

## This Week

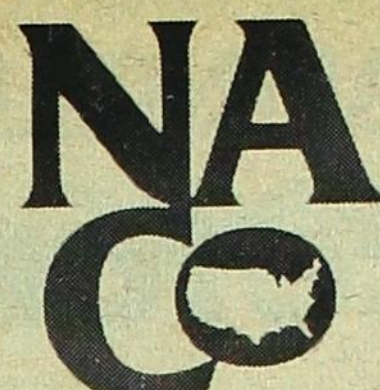
NACo's  
President  
in Washington,  
Pages 5-8.

Vol. 10, No. 33

# COUNTY NEWS

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

Aug. 21, 1978



Washington, D.C.

## House Unit OKs Public Works

WASHINGTON, D.C.—Ending months of uncertainty—caused partly by fluctuating national economic conditions—a House subcommittee approved a \$6.4 billion public works construction grant bill to aid state and local governments.

The bill, H.R. 11610, sponsored by Economic Development Subcommittee Chairman Robert Roe (D-N.J.) would continue the local public works construction grant program for two years at an annual level of \$3 billion.

One-third of the funds each year, however, would be earmarked for

labor-intensive public works projects—those where labor costs are 50 to 80 percent of total project costs and which make available to the long-term unemployed 50 percent of the jobs created by the project.

This labor intensity feature was embodied in the Administration's three-year, \$3 billion Labor Intensive Public Works proposal recommended in late May as part of the President's urban policy.

**THE \$3 BILLION** annual price tag for the local public works pro-

gram would appear to place the bill on a collision course with the Carter administration, which has frequently indicated that it opposes spending more than \$1 billion per year. The NACo membership also went on record at the recent annual conference as favoring the Administration's bill over a continuation of the local public works program.

The new bill also contains \$275 million for public works facility grants to counties and cities in rural areas under Title I of the Public Works and Economic Development Act of 1965; \$80.5 million for the Economic De-

velopment Administration's (EDA) Title IX economic adjustment and assistance program; and \$10.6 million for EDA's administrative expenses.

The subcommittee-reported bill does not address the issue of allocating public works funds, an issue which has been of continuing concern to NACo. This issue will be taken up by the full House Committee on Public Works and Transportation after the Labor Day congressional recess.

NACo will be pressing for an allo-

cation scheme, similar to that utilized in Round II of the local public works program, which recognizes and gives county governments credit for services provided county-wide—both inside and outside major cities.

The Senate subcommittee on community and regional development is expected to take up the Administration's labor intensive public works proposal on Aug. 22. The fate of the bill as well as the possibility of a continuation of the local public works program is uncertain.

## Carter Signs Four Urban Exec Orders

WASHINGTON, D.C.—President Carter last week signed four Executive Orders implementing major elements of his Urban Policy which he announced in March.

The Executive Orders, designed to achieve a positive impact on communities within urban areas, include:

- Creation of a Federal Inter-agency Coordinating Council, chaired by Jack Watson, assistant to the President for intergovernmental relations, and composed of the key domestic cabinet departments, designed to coordinate existing federal programs involving funding from more than one federal agency;

- Requirement for urban and community impact analysis statements to be prepared on all new federal legislative initiatives, assessing their impact on counties, cities, and other communities;

- Requirement that federal procurement activities take place in

labor surplus areas, i.e., those with high unemployment;

- Requirement that federal facilities be located, on a priority basis, in central city business areas or adjacent areas of similar character.

The President also released his Urban Policy Report to Congress and changes in over 100 existing programs to better coordinate their impact on urban areas.

Attending the White House signing ceremony were Frank Francois, NACo first vice president and councilman, Prince George's County, Md.; County Executive Alfred Del Bello, Westchester County, N.Y. and chairman of NACo's Urban Affairs Committee; James Scott, supervisor, Fairfax County, Va. and chairman of NACo's Community Development Steering Committee; William Dodge of Allegheny County, Pa.; and NACo Executive Director Bernard F. Hillenbrand.



**WHITE HOUSE BRIEFING**—County officials attended a White House briefing Aug. 16 on four Executive Orders signed by the President to implement portions of his urban policy. Seen in foreground is Westchester (N.Y.) County Executive Alfred Del Bello, with NACo First Vice President Frank Francois at his right and NACo Executive Director Bernard F. Hillenbrand.

## Senate to Vote on CETA This Week

### Final House Action on CETA Set After Labor Day

WASHINGTON, D.C.—The Senate will vote on its CETA bill early this week. Given the disastrous results in the House last week, every effort will be made to pass the Senate bill, S. 2570, without amendments to further restrict wage and job levels.

S. 2570, as reported by the Human Resources Committee, is already a reform bill. It places tight new restrictions on public service employment, including strict eligibility requirements, limitations on how long an individual can hold a PSE job, tight new wage limits, etc. The committee has gone a step farther and will accept additional tightening amendments which will be offered by Sen. Henry Bellmon (R-Okla.).

NACo is supporting an amendment offered by Sen. Russell B. Long (D-La.) to solve the retirement issue.

Call NACo's Hotline for more CETA information, 202/785-9591.

WASHINGTON, D.C.—When the House takes up its CETA reauthorization bill after Labor Day, three amendments could wreak further havoc with the current CETA program.

"County officials must talk to their congressmen about CETA during the August recess," urged NACo Executive Director Bernard F. Hillenbrand.

"Unless we change some votes," Hillenbrand warned, "CETA could be unrecognizable when it leaves the House."

On Aug. 9, the House adopted Rep. James Jeffords' amendment to cut \$1 billion from the CETA Title VI public service jobs authorization and Rep. David Obey's strict new

limits on public jobs wage ceilings and average wages.

**IN ADDITION**, Rep. Dave Stockman (R-Mich.) plans to offer an amendment that will further cut the Title VI authorization, from jobs for 25 percent of those unemployed in excess of a 4 percent unemployment rate to 20 percent in fiscal '79, 17.5 percent in fiscal '80, 15 percent in fiscal '81, and 12 percent in fiscal '82.

Jeffords (R-Vt.) is considering an amendment to cut the amount of money in Title II that can be spent for wages, administrative costs, and fringe benefits for public service employment (PSE) jobs. The committee bills says that no more than 50 percent of the funds can be used for

PSE wages. The Jeffords amendment says that no more than 50 percent of the funds can be used for PSE wages, administrative costs and fringe benefits in fiscal '79, 40 percent in fiscal '80, 30 percent in fiscal '81, and 25 percent in fiscal '82.

The third amendment which would have disastrous impact will be offered by Rep. John Ashbrook (R-Ill.). His amendment would result in an 80 percent across-the-board cut in the total authorization for CETA.

NACo MET with House committee staff last week to develop a strategy for House action after the Labor Day recess.

Agreement was reached to try to

See CETA, page 3



## HEARINGS BEGIN IN SENATE

# Reform of LEAA Program Asked

WASHINGTON, D.C.—Federal involvement in state and local criminal justice systems came under sharp review at the initial hearing on reauthorization of the Law Enforcement Assistance Administration (LEAA).

Speakers before the Senate subcommittee on criminal laws and procedures Aug. 16 included Sen. Joseph R. Biden Jr. (D-Del.), subcommittee chairman; Sen. Edward M. Kennedy (D-Mass.), chief sponsor of the Administration-backed bill, S. 3270, the Justice System Improvement Act of 1978; and Attorney General Griffin Bell.

Also testifying was Philip Elfstrom, chairman of the board, Kane County, Ill., and chairman of NACo's Criminal Justice and Public Safety Steering Committee.

Elfstrom acknowledged that LEAA has funded "many beneficial programs" at the local level. However, he said, LEAA programs have been plagued by red tape, uncertain funding from year to year, and "rigid guidelines" that are not sufficiently flexible to adapt to local needs.

Sen. Biden, in an opening statement, criticized LEAA for failure to evaluate the effectiveness of its programs and Congress for failure to outline the agency's role in fighting crime over the last 10 years. While calling the Administration's proposal better than present efforts, he asked whether substitution of a discretionary/research program or a general revenue sharing approach should be considered, as well as in-

creased state matching and planning efforts.

Sen. Kennedy said that the time for reform of LEAA had come.

"I continue to question, not the concept of federal assistance to aid localities in the war on crime, but, rather the nature and administration of that assistance," he declared. Kennedy will be chairman of the full Judiciary Committee in 1979.

**ELFSTROM ALSO** called on Congress to provide direct funding for criminal justice programs to counties with populations over 100,000.

"NACo believes that direct entitlements would assure a stable process through which local governments could identify their priorities," he said. However, he urged a change in the current proposal, under which cities over 100,000 are eligible but counties must have populations over 250,000 to qualify.

Elfstrom pointed out that federal assistance in S. 3270 is directed mainly at systems improvement programs rather than operating or equipment expenditures. He explained that large cities spend most of their funds on police, while counties have broader responsibilities such as courts, prosecution and corrections. "Therefore, if our objective is systems improvement, it would make sense to provide and develop priorities for counties over 100,000," he said. He added that providing entitlements to cities over 100,000 but

not counties of that size "would create a bias toward police programs."

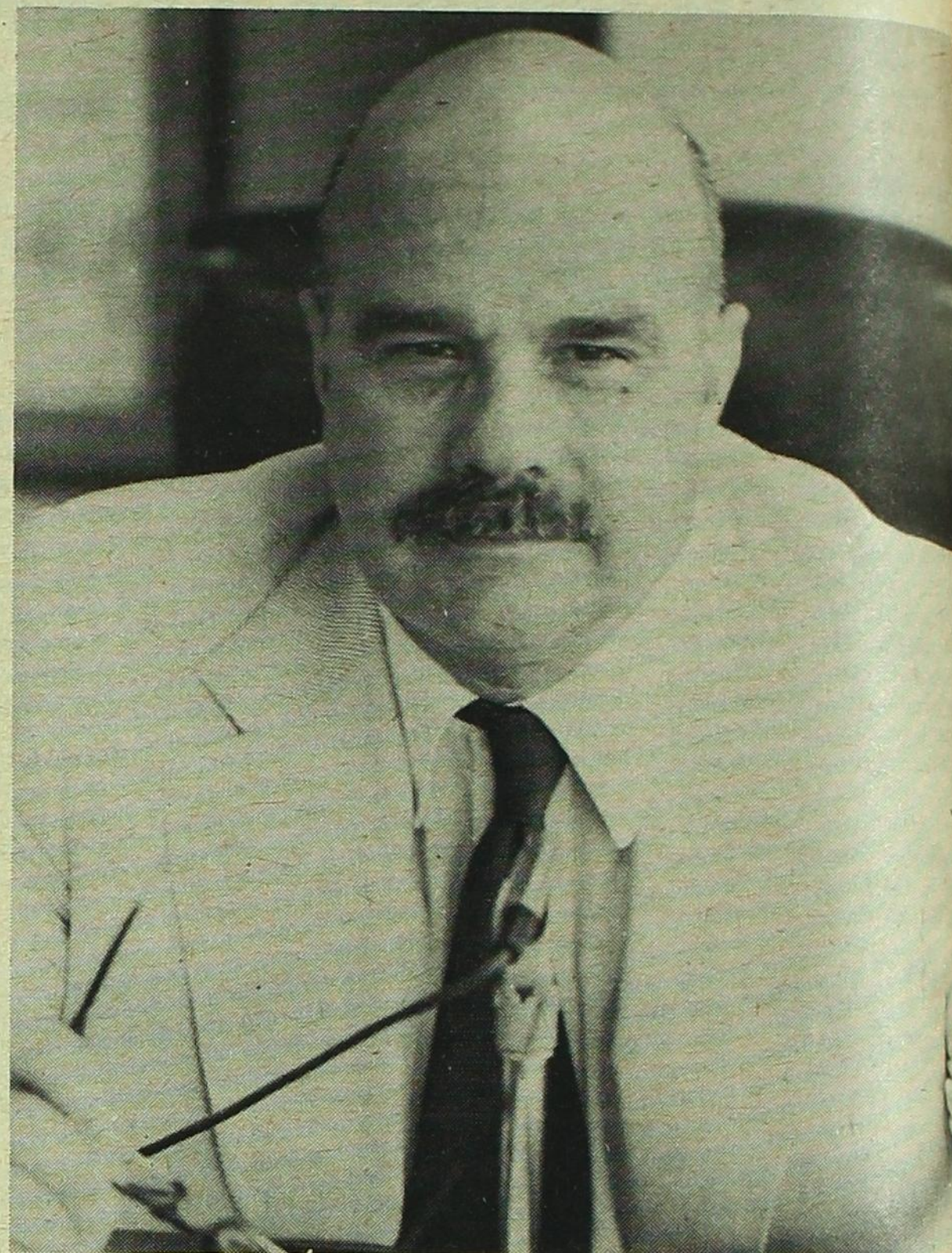
**SPEAKING IN SUPPORT** of S. 3270, Attorney General Griffin Bell also noted the problems counties and other local governments have had with the existing LEAA program. "Cities and counties have not always received their fair share of federal funds. Nor have they always had a sufficient voice in the determination of priorities."

