

## Dicks ties local EPA chief to Superfund scheme

by Eric Pryne  
Times staff reporter

John R. Spencer, Northwest regional administrator of the Environmental Protection Agency, participated in an agency scheme to manipulate "Superfund" hazardous-waste-cleanup money for political purposes, Rep. Norm Dicks, D-Bremerton, charged yesterday.

Spencer said Dicks is wrong.

To buttress his claim, Dicks released documents obtained by a House subcommittee investigating EPA. They include notes from an assistant to Rita Lavelle, former EPA assistant administrator, which indicate Spencer and other regional administrators were consulted last year about how best to manipulate Superfund money to benefit Republican candidates, Dicks said.

The handwritten note from Susan Baldyga, Lavelle's assistant, reads in part: "John Spencer — No political hay for anybody on our list. Will call back after he strategizes a bit." The notes, which Baldyga told Congress she took last summer, contain no other references to Spencer, said George Behan, Dicks' press secretary.

"It's very clear they had a plan for political manipulation of the Superfund, to bolster Republican candidates and deny aid to Democrats in the way of

announcements and other support," Dicks said.

Tacoma, in Dicks' district, contains several hazardous-waste sites — Commencement Bay was listed by EPA as one of the 10 worst sites in the country in 1981.

Over the past year, Dicks has accused the EPA of dragging its feet in cleanup efforts. The Baldyga notes provide an explanation for the delays, the congressman said.

"It's very clear there was a political game plan," Dicks said. "We've been working hard to clean up the Tacoma-Pierce County area, and I find it very objectionable that the Superfund is being used for political purposes."

Spencer, contacted late yesterday, said he never discussed political use of the \$1.6 billion Superfund with Lavelle, and never has met or spoken with Baldyga.

He said the EPA has spent about \$1 million on cleanup efforts in the Tacoma area over the past 13 or 14 months, to take samples in Commencement Bay and remove wastes from a site on South Tacoma Way.

"The staff here wanted to spend three years studying the situation," Spencer said. "I told them we couldn't wait that long."

Spencer, the Reagan administration's choice to head the EPA's Northwest office, said the agency now is ready to commit an additional \$2.5 million to

help Tacoma — \$1.2 million to remove poisonous chemicals from a city well, \$1.3 million to pinpoint the sources of pollution along Commencement Bay's waterways.

Dicks said he will ask congressional leaders to bring the EPA regional administrators to Washington, D.C., to testify about their roles in dispensing Superfund monies.

Dicks also suggested Gov. John Spellman may have been consulted by the EPA about how to use the Superfund to assist Republican candidates.

The Baldyga notes released by Dicks say: "WA — Spellman — Political downside high."

"I assume that means Spellman was working with them," Dicks said, "but that if they got caught he would be upset."

Spellman was in Spokane last night and could not be reached for comment. His Olympia office had no immediate response.

In a related development, the Northwest office of Friends of the Earth released the itinerary for a trip Lavelle and Spencer took to Alaska last Nov. 11 and 12. The document, obtained by the environmental group under the Freedom of Information Act, indicates the EPA officials attended a dinner in Anchorage hosted by Standard Oil Co. of Ohio, Alaska's largest oil producer.

Spencer, a former Anchorage city official, said he

presumes Sohio paid for the meal. The gathering was social, not for political or business purposes, he added.

David Ortman, conservation representative for Friends of the Earth and a frequent Spencer critic, called the dinner "an inappropriate conflict of interest." He called on EPA Administrator-designate William Ruckelshaus to fire Spencer.

While he insisted it wasn't discussed at the dinner in Anchorage, Spencer did say Sohio has been in touch with him to express interest in proposals to amend regulations promulgated under Section 404 of the Clean Water Act, which requires federal permits for dredging or filling in wetlands.

Alaska's tundra now is classified as a wetland under the regulations, Spencer said. Eliminating that classification could remove a regulatory hurdle for Sohio.

Lavelle's appointment calendar for last Dec. 16 contains another reference to Spencer and Sohio. It reads: "12 — John Spencer — lunch — Sohio — 404 (illegible) — Romeo and Juliet (a Washington, D.C., restaurant)."

Spencer said he didn't have lunch with Lavelle that day. "I was here (in Seattle)," he said. But Spencer did say Sohio officials contacted him to find out which EPA officials in Washington, D.C., they should contact, and he gave them some names.

## Bombs: 'Dunce caps' could raze cities

by Bill Dietrich  
Times staff reporter

They are shaped like large dunce caps, about the height of a man. And each one is capable of destroying a city the size of Seattle.

That's one nuclear expert's description of the 100 to 192 warheads believed to have arrived yesterday at the Trident base at Bangor, after shipment from the nation's nuclear-warhead-assembly factory near Amarillo, Texas.

The description comes from William Arkin, a former Pentagon analyst who is now director of nuclear-weapons research for a Washington, D.C., think-tank called the Institute for Policy Studies Research.

