

EPA attorney now law professor

By MELISSA HILTON
Of the Emerald

"I'm just the new guy on the block," claims Law Prof. John Bonine.

Bonine, who started teaching environmental law at the University Law School this January, was previously the Associate General Counselor for Air, Noise and Radiation at the Environmental Protection Agency (EPA) in Washington, D.C.

"I consider myself to be one corner of a triangle of environmental law professors at the law school," Bonine explains. The other two corners are Jon Jacobsen, who conducts the Ocean Resources Law Program, and Charles Wilkinson, an expert on public lands, wilderness, forestry and Indian law.

Besides the three full-time environmental law professors, other professors in the law school teach environmental law part-time and work on environmentally related issues.

According to Bonine, "There's an overall feeling that this particular law school is ideally placed to expand its reputation in environmental law, and it's a place that already has a reputation."

A graduate of Stanford University and Yale Law School, Bonine started working for the EPA in 1972 in the General Counsel's Office, the agency's law office. He began as a staff attorney, then was put in charge of pesticide litigation, and finally became an associate general counsel.

What does the general counsel's office do? "There are two things that are done: the rendering of legal advice to the

agency and the defense of lawsuits brought against the agency," Bonine answers. "So I wrote opinions, I argued cases, I supervised attorneys."

Two momentos from his fellow-workers at the EPA hang on the wall of Bonine's office in the law school. One commemorates some of the battles he fought while working for the agency.

"I never intended to stay there in Washington," Bonine confesses. He worked to help save the environment, but "there's just not enough left in the East to make it enjoyable."

Bonine is a rock-climber and a skier and he appreciates Eugene's close jaunt to the mountains.

"The Northwest still has a chance to avoid the mistakes of the more industrialized and populated areas," says Bonine. "So that's why I'm back."

Bonine is teaching two courses this term, Environmental Law: Pollution Control, and a section of first-year moot (learning) court working on field burning in the Willamette Valley.

This summer Bonine will conduct the Environmental Law Clinic, an opportunity for law students to participate in the real world of environmental issues that the law school offers each term.

Bonine plans to make his clinic a supervised legal research organization that will handle requests from outside groups, research questions the students find interesting and investigate the legal aspects of alternative energy for Oregon.

In class, Bonine approaches his subject with relish. When he intro-

duces a particularly effective bit of environmental law, a wide grin breaks across his face. He often asks his students what they would do if they were recommending laws.

What is his goal as a teacher? Bonine says, "I'm trying to convey to my students some sense of the ability to make an impact."

"The Freedom of Information Act is vastly underused today by environmental activists. For all intents and purposes the federal government's files could be considered wide open now," Bonine declares.

Bonine stresses the importance of accurate and well-informed public demands on the government. "The bureaucracy is not all evil and it's not all good," he explains.

"But it can be responsive. It's either going to be responsive to the existing pressures, which pull it in the direction of paid lobbyists, or it's going to be responsive to new pressures from individuals who dig up facts and make demands. Most bureaucrats would like to use their good judgment and receive counter-pressures from the public."

Bonine adds, "My personal goal is to keep one foot in academics and one foot in activism."