Bell stated that the relationship between state and local governments was one of the two major issues to be resolved before any LEAA reauthorization became law. The other issue is the mechanism for fund distribution, including the amounts allocated to formula, discretionary and priority grant programs.

Full-scale reauthorization efforts will commence after the new Congress convenes in January. Meanwhile, Rep. John Conyers (D-Mich.), chairman of the House subcommittee which will consider LEAA reauthorization, is expected to introduce a bill this week that would target federal assistance to community anti-crime efforts, juvenile delinquency and alternatives to incarceration.

Conyer's proposal, billed as an alternative to S. 3270, will receive a hearing in mid-September. NACo will testify.

—Herb Jones



Philip Elfstrom testifies on LEAA before a Senate subcommittee.

**TAXES**  
**REFORMS**  
**CUTS**  
**INFLATION**

## CAN YOU CUT COSTS?

NACo, the County Supervisors Association of California and Los Angeles County host the

## National Conference on Taxation and Finance Issues

Biltmore Hotel, Los Angeles, Calif.  
Sept. 17-19, 1978

To help counties solve fiscal problems

(Registration and reception Sept. 17; Tax reform programs Sept 18; Financial management Sept. 19.)

Delegates to NACo's 1978 Taxation and Finance Conference can preregister for the conference and reserve hotel space by completing this form and **returning it to NACo.**

### CONFERENCE REGISTRATION

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

Refunds of the registration fee will be made if cancellation is necessary, provided that **written notice is postmarked no later than Sept. 1.**

**Conference registration fees:** \$55 preregistration \$65 on-site registration  
(Make check payable to NACo)

Name \_\_\_\_\_ County \_\_\_\_\_

Title \_\_\_\_\_ Telephone(\_\_\_\_\_) \_\_\_\_\_

Address \_\_\_\_\_

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

**For office use only:**

Check # \_\_\_\_\_ Check amount: \_\_\_\_\_ Date received: \_\_\_\_\_

### HOUSING RESERVATION: (further information: 703/471-6180)

Special conference rates will be granted to all delegates whose reservations are sent to the NACo office and are postmarked by Aug. 28. After that date, available housing will be assigned on a first-come basis.

Los Angeles Biltmore \$34 single \$44 double/twin

Name \_\_\_\_\_

Arrival date/time \_\_\_\_\_ Departure date/time \_\_\_\_\_

**No room deposit required.** Rooms may be guaranteed by credit card number.

Credit card company and number \_\_\_\_\_

Special hotel requests \_\_\_\_\_

Send preregistration and hotel reservation to: **National Association of Counties Taxation and Finance Conference, 1735 New York Ave., N.W., Washington, D.C. 20006**

ATTN.: Elizabeth G. Rott

We wish to express our appreciation to the U.S. Civil Service Commission Bureau of Intergovernmental Personnel Program which is sponsoring this meeting.

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# Countercyclical Readied for Senate

WASHINGTON, D.C.—Legislation authorizing a two-year extension of the countercyclical fiscal assistance program is expected to reach the Senate floor early in September attached to a tariff measure already passed by the House.

The Senate Finance Committee attached its new countercyclical proposal to H.R. 2852, a bill which exempts crop dusting aircraft from gasoline excise taxes.

There is no companion countercyclical bill in the House. If the Senate should approve H.R. 2852, with the countercyclical provisions, a Senate-House conference would have to work out a compromise.

On Aug. 10, the Finance Committee approved the "Intergovernmental Antirecession Act of 1978" and voted to add a second title to the measure. When national unemployment drops below 6 percent, but is above 5 percent, funds would be dis-

tributed under an alternative formula. This alternative enables funds to be distributed under either the countercyclical or general revenue sharing formula—whichever is more beneficial to local governments within each state.

Senate Finance Chairman Russell B. Long proposed the amendment to increased support for the program.

The following chart compares the existing countercyclical program and the legislation reported out of the Senate Finance Committee. Besides the added title and the revenue sharing alternative formula, the new bill also provides for the national unemployment trigger to be computed on the basis of the two most recent calendar quarters. In addition, any payment of less than \$10,000 would be automatically included in the recipients' revenue sharing payment.

—Elliott Alman

## Comparison of Countercyclical (Antirecession) Program

	Current Program P.L. 94-369	Senate Bill H.R. 2852
		Title 1 Title 2*
Authorized Funding	\$2.5 billion	\$2 billion (Titles 1 and 2)
Time Span	1½ years (5 quarters)	1 year (4 quarters) Titles 1 and 2
National Trigger	6 percent unemployment most recent calendar quarter	6 percent unemployment rate over most recent 2 calendar quarters
Local Minimum Unemployment Rate	4.5 percent	4.5 percent
Other Criteria for Determining Eligibility <sup>1</sup>	None	None
Computation of Allocations	Quarterly	Computed quarterly—\$125 million at 6 percent unemployment, an additional \$30 million for every one- tenth of 1 percent over 6 percent
Distribution	Quarterly	Quarterly
Uses and Restrictions	Funds are to maintain basic services and levels of employment, <i>not</i> including initiation of basic service or capital improvement or new construction. Funds must be spent, obligated, or appropriated within six months.	Same as current program
Formula for Distribution	• Local Revenue Sharing amount. • Multiplied by excess unemployment rate (over 4.5 percent). • Divided by sum of such products for all eligible local governments.	Same as current program
Number Eligible Local Governments	17,000	17,000
State Governments <sup>2</sup>	Eligible, receive one- third of the funds	Eligible for one-third of funds
Minimum Yearly Allocation	\$400	Same as current program
Maximum Allocation	None	None

\*This title will become operative when the national level of unemployment, over 2 calendar quarters, is below 6 percent and above 5 percent.

<sup>1</sup>Administration proposal originally contained other determinants of eligibility.

<sup>2</sup>Administration proposal would have made states ineligible.

## County Comments Asked on Safe Drinking Water Act

WASHINGTON, D.C.—The House of Representatives will be holding general oversight hearings on the Safe Drinking Water Act of 1974 on Sept. 18. In the meantime, NACo will be talking to a sampling of counties across the country to find out how the Safe Drinking Water Act is working, in order to best represent counties' interests before Congress.

The Safe Drinking Water Act's regulations became effective for many water systems (those with 15 connections or serving 25 people year round) in June 1977. The regulations set standards for contaminants in treated water, as well as monitoring and reporting requirements.

A unique aspect of the act requires water suppliers to notify their own consumers when standards are violated, when systems fail to test their water regularly or when an exception to federal regulations is obtained

from the enforcing agency.

REGULATIONS that will require systems serving transient populations (e.g., a county park) to comply with many of the same rules will become effective in June 1979. There are thousands of these "noncommunity" systems that may never have been regulated by any drinking water standards before. In addition, the Environmental Protection Agency (EPA) is proposing regulations to control organic contaminants that could cost many local governments millions of dollars in water system improvements.

NACo sees the Safe Drinking Water Act as a clear example of how the federal government sets standards without providing the financial resources to local governments to help them comply.

For that reason, NACo is particularly interested in finding out:

• Has your county experienced an increase in costs as a result of the federal law? How will you meet these costs?

• Are county health departments being expected to increase their activities without state reimbursement? Will their activities be substantially increased when the "non-community" systems must comply next year?

• Where should enforcement responsibility lie in your state? With the state, as Congress intended? With the federal government? With counties able to assume it?

• Is the public notification requirement working to inform consumers effectively?

Help us let Congress know how the Safe Drinking Water Act is affecting your county by calling or writing NACo's Water Project, or Mark Croke, legislative representative for environment and energy.

## CETA Bill Facing Further Changes

Continued from page 1

hold the line on the wage and job levels in the Senate bill, S. 2570, as a conference strategy, while working on House members over the recess who voted for the Obey and Jeffords amendments. A strong concern was expressed to turn around results of the Obey and Jeffords amendments. However, little hope was given for reaching a compromise with Obey and Jeffords unless those affected succeed in turning back the other gutting amendments.

In addition to the Obey, Jeffords and Erlenborn amendments, a series of other amendments were adopted by the House on Aug. 9.

Rep. Robert J. Cornell's (D-Wis.) amendment requires the Secretary to revoke all or a portion of the prime sponsor's plan where the key maintenance of effort provisions have been violated. Rep. Caldwell Butler's (R-Va.) proposal requires that funds expended in violation of these provisions be repaid to the U.S. Treasury.

Rep. Albert H. Quie (R-Minn.) proposed that Job Corps centers be able to use area vocational schools as training sites.

Rep. David R. Obey (D-Wis.) proposed that prime sponsors be required to reach a final judgment within 60 days of a grievance being filed and that the Secretary of Labor be given 120 days to investigate and make rulings on complaints.

ALASKA WILL be exempt from normal public service employment wage limits if the amendment is carried into the final law, because aver-

### COUNTY NEWS

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# Trouble for Minnesota's Nursing Home Law

BLUE EARTH COUNTY, Minn.—Two years ago, the Minnesota state legislature's solution to the problem of rapidly rising nursing home charges seemed like a good idea. A new law pegged nursing home rates for private paying nursing home residents to the state-established formula for Medicaid reimbursement.

Today, the outcome of that law—less than two months after its full implementation—is in doubt. One association which represents approximately 40 percent of the state's nursing home operators is challenging the law in court on one side; some state and county welfare administrators are doubting whether the law as it stands can accomplish the desired results on the other.

At the heart of the controversy is the state mechanism for determining the Medicaid rate reimbursement which can differ for each home depending on its expenses.

## A COUNTY REACTION

Under the new law, nursing homes may not accept new Medicaid patients unless they agree to the state-approved rate for private patients.

## At the heart of the controversy is the state mechanism for determining the Medicaid rate reimbursement.

In counties like Blue Earth, where private rates range as much as \$200 a month higher than under Medicaid, this statute would seem to be a welcome relief.

But instead, the County Human Services Board has filed a formal appeal to the State Department of Public Welfare, requesting a review of the rate increases granted to nursing homes in the county.

According to Allen Sigafus, assistant director for human services of the Blue Earth County Human Services Center, those increases have averaged 25 percent.

Although those increases are on a par with increases granted homes in other counties, Sigafus says, "We don't feel that amount is justified. It appears to us state auditors are giving whatever is requested. We know the minimum wage rose 15 percent. But we can't understand how in

the world they came up with 25 percent."

The county share of the increase is limited to five percent with the state and federal government picking up the rest of the costs. However, Sigafus is concerned that the county could lose more in other ways, since the State Department of Public Welfare has announced the possibility of a cutback in other programs in order to support a continued increase in Medicaid nursing home costs. The Blue Earth Human Services Center administers the county's welfare, corrections, public health nursing and mental health programs.

State public welfare officials say it is the first rate appeal that they can recall having been initiated by a county board. Most appeals are initiated by nursing homes.

The Blue Earth nursing home situation is somewhat unique, how-

ever. Four of the six homes in the area are owned by one private corporation, the Thro Corp, creating a near-monopoly on nursing home services. As a result, the local feeling, says Sigafus, is that "the local operator has been doing right well."

## THE COURT CHALLENGE

Meanwhile, on the opposite side, the Minnesota Association of Health Care Facilities is challenging the state's rate-setting formula in the U.S. District Court as being too restrictive.

James Green, executive vice president of the association, explains that his organization is not objecting to one rate for public and private paying patients, "as long as the mechanism to establish those rates takes into account full and reasonable costs." Although Green says no definitive cost studies have been conducted, there may not be an incentive, under a continuation of the current law and rate-setting mechanism, to replace old beds and expand the existing system.

During a two-year phase-in period, the new law required that charges to private patients not exceed the Medicaid rate for each home by more than 10 percent. As of July 1 of this year, nursing home operators are required to sign a formal agreement with the State Department of Public Welfare, guaranteeing that the Medicaid

rates be used to establish charges for all patients—public and private. Under the law, private patients are also protected from excessive admission fees and other charges, and assets of retirement home residents must be safeguarded. Operators who refuse to sign the Department of Welfare agreement are barred from admitting new Medicaid patients.

