.C.—NACo President Bill Beach has named Mary Keith Ballantine, commissioner, Jackson County, Mich., to the newly established Citizens Committee on Paperwork Reduction. Ballantine will serve on the board of trustees, along with Gil Barrett, commissioner, Dougherty County, Ga.

Barrett served as the only county representative on the two-year Commission on Federal Paperwork, a presidential commission whose authority expired last fall. At that time, a group of long-time supporters requested that James McIntyre, director, Office of Management and Budget, establish a citizens committee to continue the efforts of the presidential commission.

The citizens committee, established with a two-year life, will work toward implementing over 325 recommendations of the federal paperwork commission which await action. The citizens committee will also coordinate the activities of a wide range of interest groups in meeting this goal.

**BALLANTINE HAS** served on the Jackson County Board since January 1971 and has been a member of both the county finance and county affairs committees, and serves as the vice chairman for 1978.

This past year she was appointed chairman for public service employment of the NACo Employment Policy Steering Committee on which she has been serving as a member.

Ballantine will be serving with Mich. Gov. William Milliken; Peter McCollough, chairman of the board, Xerox Corp.; Cornell Maier, chairman of Kaiser Aluminum and Chemical Co.; John Stagl, chairman of the American Hospital Association; Stuart Davis, chairman of Great Western Financial Corp.; Richard Wood, chairman of the Eli Lilly and Co.; James Hayes, president of the American Management Association; Carolyn



Ballantine

Warner, superintendent of public instruction for the state of Arizona; Helen Nelson, professor of economics, University of Wisconsin; and Wilson Riles, superintendent of public instruction for the state of California.

The first board meeting will be in Washington, D.C. March 7 and 8. On March 8, the trustees will host a breakfast meeting with congressional leadership, followed by a meeting with President Carter.

### COUNTY NEWS

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# Objections Presented to CETA Bill

WASHINGTON, D.C.—Local control over CETA programs would be severely limited under the Administration's reenactment bill, according to Gov. Richard Kneip (D-S.D.), whose statement presented the unanimous position of NACo and three other public interest groups before the House employment opportunities subcommittee March 1.

"Thirty-nine state, county and city government officials met in mid-February to review the CETA draft. The ground rules for that meeting were to develop a unanimous consensus on major points of concern in the Administration's CETA reenactment proposal," the statement explained.

The Administration's bill to extend the Comprehensive Employment and Training Act (CETA) for four more years was introduced in the House by Rep. Augustus Hawkins (D-Calif.) as H.R. 11086 and sponsored in the Senate by Sen. Gaylord Nelson (D-Wis.) as S. 2570.

**INCLUDED IN** the Administration's proposed extension are several areas of major concern to the public interest groups representing state and local governments, NACo, the U.S. Conference of Mayors, the National League of Cities and the National Governors Association.

Addressing these concerns,

Kneip's statement hit hard at the Administration's contradictory proposal to limit the decision-making authority of state and local elected officials while proposing to maintain a decentralized system. It read:

"Representatives of governors, counties and cities unanimously agreed to the elimination of Section 212 in the Administration's proposal."

"Specifically, we reject any hold-harmless on the level of program activities. The purpose of the Administration's bill supports a flexible, decentralized system. One cannot have flexibility if funds are earmarked for program activities by law. This represents extreme recategorization of the Comprehensive Employment and Training Act."

**A SURPRISE** to many was the common rejection of the bill's increased role of the governor by the four groups.

"We subscribe to the elimination of the resource allocation formula under the Wagner-Peyser Act and agree to a block grant of funds to the governor for these activities, while requiring the governor and prime sponsors to engage in joint planning at the local level," Kneip said.

"The ills of the Wagner-Peyser Act should not be corrected in a vacuum by amendments to CETA, but

should be corrected when the committee considers interrelationships between the Wagner-Peyser Act and the Comprehensive Employment and Training Act."

The Administration's bill calls for separate staff "solely accountable" to the CETA advisory council. According to the groups' joint statement, "The chief elected official would appoint staff for the council, and that staff would report directly to the prime sponsor and not be accountable to the planning council."

**SPECIFIC ISSUES** to be covered in the upcoming testimony will include:

- Opposition to Section 212 of the bill which forces prime sponsors to maintain fiscal '77 program activity levels for the next four years;

- Opposition to that part of Section 109 which would require staff support to the advisory council which would be "solely accountable" to this volunteer body outside of the prime sponsor's own administrative structure;

- Opposition to Section 103 which would place unnecessary reporting and paperwork requirements on prime sponsors;

- Opposition to Section 104 which would provide the governor with a stronger role;

- Support for consolidation of public service employment programs into one title while maintaining provisions for a distinct structural and countercyclical program with separate funding and eligibility criteria;

- Support for a geographical index for the public service employment wage ceiling to accommodate costs of living differences;

- Support for a formula distribution of 90 percent of the funds as proposed in Section 202(a) without the restriction of the 5 percent minimum for vocational education as specified in 202(b).

It is expected the House will complete markup on H.R. 11086 by the end of March with similar Senate action on the companion bill, S. 2570.

Since the congressional budget process requires all authorizing legislation to be reported out by May 15, it will be crucial for county elected officials to begin contacting their congressional delegations if they are to be successful in shaping the legislation which will affect state and local governments for the next four years.

NACo will be distributing fact sheets to county elected officials outlining the issues and action needed. For further information, please contact Jon Weintraub, NACo associate director for employment.

## House to Get Lobbying Bill

WASHINGTON, D.C.—The House Judiciary Committee reported out the Public Disclosure of Lobbying Act, H.R. 8494, with a provision requiring NACo and other associations of state and local elected and appointed officials to register under the bill. Excluded from registration and disclosure under the bill are associations of members of Congress, members of Congress, congressional employees and federal officials.

Individuals employed by a single county would not be required to register; however, employees hired by counties joining together in a national association would be required to register.

There is no date scheduled for House floor action.

In the Senate, NACo, the National Governors Association, National Conference of State Legislatures, Council of State Governments, National League of Cities and U.S. Conference of Mayors submitted joint testimony to the Governmental Affairs Committee asking for equal treatment for federal, state, county, city officials, employees and associations. The Senate Committee has not scheduled markup as yet.

—Aliceann Fritschler

## Forum for Elected Execs Planned in Shelby County

WASHINGTON, D.C.—Plans have been announced for the upcoming Workshop on the Council-Elected Executive Form of County Government, to be held in Memphis, Tenn. April 6-7. The workshop is being cosponsored by NACo's New County, U.S.A. Center, Shelby County, and the National Council of Elected County Executives (NCECE).

The one and one-half day conference will explore a number of issues surrounding the adoption and workings of the council-executive form of government in 143 American counties. The workshop will provide a forum for county executives to discuss their common problems, as well as give those who are interested in adopting the form in their own counties a chance to find out how this "separation of powers" system works at the county level.

Sessions are planned on the

following topics: executive-legislative relations, problems in transition, executive office staffing, the variety in county executive counties, and advantages and disadvantages of the form.

Luncheon speakers will address the issues of governing the urban county and the executive as representative of the county. In attendance will be chief executives, top administrators, governing board members and local government study commissioners from counties across the country, as well as academicians and other interested persons.

Conference registration and housing information will be carried in upcoming issues of *County News*. For information concerning the conference program, contact Bruce Talley of the NACoR staff, (202) 785-9577.



**CETA BRAINSTORMING SESSION AT NACo**—Reenactment of the Comprehensive Employment Training Act (CETA) was recently discussed among public interest group representatives from NACo, the National League of Cities, the U.S. Conference of Mayors, and the National Governors Association. Pictured from left are: Bill Spring, White House Domestic Council; Howard Melton, Birmingham-Jefferson County (Ala.) Consortium; Ruben McCormack, USMC; and Jon Weintraub, NACo associate director for employment.

## House Panel Approves Agriculture Land Bill

WASHINGTON, D.C.—A House subcommittee last week approved a bill that would establish a national commission to study the loss of agricultural land in the nation and fund local government demonstration projects to preserve farmland.

The House Agriculture subcommittee on the family farm, rural development and special studies voted 9 to 4 to report out the Agricultural Land Retention Act, H.R. 11122. The legislation now goes to the full Agriculture Committee.

Similar bills in the Senate, introduced by Sens. Dick Clark (D-Iowa) and Warren Magnuson (D-Wash.), are awaiting committee action.

H.R. 11122 replaces an earlier version, the National Agricultural Land Policy Act (H.R. 5882). Both bills were introduced by Rep. James Jeffords (R-Vt.) and 60 cosponsors.

The legislation contains two proposals which NACo adopted as part of its policy last July:

- **Agricultural Land Review Commission.** The bill would establish a national commission appointed by the President and congressional members appointed by the congressional leadership. The commission would include state, county and city officials and persons engaged in farming.

- The commission would study the quantity, quality, location, availability, ownership and financing of agricultural land; the effects of urbanization and federal agency actions on farmland; and methods for protecting and improving agricultural land.

The commission would be required to make a preliminary report to the Congress and the President within two years and a final report within four years.

- **Demonstration Programs.** The bill would direct the Department of Agriculture to make voluntary grants to counties, states, and other

local governments to establish and test methods for reducing the amount of land converted to non-agricultural uses.

Grants would be available to counties to bear up to 75 percent of the cost for demonstration projects. Such projects would be studied by the national commission for their applicability in other parts of the country.

The bill authorizes the appropriation of \$50 million per year for four years for demonstration grants. The grants could be used by counties for developing or administering existing programs if they had demonstration value.

Section 307 of the bill forbids the federal government from restricting or regulating privately owned land; depriving land owners of property rights or income from the sale of land; or diminishing state, county and other local government authority for regulating, taxing, or administering land.

The House also approved NACo-requested amendments that would specifically include county officials on the commission; permit funding of the full process of developing, administering, and testing local government methods; and specifically ensure that counties are eligible for grants.



## YOUR TIME TO BE HEARD

# Hearings at Legislative Conference

**No prior notice is required for presenting testimony at any of these three hearings, but you must be present at the convening time.**

Sunday, March 12  
Throughout the Day

### Steering Committee Meetings

Steering committees invite you to attend. They meet as follows:

		Room	Staff
9 a.m.	Home Rule/Regional Affairs	Senate	Bruce Talley
	Public Lands	Senate/Holmes	Jim Evans
	Health and Education	Alexandria	Mike Gemmell
9:30 a.m.	Environment and Energy	Club Room A	Bob Weaver
11 a.m.	Taxation and Finance	Marshall	Carol Berenson
1 p.m.	Transportation	Holmes	Tom Bulger
	Land Use	Club Room B	Bob Weaver
3 p.m.	Community Development	Vinson	John Murphy
	Labor Management	Taft	Ann Simpson
	Criminal Justice and Public Safety	Alexandria	Duane Baltz
3:15 p.m.	Employment	Richmond	Jon Weintraub
3:30 p.m.	Welfare and Social Services	Senate	Aliceann Fritschler

Monday, March 13  
4 p.m., Park Ballroom

### Bylaw Changes and Affiliate Process Hearings

Your views on proposed changes to the bylaws and affiliate process and criteria will be heard by the Committee on the Future, chaired by NACo 1st Vice President Charlotte Williams, commissioner, Genesee County, Mich.

Bylaw changes to be addressed include:

- The formula by which seats are allotted on the Board of Directors.
- Further definition of the role and establishment of steering and other committees.
- The manner in which honorary association memberships are conferred.
- The criteria for recognition of affiliate organization and the process for affiliation.

The bylaw texts and affiliation criteria and process follows (NACo Staff: Aliceann Fritschler).

#### Bylaws

##### Present

###### Article V—Board of Directors

###### Section 1. Membership

The Board of Directors shall consist of the Officers, as specified in Article VI, and Directors from member counties chosen from each of the following categories:

- One elected county official from each state having a NACo member county, and then commencing in 1980 one elected county official from each state having 50 percent of its counties as NACo members or having member counties representing 50 percent of the state's county population.
- Ten additional elected county officials, one from each of the ten states having the highest number of votes, as determined under Article IX on the preceding April 1, provided that such state has either 50 percent of its counties as NACo members or has NACo members representing 50 percent of the state's county population. Where a state fails to meet the 50 percent standard, it shall be dropped from the list of ten.
- Two elected officials from each regional district authorized by the Board and approved by the voting members.
- One director from each affiliated association, authorized by the Board and approved by the voting members.

