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INDEX OF TOZZI PAPERS

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I	1	1-6	Page 1 -- Memorandum for Mr. Mitchell from David Gibbons, Environmental Branch-Natural Resources Division, OMB Dated: 7/3/75. Subj: Quality of Life Review and Section III(d) of Clean Air Act. Reviews of OMB's role in Quality of Life Review. Page 2 -- Two examples of regulations going through the Quality of Life Review which Mr. Gibbons calls "unnecessarily creating friction with the other Federal agencies." -- §211 of Clean Air Act -- §209 of Solid Waste Disposal Act Page 3 -- Section 111(d) of the Clean Air Act--Dispute between Dept. of Commerce and EPA. Issue: Should EPA or States set emission standards applicable to existing sources of air pollution which are not covered by existing regulations? Discussion of issue. Page 5 -- Two options proposed to resolve dispute. Option 1 -- EPA establishes standards Option 2 -- States establish standards--burden of proof on EPA. Analysis of advantages and disadvantages of each option. Page 6 -- Recommendation: Call for a meeting of principals to include officials from OMB, The Domestic Council, EPA and Dept. of Commerce.

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I	2	1	Memo from Mr. Tozzi to Mr. Morrill, Dated: 3/7/73, Subj: Release of Agency Comments in Response to Quality of Life Reviews. Topics of letter include: Sen. Hart's request for release of views by HEW, Interior, and Commerce on EPA's lead-in-gas regulations. -- OMB General Counsel agrees to request.
I	3	1-3	Page 1 -- Memo No date given Dated:_____ Subj: Should Quality of Life Reviews be continued, abbreviated, or terminated? Background discussion on Quality of Life Review. Page 2 -- Alternatives to Quality of Life Review 1) Discontinue Quality of Life Reviews. 2) Assign function outside EXOP 3) Reassign within OMB/EXOP 4) Continue EPA Quality of Life Reviews, reassign or discontinue Quality of Life Reviews of other agencies. Page 3 -- Pros/Cons of each alternative. Recommendation: Alternative 4, or as a fall back position terminate all Quality of Life Reviews.
I	4	1-4	Page 1 -- Letter to Don Crabill from _____, Dated: 2/9/73, Subj: Request for justification for each reduction item listed on pages 50-57 of the budget. Page 2 -- Supplementary instructions. Page 3 -- Blank form. Letter from Larry _____ to Mr. Tozzi, Dated 2/8/73, Subj: Jim received a call from Mr. Sopper. Question: Should HEW testify on 2/15

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			before Sen. Hart on technical advice given to EPA on lead-in-gasoline and related subjects? Larry said it was okay.
I	5	1-2	Page 1 -- Letter to Sen. John V. Tunney from Elliot L. Richardson, Sec. of HEW, Dated:: 1/29/73, Subj: The view of HEW on the EPA's regulations providing for one grade of non-leaded gasoline and re-proposed regulation designed to accelerate the removal of lead from the remaining gasoline. Declaration by Sec. Richardson that HEW's role was as a consultant, and that final authority for decisions of this sort belonged to EPA.
I	6	1-3	Page 1 -- Letter from Sen. John Tunney to Elliot Richardson, Sec. HEW, Dated 12/19/72, Subj: Validity of an article in The Oil Daily (11/30/72) which states that HEW's review of the EPA's study on the effects of lead-in-gasoline failed to support the EPA's findings. Page 2-3 -- Enclosed article.
I	7	1-2	Page 1 -- Letter from Alan G. Kirk, II, Dep. General Counsel, EPA, to Mr. Tozzi, OMB Dated: 1/14/73, Subj: Ethyl Corporation's request for disclosure of documents that concern aspects of fuel additive regulations. The EPA Office of General Counsel determined that the Federal agency comments are exempt from disclosure. Page 2 -- List of nine memorandums pertaining to request.
1	8	1	Letter from Sen. Philip A. Hart, Chrm.