So far, approximately 80 percent of the 450-odd nursing homes in the state have signed. But the outcome of the lawsuit before the U.S. District Court could nullify those agreements. Currently, attorneys representing the association of nursing home operators say that the court may decide to enjoin the state from enforcing the law pending a final court decision. Because of the complexities of the issue, that final decision could take months or even years.

Robert Rau, audit director of the Minnesota Department of Public Works, can foresee the possibility of difficulties, whatever the suit's outcome. If the state loses, Medicaid rates may rise. But if the state should win the suit, a substantial portion of nursing homes could refuse to serve Medicaid patients—thereby resulting in a two-tier system of nursing homes, one for welfare clients and one for private patients. "It could have a drastic effect on the nursing home system," says Rau. "We could win the battle and lose the war."

For more information, contact Janet Smith, NACoR Aging Program.

—Janet Smith  
NACoR



## Counties Urge Extension of Refugee Aid

County representatives testified before the Senate Human Resources Committee on Aug. 9 to urge that the federal government continue to provide funding for social, medical and income assistance to Indo-Chinese refugees admitted to this country since the end of the Vietnam war. Under current law, the federal government reimburses states and counties for 100 percent of refugee costs, but the law expires on Oct. 1. Since it is likely that 50,000 to 60,000 additional refugees will enter in the next two years, costs to counties and states where refugees settle could be significant. Sen. Alan Cranston (D-Calif.) has introduced legislation (S. 3205) to extend 100 percent funding for one year. Shown above are, from left: Roger Honberger, San Diego County, Calif.; Sen. Cranston; Patricia Johnson, Los Angeles County, Calif.; Kenneth Wade, Alameda County, Calif.; and Aliceann Fritschler, NACo staff. Also testifying were Susanne Elfving of Santa Clara County, Calif. and Michael Long of Fairfax County, Va.

## Matter and Measure



The Federal Highway Administration (FHWA) has published a final rule on preconstruction procedures which revises existing regulations for the Clean Air Act Amendments of 1977 and implements recommendations of FHWA's regulations reduction task force. The final rule was published in the Aug. 4 *Federal Register* and took effect Aug. 11.

The regulation prescribes policies and procedures for preparation, submission and approval of programs using federal-aid highway funds. It also describes project authorization procedures.

The rule outlines state highway agency program submission procedures and general requirements for federal-aid secondary and urban system projects and projects located in urbanized areas.

Federal-aid secondary system projects must be selected cooperatively by state highway agencies and appropriate local officials. Federal-aid urban system projects must be selected by appropriate local officials with the concurrence of the state. In urban areas, inclusion of urban system projects in the annual element/transportation improvement program meets the requirement for selection by local officials.

Projects in urbanized areas must be drawn from the annual element/transportation improvement program according to the Department of Transportation's urban transportation planning regulations. They can be authorized only after responsible public officials or jurisdictions in which the project is located have been consulted and their views considered with respect to corridor, location and project design.

Contact your state highway agency for a copy of this regulation on revised preconstruction procedures. For further information contact: Vincent Ciletti, Office of

Engineering, 202/426-0450 or S. James Wiese, Attorney, Office of the Chief Counsel, 202/426-0754, Federal Highway Administration, 400 Seventh St., S.W., Washington, D.C. 20590.

## DISPOSITION OF PROPERTY

The Federal Highway Administration (FHWA) has published a notice of proposed rulemaking for "Use and Disposition of Property Acquired by States for Modified or Terminated Highway Projects" in the Aug. 7 *Federal Register*.

This rule will implement DOT policy to relieve states of payment of federal funds for reuse of property acquired but no longer needed for highways. A major intent is to use land no longer needed for highway projects on any federal-aid highway system for projects to revitalize urban centers. The proposed rule primarily affects real property acquired for highway rights-of-way.

According to the proposed regulations, when property is not needed for the highway projects for which it was acquired, the state (with approval of the federal highway administrator) may use the property for:

- A project under another federal grant program such as a Department of Housing and Urban Development (HUD) housing project;
  - A project under a state or local program consistent with programs authorized by DOT, such as projects for public recreation, conservation or restoration and revitalization of urban areas;
  - Other programs consistent with the public interest.
- Please contact Marlene Glassman at NACo if you need a copy of the *Federal Register* notice. Please send her your comments by Oct. 2 so they can be coordinated and forwarded to FHWA.

WASHINGTON, D.C.—On Aug. 7 Secretary of Labor Ray Marshall announced the 15 state and local government Comprehensive Employment and Training Act (CETA) prime sponsors who will receive planning grants over the next few weeks to operate pilot employment opportunity projects serving low-income, jobless family breadwinners.

The new program is an experimental effort to serve all eligible and interested persons in a single group within each designated area. Its emphasis is on testing the development of enough public and private-sector employment and training opportunities to assure at least one job for each family with children.

Persons expected to participate include all participants in the Aid to Families with Dependent Children (AFDC) and Work Incentive programs; single parents with older children; and, on a volunteer basis, single parents with children 6 years or younger. Also included will be other public assistance recipients, unemployment insurance beneficiaries, some food stamp recipients not enrolled in other income-transfer pro-

grams, and many "working poor" not participating in any government assistance program. This program is expected to provide some 32,000 new employment and training opportunities for eligible participants.

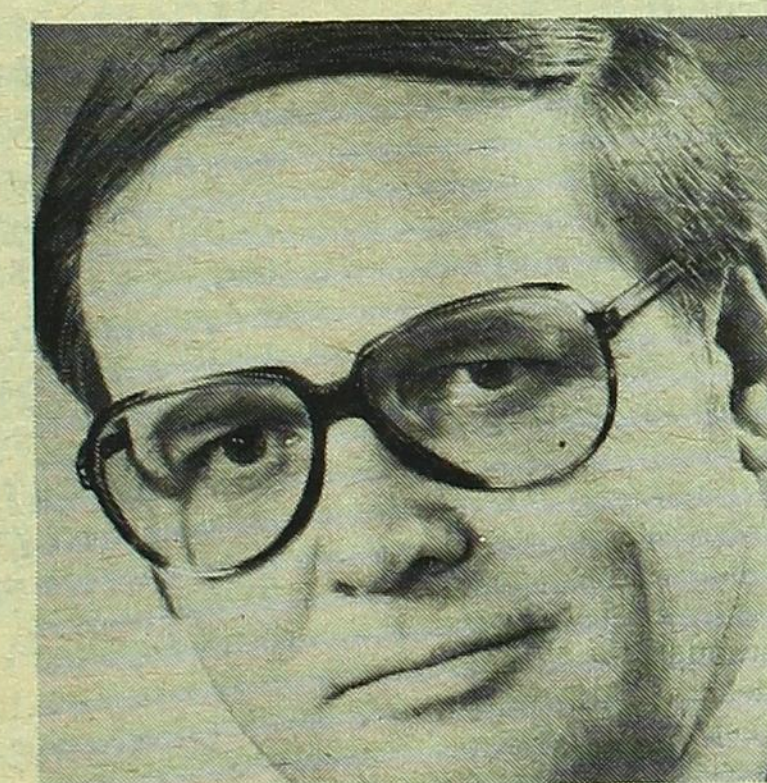
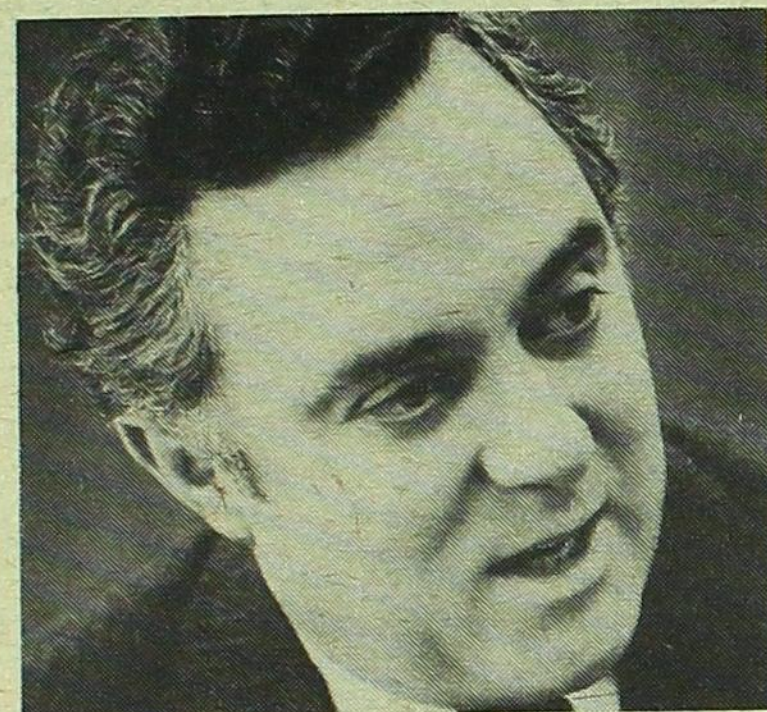
**JOBS TO BE** created will be primarily full-time opportunities, but may also include part-time jobs for single parent families with younger children. An initial period of intensive, assisted job-search efforts will be required of the participants, reflecting the program's primary goal of placing jobless workers in nonsubsidized private and public jobs.

Prime sponsors will begin operating their two-year pilot projects in 1979, following a 6 to 12 month planning period, provided Congress appropriates \$200 million requested by President Carter for the program's first year of operation.

Following is a list of the participating prime sponsors, the amount of initial planning grants each will receive, and the projected number of employment and training opportunities they are expected to create if funds are appropriated as planned.

Prime Sponsor	Amount of Planning Grant	Number of Jobs
Lowell, Mass.	\$250,000	1,600
Union County and Elizabeth City, N.J.	300,000	3,600
Pittsburgh, Pa.	380,000	5,000
Mobile, Ala.	250,000	2,100
Part of Balance of State, N.C.	250,000	2,000
Part of Eastern Kentucky Concentrated Employment Program (Pike County)	200,000	1,000
Columbus, Ohio	300,000	3,400
Marathon County, Wis.	200,000	607
Baton Rouge, La.	300,000	3,400
Coastal Bend Manpower Consortium (Corpus Christi, Tex.)	300,000	3,200
Part of Balance of State Missouri	250,000	1,300
Weld County, Colo.	200,000	700
Long Beach, Calif.	300,000	2,400
Part of Balance of State Washington	200,000	2,000
Philadelphia, Pa.	200,000	1,000





# FACE TO FACE

## NACo's President Delivers County Message to Capital

August in Washington, D.C., famous for heat and humidity, did not daunt NACo President Charlotte Williams as she kept a heavy schedule of appointments with the Administration and Congress Aug. 9, 10, and 11.

The Genesee County (Mich.) commissioner met with numerous federal officials on legislation that is important to counties. And she carried the county message with pride, enthusiasm, and faith in counties to deliver the goods.

Speaking at a press conference, President Williams explained: "Just one month ago 4,000 county officials from throughout the United States issued a resolution supporting fiscal integrity at all levels of government. They directed me to carry this message to Washington: counties seek a responsible role in determining federal budget priorities and limits."

"The resolution," she added, "also cries out for more equitable sharing of costs rather than depending on the local property tax."

The following pages give the highlights of her face to face dialogue with Cabinet Secretaries Bob Bergland (Agriculture), Joseph Califano (Health, Education and Welfare), Patricia Harris (Housing and Urban Development), and Ray Marshall (Labor); Presidential Advisors Stuart Eizenstat and Jack Watson; and Office of Management and Budget Director James McIntyre.

She hosted a reception for members of Congress, received the keys to the District of Columbia, and addressed the D.C. City Council.

She assured each of the public officials with whom she met that counties through NACo are ready to search for "right answers even if they often are hard answers" and are "ready, willing and able partners in the federal system."

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# This Is What



HUD Secretary Patricia Roberts Harris

**Williams**—“Madame Secretary, we are anxious to continue the dialogue that you so successfully began at our annual conference in Atlanta last month and we are doing our best to help implement major parts of the President’s urban policy.”

**Harris**—“We have problems with finance. We look around us and see huge numbers of our fellow Americans with pitifully inadequate shelter and we have pitifully few resources to help alleviate these problems. ...”