All of the above directors shall be elected annually at the Association's annual conference by a majority vote of the total weighted votes being cast.

- Prior to the first meeting of the newly elected Board, the President shall appoint up to ten at-large Directors, who must be elected officials from NACo member counties, to correct any inequities in representation; especially female, Black, Chicano, Indian or urban/rural. In addition, he may appoint non-voting honorary members to the Board.

Not counting Officers and categories C, D and E above, no state may have more than three Directors.

##### Proposed

###### Article V—Board of Directors

###### Section 1. Membership

The Board of Directors shall consist of the Officers, as specified in Article VI, and Directors from member counties chosen from each of the following categories:

- One elected county official from each state having a NACo member county.
- Ten additional elected county officials, one from each of the ten states having the highest number of votes, as determined under Article IX on the preceding April 1, provided that such state has either 50 percent of its counties as NACo members or has NACo members representing 50 percent of the state's county population. Where a state fails to meet the 50 percent standard, it shall be dropped from the list of ten.
- Two elected officials from each regional district authorized by the Board and approved by the voting members.
- One Director from each affiliated association, authorized by the Board and approved by the voting members.
- One elected county official from each state having 100 percent of its counties members of NACo and having at least 45 weighted votes.

All of the above Directors shall be elected annually at the Association's annual conference by a majority vote of the total weighted votes being cast.

- Prior to the first meeting of the newly elected Board, the President shall appoint up to ten at-large Directors, who must be elected officials from NACo member counties, to correct any inequities in representation; especially female, Black, Chicano, Indian or urban/rural. In addition, he may appoint non-voting honorary members to the Board.

Not counting Officers and categories C, D and F above, no state may have more than three Directors.

#### Bylaws (continued)

##### Present

###### Article X—Committees

The President shall appoint such committees as he/she may from time to time deem proper for carrying on the business of the Association provided that committees shall also be appointed in accordance with any resolution adopted by the members in conference assembled.

The NACo Board of Directors shall act as a Resolutions Committee at the Annual Conference. Except resolutions of courtesy, commendation, or condolence, no resolution expressing the policy of said Association on any question shall be considered or discussed by the conference unless it has been submitted to and reported on by said Committee on Resolutions; and no resolution shall be considered unless it relates to the objects and purposes of the Association. No resolution shall be adopted until an opportunity has been afforded for full and free debate thereon.

##### Proposed

###### Article X—Committees

The Board of Directors shall establish steering committees to study issues, make recommendations on policy positions for the *American County Platform* and to interpret the Platform. A steering committee is a committee so designated by the Board.

The President shall establish such other committees as he/she may from time to time deem proper for carrying on the business of the association provided that committees shall also be established in accordance with any resolution adopted by the members in conference assembled.

The NACo Board of Directors shall act as a Resolutions Committee at the Annual Conference. Except resolutions of courtesy, commendation, or condolence, no resolution recommending the policy position of said Association on any question shall be considered or discussed by the conference unless it has been submitted to the appropriate steering committee.

However, issues which clearly do not fit within the jurisdictions of established steering committees may, at the discretion of the President, be brought before the Board sitting as a Resolutions Committee. Issues which have been addressed by the Board in this context may then be brought before the general membership. All resolutions to be considered shall relate to the objects and purposes of the Association. No resolution shall be adopted until an opportunity has been afforded for full and free debate thereon.

The President shall appoint the members of all committees.

#### Affiliation Process and Criteria

##### Recommended Process for Recognizing Affiliates

- Request for affiliation received by NACo executive director 45 days prior to board meeting scheduled for annual, legislative or Western Interstate Region Conference.
- Request for affiliation must contain at least:
  - Statement of organization's purpose.
  - Proposed bylaws or constitution.
  - Intent to hold regular meetings.
- Executive director places item on agenda for board meeting and:
  - Sends application and background material to the board 30 days prior to meeting.
  - Places public notice in *County News* announcing a public hearing on the application as part of the board meeting and inviting member testimony on the application.
  - Board votes on accepting affiliate following public hearing.
  - Affiliation application referred to next annual membership meeting as a separate agenda item.

##### Recommended Criteria for Recognizing Affiliates

- Proposed affiliate must be representative of a function of county government.
- Proposed affiliate must have a constitution and/or bylaws setting forth its purposes, membership, offices, election procedures, and meetings.
- Proposed affiliate must have its membership open to the principal staff person (or designee) from any county engaged in the functional area.
- Proposed affiliate must hold regular meetings.
- Proposed affiliate must operate within established NACo policies.
- Recognition of proposed affiliate must be the subject of a hearing by the NACo Board of Directors, or a committee or subcommittee thereof.

Tuesday, March 12  
2 p.m. Continental Room

### Affiliation Application Hearings

If the criteria and process for affiliation is adopted by the Board of Directors, your testimony regarding application for affiliate status by the proposed National Association of Urban County Community Development Directors and the National Association of County Health Facility Administrators will be heard at a public hearing by the Board of Directors.

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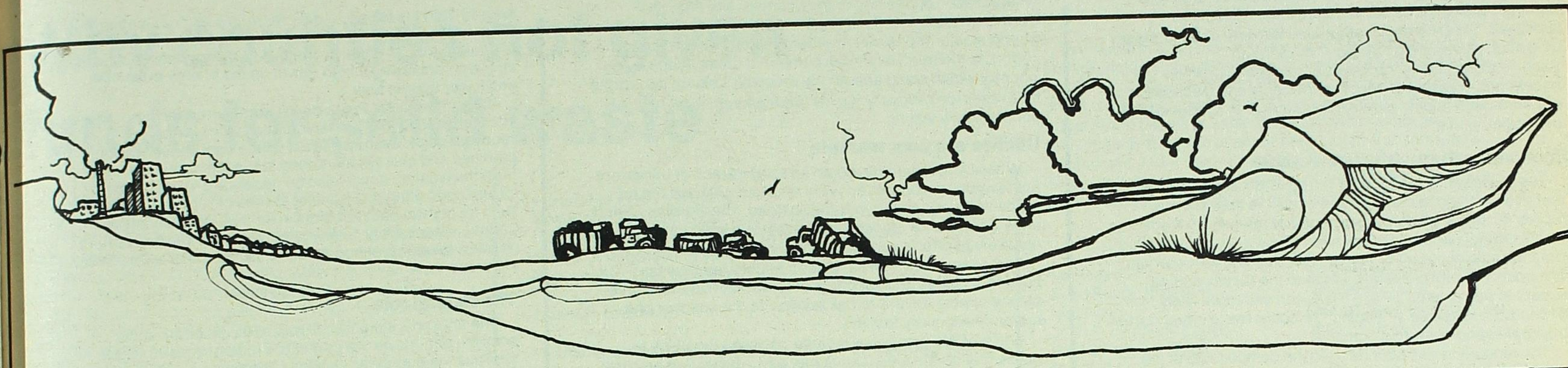
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# Outlook for Solid Waste



## SOLID WASTE AGENCIES

# Will counties retain waste responsibility?

The next few months are critical for any county interested in developing or maintaining responsibility for solid waste management within its boundaries.

By May 15, states and local governments are required jointly to designate the agencies which will plan and carry out the various elements of the state solid waste plans called for by the Resource Conservation and Recovery Act (RCRA) of 1976 (P.L. 94-580). These designations must be established or under development as part of a state plan in order for a state and its local governments to receive any solid waste planning funds from the Environmental Protection Agency (EPA).

The state plans are to be composed, in large part, of the plans submitted by the designated local or regional agencies which have been delegated responsibility for planning/implementation. Only designated agencies will be eligible for federal assistance under Section 4006 of RCRA (assuming a state passes through to local governments any portion of its allotment). This link between designation and funding makes it extremely important for counties to become involved in the agency designation process even though funding will be severely limited for the next few years.

### Designation of boundaries

The designation of regional agencies for solid waste management is the second of a two-part process mandated by RCRA in Section 4006. The first part, in which governors designated regional boundaries, was supposed to be completed by Nov. 15, 1977, although a few states missed the deadline. Those boundaries are supposed to be based on geographic areas in which planning can reflect potential economies of scale and existing cooperative relationships and institutions. The act requires consideration of areawide water quality agencies for this purpose. NACo strongly recommended designation of counties as the logical "regional" boundaries in much of the country rather than imposing another layer of government in which planning is divorced from implementation.

### The designation process

The act requires that both designation processes include consultation with local officials. In the case of the completed boundary designation process, the regulations required only that the governor notify local officials of proposed designations. It was hoped that the final determination by the governor would be made on the basis of comments by county and city officials. EPA insists, on the basis of its survey of all the states, that local officials were adequately consulted by letters, meetings, and hearings of the proposed designations. Comments from several county officials suggest that the notification process did not in fact inform them of the proposals until final action had already taken place. The mistakes and inadequacies of the boundary designation process must not be repeated in the much more significant agency designation process because the latter will determine management responsibilities for years to come.

In the case of the agency designation process, the act [Sec. 4006 a (2)(A)] requires that "the state, together with appropriate elected officials of general purpose units of local government, shall jointly ... identify which solid waste functions will ... be planned for and carried out by state and which such functions will ... be planned for and carried out by a regional or local authority or a combination of regional or local and state authorities ... Local or regional agencies identified under this paragraph shall be composed of individuals at least a majority of whom are elected local officials."

Under the regulations, this joint identification of agencies is initiated when the governor's designated lead agency notifies local elected officials that it will accept their nominations of which local agencies should have authority for various solid waste functions. These nominations and those of the state are to be made public and open for comment. If disagreement exists among the local officials within a region on the designation of agencies and the allocation of functional responsibilities among them, a public hearing is to be held to attempt to reach a consensus. In the absence of a consensus by mid-August, the governor will designate a state agency to carry out the state plan in that region for the disputed function.

### Which agencies should be designated?

In its advisory guidelines on the subject, the EPA has suggested several criteria that might be used in the joint designation of agencies and their functional responsibilities.

- Existing planning or management agencies which have carried out their responsibilities successfully in the past should be given priority consideration.
- In order to coordinate planning and implementation, EPA recommends that "consideration should be given to identifying one agency for both functions." If this is not done, there should be some formal mechanism for ensuring the coordination between the planning and implementing agencies. More than any of the other suggested criteria, this one argues strongly for designation of counties and cities to be responsible for both planning and implementing the functions which they carry out. One of the biggest problems with the "208" areawide water quality planning program (discussed below) is the tenuous connection between planning and implementation. There are indications that this has not been as much of a problem where counties have been designated as the planning boundaries for the "208" process because counties often have the legal authority to carry out the plans.

- An agency must have a majority of local elected officials in its governing body. This is required by the act.
- A planning agency should have "planning jurisdiction" in the entire "planning region." This would suggest that if boundaries were designated to coincide with the jurisdiction of an areawide agency such as a regional planning council or council of governments that agency should be given planning responsibility. If a county wishes to obtain or maintain control over planning within its boundaries and be eligible for potential planning assistance, it may be necessary to overcome the mind-set that areawide agencies are always to be preferred. States should be reminded that the "comprehensiveness" of an areawide agency needs to be weighed against prior experience and the need for coordinating planning and implementation.

- Where feasible, a "208" areawide water quality agency is to be considered for designation (presumably for planning rather than implementation). This is required by the act, apparently because Congress believed that the 208 agencies are operating successfully. At the same time, the President's Office of Management and Budget (OMB) seems intent on "coordinating" planning programs for water quality and solid waste management based on the false assumption that they usually share common geographical boundaries. Where common boundaries exist, cooperative efforts to solve solid waste and water quality problems may be appropriate. Nevertheless, states should not arbitrarily require "coordination" in these areas at OMB's direction if that will impede the progress of those already involved in carrying out programs.

### Types of functions, authorities, and wastes

The sorting out process by which responsibilities are to be assigned to various levels of government is intended to take into account the different types of management functions, authorities, and wastes that occur. For example, it should avoid a simple-minded delegation to the state of all authority for control over hazardous wastes if counties want or already have responsibility for either siting of facilities or regulating their activities. Nor is it necessary to carry out a uniform approach throughout an entire state. In some areas of a state, counties might be assigned regulatory authority, while the state might retain such authority for the remainder of its area.

The complexity of the designation process can be seen in the accompanying table which shows some of the major categories which will have to be considered in determining which agencies should have which authority over which functions and which wastes.