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			Subcommittee on the Environment to William D. Ruckelshaus, Admin. EPA, Dated: 11/10/72, Subj: Request for agency comments on proposed regulations on the lead content of gasoline. Particular interest in comments from Commerce and Interior.
I	9	1	Letter from William Ruckelshaus, Admin. EPA, to Sen. Philip A. Hart, Dated: 12/18/72, Subj: Response to letter requesting agency comments on proposed regulations on the lead content of gasoline. (See Vol. I, Doc. 8, Page 1). Mr. Ruckelshaus advised Sen. Hart to address the Director of OMB.
I	10	1	Letter from Sen. Philip Hart to Hon. Casper Weinberger, Dir. OMB, Dated: 1/15/73, Subj: comments on proposed regulations on the lead content of gasoline. (See Vol. I, Doc. 9, page 1).
I	11	1-2	Letter from Merlin K. DuVal, MD, Asst. Sec. for Health to Mr. Tozzi, OMB, Dated: 11/27/72, Subj: from HEW on the EPA's regulations on lead-in-gasoline. Included are §211(c)(1)(b) and §211(c)(1)(A).
I	12	1-2	Letter from Merlin K. DuVal, MD, Asst. Sec. for Health to Hon. William D. Ruckelshaus, Admin. EPA, Dated: 11/17/72, Subj: Comments from HEW on EPA's regulations on lead-in-gasoline. HEW's statement included, "It was our view that there is no firm evidence, at this time, that lead poisoning in humans could be traced per se to the presence of lead-in-gasoline..." (See Vol. I, Doc. 11, Pages 1-2).

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I	13	1-2	Page 1 -- OMB Route Slip--Joel Rosenblatt to Mr. Crabill, Dated: 5/17/72, Subj: Response from Focke, Arthur B., General Counsel, OMB, re: EPA release of agency lead regulation comments. Page 2 -- Letter from Arthur B. Focke, General Counsel, OMB to Mr. Donald E. Crabill, Dated: 5/11/72, Subj: Freedom of Information Act. Copies of agency comments in proposed EPA regulations. Mr. Focke concludes that OMB should not involve itself in the situation and that "in any event, I would agree with EPA's conclusion that it is proper to furnish the reports."
I	14	1	OMB Route Slip -- Dated: 1/23/73, Subj: Jim Tozzi to Jim Tozzi: "Should we ask Jim Bradley to find out what is being requested and what is being provided?"
I	15	1-2	(This document is a copy of Vol. I, Doc. 7, Pages 1-2).
I	16	1	NEPA statements. No date given. Five points made regarding EPA procedures. Appears to be an uncirculated, non-official document. (See Tozzi)

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I	17	1	Memorandum for the Record, Dated: 2/13/73, Subj: Mr. Bradley informed Tozzi of "the position in respect to release of Quality of Life Review material."
I	18	1	OMB Route Slip from Mr. Tozzi to Mr. Crabill and Mr. Morrill, Dated: 2/21/73(?), Subj: Note is in regard to a change in the final language of rulemaking. "EPA made a concession ..." Tozzi says, "Score one for the Quality of Life Review."
I	19	1-5	Page 1 -- Memorandum from Frank C. Carlucci, Dep. Dir., OMB to Dr. Ed. David, Jr., Office of Science & Technology, Dated: 1/8/73, Subj: Aircraft emission standards. Frank Carlucci voices his disapproval of EPA's press release on the subject standards. Page 2 -- Memorandum from Ed David, Jr., Science Advisor, Office of Science & Technology to Frank Carlucci, Dep. Dir. OMB, Dated: 12/29/72, Subj: Ed David, Jrs disapproval of EPA's action on aircraft emission standards. David asks Carlucci for OMB's opinion. (See Vol. I, Doc. 19, page 1) Page 3 -- Memorandum from Jack Hope to Dr. Ed. David, Jr., Dated: 12/8/72, Subj: Aircraft Emission Standards. Jack Hope voices disapproval of EPA's proposed rulemaking on aircraft emission standards, technical documents supporting these required standards, and press release. Hope notes that the release ignored practically all of the technical considerations reviewed by OMB, the Domestic Council, and EPA staff.