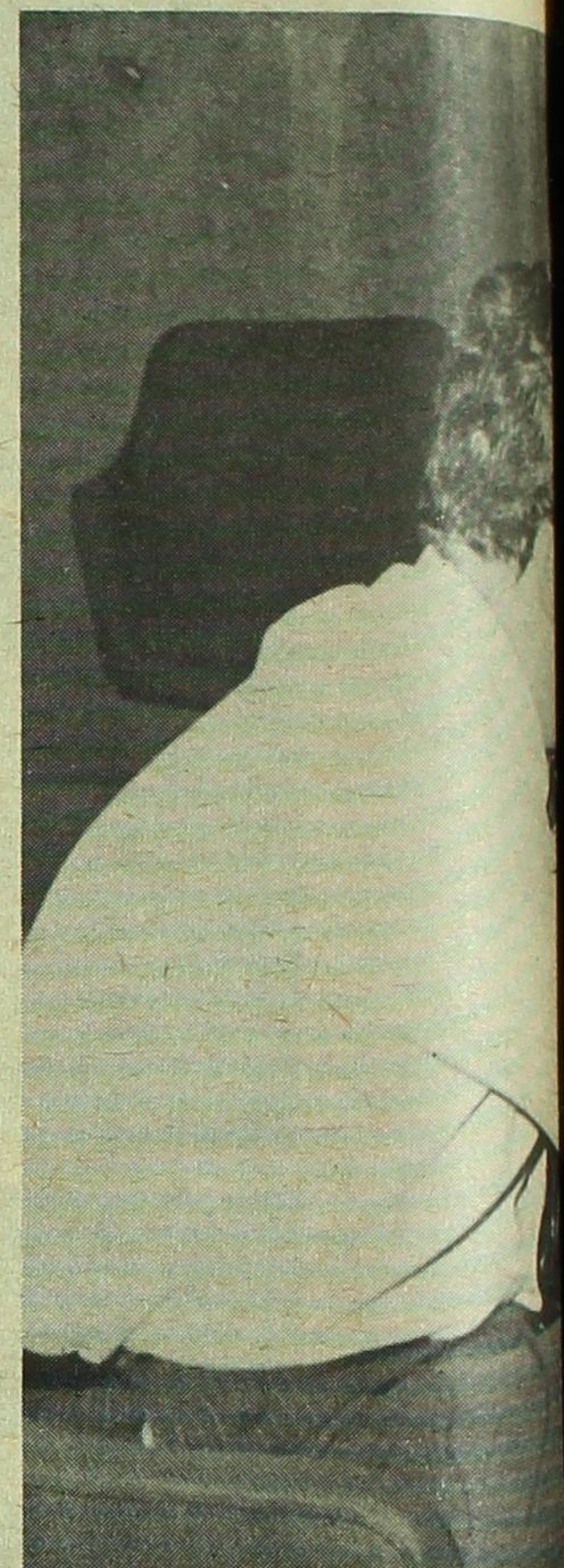
**Williams**—“We are particularly conscious of the leadership role of our urban counties in addressing some of these urban problems.”

**Harris**—“We clearly understand that the urban county can and does have a significant role in urban housing and community development plans. We are constantly aware of the fact, however, that we are

dealing with very scarce resources and we want to be sure that these resources are focused on communities that have very major problems. ...”

**Williams**—“NACo’s Urban Affairs Committee and our elected county executives are forming an ad hoc council of urban counties and we want to work with HUD in zeroing in on some of our areas of specific concern.”

**Harris**—“We are anxious to work with that group and others that can help us reach our goals. From HUD’s perspective, we are pleased with the dialogue so far and we are hopeful that it can become even better in the future. I’m in the process of reviewing our own departmental budget and I can assure you that we, along with other federal agencies, counties, and other units of government, are concerned about our inadequate responses to these difficult problems.”



HEW Secretary Joseph Califano

**Williams**—“Mr. Secretary, NACo has been battling for more than two decades for a meaningful welfare package and we do not intend to give up our efforts, particularly some very significant fiscal relief for our hard-pressed counties.”

**Califano**—“It just isn’t possible to get welfare reform (through Congress) this year, with your help we can get welfare reform next year. ... We want your help and we are going to give our best effort.”

**Williams**—“We are generally supportive of the principles the President Carter has enunciated in his welfare package.”

**Williams**—“We are anxious to work with the Administration to solve the problems of inflation and to establish national priorities.”

**Watson**—“The President is most pleased with the strong support he gets from the National Association of Counties and all of us here in the White House are looking forward to working with you, Charlotte, during the coming year, and we want your advice and counsel.”



Assistant to the President Jack Watson



Labor Secretary Ray Marshall

**Williams**—“We were really hurt by the tentative vote in the House of Representatives on the reenactment of the Comprehensive Employment and Training Act. Our ‘CETA Works’ rally brought 300 county officials to the capitol to explain the value of CETA.”

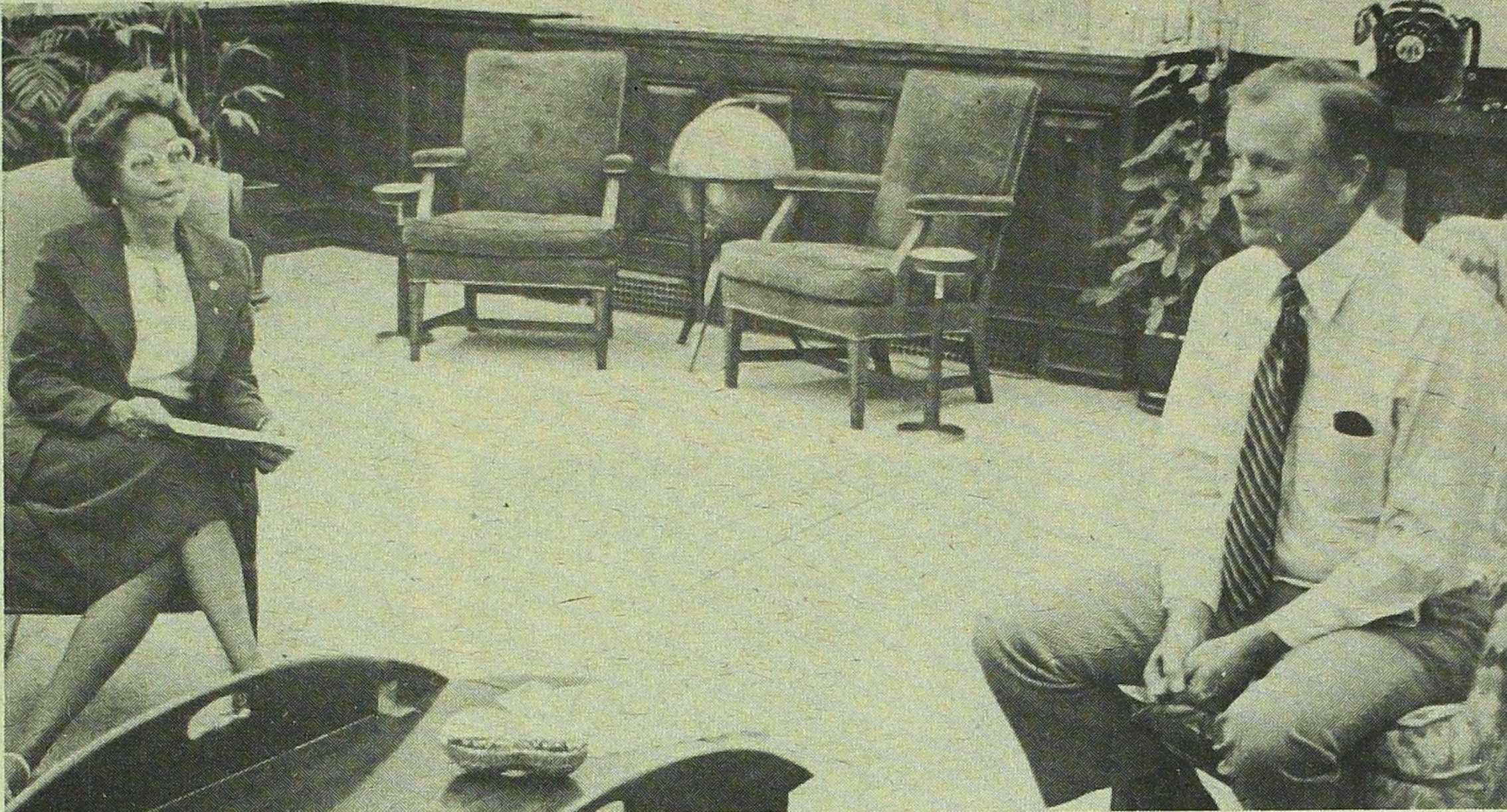
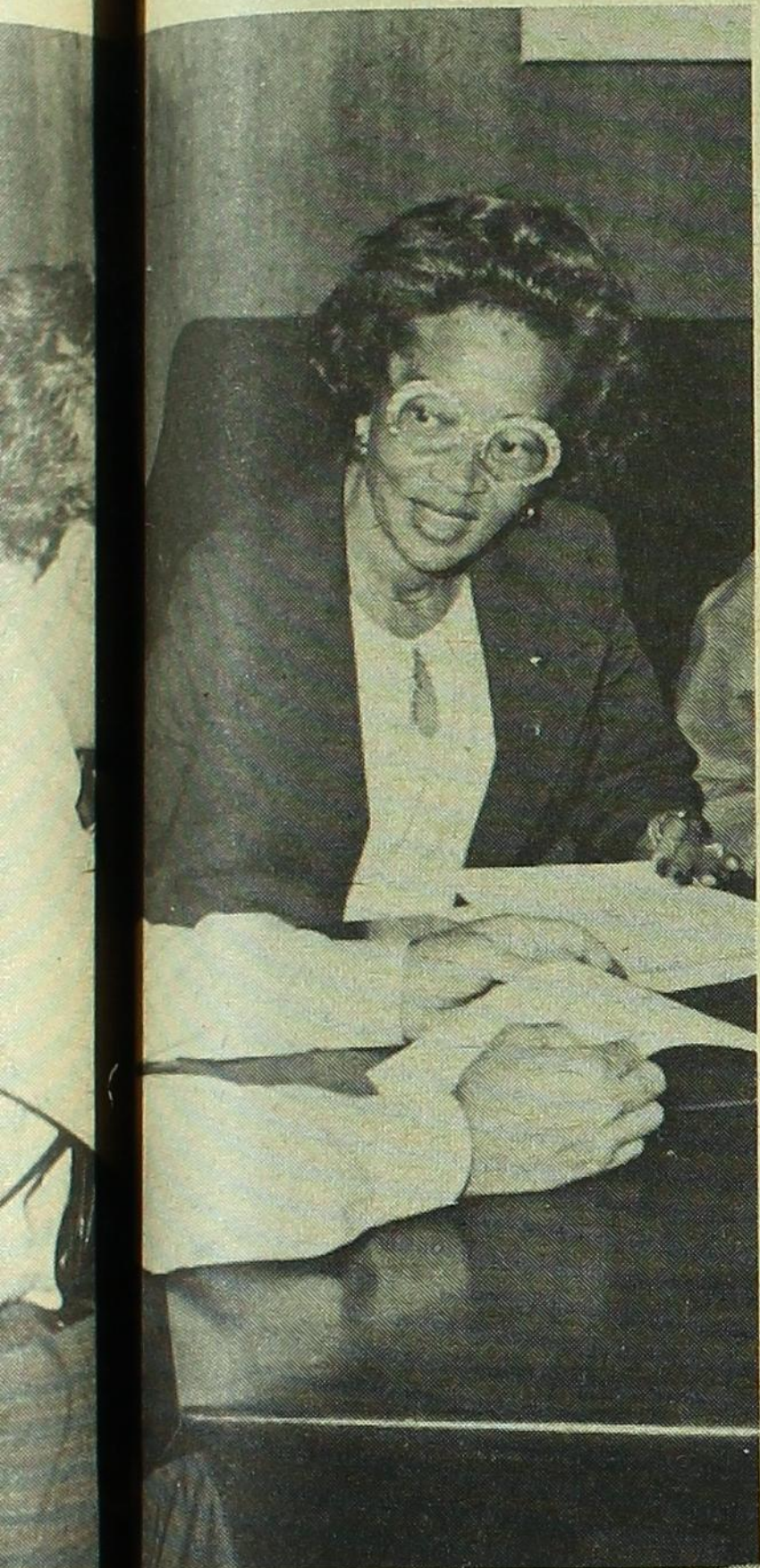
**Marshall**—“All is not lost. We have another chance in the House and again in the Senate. NACo has been one of our strongest supporters and we both want and need a continuing partnership with the counties.”