The degree of detail into which these categories will need to be broken down will probably vary from state to state and from area to area within states depending on existing institutional relationships. Recognizing the complexity of the sorting out process, EPA has explicitly noted in the preamble to its regulations that designations may be temporary and adjusted as needed over time.

### Should counties seek designation?

The key reason to seek designation for a specific function is to ensure continued county control or new authority when it is needed. The alternative may be either an areawide agency or, more likely, state control. For some functions, such as inspection of privately owned hazardous waste treatment and disposal facilities, state authority may be perfectly acceptable to most counties. On the other hand, if

See RETAINING, page 6

Agencies	Authorities	Functions or Activities	Source or Type of Waste
State	Planning	Collection	Residential/Commercial
County	Siting	Transport	Industrial
Special District	Monitoring	Transfer	Forestry
Areawide Agency	Rate-setting	Incineration	Agricultural
City	Setting Standards and Enforcement	Landfill	Mining
	Providing Service (Public vs. Private)	Resource Recovery	
		Processing/Treatment	



# Roadblocks to resource recovery

A discussion of some of the problems associated with burning solid waste to derive energy has recently been published. "overcoming Institutional Barriers to Solid Waste Utilization as an Energy Source" by Gordian Associates, presents a somewhat pessimistic view of the economics of resource recovery projects and discusses problems with finding markets for the energy produced from municipal refuse.

## Economics frequently unfavorable

The "Gordian Report," as it is frequently called, explains that even with good markets and a reliable operation, a facility recovering energy (and possibly metals) from solid waste cannot generally break even on the revenues derived from the sale of steam or fuel or other recovered materials. The county or city delivering waste to the facility should expect to pay at least \$7 to \$10 per ton and more likely from \$12 to \$20 per ton as a "tipping" or dump fee to cover part of the capital and operating costs.

The amount varies according to the composition of the waste, the value of the energy recovered, the type of equipment and operation used, the interest rate for financing the project, the amount of air (and water) pollution control equipment required, and the degree to which risk is borne by a private company. Even in the absence of technical problems, the cost of energy recovery is likely to exceed the cost of a sanitary landfill in most areas of the country outside of major metropolitan areas. Thus, to the extent that economics is the deciding factor, a resource recovery facility is probably not a viable option for most counties at this time.

## Steam sales—preferable market

The generation of steam for downtown commercial districts and/or industrial users provides one possible exception to the general rule of high tipping fees. Based on a hypothetical model, the report concludes that for a 1,000 ton per day facility operating at 80 percent of capacity, if steam can be sold at \$2 to \$3 per thousand pounds (below the market price in many areas), the tipping fee should be no higher than about \$4 to \$8 which is competitive with landfills in many areas of the country.

However, this theoretical situation contradicts the actual experience of such places as Nashville-Davidson County, Tenn. where they are now having to sell steam above the market price to break even and Onondaga County, N.Y.

## Retaining responsibility for solid waste?

continued from page 5

a state agency wishes to gain the authority to site a hazardous waste disposal facility against the official wishes of a county board, that is likely to meet with strong objections from most counties in a state. In the case of providing services, the arguments may or may not be as strong for county control. In any case, the main argument for seeking county designation for some function is that, in the long run, it is important to maintain control over the activities taking place within its borders.

The main argument against seeking designation for any given function is the likelihood that no federal assistance for either planning or implementation will be available in the next few years. Although designation makes such federal funding possible, the reluctance of Congress to appropriate sufficient funds for RCRA means that none is currently available. Unless NACo and others are successful in persuading Congress to increase appropriations dramatically in fiscal '79, local governments will have to rely on their own resources.

Congress and EPA will be observing the designation process this year. Once they recognize that states do not site landfills nor build resource recovery facilities, the need should become clear to provide counties with planning and implementation funds in accordance with their responsibilities. However, if counties ignore the designation process, there will be no basis for providing assistance to them to carry out the requirements of RCRA.

## What to do

- If your county does not already have the May 16 regulations on designation of agencies, write Cliff Cobb at NACo for a copy.
- Determine your county's goals in terms of responsibilities for various solid waste management functions and types of waste.
- Meet with other counties and cities within your area to discuss the appropriate division of responsibility among those jurisdictions and possible areas of cooperation.
- If you can reach a consensus with other local governments, notify the governor and appropriate state legislators of your recommendations.
- Be sure to include the public in your deliberations and decision-making. The citizen suit provisions of the Resource Conservation and Recovery Act may cause trouble in the future if citizens are not included at this early stage of the planning process.

where citizen opposition to the optimum site near the downtown steam loop may make the entire venture economically infeasible. Another problem, according to the report, is the relatively small number of steam loops in the country which could absorb the amount of steam generated by a resource recovery facility large enough to be economically viable.

## Utilities are poor markets

Where large quantity steam sales at attractive prices are not feasible, resource recovery facilities will have to find markets for refuse-derived-fuel instead. The Gordian Report cites a number of reasons why investor-owned utilities are not likely to offer a very substantial market for it.

The contracts which have been negotiated thus far between utilities and suppliers of refuse-derived-fuel have placed almost the entire risk burden on the supplier (the resource recovery facility).

Some of the provisions include: allowing the utility to cease buying the fuel at any time, assurances that any cost increases incurred by the utility can be passed back to the supplier, and a requirement that the supplier of the refuse-derived-fuel must be willing to purchase the handling equipment and converted boilers from the utility if the project should fail. In some cases, utilities may also seek to pass the cost of reserve capacity (standby boilers) back to the recovery facility.

In general, utilities tend to view involvement in refuse to energy projects unfavorably because of their unreliability—both in technical terms and as a continual source of energy. While many of the technologies considered in the report have been in full-scale operation for several years, a number of them are still plagued with technical difficulties which have reduced their operating capacities and increased their costs. Because of their legal obligations to provide a reliable supply of electricity or steam, utilities will not be interested in refuse-derived energy if it will involve a considerable risk. In addition, a utility may not want to bother with contract negotiations, conversion of boilers, and addition of air pollution equipment (with all of the attendant regulatory complications) for a supply source that could deliver only about 5 percent of the utility system's needs.

## A brighter future

The future may not, however, be as bleak as suggested by the Gordian Report. It seems likely that over the next decade, as some technologies prove themselves more reliable through operating experience, utilities will expand their interest in the refuse-to-energy field. Also, more industries may become interested in buying steam generated from municipal solid wastes. Another boost could come from the development of federal policies which would

expand markets for secondary materials such as metals, glass, and paper. This could significantly increase the revenues from "front-end" recovery of materials, reduce the stress on achieving a high return on the energy produced, and lower tipping fees.

In the meantime, the success of resource recovery as an alternative to landfills or incineration without energy recovery depends in large part on the aggressiveness of counties and cities in marketing the steam or fuel derived from the wastes. It may also be necessary to overcome citizen opposition to a transfer station or recovery facility, such as has set back projects in St. Louis and Onondaga County, respectively. In any case, resource recovery offers no easy solutions, although many communities will be forced to pursue it.

## The federal role

The final chapter of the Gordian Report offers some possible actions on the part of the federal government to improve the economic viability of resource recovery. Of particular importance is the recommendation that the federal government promote demonstration projects using refuse-derived-fuel to generate electricity. This could inspire the confidence in utilities to follow suit.

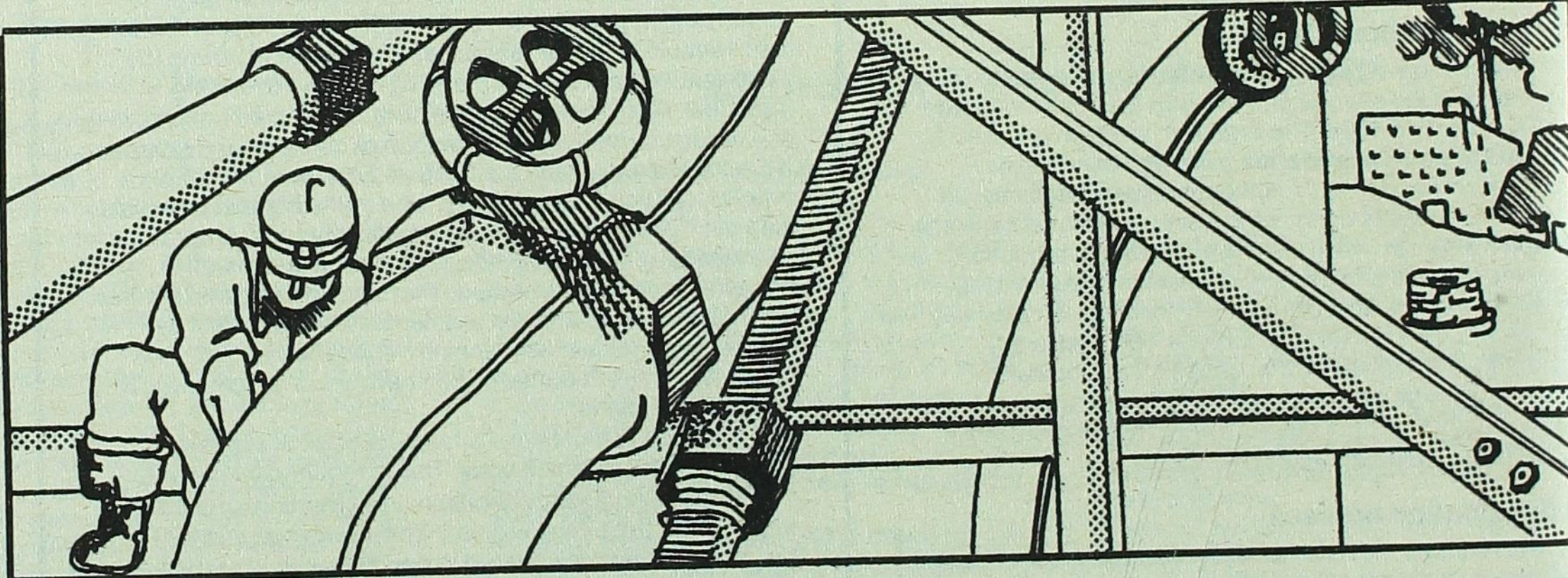
Other recommendations encourage the federal government to bear some of the risk involved in resource recovery. It is unfair to expect individual counties and cities to bear the full brunt of testing new technologies on a commercial scale. Since everyone will benefit from the successes and failures of this first generation of resource recovery facilities, the risk should be spread throughout the entire population in the form of federal risk-sharing. This could involve direct subsidies for capital expenditures, a loan guarantee program, or simply a risk-pooling program.

According to the report, the federal government could also improve the prospects for energy recovery by providing a procedure for trade-offs in areas which are not attaining air standards. Development of definite air emission standards for boilers using both fossil fuels and waste would also assist resource recovery by removing current uncertainties.

Finally, the federal government could try to persuade state utility commissions to make capital investments in refuse-to-energy equipment allowable in a utility's rate base. Until those commissions make such costs allowable, most utilities will be unwilling to risk an investment on a relatively unreliable source of energy.

## For more information

If you would like a free copy of the Executive Summary of the Gordian Report, please write to Cliff Cobb, Solid Waste Project, NACoR, 1735 New York Avenue N.W., Washington, D.C. 20006. After reading the Executive Summary, you may wish to request a copy of the full report from the Energy Research and Development Administration.



## Technical assistance is available

Is your county having difficulties dealing with some aspect of solid waste management? Would you like assistance from another county or city official who has had experience with a problem similar to yours?

If the answer to those questions is yes, you may be interested in the solid waste technical assistance program being offered by NACoR in cooperation with the Environmental Protection Agency (EPA). To request assistance, you should write to the appropriate regional office of EPA describing the exact nature of the problem you are facing. The letter should be signed by an elected or appointed official. Please send a duplicate copy of the letter to the Solid Waste Project, NACoR, 1735 New York Avenue N.W., Washington, D.C. 20006.

When your request is received by a regional EPA office, a decision will be made as to its priority among requests received and the type of assistance to offer. Regions will be operating under a headquarters policy in which state requests are to be given higher priority than those of local governments, although variations in implementing that policy are likely. Because regions may wait until they have accumulated a number of requests before acting on any of

them, it is important to indicate the urgency of your problem in your letter.