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			"Page 4 " "
			"Page 5 " "
I	20	1-3	Page 1 -- OMB Route from Jim Tozzi to Mr. Crabill, Dated: 1/22/73, Subj: Tozzi mentions the attached letter (See Vol. I, Doc. 20, page 2) concerning Quality of Life Review by EPA on two proposed rules. Page 2 -- Letter from Joel Rosenblatt, NRP Division, OMB, to Mr. Crabill, Dated: 1/22/73, Subj: Quality of Life Review. Mr. Rosenblatt details his discussion with John Kriedler, OSHA, regarding "EPA's request you had referred to HRP to review OSHA regulations in QLR process." Mr. Rosenblatt notes, "It seems as if OSHA wants desperately to expand its jurisdiction under its legislative authority (Occupational Health and Safety Act) and that this was causing a number of jurisdictional battles between OSHA and other agencies." Also mentioned: EPA concerned that FAA would issue noise regulations without first going through EPA and/or QLR process. Page 3 -- Letter from _____ to Jim Tozzi. (Letter sent on EPA letterhead), Dated: 1/19/73, Subj: Mr. Tozzi was sent a copy of WDR's recent memorandum on EPA's standard setting activities. Four outstanding items were listed. (It appears Mr. Tozzi added some issues in his own writing).
I	21	1	A piece of notebook paper on which "Jan. 4, 1973 EPA" is written.
I	22	1-5	Page 1 -- Letter from the Administrator of EPA, William D. Ruckelshaus, Admin. EPA, to

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			Assistant Administrators and Office Directors of EPA, Dated: 1/4/73, Subj: Standing Steering Committee on Standards and Regulations. Purpose of memo is to direct actions to improve performance in developing standards and regulations. Mentions EPA Order 1000.6 and Responsibilities of Lead Office. Page 2 -- Details responsibilities of the Steering Committee and the Planning and Scheduling of Standards Development. Page 3-4 -- Details Analysis of Standards Being Developed, Interagency Review, and Next Steps. Mentions John Court, Chairman of the Steering Committee. Page 5 -- Permanent Membership of Standing Steering Committee on Standards and Regulations. Organization Units Mentioned: OAP (Office of Air Programs) OCP (Office of Categorized Programs) OWP (Office of Water Programs) OEGC (Office of Enforcement/General Counsel) OPM (Office of Program Management) ORM (Office of Research Management) ORL (Office of Regional Liaison)
I	23	1	Memorandum from Robert J. McManus, Office of the General Counsel, EPA to Director, Office of Public Affairs, Dated: 11/30/72, Subj: Interagency Comments on the Proposed Regulation of Lead Additives in Gasoline. McManus states, "I believe it is clear that they are precisely the sort of interagency

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			memoranda, consisting mainly of policy advise and recommendations, which the exemption in question was designed to protect."
I	24	1	Note from Jim Tozzi, NRP Division, OMB to Mr. Crabill, Dated: _____, Subj: Mr. Tozzi's Discussion with Tom Carroll in asbestos regulations and EPA's views on the QLR process. Lists sequence of events with respect to EPA's views on QLR process.
I	25	1	Note from Jim Tozzi, NRP Division, OMB to Mr. Crabill, Dated: 1/9/73, Subj: Mr. Tozzi refers to attached copy of EPA's proposed rulemaking which will list the 27 industries for which EPA planned to issue new source performance standards. Mr. Crabill O.K.'d the recommendation.
I	26	1	Memo from OMB to OMB staff, Dated: 1/9/73, Subj: Publication of documents in the Federal Register. Discusses revised rules of publication in the Federal Register.
I	27	1	Memo from William A. Morrill, Asst. Dir. _____ to Richard Fairbanks _____, Dated: 1/5/73, Subj: Quality of Life Review. Refers to attached, 1) detailed staff comments on EPA proposal and 2) issue paper used in the Director's Review this fall. Mr. Morrill briefly states OMB's view of EPA's proposed framework.
I	28	1-3	Page 1 -- EPA's proposal to revamp the Quality of Life Review Process (See Vol. I, Doc. 27, Page 1). No date given, Subj: OMB's reaction to EPA's proposal to revise the Quality of Life Review Process. EPA proposal: 1) determination of whether materials should go