Assistant to the President for Domestic Affairs Stuart E. Eizenstat



# They Said ...



Agriculture Secretary Bob Bergland

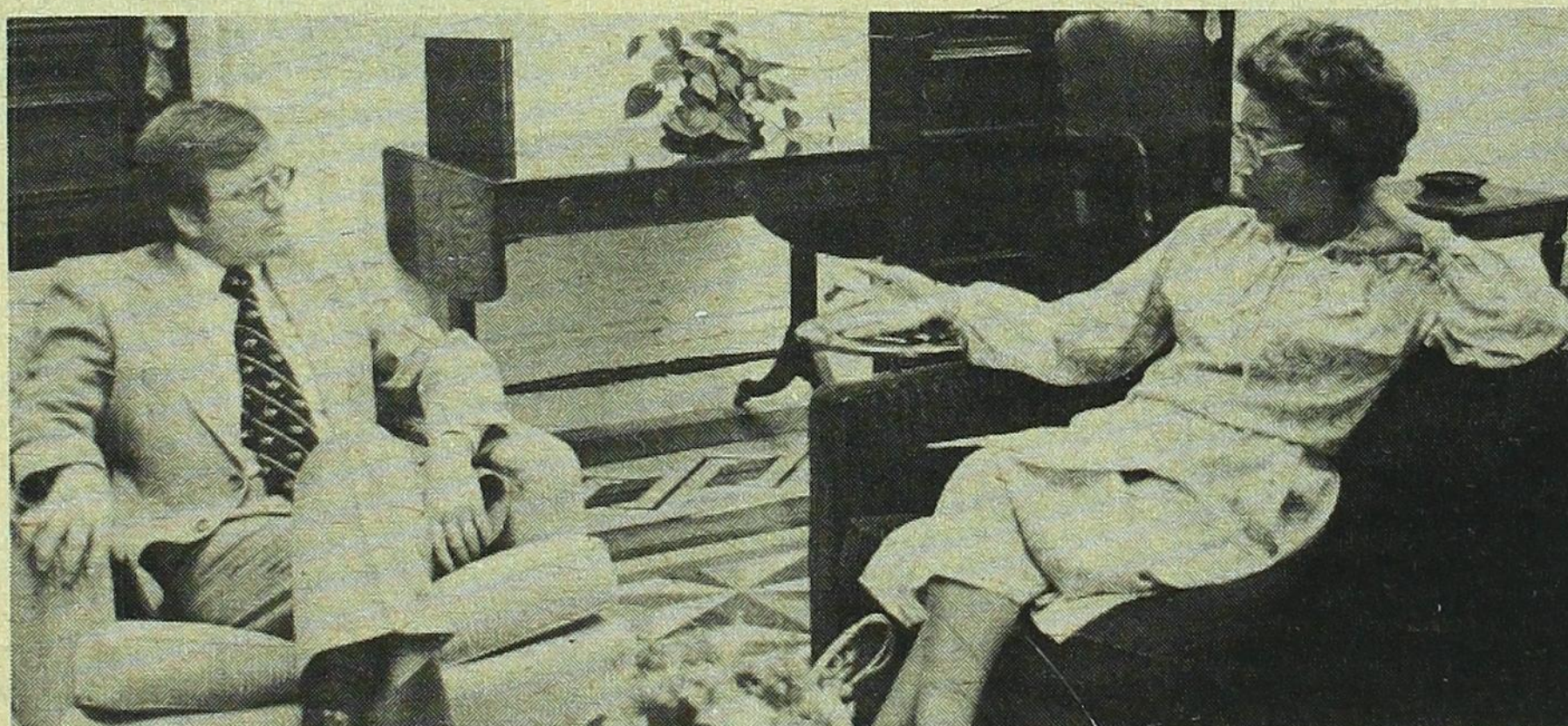
**Williams**—“County officials are very concerned about the rapid disappearance of prime agricultural land. We would like to urge that a national commission be created to focus attention on the problem and possible solutions.”

**Bergland**—“We also recognize agricultural land preservation as a vital national concern. Agriculture is the nation’s leading business and with the net loss of a million acres of agricultural

land here, we are on a disaster course. There needs to be a government-wide approach to the problem and the Department of Agriculture is anxious to play its appropriate role. We want to work with the National Association of Counties, Congress, and other groups that will chart a course which preserves agricultural land and which does not thrust the federal government into land use control—a responsibility we firmly believe rests with state and local government.”

new health initiatives. We want  
part of the entire process,  
particularly since such a major  
of health responsibilities is  
in county government.”

**Califano**—“Let me assure you  
we want to develop the same  
procedure we followed with welfare  
in having the counties and  
interested people involved  
from the very beginning of the  
process. This worked very well in  
working up with the President’s  
welfare package and we have every  
confidence that it will work equally  
well in developing a national health  
insurance proposal.”



Office of Management and Budget Director James T. McIntyre

**Williams**—“Counties are deeply involved in partnership programs with the federal government ranging from airports to social services. We would like to be consulted in the budget process of the Office of Management and Budget.”

**McIntyre**—“Agreed. We want to open up OMB for real input from county officials in our money deliberations. We welcome comments on which programs are working well and which are not working as well.”



E. Eizenstat, center, and NACo Executive Director Bernard F. Hillenbrand

**Williams**—“We would like to assist the President in passage of many programs that are essential to county government.”

**Eizenstat**—“We truly appreciate the strong support we are getting from county officials for the President’s program, and we are giving top priority to early passage of sound legislation in countercyclical aid, the reenactment of the Comprehensive Employment and Training Act, welfare reform, and the President’s urban program, to mention a few. We also welcome full participation of the National Association of Counties in determining some priorities for the next federal budget.”



# Washington Focuses on Williams



Williams discusses issues of interest to her home state with Michigan Rep. Dale Kildee, left, and Sen. Donald Riegle at a reception at NACo's Communications Center on the Hill.



NACo's legislative concerns are spotlighted by President Williams at a press conference at NACo headquarters.



District of Columbia City Council Chairman Sterling Tucker compliments President Williams on her leadership of NACo.



District of Columbia City Administrator Julian R. Dugas presents the symbolic key to the city to Williams.

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## Counties & Clean Air

# Planning for Clean Air and Growth

Clean air programs have the potential to affect growth in every county in the United States. Federal law requires not only that dirty air be cleaned up, but also that clean air be kept that way.

Clean air programs can limit the construction of new sources of air pollution, such as power plants, refineries, and steel mills. This affects counties with clean air, as well as dirty air.

And while clean air programs will not generally affect construction of industries and other businesses that do not emit air pollutants, in many cases, these enterprises depend on polluting industries to provide jobs for a healthy local economy. Employment and a healthy economy will also strongly affect residential construction.

In addition, clean air programs will affect transportation systems for areas that have not met the national air quality standards for the transportation-related pollutants. Further, areas that do not have adequate plans for control of air pollution may lose federal funding for construction of sewage treatment works, which, in turn, would affect residential, commercial, and industrial growth.

County officials can do a great deal to plan for continued growth in their areas. Active county participation in planning clean air programs will help to ensure a vital local economy. This article sketches the major clean air programs, notes their growth impacts, and discusses the opportunities for county involvement in planning for clean air and growth.

### What Defines "Clean" or "Dirty" Air?

As used here, "clean air" and "dirty air" are relative terms. The distinction between them is determined by the national ambient air quality standards developed by the U.S. Environmental Protection Agency. Air pollution is defined in terms of average concentrations of certain harmful substances that are present in the air of a particular region for a prescribed length of time. Concentrations are stated according to parts of a pollutant per million parts of air (ppm) or micrograms of a pollutant per cubic meter of air ( $\mu\text{g}/\text{m}^3$ ).

**Table 1**  
**National Ambient Air Quality Standards**

Pollutant	Averaging Time	Primary Standards	Secondary Standards
Particulate matter	Annual (geometric mean)	75 $\mu\text{g}/\text{m}^3$	60 $\mu\text{g}/\text{m}^3$
	24 hour*	260 $\mu\text{g}/\text{m}^3$	150 $\mu\text{g}/\text{m}^3$
Sulfur oxides	Annual (arithmetic mean)	80 $\mu\text{g}/\text{m}^3$ (0.03 ppm)	—
	24 hour*	365 $\mu\text{g}/\text{m}^3$ (0.14 ppm)	—
	3 hour*	—	1300 $\mu\text{g}/\text{m}^3$ (0.5 ppm)
Carbon monoxide	8 hour*	10 $\text{mg}/\text{m}^3$ (9 ppm)	10 $\text{mg}/\text{m}^3$ (9 ppm)
	1 hour*	40 $\text{mg}/\text{m}^3$ (35 ppm)	40 $\text{mg}/\text{m}^3$ (35 ppm)
Nitrogen dioxide	Annual (arithmetic mean)	100 $\mu\text{g}/\text{m}^3$ (0.05 ppm)	100 $\mu\text{g}/\text{m}^3$ (0.05 ppm)
Photochemical oxidants	1 hour*	160 $\mu\text{g}/\text{m}^3$ (0.08 ppm)	160 $\mu\text{g}/\text{m}^3$ (0.08 ppm)
Hydrocarbons (non-methane)	3 hour (6-9 a.m.)	160 $\mu\text{g}/\text{m}^3$ (0.24 ppm)	160 $\mu\text{g}/\text{m}^3$ (0.24 ppm)

\*Not to be exceeded more than once per year.

EPA has developed standards for six major air pollutants. There are two types of standards for each pollutant—a primary standard and a secondary standard. The primary standard sets a pollutant concentration limit that is required to protect public health. The secondary standard sets a limit that is required to protect the public welfare from such harm as crop damage and deterioration of building surfaces. The table above lists the standards. This handful of numbers provides the driving force for the major clean air programs.

Briefly, concentrations of these pollutants tend to have the following health effects. The first five listed aggravate lung and heart disease. Particulates, sulfur dioxide, and oxidants (smog) impair the functioning of healthy lungs and hearts. Both smog and sulfur dioxide irritate the eyes. Particulates resulting from certain industrial processes are directly toxic. Carbon monoxide can impair mental functioning and retard fetal development. Hydrocarbons, which turn into oxidants (smog) in the presence of sunlight, are also suspected of causing cancer. These substances may have additional damaging health effects; much more research is under way.

### Growth in Areas with Dirty Air

Areas where pollution exceeds any of the primary air quality standards must have plans for meeting the standards by Dec. 31, 1982. (These areas are referred to as "nonattainment" areas.) Plans for meeting the standards for the industrial

pollutants (mainly particulates, sulfur oxides, and nitrogen dioxide) must be prepared by the states, in consultation with affected counties and other local governments. Plans for meeting the standards for the transportation pollutants (photochemical oxidants and carbon monoxide) must be prepared by designated organizations of local elected officials. (A detailed description of transportation/air quality planning appeared in the June 19 issue of *County News*. Reprints are available from NACoR's Clean Air Project.) Areas that cannot meet the transportation pollutant standards in 1982 can seek an extension until as late as Dec. 31, 1987.

### Background: EPA's Emissions Offset Policy

The Clean Air Act Amendments of 1970 called for cleaning up the air in all parts of the nation by 1975. When this date passed, and many areas had not met the air quality standards, there was a question of whether the law permitted construction of any new polluting industry in these areas. To permit continued growth, EPA developed an "emissions offset" policy, which specified that new industrial facilities could be constructed, so long as the company constructing them obtained a reduction in the emissions of an existing facility in the area. The reduction must be equal to or greater than the emissions from the new facility. In this way, the new emissions are "offset" by reductions.

While this process allows growth in dirty air areas, it is cumbersome. Companies that do not have existing facilities in an area may have difficulty obtaining emissions reductions from other companies—particularly potential competitors.

### The New Approach: Developing a "Cushion" for Growth

The Clean Air Act Amendments of 1977 adopted the emissions offset approach to permitting growth in dirty air areas, but the concept was incorporated into the state and local cleanup plan. Under the plan, existing emissions must be reduced on a schedule that provides both for meeting the air quality standards by the end of 1982 (or 1987) and allowing some additional growth in the interim. If approved, the cleanup plan will replace the system of privately obtained offsets on July 1, 1979.

Cleanup planning begins with an inventory of all current emissions in the area. This defines the current problem. Growth must be projected for each year until the deadline for meeting the standard. Then, the new emissions from this growth are determined. (New pollution sources are required to meet the lowest achievable emissions rate.) This is balanced by emissions reductions that are obtained by using all reasonably available measures to control emissions of the pollutant which exceeds the standard. Reductions must exceed new emissions by an amount that guarantees that regular annual progress is made toward meeting the air quality standard by the deadline (1982 or 1987).