## Types of assistance

The predominant form of technical assistance provided by the regional office will probably continue to be informal assistance by the EPA staff. Another form of assistance, called a peer match or transfer team, involves one or two local officials from other jurisdictions traveling to the recipient county for two or three days. The transfer team provides advice to the host county and prepares a short report of its recommendations. All expenses of the transfer team members are paid out of a grant to NACoR from EPA. Consultants under contract to EPA regional offices constitute a third form of assistance. Since each regional office will receive an average of only \$130,000 for providing this form of assistance, and since states will probably be given priority in competing for consultants, this is not a likely avenue of assistance to counties.

## Be specific

If you request assistance, it is very important that your letter describe in some detail the kind of problem for which

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## EPA LETTER EXPLAINS

# Why counties not given funds for solid waste

The following letter from Douglas Costle, administrator of the Environmental Protection Agency, to Rep. Fred Rooney (D-Pa.), chairman of the House committee which authorizes funds for solid waste, explains why there has been no federal funding to counties and cities for solid waste management. Neither the fiscal '78 appropriations nor the proposed fiscal '79 budget include funding for planning or implementation at the local level. While the fiscal '79 proposed budget is \$17.1 million higher than the fiscal '78 budget, the entire increase is devoted to regulatory programs, particularly for hazardous waste.

Of particular interest in the letter are the last and the third from last paragraphs. The last paragraph points to the Office of Management and Budget as the true culprit behind the lack of adequate funding for solid waste. Although that office was willing to support a supplemental appropriation last fall for water pollution programs, its opposition to an additional \$38 million for solid waste has been credited with the failure of that measure to gain congressional support.

The third from last paragraph reveals EPA's judgment that local governments would be able to make use of only \$14 million in implementation assistance (broken down as \$9 million and \$5 million in the letter, the latter being exclusively for rural areas). More than \$40 million was authorized for that purpose in the Resource Conservation and Recovery Act (RCRA). Costle implicitly suggests that most local governments have not done enough planning to be able to use federal money wisely in upgrading their disposal practices. The truth is that planning for environmentally sound disposal or for resource recovery has been taking place for years in many counties, although local budgetary constraints (often imposed by state limits on debt or taxing authority) have prevented full implementation in many cases. Unfortunately, EPA seems intent on waiting for completion of the new round of planning required by RCRA before it will support funding to meet current needs and to strengthen the existing momentum toward improvement in local solid waste programs. As with so many federal programs, the underlying assumption appears to be that solid waste management began the day RCRA was enacted and that all progress must wait until the RCRA timetable says that planning is over and implementation can begin.

This does not mean that planning assistance is not badly needed by local governments to meet the stringent standards established by RCRA. In fact, one of the glaring omissions on the letter is its failure to mention the need for additional planning assistance. At present, the entire \$14.3 million available for planning (out of \$40 million authorized) is being absorbed by the states.

Because of the heavy responsibility placed on them by RCRA, including the expensive monitoring associated with an inventory of all disposal sites, states have been unable to pass through any planning funds to local governments. Indeed, some states have considered refusing to participate in RCRA altogether because the planning funds are not sufficient to meet the demands placed on them. However, the frustration counties share with the states over the lack of funding is small comfort, since counties will face citizen suits under RCRA if they do not come up with acceptable methods of waste disposal or recovery, with or without federal funding.

Honorable Fred B. Rooney  
Chairman, Subcommittee on Transportation and Commerce  
Committee on Interstate and Foreign Commerce  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of Oct. 14, 1977, regarding your interest in obtaining additional funds in fiscal '78 to implement the Resource Conservation and Recovery Act (RCRA). I appreciate your continuing interest and support of our effort to implement RCRA and assure you that I, too, intend to see that the implementation does not languish.

In your letter you requested my advice on how additional money could best be spent if the Congress chose to provide additional funds in the pending supplemental appropriation for fiscal '78.

The 1978 appropriations for EPA provide \$14.3 million for financial assistance to states under RCRA. We consider these funds adequate to implement the agency's solid waste strategy. According to this strategy, we expect the states to use \$6 million to complete the inventory of municipal solid waste and sewage sludge disposal facilities, \$3 million to maintain ongoing programs and \$5.3 million to develop the state plans called for by Subtitle D and to begin to develop the hazardous waste management program called for by Subtitle C.

We anticipate that very little, if any, of these funds will be used for the inventory of industrial solid waste disposal facilities, for implementation of plans or programs developed under Subtitle C or D or for pass-through to local agencies for implementation of plans under Subtitle D. Our strategy calls for seeking funding for these activities in fiscal '79 and subsequent years. In short, our financial assistance strategy is focused on the initial state-level planning and inventory work necessary to subsequent implementation—a phased approach to assure sound management of the activities required by RCRA.

If the supplemental funds were appropriated, there may be opportunities in fiscal '78 to assist implementation activities in selected cases. These are cases where planning or program development has, or will have, advanced to a point where implementation can begin earlier than in the average case. It is for these cases that we believe we could productively use additional funds if they were made available.

Several states are, or will be, able to move much further than is now being required in the development of hazardous waste programs. To assist these efforts where they occur and thereby facilitate the earliest possible assumption of the hazardous waste program by these states, we estimate that an additional \$3.6 million could be used this fiscal year.

Although emphasis is placed on developing state solid waste management plans in fiscal '78, several states may achieve sufficient progress to enable initiation of the development of local land disposal and resource conservation programs. To capitalize on these situations, we estimate that \$9 million could be used in fiscal '78. Similarly, it is anticipated that many open dumps and their remedial measures and schedules may be identified early in the municipal inventory and state planning activities planned for this fiscal year. This would be particularly true in rural areas. To capitalize on these early results and to address the financial burdens that rural communities will typically encounter in taking remedial measures, we believe that \$5 million could be used in fiscal '78 to assist these communities.

Finally, \$2 million could be utilized for the ongoing demonstration of a land disposal facility for hazardous chemical wastes in Minnesota. Because of the uncontrollable delays in this project over the past year, the fiscal '77 funds originally set aside for this project were reprogrammed to other RCRA activities. We believe this project will provide a very valuable demonstration of a necessary technology for handling hazardous wastes and therefore will be of great importance to implementation of the hazardous waste provision of RCRA. However, we will find it extremely difficult, if not impossible, to reprogram fiscal '78 funds for this project without impacting higher priority activities under RCRA.

In summary, we believe we could effectively use \$19.6 million in additional funds in fiscal '78 to support state and local activities that we otherwise would propose in fiscal '79. However, this additional funding is not within the President's fiscal '78 budget plans, and therefore I cannot support any request for supplemental funds for implementation of RCRA in this fiscal year.

—Douglas M. Costle

## Panel Coordinators Regional EPA

Technical assistance in solid waste is provided by the Environmental Protection Agency under Section 2006 of the Resource Conservation and Recovery Act of 1976 which created the authority for the "Panels Program." That name refers to the panels of experts who provide technical assistance in the form of either peer match transfer teams or consultants under contract to EPA. The following are the Panel Coordinators in the regional offices of EPA who are in charge of providing technical assistance:

### Region I

Ira Leighton  
Solid Waste Program  
USEPA  
John F. Kennedy Building  
Boston, Mass. 02203  
(617) 223-5775

Serving: Maine, Vermont,  
New Hampshire,  
Massachusetts, Rhode  
Island, Connecticut

### Region II

Garrett Smith  
Solid Waste Branch  
USEPA  
26 Federal Plaza  
New York, N.Y. 10007  
(212) 264-0503

Serving: New York, New  
Jersey

### Region III

William Schremp  
Solid Waste Program  
USEPA  
6th and Walnut Streets  
Philadelphia, Pa. 19106  
(215) 597-8116

Serving: Pennsylvania,  
Delaware, Maryland,  
Virginia, West Virginia,  
District of Columbia

### Region IV

Elmer Cleveland  
Solid Waste Section  
USEPA  
345 Courtland Street, N.E.  
Atlanta, Ga. 30308  
(404) 881-3016

Serving: Kentucky,  
Tennessee, North  
Carolina, South Carolina,  
Georgia, Florida, Alabama,  
Mississippi

### Region V

Jim Chambers  
Solid Waste Program  
USEPA  
230 South Dearborn Street  
Chicago, Ill. 60604  
(312) 353-2197

Serving: Michigan, Ohio,  
Indiana, Illinois, Wisconsin,  
Minnesota

### Region VI

Richard Amber  
Solid Waste Program  
USEPA  
1201 Elm Street  
First International Building  
Dallas, Tex. 75270  
(214) 749-7601

Serving: Arkansas,  
Louisiana, Oklahoma,  
Texas, New Mexico

### Region VII

Morris Tucker  
Solid Waste Section  
USEPA  
1735 Baltimore Avenue  
Kansas City, Mo. 64108  
(816) 374-3307

Serving: Iowa, Missouri,  
Kansas, Nebraska

### Region VIII

Gary Morgan  
Solid Waste Branch  
USEPA  
1860 Lincoln Street  
Denver, Colo. 80203  
(303) 837-2221

Serving: North Dakota,  
South Dakota, Montana,  
Wyoming, Colorado, Utah

### Region IX

Diane Clardy  
Solid Waste Program  
USEPA  
215 Fremont Street  
San Francisco, Calif. 94105  
(415) 556-4606

Serving: Arizona,  
California, Nevada, Hawaii

### Region X

Stan Jorgensen  
Solid Waste Program, USEPA  
1200 Sixth Avenue  
Seattle, Wash. 98101  
(206) 442-1260

Serving: Washington,  
Idaho, Oregon, Alaska

This supplement was prepared by  
Cliff Cobb, NACoR Solid Waste Project,  
in cooperation with the U.S.  
Environmental Protection Agency.

### For more information

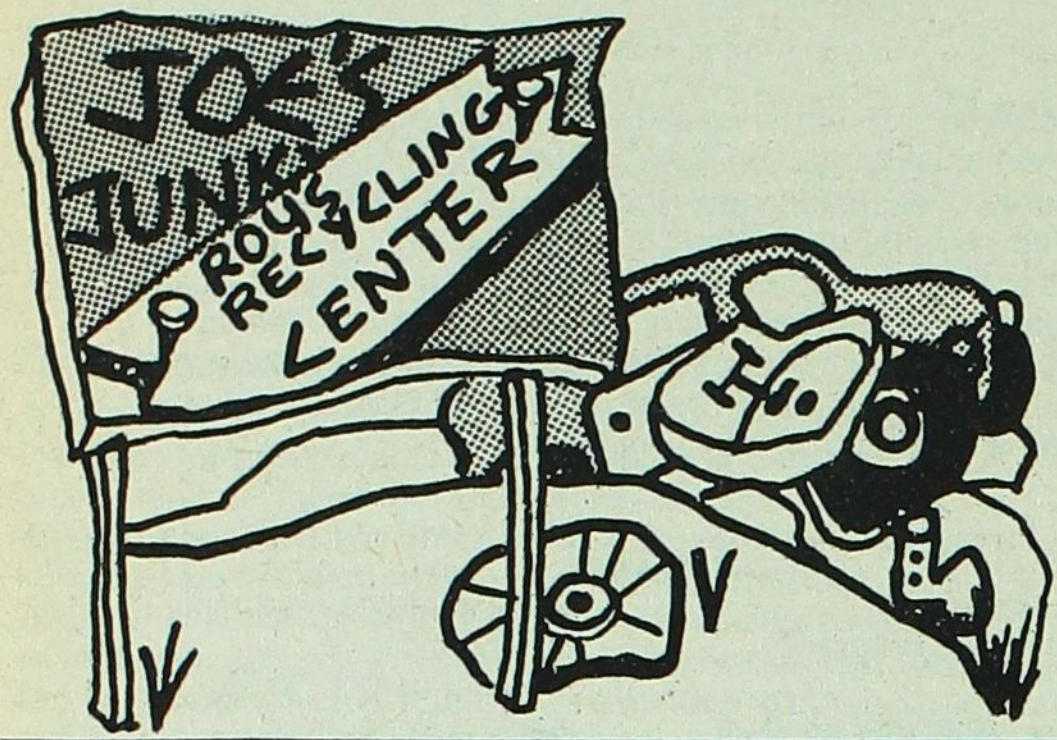
If you have any questions or problems in applying for technical assistance, you may write either to the appropriate regional EPA office or to Cliff Cobb of NACoR's Solid Waste Project. (See list at right).

# Mail from EPA

If you want help and the particular ways in which outside assistance would be useful. The more narrowly you are able to define your problem, the better your chances of receiving the kind of assistance you want. Ideally, a county should have already completed some work on an issue and be considering several specific options. Where preliminary analysis of politically acceptable and economically feasible approaches has not been done, it is much more difficult for a transfer team to help the host county to weigh the available alternatives. On the other hand, if you want help in simply clarifying the nature of your problem and what alternative solutions exist, that is also an appropriate candidate for technical assistance, although it would not necessarily involve a peer match.