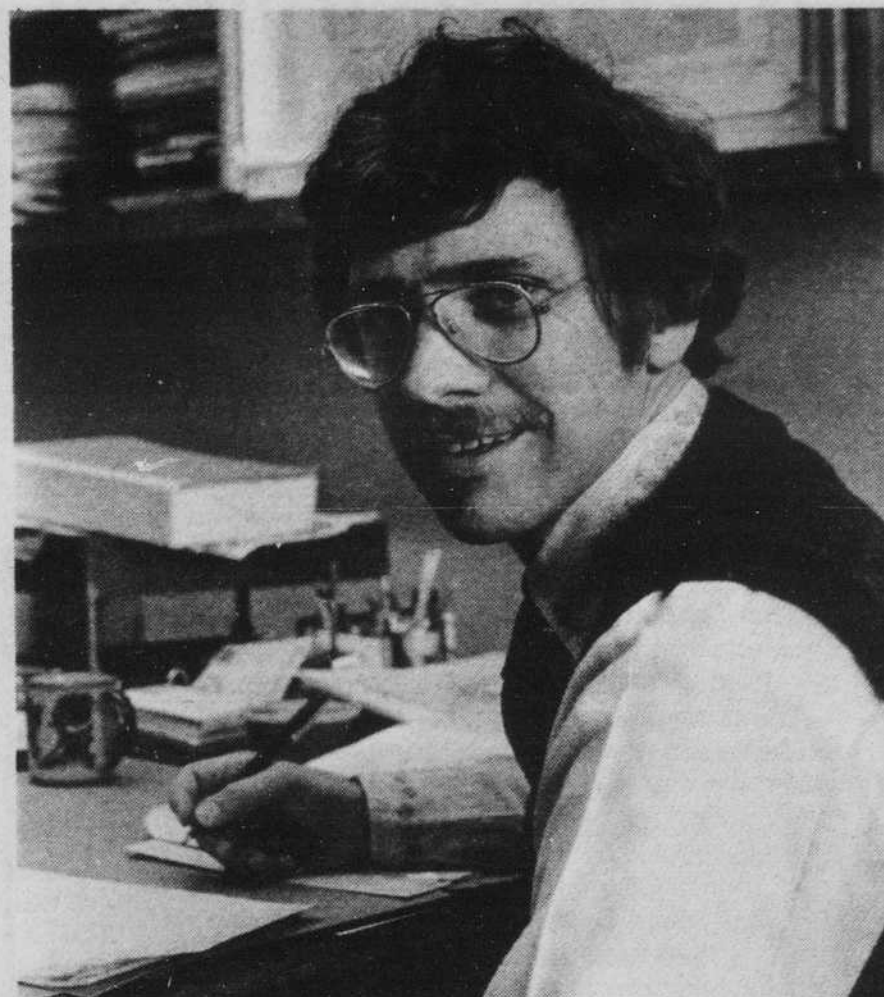


Photo by Greg Gawowski

Environmental law professor John Bonine worked for the EPA in Washington, but "never intended to stay." He returned to the Northwest where there is still a "chance to avoid the mistakes of the more industrialized and populated areas."

Trojan (Continued from Page 1)

ment on his department's findings to date.

"I don't want to pre-judge the results of a fairly important study — we're trying to do an objective study in a responsible manner," Hull says.

The agreement made between PGE and the Oregon Environmental Council, the Northwest Environmental Defense Center, Friends of the Earth and the Northwest Steelheaders Chapter of Trout Unlimited in 1972 is important, Bartels says, because it included a promise by PGE to perform four geological tests at the Trojan site.

The signed agreement between the environmental groups and the utility limited chemical radioactive waste discharges at the Trojan plant and required PGE to pay the groups' legal expenses incurred in opposing the plant, up to \$15,000, as well as requiring the geological tests.

In return, the environmental coalition agreed to dismiss their lawsuit then before the United States Court of Appeals; they withdrew their objection to licensing of the plant; they withdrew their request for a hearing regarding the environmental impact of the plant

and they agreed not to take any future action which might delay or question the construction or operation of the plant.

"It was a lawsuit settled out of court," says an Oregon Environmental Council spokesperson. "It was legal. There are a lot of people right now who wish it had never happened, but it did."

"The one unfortunate result of that agreement was that everyone assumed that those four tests constituted a complete geologic study," Bartels says. "The tests (for seismic refraction, magnetism, resistivity and gravity) were done and forgotten. But the geologists I've talked to say they didn't ask the right questions."

Bartels contends more extensive studies of the area should have been made. He hopes the information he has found will result in the Facility Siting Council refusing to allow PGE to start its refueling process, scheduled for March 17.

"We hope they'll refuse expansion of the spent fuel storage pond, because of inadequate testing," Bartels says.

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