Table 2 provides a picture of the cleanup process. Point A represents the concentration of a pollutant, such as sulfur dioxide, in the air at the time the plan is developed. The entire concentration is due to sources existing at that time. The concentration resulting from existing sources is represented by the shaded area. The area shaded by parallel lines represents the pollutant concentration that is projected to result from new growth. The table illustrates that emissions from existing sources must be reduced not only by an amount that will enable the area to meet the air quality standard but also by an additional amount that will accommodate growth.

### How Much Growth?

The projection of growth in the cleanup ("nonattainment") planning process involves an important policy choice. Areas

must decide how much growth to plan for. On the one hand, planning for substantial new growth may require being very hard on existing emissions sources. On the other, failure to plan adequately may severely restrict growth in future years.

"Growth projection" may sound like a mechanical process. It is not. Projecting more growth than is needed will produce a cleanup program that is unnecessarily harsh on existing emissions sources. This may burden the local economy and threaten the credibility of the agencies developing and enforcing the plan. And again, projecting less growth than is needed will stunt economic development. Developing the growth cushion will affect important local values and ought to be widely participated in by county officials.

### Who Will Be Allowed to Grow?

With increased air pollution and increased limitations on allowable air pollution, "Useable" air becomes increasingly scarce. In some cases even very stringent controls on existing emissions sources will not provide enough room for all the industrial facilities that are proposed for an area. Location of one heavily polluting facility in an area could use all of the clean air that is available for growth in that area. Perhaps the area's economic and employment interests would be better served if several lightly polluting industries were built instead. Is there any way that counties can ensure that the growth cushion is used in the way that will most benefit the county?

The present policy toward growth is "first come, first served," with no control over the kind of growth that is allowed. EPA is currently studying alternative approaches. These include marketable permits, emissions charges, and emission density zoning. NACoR's Air Quality Project is following this study, and will report on its findings.

### Annual Plan Update—Tracking "Reasonable Further Progress"

The cleanup plan must be reevaluated each year to check on progress toward attaining the air quality standard(s). As on plan development, the trade-off is between cleaning up existing sources of emissions and limiting further growth. If an area is not cleaning up its air at a rate that meets or exceeds the straight line reduction required for "reasonable further progress," emissions from existing sources must be further reduced, or growth must be further limited, or both. The annual update ensures that the cleanup program keeps up with the schedule for attaining the air quality standard(s).

### Growth in Areas with Clean Air

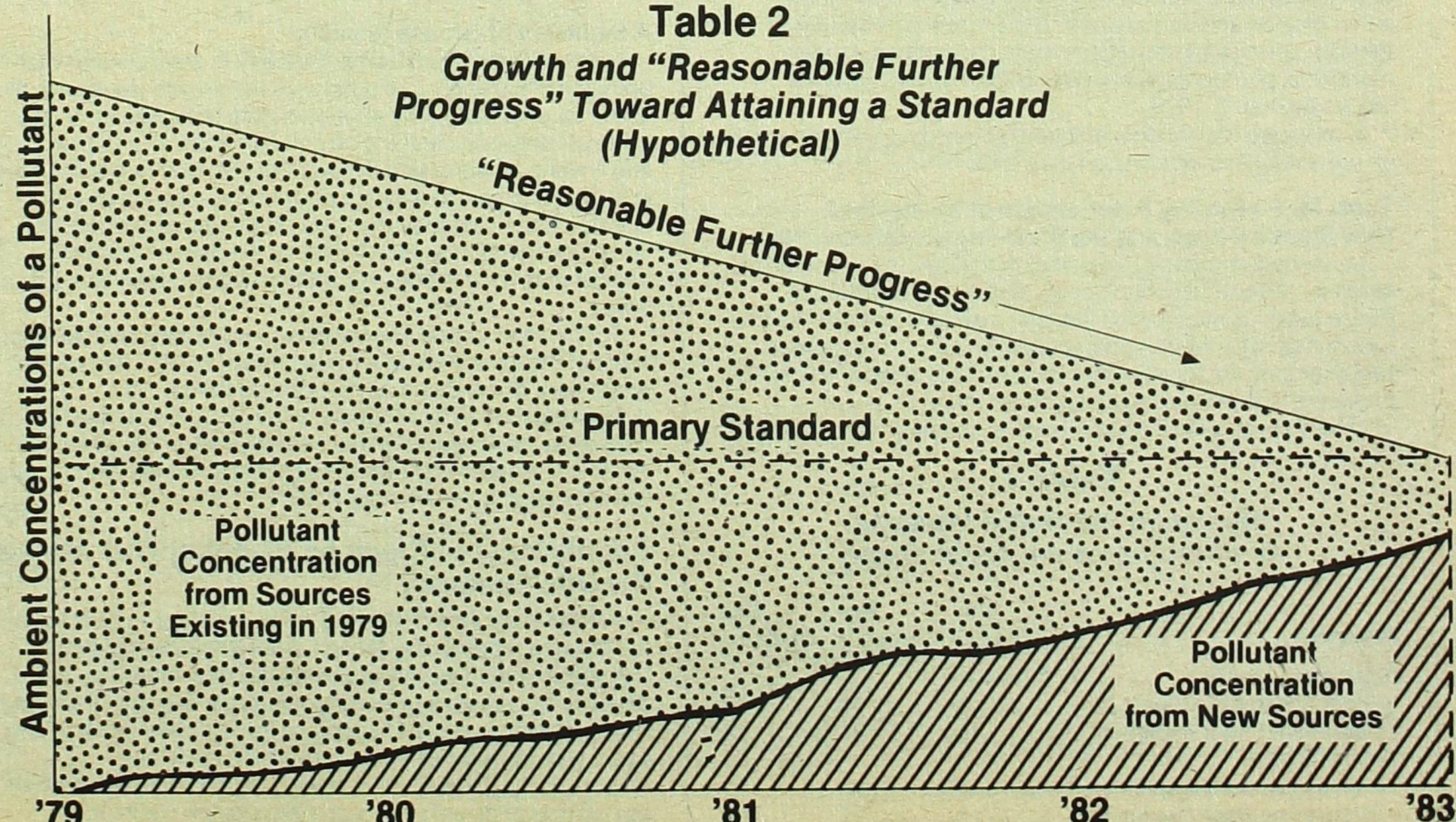
Areas that have air cleaner than the national standards require are not free of federal regulation. Clean air areas are subject to requirements aimed at keeping their air from deteriorating in quality. States, in consultation with local governments, are required to submit plans by March 19, 1979 to protect clean air areas. If a state fails to submit a plan, EPA will continue to administer the nondeterioration program for that state. States are probably in a better position than EPA to consider the growth needs of counties and other local governments. Counties should urge their states to prepare and submit plans by next March 19.

### Background: "To Protect and Enhance"

The 1970 Clean Air Act Amendments had no specific requirement that clean air be kept clean. It did, however, state that one of its goals was to "protect and enhance the quality of the nation's air resources." From these few words, EPA (after a suit by the Sierra Club) developed a policy limiting the

Continued on next page

**Table 2**  
**Growth and "Reasonable Further Progress" Toward Attaining a Standard (Hypothetical)**





# County Involvement in Clean Air and Growth

amount by which clean air areas could permit their air to deteriorate. EPA reasoned that the national air quality standards were minimum standards of purity, and that the high quality of air in many parts of the nation should be preserved. This reasoning has been adopted by Congress; the Clean Air Act Amendments of 1977 expand EPA's approach to keeping clean air clean.

## Prevention of Significant Deterioration

Keeping clean air clean ("prevention of significant deterioration") is the subject of a fairly complex set of federal requirements which can limit growth in many areas. Basically, the law requires that each area of the country with air cleaner than standards require be classified into one of three categories. Further pollution of these areas is then limited. The amount, or increment, of increased pollution varies according to the classification of the area. Class I areas are permitted only a small increase, Class II areas a moderate increase, and Class III areas a fairly large increase. Counties should be concerned first with their area's classification, and second with how their limited increase in pollution can best be used to permit healthy and continued economic growth.

## Classification and Redesignation

The air act specifies the initial classifications. International parks, national wilderness areas larger than 5,000 acres, national memorial parks larger than 5,000 acres, and national parks larger than 6,000 acres are designated Class I, and may not be redesignated. All other areas are designated Class II, and with a few exceptions may be redesignated either Class I (minimal pollution increases) or Class III (fairly large pollution increases). The redesignation process, outlined in Table 3, is a major opportunity for input by counties and other local governments.

Redesignation involves a policy choice between protecting an area's air quality as much as possible and permitting maximum industrial growth. Some areas may rely on pristine air for a lucrative tourist trade; others may more profitably permit some deterioration of air quality to accommodate more lively industrial growth.

With the exception of certain federal lands, all areas may be redesignated as Class I or III by the state in which they are located. Prior to redesignation, the state must consult with local governments in the areas. The state must also prepare a report describing and analyzing the health, environmental, economic, social and energy impacts of the proposed redesignation. This report must be made available to the residents of the area. The state must then hold a public hearing in the area. After these steps, the state may redesignate an area as Class I.

Additional steps are required to designate an area as Class III. First, the redesignation must be approved by the state governor, who must consult with the state legislature. Second, general purpose local governments representing a majority of the residents of the area must enact legislation or pass resolutions approving the redesignation. Finally, it must be shown that the redesignation to Class III will not cause or contribute to a violation of the maximum allowable increases or the national ambient air quality standards in any area (such as those adjacent to the area proposed for redesignation).

Where a permit is pending for the location of a major stationary source of air pollution in the area to be redesignated, and the permit could only be granted if the area is designated Class III, the public must be notified of this permit application. This ensures that the residents of an area are aware of the political pressures behind a proposed redesignation.

## How Much Additional Pollution Is Permitted?

As stated, the clean air act prescribes specific limits on increased pollution in Class I, II, and III areas. At present, permissible increases have been established only for the sulfur dioxide and particulates. The act requires that EPA develop permissible increases for hydrocarbons, carbon monoxide, photochemical oxidants (smog), and nitrogen oxides by Aug. 7, 1979.

In all cases the national ambient air quality standards stand as the outer limits of pollution increases.

## Tools for Preventing Deterioration of Air Quality: New Source Review and the State Implementation Plan

Large new sources of air pollution that are to be located in clean air areas must obtain permits prior to construction. These facilities must install the best available pollution control technology, and their permit applications must meet other requirements that ensure that they will not cause any violation of the limits on increased pollution for the area.

Under the original EPA approach to keeping clean air clean,

Table 4

Maximum Allowable Increase  
(in micrograms per cubic meter)

Pollutant	For Class I	For Class II	For Class III
Particulate Matter			
Annual geometric mean	5	19	37
Twenty-four hour maximum	10	37	75
Sulfur Dioxide			
Annual arithmetic mean	2	20	40
Twenty-four hour maximum	5	91	182
Three-hour maximum	25	512	700

International Parks  
National Wilderness Areas  
5,000 Acres  
National Memorial Parks  
5,000 Acres  
National Parks  
6,000 Acres

Automatic

Class I

May Not  
Be  
Redesignated

Class I (unless  
disapproved by EPA  
for failure to  
follow procedures  
outlined above)

Table 3

## Classification and Redesignation of Areas

All other areas with ambient air quality better than the secondary standard requires (for any pollutant)

Statutory Classification

Class II

Redesignation\*

State must consult with elected leadership of local and regional governments about proposed redesignation

State prepares report describing and analyzing the health, environmental, economic, social and energy effects of the proposed redesignation  
• Must be made available to the public

If area includes any federal lands, state must confer with the federal land manager

Lands within Indian reservations may be redesignated only by the appropriate Indian governing body (procedures similar—must also consult state)

Public hearing in area

## Additional Steps for Class III Redesignation:

- Approval by governor after consultation with state legislature
- General purpose local governments representing a majority of area residents must enact legislation concurring in the redesignation
- Redesignation must not cause or contribute to violation of the air quality requirements of any other area
- Applications for permits to construct sources that could only be constructed if area is redesignated Class III must be available to public prior to the public hearing

Class III (unless disapproved by EPA for failure to follow procedures outlined above)

\*Certain national areas (monuments, wildlife refuges, etc.) may only be designated as Class I or II.

only review of new sources was required. Under the 1977 Clean Air Act, however, the state must control existing sources, if necessary, to keep air pollution within the prescribed limits. On the brighter side, the state (in consultation with local governments) can cut back pollution from existing sources to make room for new growth.