## Local junkyard restrictions may hurt recycling



There are numerous obstacles to increased recycling in the United States, many of which reduce the available markets for materials recovered from county or city solid waste. Most of the problems stem from federal laws or regulations such as the higher freight rates which recycled materials have had to pay compared to virgin materials and percentage depletion allowances for raw materials which reduce their tax rate compared to reprocessed materials.

Federal policies are not alone in restricting the flow of recycled products and raising their cost. According to the National Association of Recycling Industries (NARI), local zoning, licensing, and recordkeeping requirements have also frustrated the efforts of those involved in collecting materials for reuse.

The major source of local restrictions, according to recycling companies is the continuation of the image of their occupation as "junk dealers." This misunderstanding of their activities is similar to regarding a sanitary landfill as a "dump" and the refusal of citizens to allow one near their homes, even if it is properly operated. Clearly, the way in which either activity is described is very powerful in shaping community attitudes. Also, the previous experience of a community with either a landfill or a recycling company will heavily influence the way in which future proposals are viewed.

### Licensing and zoning restrictions

Licensing and zoning may impose major restrictions when recyclers are labeled and treated as "junk dealers." Invariably, "junkyards" are considered a nuisance to their community, whereas recyclers of scrap materials may be viewed as a benefit. Yet, when forced to obtain a "junkyard" license, and therefore falling under such zoning, recyclers are restricted in their ability to expand or barred outright from many localities, and they may face eviction from existing sites.

The recycling industry recognizes the requirements for licensing as applied to all business establishments and the importance of zoning for community control of land use. However, they believe that such regulations are often applied in a discriminatory manner when a recycler is involved. In their view, there is no justifiable reason to restrict recycling facilities from industrially zoned areas.

### Recordkeeping and holding requirements

Another area of restrictive local regulation is the imposition of recordkeeping rules and mandatory minimum holding periods for materials. These are intended to prevent the transfer and sale of stolen commodities, but they become onerous if they are excessively stringent. For example, laws have been proposed that would require a private recycling company to photograph or fingerprint persons from whom it purchases scrap materials for recycling. Many cities and counties require that detailed records be kept for several years. Extensive records of thousands of transactions must be maintained under such laws.

Furthermore, many local governments require materials to be held for weeks before they can be processed or sold to manufacturers. This imposes heavy operating and inventory costs on recyclers and inhibits their ability to operate efficiently. Dealers in secondary materials object to these restrictions on the ground that virtually all recyclable material purchased is covered by documented bills of sale or other evidence of title.

### Model code needed

To alleviate some of these problems, NACo has been invited to participate in a process of developing model codes which would regulate recycling companies but not restrict their operations unnecessarily. When completed, the codes would be made available to counties and cities which are considering revising their ordinances to encourage recycling industries.

If your county has had experience with this issue, and you would be interested in serving on a panel to draw up a model code, you may contact Paul Parker, National Association of Recycling Industries, 330 Madison Ave., New York, N.Y. 10017 or at (212) 867-7330.

# You can help

If you are operating a solid waste program in your county, your experience could be of value to many other counties. Others could benefit from your frustrations as well as your successes. Many types of information and assistance can be exchanged between counties: managerial, financial, legal, and engineering.

If you would be willing to offer assistance to another local government in one or more of the areas listed below, please fill out the form on this page and send it to NACoR's Solid Waste Project.

When your help is requested, it will require no more than two or three days of travel. In some cases, the county seeking assistance would travel to your county to observe the system you are operating. In either case, all direct expenses will be reimbursed by NACoR through a grant from EPA.

Recognizing the difficulties many counties have in granting administrative leave to staff, no one will be asked to provide assistance more than twice each year. Also, by sending in a completed form, you are in no way committing yourself to participate at any given time. We are only seeking an indication of general interest and availability.

The experience of those county and city personnel who have participated in similar "transfer teams" in the past has been positive for both the host county and those providing assistance. They have learned from each other by working together for several days on a common problem.

### Information exchange

Even if you are unable to provide direct assistance to another county through this program by either traveling to or receiving visitors from another county, you can still help by filling out the form and describing the areas in which you could provide written advice. If your county has passed an ordinance or developed a solid waste management system which could benefit other counties, please send a summary of your programs to the NACoR Solid Waste Project. We frequently receive requests for information on resource recovery, sludge disposal, rural collection practices, financing methods and many other subjects, and the only source of innovative ideas are those which come from counties which have had experience with such programs.

Name

County

Address

City/State/Zip Code

Title or Position

Population

Phone

- ☐ I am willing to provide assistance to another county by visiting it for two or three days. (All direct expenses will be paid by NACoR.)
- ☐ I can provide assistance to other counties if they visit me.
- ☐ I cannot provide direct assistance to other counties. However, I can provide information to them on request.

### The Areas in Which I Can Provide Assistance or Information Included:

- |  |   |
|--|---|
| <input type="checkbox"/> Landfill siting                                 | <input type="checkbox"/> Energy recovery  |
| <input type="checkbox"/> Public relations                                | <input type="checkbox"/> Risk management  |
| <input type="checkbox"/> Planning process                                | <input type="checkbox"/> Financing alternatives   |
| <input type="checkbox"/> Landfill operations                             | <input type="checkbox"/> Technologies   |
| <input type="checkbox"/> Equipment purchase and maintenance              | <input type="checkbox"/> Long-term contracts  |
| <input type="checkbox"/> Personnel and training                          | <input type="checkbox"/> Control or ownership of waste stream                                 |
| <input type="checkbox"/> Safety  | <input type="checkbox"/> Turnkey or full service contract vs. conventional procurement        |
| <input type="checkbox"/> Vector control                                  | <input type="checkbox"/> Soliciting bids (RFQ or RFP)   |
| <input type="checkbox"/> Leachate monitoring and control                 | <input type="checkbox"/> Waste processing   |
| <input type="checkbox"/> Methane gas control                             | <input type="checkbox"/> Baling   |
| <input type="checkbox"/> Closing/upgrading open dumps                    | <input type="checkbox"/> Shredding  |
| <input type="checkbox"/> Controlled burning                              | <input type="checkbox"/> Composting   |
| <input type="checkbox"/> Other   | <input type="checkbox"/> Incineration (without energy recovery)                               |
| <input type="checkbox"/> Transfer stations                               | <input type="checkbox"/> Sewage sludge management   |
| <input type="checkbox"/> Siting  | <input type="checkbox"/> Landspreading  |
| <input type="checkbox"/> Design  | <input type="checkbox"/> Landfilling  |
| <input type="checkbox"/> Rural collection                                | <input type="checkbox"/> Incineration   |
| <input type="checkbox"/> Green boxes (bulk containers)                   | <input type="checkbox"/> Hazardous waste management   |
| <input type="checkbox"/> "Mailbox" (door-to-door) collection             | <input type="checkbox"/> County-wide program  |
| <input type="checkbox"/> Financing of rural collection                   | <input type="checkbox"/> Monitoring and enforcement of county or state standards              |
| <input type="checkbox"/> Collection of bulky items                       |   |
| <input type="checkbox"/> Urban collection                                | <input type="checkbox"/> Interlocal agreements or contracts                                   |
| <input type="checkbox"/> Equipment                                       | <input type="checkbox"/> Transfer of functions to county                                      |
| <input type="checkbox"/> Labor-management relations                      | <input type="checkbox"/> Service agreements   |
| <input type="checkbox"/> User charge financing                           | <input type="checkbox"/> Special districts  |
| <input type="checkbox"/> Public vs. private service                      | <input type="checkbox"/> Financing  |
| <input type="checkbox"/> Collection or transfer                          | <input type="checkbox"/> Rate-setting   |
| <input type="checkbox"/> Landfill or resource recovery                   | <input type="checkbox"/> Bidding and contract negotiation                                     |
| <input type="checkbox"/> Franchises                                      | <input type="checkbox"/> Debt financing   |
| <input type="checkbox"/> Contracts                                       | <input type="checkbox"/> Budgeting  |
| <input type="checkbox"/> Materials recovery                              | <input type="checkbox"/> Regulation   |
| <input type="checkbox"/> Recycling depots                                | <input type="checkbox"/> Controls on types of wastes in landfill                              |
| <input type="checkbox"/> Household separation of paper, glass and metals | <input type="checkbox"/> Regulation of rates for contract service                             |
| <input type="checkbox"/> "Front end" recovery in resource recovery       | <input type="checkbox"/> Inspection and enforcement of standards in privately owned landfills |
|  | <input type="checkbox"/> Regulation of private collection                                     |
|  | <input type="checkbox"/> Restrictions on importation waste                                    |



# Funds Backed for Clean Air

WASHINGTON, D.C.—The Senate Committee on Environment and Public Works called on the Senate Budget and Appropriations Committees last week to approve funds for local government air quality planning for both fiscal '78 and '79.

The Environment and Public Works Committee recommended the addition of \$50 million to the Administration's 1978 supplemental request for the Environmental Protection Agency (EPA) and \$25 million to the fiscal '79 budget.

These funds would be used to provide grants under Section 175 of the Clean Air Act Amendments of 1977 to counties, cities, and organizations of local elected officials to participate in the revision of State Implementation Plans (SIPs) to achieve and maintain clean air standards by 1982 and no later than 1987.

The Administration had failed to request funds for either fiscal year, but had announced a commitment to seek additional funding for clean air planning once an agreement had been worked out between EPA and the Department of Transportation to coordinate air quality and transportation planning. This agreement appears stalled at this time.

Funds to encourage and assist local government participation have been deemed vital to involving cities and counties in revising their SIPs.

## EPA ANNOUNCES LIST

# Areas Lagging in Clean Air Quality

WASHINGTON, D.C.—The Environmental Protection Agency (EPA) announced Feb. 16 those areas in states which are not meeting federal standards for nitrogen oxide, carbon monoxide, oxidants, sulfur dioxide and total suspended particles as mandated by the 1977 clean air act.

Each state must submit revisions for its state implementation plan (SIP) for clean air standards by Jan. 1, 1979 showing how these changes will help states attain the standards by 1982.

For states experiencing problems directly related to automobile pollution and photochemical oxidants, the attainment deadline may be extended to 1987 with the following stringent requirements:

- There must be a commitment to a vehicle inspection maintenance plan.
- There must be a commitment to a transportation control plan (including such items as carpooling, bus lanes, and park-and-ride lots).

ACCORDING TO EPA, "Out of 2,215 total counties in the United States (and its territories), 606 counties or portions thereof are not meeting standards for photochemical oxidants (which can seriously irritate eyes, mucous membranes and the respiratory system); 424 counties are not meeting standards for particular matter (which can cause breathing problems and respiratory illness); 190 counties are not meeting standards for carbon monoxide (which can place serious burdens on the heart to increase blood flow to compensate for reduced oxygen in the blood); 108 counties are not meeting standards for sulfur dioxide (which can irritate the upper respiratory tract and cause lung damage); and 8 counties are not meeting standards for nitrogen oxide (which can cause bronchitis and pneumo-

Deadline for submitting revised plans which meet the 1977 act requirements is Jan. 1, 1979. SIPs must identify reasonably available control measures such as controls on parking, automobile traffic, vehicle inspection and maintenance programs, and public transportation systems.

Many clean air planning activities can be initiated immediately without a full agreement on the integration of transportation and air quality planning procedures. While coordination is a necessary ingredient in ultimately revising SIPs, funds can be used now by counties, cities and other local agencies to begin monitoring and emission inventory efforts, analysis of the growth implications on air quality, and to evaluate alternative reasonably available control measures.

Quick action is needed by the Congressional Appropriation Committees to approve a supplemental request of \$50 million for grants under Section 175. Members of the Senate Appropriations subcommittee which oversees the EPA budget include: Sens. William Proxmire (D-Wis.), Chairman; Birch Bayh (D-Ind.); John Stennis (D-Miss.); Walter Huddleston (D-Ky.); Patrick Leahy (D-Vt.); James Sasser (D-Tenn.); Charles Mathias (R-Md.); Clifford Case (R-N.J.); Edward Brook (R-Mass.); and Henry Bellmon (R-Okla.).