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			through QLR; 2) proposed regulations; 3) publication of final rulemaking activities; 4) EPA proposal demands. Page 2 -- OMB's reaction to above mentioned proposals. Page 3 -- Mentions that EPA is currently running a streamlined Quality of Life Review process for the Hazardous Air Pollutant Regulations.
I	29	1-15	Page 1 -- Issue Paper. EPA 1974 Budget. Issue #1: Quality of Life Review, date not given, Subj: Should the Quality of Life Review process be terminated, continued, or continued with an increase in the data and analysis requirements necessary to support proposed agency regulatory actions? Background -- Reference to Director Schultz memorandum of 10/5/71 (Memorandum is found in Vol. I, Doc. 29, Pages 6-9). Page 2 -- Reference to regulations, standards, and guidelines reviewed through the Quality of Life process as of that date. Mentions that the Quality of Life Review has been criticized by environmentalists and that through the first year, the Quality of Life Review has fallen short of the requirements of the October 5, 1971 memorandum. Page 3 -- List of alternatives to current process. 1) terminate Quality of Life Review; 2) Continue without change; 3) Continue, but increase the data and analysis requirements necessary to support proposed agency actions. Analysis of Alternatives.

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			Page 15 -- Estimate of costs to be incurred as a result of the requirements of the Federal Water Pollution Control Act of 1972.
I	30	1	Note from Mr. Tozzi to Mr. Crabill, Dated: 1/5/73, Subj: Concern over the fact that the EPA had received permission from the President to no longer forward EPA's proposed regulations through the OMB interagency review process.
I	31	1	Note from Jim Tozzi to Mr. Crabill, Dated: 1/3/73, Subj: 1) discussed Tozzi's meeting with "Mr. Townsend of Carlson's Shop"--mentions Clean Air Act Amendments and Quality of Life Review. Tozzi mentions EPA's interest in streamlining OMB review process. Tozzi also offers ideas for a monitoring system in an effort to stay "on top of EPA's program." Crabill agrees with Tozzi's proposal.
I	32	1-2	Page 1 -- from Joel Rosenblatt to Mr. Tozzi, Mr. Crabill & Mr. Morrill, Dated: 1/4/73, Subj: Mr. Rosenblatt refers to attached reactions to EPA proposals to modify Quality of Life Review process. Mr. Rosenblatt voices his belief that hard deadlines would be unworkable.

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			Page 2 -- Memorandum from _____ to Mr. Morrill, Dated: 1/4/73, Subj: EPA's suggestions of the Quality of Life Review. Comment by author that EPA is frustrated by inability to get immediate judgment on complex problems. Also, that EPA is either unwilling or unable to do objective staff work. Author mentions Director's Review paper which addresses the deficiencies of the Quality of Life process. Also, critical questions are asked regarding the President's balancing between "environmental programs" and "developmental programs."
I	33	1	OMB Route Slip from Mr. Tozzi to Mr. Crabill, Mr. Morrill, Mr. Fairbanks, Dated: 12/20/72, Subj: Mr. Tozzi refers to an attached letter regarding streamlining the Quality of Life Review. Tom Carroll & John Court are mentioned. Tozzi states that he would prefer to spend a limited amount of time on it prior to the budget.
I	34	1-3	Page 1 -- Letter from Thomas F. Carroll, Asst. Admin. EPA to Donald Crabill, Chief, Natural Resources Program Division, OMB, Dated: 12/11/72, Subj: EPA's recommendations for change in the Quality of Life Review process. Timely determination of which items should undergo the Quality of Life process. Page 2 -- How the Quality of Life process should operate on proposed regulations.