Arkin said the warheads are presumably moving to the Trident Strategic Weapons Facility Pacific, at Bangor, for assembly to arm the USS Michigan, the second Trident submarine now undergoing final maintenance in Bremerton after its sea trials.

It is the Michigan's requirement for 192 warheads, eight for each of its 24 missiles, which has resulted in the highly visible train that has drawn the attention of protesters, Arkin surmised.

"That many warheads is more than a truckload, more than a plane load," he said. "As each Trident submarine is commissioned, they will need a trainload of 192 warheads going to Bangor."

The first Trident, the USS Ohio, is already armed and on patrol. Unknown is whether it was armed here, or in Connecticut where it received the final maintenance the Michigan is getting here.

In any event, it is unlikely this is the first shipment of nuclear warheads inside Washington, said both Arkin and Alan Scott, railroads supervisor for the state Utilities and Transportation Commission.

A similar train arrived at Bangor in December and was suspected of carrying nuclear warheads.

The military won't comment on movement of nuclear weapons, but Arkin noted that nuclear bombs are believed stored at Fairchild Air Force Base in Spokane, where B-52 bombers are stationed. Nuclear air-to-air missiles are also assumed to be stored at McChord Air Force Base near Tacoma.

The military says nuclear weapons are not stored at Fort Lewis near Tacoma, the Keyport Undersea Warfare Engineering Station near Bremerton, or the Indian Island ammunition storage facility near Port Townsend.

All nuclear and conventional explosives are removed from ships before the vessels are



Protesters comfort one another after a train believed to be carrying nuclear warheads passed.

overhauled at Bremerton. The conventional explosives are usually stored at Indian Island, but the military won't say whether nuclear arms are unloaded in the state.

The military is also close-mouthed with Washington state government. The Department of Emergency Services gets no notice of nuclear-train shipments, said spokesman Kate Heimbach.

However, yesterday's shipment was no surprise. The state UTC has worked with Burlington Northern since 1976 to upgrade railroad track between Centralia and Bangor in anticipation of hazardous naval rail shipments, including warheads. The railroad spent \$2 million to \$3 million in improvements to ties and rails, said the UTC's Scott.

He said warheads may have been shipped by rail in the state

before, and material such as missile fuel certainly has. "This type of material has been going on — this is not the first time, no," he said of hazardous military shipments.

Between September 1980 and January 1982, the Navy informed the UTC of 100 shipments of missile parts and fuel, but no warheads.

When shipped, the warheads are not triggered to detonate as nuclear explosions, Arkin said.

Weapons-grade nuclear material is also regularly shipped from Hanford to warhead-manufacturing plants. Hanford is one of two plutonium sources in the nation.

The W76 Trident warhead, Arkin said, weighs 362 pounds and is 1.8 meters high.

"If you imagine a dunce cap,

eight of them on each missile, you'll have an idea what it looks like," he said.

Each has the explosive force of 100 kilotons, or 100,000 tons of TNT. That is roughly five times the power of the bombs dropped on Hiroshima and Nagasaki.

"One warhead would be sufficient to totally destroy a city such as Seattle," he said.

The 2,000 elements in a warhead are assembled at the Pantex plant near Amarillo and shipped by truck, train and air. Additionally, on any day, as many as eight heavily armored trucks are on the roads of the United States delivering weapons-grade material.

Because all warheads come from and return to the Pantex plant, said Arkin, it is not difficult for anti-nuclear groups to track their movement.

## Judge tentatively OK's taping slaying survivor's testimony

by Carey Quan Gerlenter  
Times staff reporter

Prosecutors have won tentative permission to videotape the testimony of the sole survivor of the Chinatown massacre for use in case the witness dies before trial.

King County Deputy Prosecutor Robert Lasnik told Judge Frank D. Howard he feared the frail Wai Y. Chin might die either of complications from his gunshot wounds or by an "assassination attempt."

Chin, 61, was shot along with 13 others at the Wah Mee gambling club Feb. 19, but managed to stumble to the street and get help. He led police to Benjamin K. Ng, 20, and Kwan "Willie" Mak, 22, who each face charges of 13 counts of first-degree aggravated murder.

Lasnik said at a pretrial hearing yesterday that Chin, who was shot in the neck and face, took a turn for the worse and was near death earlier this month, and could suffer life-threatening complications again.

He also raised the possibility that — with a third suspect in the shooting deaths still on the loose — Chin could be the target of an assassination attempt.

That suggestion drew heated protest from Ng's attorney, John Henry Browne, who called it "fanatical."

"The press is going to go crazy with a statement like that," he said. After the hearing, he protested the point at length before reporters and television cameras.

Browne also told the judge Lasnik was trying to "inject some kind of melodrama into this case," and contended, "We'd rather have Mr. Chin here, subject to cross-examination, than to have his 'dying statement' read."

"It's in other people's best interest to have Mr. Chin not here," Browne continued, looking at the prosecutor.

During a recess, arguments between the two lawyers grew even more heated, after Browne overheard Lasnik explain to a reporter what he saw as defense motives for opposing the videotape.

"They want him to die," Lasnik said at one point. "They don't want his testimony."