In his remarks, Ed Tuerk, speaking for Assistant Administrator for Air and Waste Management David Hawkins, emphasized the need for local involvement in the revision of the SIP although there was no specific mention of the lack of funding under Section 175 of the Clean Air Act for this purpose.

## Lake Michigan: Pool or Sewer?

Should Lake Michigan be a swimming pool or a sewer? Can it serve as a drinking source and a transportation route and a dump for wastes?

The Interstate Water Quality Training Program is looking for people interested in those questions. Local government officials, representatives of industry and agriculture and private citizens all have a stake in Lake Michigan's water quality.

Four groups of 25 people each will have an opportunity to share intensive sessions on technological, economic, political and social aspects of water quality in Lake Michigan. The purpose is to train the participants so they can take effective action themselves and educate others in shaping the ecological future of the lake.

The program is federally funded and coordinated by Purdue University in Indiana. Also involved are at least three other colleges and the Lake Michigan Federation.

If you are interested in participating or suggesting participants or if you want more information on the seminar or published training materials, contact: Tom Sherrard, project director, Purdue University Calumet Campus, Hammond, Indiana 46323, 219-844-1520.

## DRINKING WATER PROPOSALS

# Chance to Voice Opinions

WASHINGTON, D.C.—The Environmental Protection Agency (EPA) recently announced proposed regulations which would reduce the level of potentially harmful organic contaminants in drinking water.

The proposal has caused some concern in municipalities which may be required to upgrade their drinking water plants to meet new standards, because costs may be hard to finance. No extensive federal grant program specifically for drinking water facilities is currently available.

First, a standard has been proposed for the maximum allowable level of chemicals (TTHMs), which occur as a result of the interaction of chlorine with natural substances in drinking water. Chlorine is a disinfectant added to water at the treatment plant. Second, the regulation would require the use of a specific treatment—granular activated carbon filters—to control synthetic chemicals contaminating water supplies from sources such as industrial pollution and urban runoff.

Community water systems serving more than 75,000 people would be immediately affected by the regulations, should they take effect as now proposed. (The Safe Drinking Water Act has defined a "community" water system as a public or private water supplier having at least 15 service connections used by year-round residents or serving at least 25 year-round residents.) Community systems of a moderate size (between 10,000 and 75,000) may be affected through increased monitoring requirements, and in the long run, by the potential expansion of regulatory requirements to systems of this size. See accompanying chart for specific proposed requirements and effective dates.

EPA will be holding public hearings on the proposed regulations across the country. Dates and places are as follows:

- Miami, Fla., March 23, 9 a.m., Sheraton for Ambassadors, Crystal Ball Room.

- New Orleans, La., March 29, 9 a.m., City Hall, Council Chambers.

- Boston, Mass., April 6, 9 a.m., JFD Federal Building, 20th Floor Conference Room.

- Los Angeles, Calif., April 11, 9 a.m. and 7:30 p.m., Los Angeles Convention Center, Room 214.

- Louisville, Ky., April 27, 9 a.m., Galt House, Cochran Ball Room.

- Washington, D.C., May 5, 9 a.m., Waterside Mall, Room 3906.

Written comments are due by May 31.

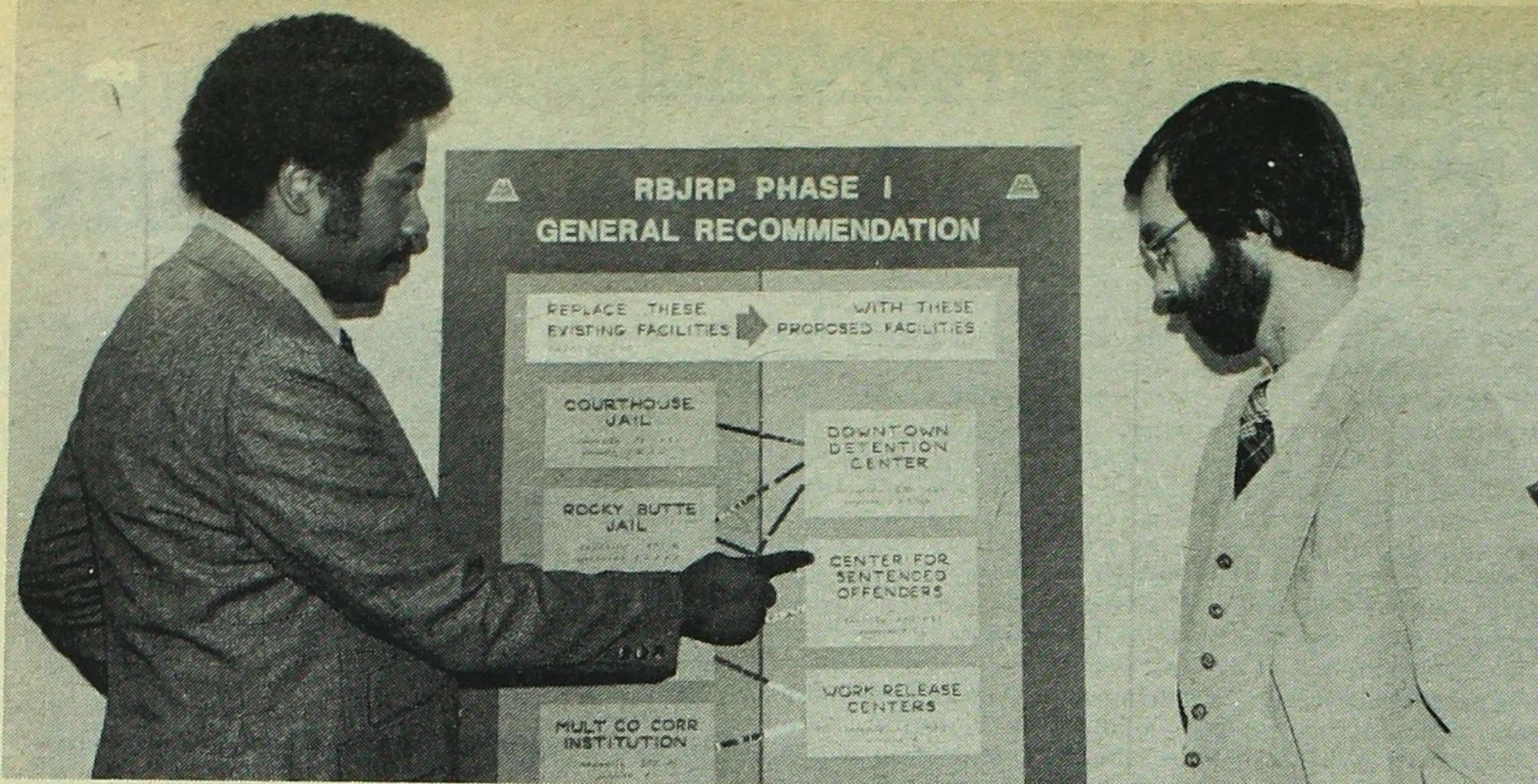
The proposed regulations were published in the *Federal Register*, Feb. 9. For more information or copies of the regulations, contact Arleen Shulman at NACoR. If you do plan to comment, NACoR's Water Project would be interested in receiving a copy of the comments and any other information about your county's drinking water problems.

## EPA's Proposed Drinking Water Regulations How They Could Affect Your Community

TO CONTROL THMs		TO CONTROL OTHER ORGANICS
PROPOSED REGULATION:	Maximum Containment Level (MCL) for total trihalomethanes (TTHMs) of .1 mg/liter or 100 parts per billion.	Granular Activated Carbon (GAC) treatment required in certain systems to remove organic chemicals.
SOURCE OF CONTAMINATION:	Chlorine, when added at the treatment plant to kill bacteria; interacts with substances naturally occurring in drinking water.	Synthetic organic chemicals contaminate water supply from industrial pollution, agricultural and urban runoff. Current standard treatment does not remove them.
WHO MUST COMPLY	Community water suppliers serving over 75,000 people	Suppliers must design, construct, operate system using GAC treatment. Some may be able to add GAC to existing plants; other facilities may require more extensive upgrading.
	<ul style="list-style-type: none"> <li>• Monitor level of TTHMs at least quarterly</li> <li>• <b>Effective:</b> three months after promulgation (possibly November 1978)</li> <li>• Reduce level of TTHMs in finished water to meet MCL. Changes in chlorination process or substitution of other disinfectants would be effective.</li> <li>• <b>Effective:</b> Eighteen months after promulgation (possibly February 1980)</li> <li>• If disinfection processes are changed to meet MCL, additional monitoring for bacteria required.</li> </ul>	<p><b>Variances:</b> Can be obtained if a supplier shows GAC is unnecessary because water source is unpolluted. Can also be obtained to substitute other techniques for GAC.</p> <p><b>Effective:</b> Eighteen months after promulgation (possibly February 1980)</p> <ul style="list-style-type: none"> <li>• Requests for variances must be submitted by this date.</li> <li>• Six months after effective date (possibly August 1983), design for system due.</li> <li>• Three and one half years after effective date (possibly August 1983) system must be in operation.</li> </ul>
Community water SUPPLIERS serving between 10,000 and 75,000 people	Suppliers must monitor the level of TTHMs in drinking water every three months for a period of one year. The information will be used by EPA in decision to expand regulations at later date.	NO REQUIREMENTS
	<b>Effective:</b> six months after promulgation (possibly February 1979)	As additional experience with this technique is gained, EPA hopes to expand the regulations to cover smaller systems.
Community water systems serving less than 10,000 and non-community systems.	NO REQUIREMENTS	NO REQUIREMENTS
EPA's COST ESTIMATES	<p><b>Systems over 75,000:</b> Changes to meet MCL: \$2.07 annual per capita (average) Monitoring: \$500 annually per system</p> <p><b>Systems between 10-75,000:</b> Monitoring: \$200 annually per system</p>	<p><b>Systems over 75,000</b> Costs vary depending on population and specific technical processes. They range between \$2.20 annual per capita for largest systems providing minimum effective treatment, and \$11.00 annual per capita for smaller systems providing the maximum.</p>

\*Based on the earliest promulgation date of August 1978.





Leo P. Brown, left, director, Department of Justice Services, Multnomah County, Ore., discusses proposed corrections facilities with Larry Craig, management assistant for the department.

## Multnomah Employs New Justice Services Approach

MULTNOMAH COUNTY, Ore.—A department of justice which could plan, budget, administer, and make policy for all criminal justice agencies at the county level does not exist. Yet Don Clark, chairman of the board, Multnomah County, Ore. has the nearest thing to it—a Department of Justice Services.

What makes this department unique among the four departments organized under the county board is that it includes both elected and appointed state and county officials. The functions of the courts, including juvenile court and home, the district attorney, medical examiner, sheriff, and public defender and legal services are all, to an extent, the responsibility of Lee Brown, director of justice services.

He has responsibility over personnel, planning, budget, and policy formation and execution. The department is broken down in four ways:

- Elected officials with clear statutory authority such as the district and circuit courts, and the district attorney;
- Elected and appointed officials with less distinct statutory authority, such as the medical examiner and the juvenile court and home;
- Appointed officials under direct line authority of the department, including public safety, corrections, and civil process (the sheriff is appointed); and certain court process and clerk functions;
- Agencies under contract for services with the county, including the public defender and legal aid services, and the law library.

WHILE THE authority of the justice services director is limited by the statutory independence of some of the officials in his department, he always has a role in each of the responsibility areas. For instance, court administrators, acting as agents of the presiding judges and the district attorney, develop their own personnel and compensation plans. However, the director of justice services can recommend approval or rejection of these plans to the county board. Although much of the court's budget is guaranteed by statute, there are discretionary areas, such as the clerks' function, where the justice services director can make recommendations to the county board.

The courts, like the district attorney, can speak directly to the county board on budgetary matters, but the director of justice services can serve as a coordinator and advisor on budgetary requests.

Since he was appointed to the position June 1, 1976, Brown reports that his biggest problem has been

the budget—"everyone wants more funds."

Expenditures for criminal justice were rising at a rate of 15 to 16 percent when he became director. "At that rate," he said, "the entire county budget would have been consumed by justice services in about 10 years. We have now stabilized costs at an 8 percent growth rate, which is the growth rate of the rest of the county budget."

Agencies like the courts and the district attorney still have clear

responsibility and authority for developing and implementing their own policies. However the Department of Justice Services can respond to these policies when they affect other agencies in the criminal justice system and help produce a better coordinated, more systematic delivery of justice services.