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			Page 3 -- Publication of EPA's final rulemaking activities. Carroll states, "We stand ready to discuss our suggestions and comments in detail with you at your earliest convenience."
I	35	1-2	Page 1 -- Memorandum from General Counsel Dept. of Commerce to John C. Whitaker, Dep. Asst. to the President, Dated: _____, Subj: Implementation by EPA of Permit Program Under Proposed New Water Legislation. Purpose of memo is to recommend that EPA be "requested to submit its interim effluent guidelines for an interagency quality of life review." The General Counsel warns that EPA guidelines may be too demanding for many industries to meet. "We are in the process of surveying all of the affected industry groups to ascertain the magnitude of this problem." Page 2 -- The DOC position is outlined in detail. Question of "best practicable technology" is raised.
I	36	1	Memorandum for the Record from Jim Tozzi, Dated: 2/13/73, Subj: Position in respect to release of Quality of Life Review material. 1) request from citizens. 2) request from Congress.

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I	37	1-2	Page 1 -- Memorandum for Messrs. Schultz and Ehrlichman from Arnold R. Weber, Assoc. Dir. OMB, Dated: 4/30/71, Subj: EPA and the Clean Air Act Amendments of 1970. Weber is critical of 'hard line' approach by EPA and the agency's incapability to examine environmental issues in a cost/benefit context. Page 2 -- Refers to press conference by Ruckelshaus on ambient air quality standards. Noted that standards are not workable. Recommends softening current approach to environmental reform.
I	38	1-3	Document is identical to (Vol. I, Doc. 29, pages 6-8) (Schultz) memo, Dated: 10/5/71.
I	39	1-6	Page 1 -- OMB Route Slip from Jim Tozzi to Mr. Morrill, Dated: 3/1/73, Subj: Refers to attached letter from Mr. Wilson, the Natural Resources Defense Council lawyer to the Admin. of EPA. Page 2 -- Note from Robert L. Sansom, EPA to Jim Tozzi, OMB, Dated: 2/27/73, Subj: attached letter from NRDC attorney. Page 3 -- Note from Robert L. Sansom, EPA to Mr. Crabill, OMB, Dated: 2/27/73, Subj: Attached letter from NRDC attorney.

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			Page 4 -- Letter from Ronald J. Wilson, Attorney for Natural Resources Defense Council, Inc. to Hon. William D. Ruckelshaus, Admin. EPA, Dated: 2/8/73, Subj: NRDC's displeasure over repeated failure to meet various deadlines for actions imposed by the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500 Oct., 18, 1972) Page 5 -- Wilson lists examples of missed deadlines as per the Clean Water Amendments. Also, Wilson mentions two important regulations due under the Act in February 15, 1973. Page 6 -- Wilson makes reference to NRDC, Inc. vs. EPA Nos. 72-1522 D.C. Cir. Jan. 31, 1973. Environmental Defense Fund, Inc. vs. Ruckelshaus, Cir. Action No. 2399-72, Jan. 29, 1973. City of Riverside v. Ruckelshaus, ERC 1728 CC.D. Cal. Nov. 16, 1972. NRDC asks for statement of action by Feb. 20, 1973. Threatens suit.
I	40	1	Letter from Emby Kaye _____ to Peter M. Flanigan, Asst. to President Richard M. Nixon, Dated: 10/31/72, Subj: Government control of motor fuel composition. Mr. Kaye shows concern over EPA's 'rule' to effectuate the reduction of lead in gas. He cites that oil demand will rise due to the law. Mr. Kaye references letters to Mr. Flanigan 6/24/72, and to John McLean, Pres. Continental Oil Co. 7/3/72 and 11/2/72.

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I	41	1-4	Instructions for requesting OMB approval under the Federal Reports Act. No date given. Mr. Tozzi attached a note saying that the standard form was not included in Quality of Life Review.
I	42	1-5	These are Undated:, handwritten notes from Mr. Tozzi. (See Mr. Tozzi for details)