"That's shocking," Mak's attorney, John Wolfe, called out from his seat. "So unprofessional."

Lasnik then insisted he meant that he didn't specifically mean Browne and Wolfe wanted Chin to die, but rather that "there are people out there wanting him dead." He also later apologized, calling himself "intemperate."

Browne's protests prompted Lasnik to agree later in the hearing to withdraw the assassination argument, and cite only Chin's precarious health as his official reason for wanting the videotape.

Lasnik submitted to the judge two affidavits, by Dr. Robert Badger and Dr. Larry Duckert of Harborview Medical Center, to support his case.

Badger said that on March 2 Chin's condition "acutely deteriorated" when his blood pressure dropped precipitously, requiring "vigorous resuscitation." He labeled this "a life-threatening episode."

Badger said Chin's chronic emphysema, which Lasnik attributed to a lifetime of smoking, had added to his problems.

While he has improved since the March 2 incident, Badger said Chin is "at risk to develop future complications such as infection, pulmonary embolus or pneumonia, any of which have life-threatening potential."

Duckert said the better part of the bullet still is lodged in Chin's neck in two places, which especially in a frail older man with a pulmonary problem, might cause deep neck abscesses to develop at any time over the next few months.

However, Badger and Duckert both said Chin, who was released from the hospital March 18, has a "good" prognosis for recovery.

Wolfe told the judge the prosecutor was being unduly gloomy about Chin's health, and the videotape wasn't necessary. Wolfe said Badger told him yesterday that the possibility of Chin suffering a relapse was "remote."

He said he needed more time to quiz the doctors, as he'd only yesterday seen their affidavits. Howard agreed to delay signing the order permitting the videotape until April 1, to allow him to submit more information.

Trial tentatively has been set for April 20, which defense lawyers indicated was too soon, but Howard said he would reconsider the matter at a pretrial hearing April 1.

## Schools urged to set higher standards

by Constantine Angelos  
Times staff reporter

Washington's high school students would have to take one more year of English, mathematics and science to graduate, say proposals to be placed before the state Board of Education tomorrow.

The state Office of Public Instruction staff recommendations are in line with proposals from education groups and citizen conferences after state Supt. Frank Brouillette late last year issued a challenge to prepare students for the high-technology revolution.

The staff recommendations call for raising the state minimum graduation requirement for grades 9 through 12 from the present two years to three years of English, and from the present one year to two years of math and of science.

A recent survey of 288 public and 68 nonpublic high schools showed that most already have higher standards than the present state minimums demand. But three of the largest school districts — Seattle, Bellevue and Edmonds — would have to stiffen requirements in both math and science if the state standards are increased. All three districts already require

three years of English, but now require only one year of science. Seattle and Bellevue require 1½ years of math; Edmonds, only one year.

The state board, meeting in Olympia tomorrow and Friday, will be asked to instruct staff to prepare for a public hearing at its May meeting to consider the stiffer graduation requirements.

The staff also recommended asking the Legislature to revise the state basic-education requirements to strengthen emphasis on computer literacy, global awareness and health and physical fitness. And the staff suggested that the state board encourage the state universities' efforts to increase high school course requirements by upping their admission requisites.

About 400 people attended nine recent regional workshops on excellence in the state's high schools. Roughly two-thirds of the participants recommended increases in math, English and lab-science requirements for graduation.

The most frequently suggested new requirement was for courses in computer science or technology. Others often mentioned were foreign languages and career and personal planning.

## Council vote could scrap Westlake project

by Susan Gilmore  
Times staff reporter

Once again, it may be back to the drawing board for Seattle's troubled Westlake redevelopment project.

The Seattle City Council Land Use Committee yesterday voted against a resolution to give city officials three more months to negotiate with two developers who have offered Westlake proposals.

If the committee recommendation is accepted by the full council Monday — the vote is expected to be close — months of work on a new Westlake scheme likely will be scrapped. The city would have to begin again to find a way to develop the downtown square and repay

about \$5 million in loans and grants owed on the aborted project.

Council rejection could open the door for a new development plan — perhaps, as some council members have suggested, incorporating a downtown transit mall on the Westlake site. That has drawn stiff opposition from Mayor Charles Royer, who said he would rather see nothing at Westlake than a transit mall.

Two developers have submitted proposals for the area enclosed by Pike Street and Olive Way, Fourth and Fifth Avenues. One proposal, by Emerald Place Associates, a local joint venture, calls for a four-level structure with shop and restaurant space, a fountain and a theater.

The second proposal, by The Rouse Co. of Columbia, Md., and Koehler McFadyen Inc. of

Bellevue, calls for an 18-story office tower and a four-level, glass-enclosed commercial space.

An evaluation committee last month found neither proposal acceptable, but recommended the city spend 90 days reworking designs with the two developers. The City Council is being asked to give the Royer administration the extra time to negotiate with Rouse and Emerald Place Associates.

The resolution also asks that skybridges be allowed. Officials say that would make the development more lucrative and fetch higher rental fees for upper-level businesses.

But the council committee, on a divided

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