For more information, contact Lee Brown, Department of Justice Services, Room 809, County Courthouse, Portland, Ore. 97204.

## Manual Focuses on Crime and Elderly

WASHINGTON, D.C.—Senior citizens pose some unexpected problems for law enforcement officers.

• Because of decreased physical sensitivity, an elderly crime victim may not realize that he or she has been seriously injured. An inexperienced law enforcement officer may unwittingly leave a badly injured victim as he tries to chase down an assailant.

• Older people lose hearing capacity. Words like "these," "sees," and "tease" may sound the same to them. An inexperienced officer may not be alert to such misunderstandings.

• An elderly person has reduced resistance to glare. They can easily fail to see an officer or patrol car that is standing in bright sunlight.

• Some elderly people are so frightened by crime they call law enforcement officials constantly. An untrained phone operator may not know what to do about "constant callers."

TO ASSIST law enforcement agencies in dealing with these and other problems, the National Retired Teachers Association/American Association of Retired Persons (NRTA/AARP) has just published a 574-page training manual.

Entitled *Law Enforcement and Older Persons*, the manual is the result of five years of research led by George Sunderland, a retired police captain who now works for NRTA/AARP.

"This manual is not for social scientists or gerontologists," Sunderland says. "It's designed specifically for law enforcement officials who want to increase their

department's responsiveness to elderly by setting up a training program."

The manual is composed of "modules," each composed of five lessons.

Module one is an overview of the entire subject that, according to Sunderland, can be used to provide two-hour indoctrination course.

The other modules examine closely various aspects of crime involving the elderly. Subjects are: "The Elderly as a Victim of Crime," "The Elderly as a Volunteer for Law Enforcement," and "How to Communicate with Older Persons."

SUNDERLAND emphasizes the need for communication skills: "over the country," he says, "found officers have a firm command of the penal code and of what's happening in the streets but they don't know how to communicate knowledge to the elderly nor help an elderly victim of crime effectively."

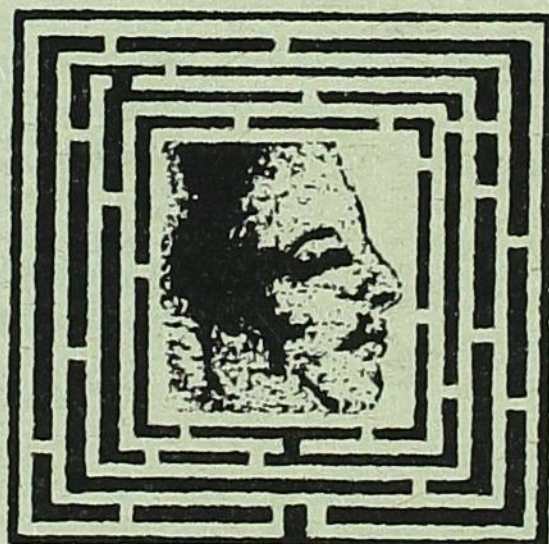
The Federal Bureau of Investigation has ordered copies of the manual for its academy and for field stations.

Sunderland has more copies available—at no charge—but cautions that his supply is limited and that he will not be able to fill all requests immediately. Nevertheless, he encourages interested agencies to contact him. He will enter names on his mailing list and will supply as much information as he can.

Write: George B. Sunderland, executive director, Crime Prevention Program, NRTA/AARP, 1900 Street N.W., Washington, D.C. 20049.

## Second National Assembly on the Jail Crisis

May 17-20, 1978  
Minneapolis, Minnesota



### The American Jail in Transition

#### Topics include:

- Who should be in jail?
- Role of elected officials in jail reform
- Function of standards
- Improvement in medical care, education, vocational training, recreation, furloughs
- Federal financial and technical assistance
- Intergovernmental solutions.
- Program needs of incarcerated women
- Diversion of children from jail
- Legal issues: prisoner rights, liability of appointed & elected officials
- New approaches to jail management
- Technical assistance booths staffed by national organizations.

### Conference Registration

To take advantage of the conference advance registration fee, a personal check, county voucher or equivalent must accompany this registration form; make check payable to: National Association of Counties Research Foundation

All advance conference registration fees must be postmarked by May 1, 1978. After May 1, registrations will be at the on-site rate at the hotel. (no registrations by phone)

Refunds of the registration fee will be made if cancellation is necessary, provided that written notice is postmarked no later than May 5.

Conference registration fees: ☐ \$75 advance ☐ \$95 on-site

Please Print:

Name \_\_\_\_\_

County \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Tel. ( ) \_\_\_\_\_

Hotel reservation request: Radisson Hotel

Occupant's name(s) \_\_\_\_\_

☐ Single \$30 ☐ Double \$36

Arrival Date/Time \_\_\_\_\_

Departure Date/Time \_\_\_\_\_

Suites available on request \$75-\$200

Send pre-registration and hotel reservation to:  
National Association of Counties Research Foundation  
Second National Assembly on the Jail Crisis  
1735 New York Ave., N.W., Washington, D.C. 20006

In top photo: NACE representative, Board of Directors, (Michigan) moderated the 16 workshop sessions. Lynne H. Rockel, professor of Cornell University, NACE Research and Development, County, Minn. Additional panels are from left: chief, DOT Program, Ca. Freidenrich, engineer, Nev. of Transports

#### TECHN

The process of our sixth workshop management. Our panelists, and county on information among levels community.

Bud Giang, transportation's 7 that the project collected information priorities since ment, own an emphasized to ting to share. For example, state-of-the-art developed by distributed from users to develop information via 1612. Feel free and copies of

Jack Freidenrich, Jersey Department the Joint AA technology tr New Jersey counties on meetings with County Engineering New Jersey develops rep municipalities recycling and fers training by the Institu

Lynne H. engineering a that Cornell's back to the m Cornell spons highway sup and a public v The universi research, ext composed of The universi technical a publications and drainage verbal commu written com strations ("h ded on film.

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## County Opinion

# Protesting New CETA Legislation

As Congress begins its work on the extension of the Comprehensive Employment and Training Act (CETA), county elected officials must voice their opposition to the pervasive changes in the Administration's bill that would undermine the authority of local officials.

After stating its support for a four-year extension of a flexible decentralized delivery system, the Administration has seemingly returned to the days of the "Washington bureaucrats know best" syndrome.

Counties, the primary deliverers of manpower service under CETA, have consistently demonstrated responsiveness to the people and problems in their communities.

County officials were grateful for the opportunity and challenge that CETA posed in providing training and jobs for residents in their communities. Local accountability, more than anything else, has made it work. However, after clearly demonstrating the effectiveness of local control, the Administration has chosen to leave the local elected official accountable but without a flexible, viable role in the decision-making process. The reenactment of CETA while retaining local control for the program design and mix is a major legislative priority for county governments in 1978.

## Letters to Editor

Dear Bernie:

I received a copy of the Feb. 6 issue of *County News* and noted the article on the first page concerning the White House Conference on Balanced Growth and Economic Development. County officials in attendance were listed in that article. That listing did not include Dr. Glenn P. Deal, president of our association, as an attendee. Dr. Deal was in attendance and was considered by most observers to be the person upon which our Gov. Jim Hunt relied on most extensively during the conference. We would appreciate mention of Dr. Deal's attendance in *County News*.

—C. Ronald Aycock  
Executive Director and General Counsel  
North Carolina Association of County Commissioners

**Editor's Note:** We regret that Dr. Deal's name was inadvertently omitted from our list, and we thank the North Carolina Association for bringing this to our attention.

To the Editor:

We have just completed a most successful Western Interstate Region Conference in Palm Springs. All of us in the NACo family owe WIR President Jack Petitti and his staff our warm thanks and appreciation for their efforts. It was a job well done.

—John D. Spellman  
County Executive  
King County, Wash.

To the Editor:

... I would find it very difficult to do without this extraordinarily fine newspaper. The national association is to be complimented for its excellent coverage of vital issues. ...

—Kaye Philips  
Assistant to Sen. Jacob Javits  
Albany, N.Y. Office

## Job Opportunities

**County Manager, Will County, Ill.** Salary \$26,000. Recommended experience and effectiveness as an administrator of a county or municipality. Candidate should possess a background of education and training in business administration, and/or have at least five years experience in responsible executive or administrative positions. Resume to: Will County Board, Will County Building, 14 West Jefferson St., Joliet, Ill. 60431. Closing date April 10.

**Mental Health Director, Kent County, Mich.** Administrative person to manage the county's comprehensive mental health system and direct a staff of seven mental health professionals in the formulation of plans and priorities for attaining a comprehensive mental health delivery system. Applicant should possess a master's degree in mental health related fields with several years of administrative and supervisory experience in mental health. Resumes, salary history and salary requirements to: Kent County Personnel Department, Room 201, 300 Monroe Ave., N.W., Grand Rapids, Mich. 49503. Closing date is March 17.

**County Administrator, Fauquier County, Va.** Must be experienced in personnel management, purchasing contracting, and federal grants, in addition to normal county administration. Resume to: Fauquier County Board of Supervisors, Selection Committee, Box 738, Warrenton, Va. 22186.

**Director, Division of Mass Transit, Broward County, Fla.** Salary \$24,352 to \$34,409. Administrative officer to direct a countywide mass transit system with 305 employees and 120 buses to serve an urban county of about 900,000. Position requires a four-year college degree or equivalent, plus thorough experience in the operation and administration of a mass transit system and considerable background in UMTA grants and application procedures. Resumes to: County Administrator c/o Personnel Director, Governor's Club Annex, 236 South East First Ave., Fort Lauderdale, Fla. 33301. Closing date is March 17.

**Planning Director, Ohio Valley Regional Development Commission.** Salary \$16,000 to \$20,000. Applicant must have supervisory capability and experience in multicounty regional planning in rural areas. Requires master's degree in planning and three years experience or equivalent. Resumes to: Executive Director, Ohio Valley Regional Development Commission, 740 Second St., Portsmouth, Ohio 45662. Closing date is March 17.

**Human Resource Director, Ohio Valley Regional Development Commission.** Salary \$16,000 to \$20,000. Administrative competence in human resource development required. Responsible for health, education, housing, manpower, and social service programs in 10-county Development District. Combination of college degree and work experience flexible. Resumes to: Executive Director, Ohio Valley Regional Development Commission, 740 Second St., Portsmouth, Ohio 45662. Closing date is March 17.



In top photo, Paul Van Roekel, NACE representative to NACo Board of Directors and Oakland County, (Mich.) engineer (standing), moderated the NACo-NACE Feb. 16 workshop on technology transfer. Lynne H. Irwin, assistant professor of highway engineering, Cornell University, is next to Van Roekel, and Deane R. Ankla, NACE Research Committee chairman and senior engineer, Ramsey County, Minn., is seated at left. Additional panelists in lower photo are from left: Bud Giangrande, chief, DOT Technology Sharing Program, Cambridge, Mass; Jack Freidenrich, state highway engineer, New Jersey Department of Transportation, Trenton, N.J.



## Matter and Measure



### TECHNOLOGY TRANSFER WORKSHOP

The process of technology transfer was the topic for our sixth workshop, Feb. 16, during NACE's annual management and research conference in New Orleans. Our panelists, representing the federal, state, university, and county points of view, provided valuable data on information sources and ways to share information among levels of government and the academic community.

#### Federal Point of View

Bud Giangrande, chief of the Department of Transportation's Technology Sharing Program, explained that the program, which began about four years ago, collected information on state and local needs and priorities since these groups, not the federal government, own and operate our transportation facilities. He emphasized the importance of self-help: counties wanting to share information developed by other counties. For example, DOT has received 22,000 requests for its state-of-the-art report on rural public transportation developed by transit users and operators. These are distributed free of charge. In addition to working with users to develop reports, DOT answers requests for information via a toll-free telephone number: 800-224-1612. Feel free to call this number for technical assistance and copies of DOT reports, said Giangrande.

#### State Point of View

Jack Freidenrich, state highway engineer for the New Jersey Department of Transportation and member of the Joint AASHTO-NACo-NACE Committee, defined technology transfer as "putting ideas into action." The New Jersey DOT works closely with New Jersey's 21 counties on information exchange, including monthly meetings with the New Jersey State Association of County Engineers.

New Jersey DOT has a research council which develops reports for dissemination to counties and municipalities on issues such as bridge decks, pavement recycling and noise abatement. New Jersey DOT also offers training sessions for traffic technicians sponsored by the Institute of Transportation Engineers.

