

STATEMENT REGARDING RIGHT-TO-KNOW
AT MEETING OF
NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
ALBUQUERQUE, NEW MEXICO
NOVEMBER 7, 1985

My name is Larry Gordon and I currently serve as Director of the Albuquerque Environmental Health and Energy Department. I am past-President of the 55,000-member American Public Health Association, the largest association of public health professionals in the world. I have served as Director of the New Mexico Environmental Improvement Agency, the New Mexico Scientific Laboratory System, as Administrator of all New Mexico health and environmental programs, and subsequently Deputy Secretary of the New Mexico Health and Environment Department.

I wish to commend members of the New Mexico Environmental Improvement Board for their interest regarding the issue of RIGHT-TO-KNOW. The process of community hearings and gaining community input from across the state is indeed appropriate and useful in a number of ways.

As a long-term public health professional in New Mexico, I am in complete support of the concept of RIGHT-TO-KNOW regarding hazardous chemicals. I do not think it necessary to repeat to you all the myriad reasons and numbers which have been presented to you in this hearing and others. Suffice it to say that this is an important public health issue which has the support of public health professionals and public health communities throughout the State and nation. Perhaps the issue of gaining Legislative approval of appropriate RIGHT-TO-KNOW legislation is about where we were with air and water pollution recommendations in New Mexico in the early and mid 60s. At that time, few questioned the need for appropriate controls, but the exact wording and type of requirements polarized the issue for many years and several sessions of the

Legislature. Due to the mushrooming use of hazardous chemicals in our society, RIGHT-TO-KNOW is equally as important today as air and water legislation were some twenty years ago. I might remind members of the EIB (and Mr. Atkins and Mr. Roy Walker, as long time board members, will remember), that the original New Mexico Environmental Improvement Act which I helped develop and effect passage of, included the authority to regulate "toxic chemicals." After failing to gain any budget for this responsibility for a number of sessions of the Legislature, I recommended that the "toxic chemicals" authorization be repealed as we were in the embarrassing position of having a major responsibility and no funding to handle the responsibility. It is important that any newly requested responsibility regarding RIGHT-TO-KNOW have appropriate budgetary authorization.

It may be worth remembering that the RIGHT-TO-KNOW resolution which has been supported by many groups in New Mexico does not support specific requirements or legislation. As such specific legislation is developed, I would urge that you critically examine the definitions, procedures, and substantive requirements so that you may approach the Legislature with a tightly drafted bill which will not be easily picked to pieces and shredded. Additionally, I urge you to consider the most effective time and method of gaining legislative approval which might include requesting a memorial for a study to be conducted jointly with E.I.D. and specified industries in New Mexico, or requesting a small budget to pay for developing and submitting such a study to an interim legislative committee prior to the 60-day 1987 Legislature, or requesting that the Legislative Radioactive Materials Committee (which also addresses hazardous waste issues) conduct a study.

Gaining enactment of effective but acceptable legislation will require the best judgment, public and industry involvement, and flexibility that can be mustered. A well-planned strategy is more likely to succeed than a hasty attempt which might result in nothing, or in undesirable and ineffective legislation.

Those of us in the Albuquerque Environmental Health and Energy Department are also keenly interested in the possibility of developing RIGHT-TO-KNOW as a local ordinance and program depending on what happens or does not happen at the State level. However, our planning efforts will be coordinated in conjunction with other important priorities and the availability of necessary budget at the local level.

We wish you every success and offer our cooperation in this important public health endeavor.