## A Summary of Growth Impacts

Clean air areas have some flexibility in determining what pollution limits apply, but otherwise the growth issues are the same for clean and dirty air areas. Both must decide on the trade-off between cleaning up pollution from existing sources and limiting construction of new sources. Both are also faced with deciding how to allocate permissible new emissions among contending industrial and other sources of pollution. The study commissioned by EPA on the use of economic approaches for this purpose applies to both clean and dirty air areas.

For clean air areas, the baseline concentration of pollution is set at the level of air quality as of Aug. 7, 1977 (the date of enactment of the Clean Air Act Amendments). This concentration can be reduced by the amount that may be caused by major sources that began construction after Jan. 5, 1976. Permissible increases in pollution are measured against the level of pollution on Aug. 7, 1977.

## County Input to Clean Air Planning That Affects Growth: Summary

For the programs discussed in this article, counties have the greatest opportunity for self-determination in planning transportation/air quality programs for dirty air areas. The clean air act states a preference for organizations of elected local officials as the lead agencies for this planning. In some cases, county agencies have been given this lead responsibility; in many other areas, regional authorities such as councils of governments or metropolitan planning organizations have been given the lead. Even where counties

are not directly responsible, they have substantial opportunity for input. First, as members of their regional authorities, counties should be active participants in the planning process. Second, proposed regulations require that regional authorities consult their counties on all aspects of plan development.

States will probably have the lead in preparing plans to clean up pollution from stationary sources and plans to keep clean air clean. States must consult with counties during plan development. Proposed regulations require that affected counties have an equal say in the development of programs for their areas.

Furthermore, in clean air areas, counties and other local governments must be consulted about the redesignation of their areas. Without their legislative approval, their areas cannot be designated as Class III.

## Clean Air Requirements Are "Pollutant-Specific"

One point merits further clarification: programs must be developed for each pollutant—sulfur dioxide, particulates, hydrocarbons, photochemical oxidants, nitrogen dioxides, and carbon monoxide. The point is that many areas will be both "clean air areas" and "dirty air areas." They may violate the national ambient standards for one or more pollutants and be cleaner than the other standards require. Many areas, then, will be involved in both "nonattainment planning" and planning for "prevention of significant deterioration."

Counties in all areas of the nation—areas with both clean and dirty air—have an important new responsibility to protect air quality and to provide opportunity for continued economic growth. County officials can best carry out these responsibilities by aggressively pursuing their opportunities for participation in clean air planning. Clean air and growth can peacefully and even productively coexist, as long as both are carefully planned for.

This supplement was prepared by Ivan J. Tether, NACoR Clean Air Project, in cooperation with the U.S. Environmental Protection Agency.

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## Job Opportunities

**Public Works Director, Frederick County, Va.** Salary \$14,853 to \$16,365. Applicants must have extensive knowledge of the principles and practices of civil engineering as applied to the development and management of municipal public works. Graduation from an approved college or university with specialization in civil engineering and a minimum of two years engineering and management experience are desired. Resume to: County Administrator, P.O. Box 601, Winchester, Va. 22601.

**Administrator of Public Works, Leon County, Fla.** Salary up to \$25,000. To manage professional work in all aspects of civil engineering and departmental operations. Requires an engineering degree and professional registration with one year of experience after registration. Registration in Florida required prior to employment. Resume to: Leon County Personnel Office, Leon County Courthouse, Tallahassee, Fla. 32301, 904/487-2220. Closing date Oct. 31.

**Public Information and Publicity Director, Sullivan County, N.Y.** Salary open. Responsible for technical creative work involving industrial development, promotion, public relations activities for a county with a four-season resort industry. Director of a department of five persons. Candidates must demonstrate exceptional combination of experience and education. Resume to: Paul A. Rouis Jr., County Administrator, Sullivan County Government Center, 100 North St., Monticello, N.Y. 12701.

**City Manager, Concord, N.H.** Salary \$29,993. One person in position since 1968; appointed by nonpartisan council; \$8 million nonschool budget and 450 city employees. Prefer relevant graduate education and seven years general public management experience. Resume to: Chairman, Selection Committee, City Manager's Office, City Hall, 41 Green St., Concord, N.H. 03301. Closing date Sept. 1.

**Assistant County Planner, Pulaski County, Va.** Salary \$13,000. Responsible for preparing a comprehensive plan with all necessary elements for a rural county. Funded for one year through a Farmer's Home Administration area Development Assistance Planning Grant. Resume to: County Planner, 143 Third St., N.W., Pulaski, Va. 24301.

**Manpower Director, Winnebago CETA Consortium, Oshkosh, Wis.** Salary commensurate with qualifications. Opening for CETA Manpower director with experience in manpower administration. Resume to: Winnebago County Personnel Department, 415 Jackson St., Oshkosh, Wis., 414/235-2500. Closing date Sept. 1.

## NATIONAL HERITAGE PROGRAM

# Preservation Grants Available

WASHINGTON, D.C.—A one-shot demonstration grant program for historic preservation was announced by Interior Secretary Cecil Andrus recently. Over \$1 million from the discretionary fund of the Historic Preservation Program will be available for distribution. Grants must be matched on a 50/50 basis by nonfederal money or in-kind contributions.

State Historic Preservation officers will compete for the grants and transfer them to public and private project sponsors. Preference will go to proposals that focus on urban areas; include multiple rather than single historic resources; can be completed within a year; draw on other public and private sources of assistance; cooperate with municipal and county agencies or private organizations; and use innovative techniques—such as revolving funds—for acquiring and developing historic properties.

**ELIGIBLE PROJECTS** must be for those properties already listed in the National Register of Historic Places, America's official list of resources that merit preservation for their historical, architectural, archaeological or cultural value.

Andrus said, "Through these grants, the Administration's National Heritage Program will support projects that have nationwide applicability in demonstrating the

power of the preservation option in serving our broadest national objectives."

The grants will be awarded to historic preservation survey, planning, acquisition and development projects sensitive to neighborhood needs, or that represent imaginative approaches to saving energy. A premium will be put on proposals

that benefit socially or economically disadvantaged people, minorities or businesses, and the handicapped.

If you have a historic preservation project that meets all these criteria, contact your state historic preservation officer immediately. Grant applications are due to the Heritage Conservation and Recreation Service by Sept. 26.

## Clerks Corner

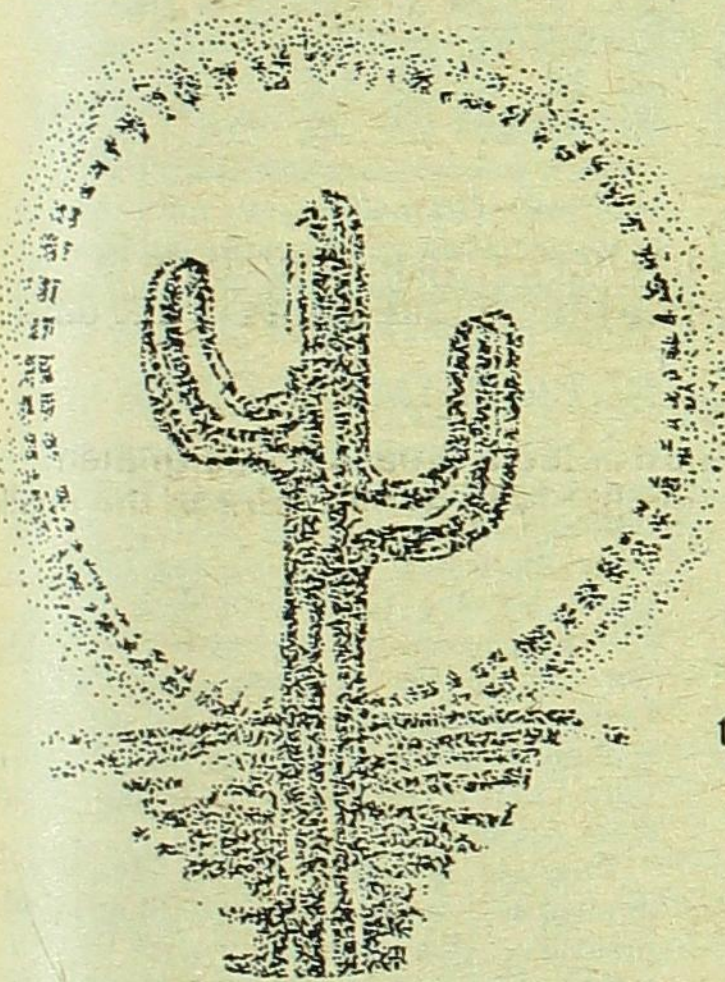
The second conference sponsored by the North American Institute for Modernization of Land Data Systems (MOLDS) will be held Oct. 5-7 at the Shoreham Americana Hotel in Washington, D.C. The theme will be "Implementation of a Modern Multipurpose Land Data System." MOLDS is a nonprofit corporation organized exclusively to foster the improvement of government-operated land data systems. Their first conference was held in 1975.

The conference program will consist of an exploration of the proper means of implementing a series of interactive land data systems involving at least four subsystems: juridical, fiscal, environmental, and geographic. Each subsystem will be addressed as to administration, operation, and financing. The objective of this multipurpose approach is to provide all the data required by both government and the public for proper development, utilization, and conveyance of land and its resources.

Specific conference sessions will address the technical, legal, and administrative problems in the implementation of a multipurpose land data system. General discussion forums will also be provided as part of the program.

For more information on the Second MOLDS Conference, registration or housing, please contact: Linda Longest, MOLDS Registration Center, P.O. Box 17413, Dulles International Airport, Washington, D.C. 20041, 703/471-6180.

## Conference Registration/Official Housing Form 1978 NACo Manpower Conference Oct. 29-Nov. 1, 1978 Maricopa County (Phoenix), Ariz.



sponsored by  
the National Association  
of County Manpower  
Officials (NACMO)

### Advance Conference Registration:

Delegates to NACo's 7th Annual Manpower Conference can both preregister for the conference and reserve hotel accommodations by completing this form. Please use **one** form for **each** delegate registering. Deadline: Oct. 6

Check appropriate box(es): ☐ \$80 advance delegate ☐ \$55 advance spouse  
☐ \$90 on-site delegate ☐ \$65 on-site spouse

(Spouses must register to attend social events. No separate tickets will be sold.)

Name \_\_\_\_\_  
Last First Middle Initial  
Title \_\_\_\_\_  
County \_\_\_\_\_ Prime Sponsor (If Appropriate) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone (\_\_\_\_\_) \_\_\_\_\_  
Name of Registered Spouse \_\_\_\_\_  
Last First

### Housing Reservation:

Indicate hotel preference by circling rate under type of room:

HOTEL	SINGLE 1 person/1 bed	DOUBLE 2 persons/1 bed	TWIN 2 persons/2 beds
Adams (Headquarters)	\$30	\$36	\$36
Hyatt (across street)	\$30	\$36	\$36

Note: Suite information from Conference Registration Center (703/471-6180).

Name of Individual \_\_\_\_\_  
Co-occupant If Double or Twin \_\_\_\_\_  
Arrival Date/Time \_\_\_\_\_ Departure Date/Time \_\_\_\_\_  
Special Hotel Requests \_\_\_\_\_  
Credit Card Name \_\_\_\_\_ Number \_\_\_\_\_

( ) Check here if you have a housing related disability.

No room deposit required. Rooms may be guaranteed for after 6 p.m. arrival in writing by your county or by sending one night's deposit to the NACMO Conference Registration Center, 1735 New York Ave., N.W., Washington, D.C. 20006. For further information call 703/471-6180.

For Office Use Only

Check # \_\_\_\_\_  
Check Amount \_\_\_\_\_  
Date Received \_\_\_\_\_  
Date Postmarked \_\_\_\_\_

### How to Save Money:

- Delegates who preregister can save \$10 on the conference registration fee and be eligible for special conference room rates.
- Be sure advance registration forms and payment are postmarked no later than Oct. 6, 1978 and sent to: NACMO Conference Registration Center, 1735 New York Ave., N.W., Washington, D.C. 20006.
- All advance registrations must include payment of the conference registration fee by check, voucher or equivalent, made payable to National Association of Counties/Manpower.

### What Happens If You Miss the Oct. 6 Deadline?

- Delegates who miss the Oct. 6 deadline can register on-site and will have to make their own hotel reservations. The NACMO Registration Center (703-471-6180) will provide information on hotel room availability.
- Telephone requests for conference registration or housing reservations cannot be accepted at any time by the Conference Registration Center.