#### University Point of View

Lynne H. Irwin, assistant professor of highway engineering at Cornell University in Ithaca, N.Y., said that Cornell's involvement in technology transfer dates back to the mid-1920s. Through its local roads program, Cornell sponsors two major meetings a year: a school for highway superintendents (representing rural interests) and a public works school (representing urban interests). The university works with an advisory committee on research, extension and local roads. The committee is composed of local government transportation officials. The university also has an extension program of technical assistance for counties and develops publications on topics such as highway improvements and drainage design for rural roads. Irwin stated that verbal communications are at times more effective than written communications and favors use of demonstrations ("how-to-do-it" techniques) in person or recorded on film.

#### County Point of View

Deane Ankla, chairman of the NACE Research Committee and senior engineer in Ramsey County, Minn., emphasized the need to recognize the relationship between research and user. He explained activities of the

city and county engineers and consulting engineers who work with staff of the research department of the Minnesota Department of Transportation, the University of Minnesota and the St. Paul Technical Vocational Institute. The committee develops and implements research projects and disseminates technical information. When research projects are completed, a digest of information and results is developed, and the board reviews projects to determine whether information should be published. The Local Roads Research Board publishes a monthly "Research and Publications Review." This publication is a digest of transportation research projects and articles mailed to Minnesota local governments and schools.

Ankla stated that technical information can be more valuable to a greater user audience if the following points are recognized and implemented:

- There must be established and recognized systems for information distribution;
- State departments of transportation should be encouraged to maintain highly visible secondary road units to actively carry on information dissemination and technical support to local governments;
- Elected officials should recognize the need for transportation officials to participate in technical conferences and seminars;
- Elected officials and government managers should encourage employee participation in peer group activities for information exchange;
- Research projects should be developed with potential product users as participants and advisers;
- FHWA and state departments of transportation should expand use of research data digests and technical briefs for local governments;
- Publications on research projects should document failures; not all research results in success;
- Technical data should be digested to provide a base for public information use;
- Existing data must be periodically updated.

Our workshop on technology transfer was the source of a great deal of helpful information. If you have any questions on the workshop or if you want to share your county's research results with other counties, please contact Marian Hankerd at NACo.

—Paul Van Roekel  
NACE representative to NACo  
Board of Directors  
Oakland County, Mich.

### NACE AND NACoR R-R-R WORKSHOP

As pointed out last week in this column, NACE and NACoR are sponsoring a workshop on design guides for R-R-R (resurfacing, restoration and rehabilitation) Tuesday afternoon, March 14, in St. Paul, Minn. This is the day before the Mississippi Valley Conference begins. The workshop will be held in Wabasha I Room of the Radisson Hotel between 1 and 4 p.m. Please make your reservations directly with the hotel.

As you know, the Federal Highway Administration is now in the process of developing geometric design criteria for R-R-R projects. We will hold mini-group discussions on bridge geometrics; shoulder widths, foreslopes, ditches; road geometrics; and pavement design to develop suggestions for FHWA criteria.

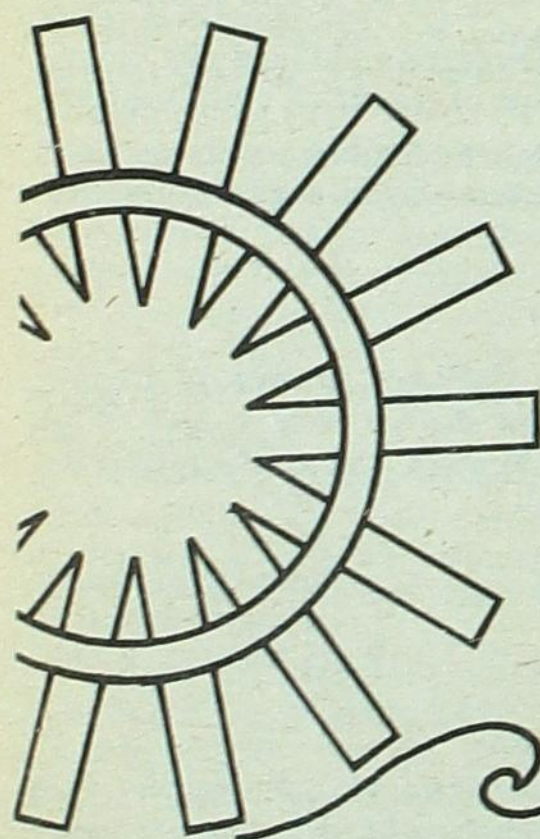
I hope you plan to attend this workshop. FHWA needs our input for R-R-R design criteria.

—Milton L. Johnson, P.E.  
NACE President



# Washington Briefs

- **Title XX Increase.** A \$200 million increase raising the social services (Title XX) ceiling to \$2.9 billion in fiscal '79 was approved by House and Senate committees. See page 1.
- **Fiscal Relief.** HEW announced it will make \$187 million in welfare fiscal relief payments to counties available immediately from surplus 1977 funds.
- **Welfare Reform.** House welfare subcommittee reported out comprehensive bill H.R. 10950 Feb. 8 after defeating Rep. Al Ullman's (D-Ore.) incremental approach. No date set for consideration by Ways and Means, Agriculture, and Education and Labor Committees.
- **Countercyclical Antirecession Assistance.** The Administration has recommended a one-year extension of the program at \$1.04 billion. Legislation expected shortly to propose continuation of current program through fiscal '79. Senate Finance Committee has recommended budget target of \$1 billion.
- **Municipal Securities Disclosure.** Sen. Harrison Williams (D-N.J.) has introduced S. 2339, Municipal Securities Full Disclosure Act of 1977. Bill would mandate preparation of annual report and distribution documents prior to issuing municipal bonds. No hearings scheduled yet.
- **Taxable Bond Option.** The Administration is proposing a taxable bond option (TBO) as part of its tax reform package. Request of \$7.1 billion would offer local governments the option of issuing tax-exempt bonds or taxable bonds with federal government to subsidize increased interest rates.
- **Rural Development Act.** House Agriculture subcommittee on conservation and credit amended H.R. 8315, Agricultural Credit Act of 1978, to increase water and waste disposal authorization from \$300 to \$400 million and to raise grant amount from 50 percent to 75 percent of project cost. Subcommittee also deleted provision that would have increased interest rates on rural development loans. See page 1.
- **Rural Housing Authorization.** Senate subcommittee on rural housing to conduct hearings on reauthorizing Farmers Home Administration rural housing programs and establishing fiscal '79 budget targets. Subcommittee to consider incorporating provisions of Rural Housing Act of 1977 into housing authorizations.
- **Rural Development Policy Act of 1978.** Reps. Richard Nolan (D-Minn.) and Charles Grassley (R-Iowa) have introduced H.R. 10885, the Rural Development Policy Act of 1978. The legislation strengthens the rural development functions of USDA, mandates coordination of rural development programs of all agencies, increases planning grant from \$10 million to \$50 million, and changes the names of FmHA to the Farm and Rural Development Administration and USDA to the Department of Agriculture and Rural Development.
- **Rural Community Development Act.** Reps. Charles Grassley (R-Iowa) and Richard Nolan (D-Minn.) have introduced the Rural Community Development Act (H.R. 9983) to establish a separate community development program for nonmetropolitan areas with a population below 20,000.
- **USDA Reorganization.** Sens. George McGovern (D-S.D.) and Robert Dole (R-Kan.) have introduced S. 2519 to create a new, expanded Department of Food, Agriculture and Renewable Resources incorporating the functions and responsibilities now located in other departments. Senate Agriculture subcommittee on nutrition to conduct hearings in spring.
- **Supplemental Appropriations for Rural Development.** House Appropriations subcommittee on agriculture expected to meet shortly on supplemental appropriations for current '78 fiscal year. NACo urging subcommittee to provide additional \$50 million of unexpended authorizations for water and waste disposal grants to help meet current waiting list exceeding \$650 million nationwide.
- **Public Liability.** Senate Judiciary subcommittee on the Constitution is considering S. 35, Civil Rights Improvement Act of 1977. NACo opposes provision in legislation that would eliminate immunity of state and local governments to suits brought under Section 1983 of the Civil Rights Act of 1971. NACo will testify at hearings scheduled for late March.
- **National Energy Policy Act.** House and Senate conferees on the natural gas pricing portion of the act have yet to reach agreement. Little is known of the progress in resolving the issues of pricing, control, and regulation of intrastate gas. The Democratic Caucus was expected to meet last week to consider the need for alternative action. Consideration has been given to splitting the omnibus bill in order to consider titles on conservation, coal conversion, and utility rate reform. Last week the Administration began to take a more active hand in conference discussions by meeting with both House and Senate conferees.
- **Education Bill.** The Administration last week sent to Congress a bill that would expand federal aid to education at the elementary and secondary level. The bill proposes to increase federal funds from \$6 billion to \$7 billion with half the increase earmarked for local education agencies with heavy concentrations of children from poor families. However, the bill revises the federal impact aid program to eliminate aid for school districts with students whose parents work for the federal government outside the county in which the students' school is located. NACo will oppose this reduction in federal impact aid.
- **Hospital Costs.** House Ways and Means health subcommittee voted 7 to 6 last week to report out a bill that would ask hospitals to voluntarily hold down their costs to 14 percent the first year and 12 percent the second. If these goals not reached, the Administration mandatory federal ceiling would go into effect. NACo supports the unitary program with the federal program held as a set-aside if voluntary one does not work. County officials should contact their congressional delegations and urge them to support the bill.
- **Health Services.** NACo testified last week on S. 2474, the Health Services Amendments of 1978. The bill extends basic public health services, home health, community migrant health centers, as well as immunization and other public health programs. The bill, however, does not propose a long-standing NACo/NACHO proposal to implement a public health cost sharing proposal as advocated by the House version (H.R. 10553). County health officials should contact their congressional delegations to urge enactment of H.R. 10553.
- **Child Health.** House Commerce health subcommittee reported H.R. 6706, the "Child Health Assessment Act" which strengthens Medicaid's early and periodic screening, diagnostic and treatment program for children. As originally proposed by the Administration, the bill would have required all federally aided assessments to be done in comprehensive health care centers. The bill was amended to allow county health agencies to continue child health screening while at the same time referring patients to private providers. NACo supports the bill as amended.



## NACo/Council of Intergovernmental Coordinators (CIC) First Annual Eastern Federal Aid Briefing Conference Rivermont Holiday Inn Shelby County Memphis, Tennessee April 26-28, 1978

Featuring workshops and speakers on federal aid reform, urban policy, future of LEAA funding, legislative update, rural programs, CETA reauthorization, transportation, community development, arts and humanities, older Americans, energy programs and others.

### April 25—CIC Training Program Day

One-day "Crash Training Course" for new grant coordinators. Taught by "senior" grant coordinators in county governments. Registration on first come, first served basis. Class size is limited. Additional registration charge of \$10.

All trainees must register for the conference as well. **You must receive written confirmation of your participation in class.** Only NACo member county participants will be accepted for the training program.

For more information, contact Linda Church, CIC staff liaison, 202/785-9577.

### Conference Registration (Make checks payable to NACo)

State _____ County _____		Registration Fees	
Delegate Name _____		Member	\$70.00
First _____	Last _____	Non-member	\$100.00
Title _____		Training Course \$10.00	
Mailing Address _____		Trainees must register for both conference and training-course	
City _____	State _____	Zip _____	
Hotel _____			
Phone _____			
(Area Code) _____	Number _____		

(A check, money order, or county voucher must accompany your registration)

Your Registration must be received by April 11.

Send Conference Registration Form To:

Ms. Claudette Wilson  
Associate Director  
Shelby County Intergovernmental Coordination Department  
160 North Main Street, Suite 946  
Memphis, Tennessee 38103

### Hotel Reservation Form

NACo/CIC Hotel Reservation Form  
April 26-28, 1978  
Federal Aid Briefing  
Holiday Inn Rivermont

Please print

Organization \_\_\_\_\_

Name \_\_\_\_\_ Phone( ) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Date of Meeting \_\_\_\_\_ Arrival Date \_\_\_\_\_ AM PM Departure Date \_\_\_\_\_

Send Reservation Form To: Holiday Inn Rivermont  
200 West Georgia  
Memphis, Tenn. 38103  
(901) 525-0121

Please make the following reservation:

Single at \$24/night \_\_\_\_\_  
Double at \$30/night \_\_\_\_\_  
Guaranteed \_\_\_\_\_