### What About Cancellations?

- Refunds of the conference registration fee will be made if cancellation is necessary, provided written notice is postmarked no later than Oct. 20, 1978.



## A Weekly Report

# Legislative Countdown

by Bernard F. Hillenbrand, NACo Executive Director

The legislative logjam is building in Congress to a level that threatens the very life of many programs needed by your constituents. And just prior to this writing, this dangerous situation was exacerbated by the news that, in reaction to President Carter's veto of the defense appropriations bill, Congress will be focusing its efforts on override votes, not passage of legislation.

Now, if this doesn't give you chills, add the fact that not only will the focus be on override, there is a threat to filibuster the override, to filibuster D.C. voting rights, and filibuster the extension of ERA. Who knows what other filibuster ideas are brewing?

Enough? Well, there is more. Congress is going to take a vacation—albeit a needed one. (Not many people want to spend August in Washington. And many senators and representatives need to campaign for re-election as well as find out what the folks at home are thinking.)

But the periods at home mean nothing will happen in the House from Aug. 18 until Sept. 6. Nothing will happen in the Senate from Aug. 30 until Sept. 6. And when Congress returns, nothing still may happen because of filibuster. Nothing, that is, unless you make every effort to break the logjam by talking to every member of your delegation when they are at home.

The stakes are high. Programs such as CETA, public works, Title XX Social Services, antirecession aid, highways and bridges repair and replacement, and mass transit are caught in the congressional crush of too much to do in too short a time. Since last week, some legislative progress on these major money bills that make up large portions of your county budgets was made in countercyclical assistance and public works.

### COUNTERCYCLICAL AID

Countercyclical aid and crop dusting may make odd legislative bedfellows, but recent maneuvers by the Senate Finance Committee revive hopes for a two-year extension of the current countercyclical program.

The new fiscal assistance proposal, which was reported out of the Finance Committee more than a week ago, has been attached to a tariff measure already passed by the House. The bill exempts aircraft fuel used for agricultural purposes from certain excise taxes.

This bill, with the countercyclical provisions, could reach the Senate floor next week. Countercyclical assistance is extremely important to counties with high unemployment. Over 1,700 communities have been helped by the current program to avoid economic disruption, employee layoffs, and a reduction in services.

The new proposal would extend countercyclical aid for two years as long as the national unemployment rate is above 6 percent. A second title, supported by Sen. Russell B. Long, Finance Committee chairman, would make funds available under a choice of two formulas when national unemployment wavers between 6 percent and 5 percent. (See chart on page 3 for more details.)

### ACTION

Much work remains for counties and Congress before countercyclical is enacted. First, senators must be urged to pass H.R. 2852, the crop dusting bill with the countercyclical provisions. Following that, the bill would go to a House-Senate conference. Because there is no countercyclical measure in the House, House conferees would have to be persuaded to accept the Senate's countercyclical provisions.

### PUBLIC WORKS

Efforts to provide funds to state and local governments for public works projects have picked up speed in Congress. Last week a House subcommittee approved a \$6 billion bill which would provide grants over two years for construction, reconstruction, and rehabilitation of public facilities. (See story, page 1, for more details.)

The big question mark, however, is money. This new bill contains \$2 billion more each year than the Administration will support.

In the Senate, the fate of public works legislation is uncertain. The subcommittee on com-

munity and regional development will consider the Administration's three-year, \$3 million "labor intensive public works proposal." Sources close to the subcommittee indicate only lukewarm support for a public works bill.

### ACTION

Document how public works funds have been used and the need for continued assistance. Call or write your congressmen.

### CETA

The nation's public jobs and training program—CETA—is in real danger of being ripped apart on Capitol Hill. The Senate is scheduled to take up its version (S. 2570) early this week, fueled by the destructive House action of Aug. 9, which slashed \$1 billion from public jobs authorization and put unworkable wage limits on public jobs.

In hopes of correcting isolated but well-publicized abuses of CETA, Congress may cripple a program that has given productive jobs to hundreds of thousands of Americans and provided priceless services to county residents.

### ACTION

You can help by calling your senator immediately and asking him to support S. 2570 as reported by the Senate Human Resources Committee with only one amendment—Sen. Russell B. Long's proposal to ensure that local funds are not required for providing retirement coverage to temporary CETA workers.

The House will be considering further cuts and restrictions after Labor Day. So use this time when your congressman is home to oppose any further changes to CETA.

### SOCIAL SERVICES TITLE XX

The legislation raising the Title XX ceiling for the next three years—which passed the House by an overwhelming margin—is now before the Senate Finance Committee where it faces some roadblocks. NACo testified Aug. 18 in support of the House bill (H.R. 12973) which provides a \$750 million increase in the ceiling from \$2.5 billion (plus \$200 million earmarked) in 1978 to \$3.45 billion in 1981. The House bill

also requires participation of elected officials in the state Title XX planning process. The Senate Finance Committee is stalled over the questions of a one-year increase (as proposed by HEW) versus three-year increase; participation by local elected officials; and the present allocation formula.

### ACTION

Time is so short for dealing with this vital legislation, that it is important for the Senate to pass the House version. Otherwise a House-Senate Conference will be necessary. A call to your senator with the specifics of how your county uses Title XX funds and what these increases mean to your citizens is needed now.

### HIGHWAY LEGISLATION

New legislation to re-authorize federal-aid highway programs is crawling through Congress. Included are many highway programs as well as bridge funding. The Senate is expected to vote on its highway bill (S. 3073) before vacation. The House probably won't take up its bill (H.R. 11733) until September.

Both bills contain increased authorizations for bridges; however, the House version is currently set at \$2 billion. It is anticipated that Rep. James Howard (D-N.J.) will reduce this amount to \$1.5 billion. The House version is more acceptable because of the nation's critical bridge needs. The House bill provides a minimum of 25 percent (\$325 million) and a maximum of 35 percent to be made available to local governments with off-system bridge requirements. An amendment to raise bridge authorizations from \$450 million to \$600 million with a guarantee of 15 percent (\$90 million) for off-system bridges will be introduced by Sen. John Culver (D-Iowa).

### ACTION

Support the Culver amendment.

### PUBLIC TRANSPORTATION

Passage of new public transportation legislation also waits for final congressional

approval—expected to occur in both chambers during September. In the capital assistance section, the House bill authorizes a total of \$7.44 billion over four years for capital assistance which is very important to counties because of the great need to expand public transportation services beyond central cities. The House version limits interstate transfer of highway trust fund money for transit to \$62 million nationwide. The Senate version includes no artificially fixed limit on interstate transfers for public transportation projects and is supported by NACo.

Operating assistance in the House bill totals \$615 billion over four years. Formula distribution of funds under the House bill would be better for most counties. However, the Senate version removes the current maintenance of effort requirement on participating local government and limits assistance to one-third of total operating expenses. Counties support the higher House authorizations and formula; however, the Senate maintenance of effort and one-third federal share of operating costs feature is more acceptable.

A new rural public transportation program under both the House and Senate bills is authorized for fiscal '79. For the first time, the program would include operating assistance for rural programs. NACo has gotten the program included in both bills. Passage is critical to take advantage of the fiscal '79 approved appropriations of \$76.5 million.

### ACTION

Both public transportation bills are critical this year. Dramatize your highway and public transportation needs to the public at home and through letters and calls to your congressmen.

### ENERGY IMPACT AID

Local communities have been suffering adverse social and economic effects from the national push toward energy development. They have now been waiting more than two years for the relief provided in the Internal Energy Impact Assistance Bill. Now, although the Senate Environment and Public Works Committee has reported a bill providing \$18 million in aid, the Senate Governmental Affairs Committee has so far refused to schedule it for consideration.

Possible sponsors in the House are postponing action until the Senate has passed the measure. Although the Senate Governmental Affairs Committee has indicated a willingness to report the bill, a definite decision has not yet been reached.

### ACTION

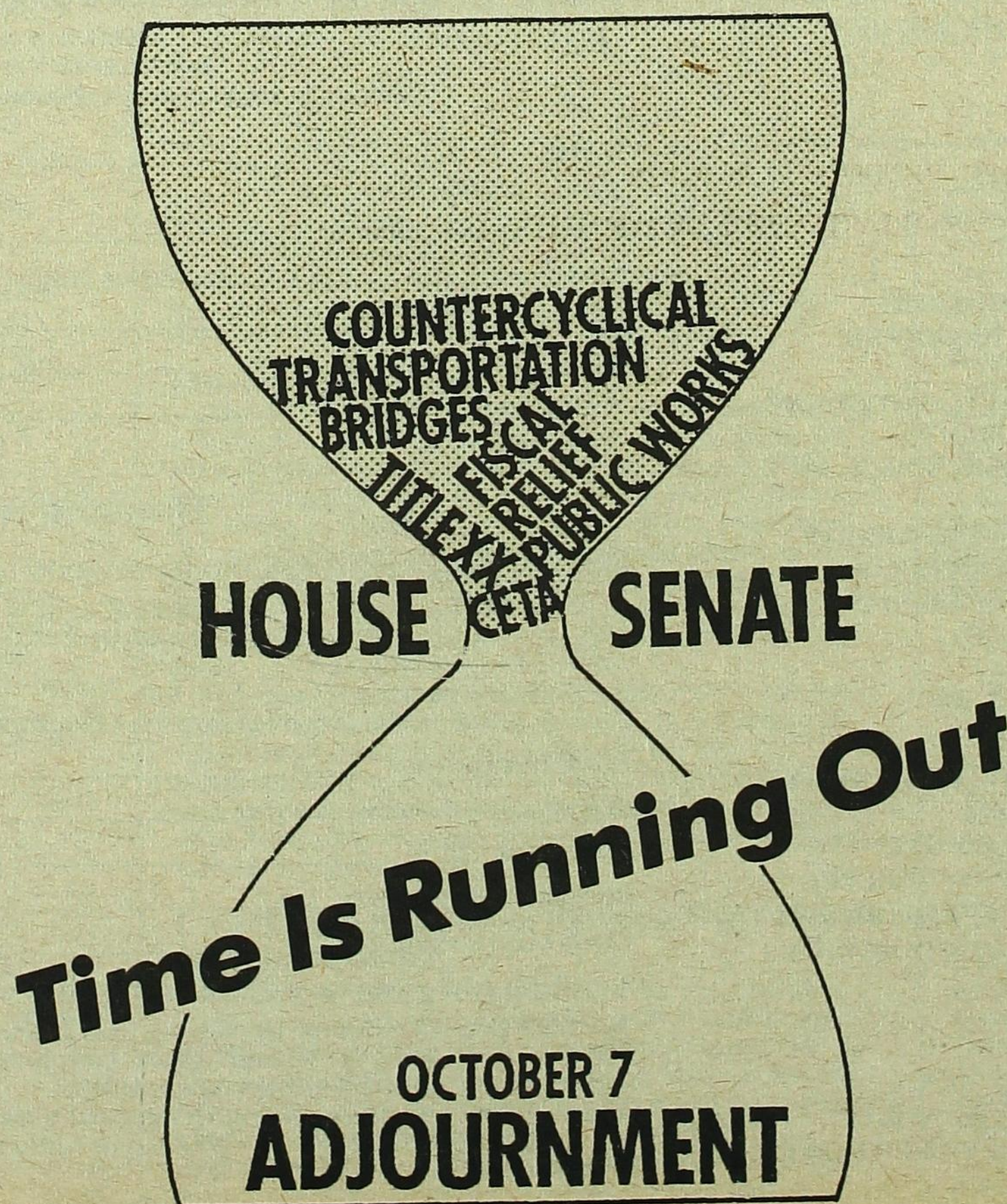
A call to your senator emphasizing the fact that many communities are already suffering these impacts and that further delay will aggravate their situation would be extremely helpful. Be sure to underline the extent of the impact in your area.

### INDO CHINESE REFUGEES

County officials should urge their representatives to support S. 3205 and H.R. 13368 continue 100 percent funding to counties welfare costs under the Indo-Chinese Refugee Assistance Program (IRPA).

### FISCAL RELIEF

The bill, H.R. 13353, providing \$400 million of fiscal relief in fiscal '79 to counties welfare costs is pending before the House Rules Committee. Sens. Russell Long (D-La.) Daniel Patrick Moynihan (D-N.Y.) and Alan Cranston (D-Calif.) have yet to introduce the bill to provide \$2.8 billion in fiscal relief beginning in 1980. Meanwhile, the Administration opposes any fiscal relief separate from welfare reform. Counties should continue to build understanding of the unfair welfare burden counties carry through the property tax.



*Bernard Hillenbrand*